

SITUATION REVIEW

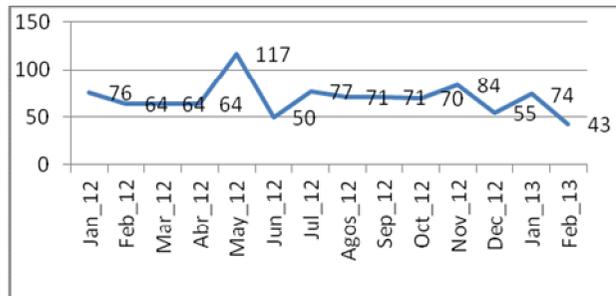
JANUARY - FEBRUARY 2013

THIS MONTH:

- CPD-RDTL Movement
- Tensions on the Border
- Illegal Fund Appropriation
- Alcohol-fuelled violence in a Government Office
- Police & F-FDTL involvement in violence

CONFLICT TRENDS

Total Reported Incidents



Data shows that incident occurrence dropped in February 2013 compared to previous months. Full incident reports can be found at: www.belun.crowdmap.com



Land Farmed by CPD-RDTL in Fatuberlihu, Manufahi

ISSUES REQUIRING ATTENTION

Government Decision on the CPD-RDTL Movement



Meeting between Minister for Commerce, Industry and Cooperative, Vice Prime Minister and PNTL General Commander with CPD-RDTL

During the period November 2012 - February 2013, the 'Conselho Popular do Defesa da Republica Democratica de Timor-Leste' (CPD-RDTL) movement gathered in *Suku Welaluhu*, Fatuberlihu sub-district, Manufahi to conduct cooperative farming activities. However the presence of CPD-RDTL and concentration of its members continued to cause concern within the Fatuberlihu community and for the government. In response to the CPD-RDTL presence in the area, the Council of Ministers called upon the General Commander of PNTL to inform them about the latest situational developments in Welaluhu. The PNTL General Commander reported that the community members in Welaluhu were living under difficult and concerning circumstances (STL 26/2/2013). After receiving and analyzing reports from the PNTL General Commander and the Secretariat of State for Security, the Council of Ministers decided to publish a Resolution on 25 February 2013 to provide a mandate to PNTL to facilitate CPD-RDTL group members to return to

their home districts.

Belun in theory supports the government's decision to facilitate CPD-RDTL to return to their respective districts due to the disquiet caused for the Fatuberlihu community and the unclear rights of access to the land being used by CPD-RDTL. However Belun asserts that the returns should follow due process and respect human rights.

Belun considers that CPD-RDTL should be supported to continue their cooperative farming activities in designated land in their own districts as these cooperative farming activities are a good initiative to engage their members in supporting the development and sustainability of the domestic economy.

Earlier dialogues facilitated by the President of the Republic, the General Commander of F-FDTL between CPD-RDTL and the community of Faturberlihu in November 2012 had reached no resolution.

Impact of Police Blockade on the CPD-RDTL members

Based on the government resolution, the General Commander of PNTL sent a Special Police Unit (UEP), comprised of *Corpu Seguransa Pessoal* (CSP), *Bataliaun Ordem Publiku* (BOP), and *Grupua Operasaun Espesial* (GOE), as well as the PNTL District Commanders of Manufahi and Manatuto to be situated in Faturberlihu and limit the movement of CPD-RDTL members.

Belun's monitoring noted that, as consequences of the police blockade, members of CPD-RDTL could not travel back and forth to their districts to bring food, and could not even buy food in the nearby kiosks. The impacts of limited access to food made some members sick, some suffering tuberculosis and diarrhea after consuming *akar* (sago palm) for 18 days without access to health assistance.

While the Police action was based on the mandate given by the government, it is also the responsibility of the government and police to implement the rule of law based on the principles of Human Rights, and not to violate rights such as article 25 of the Human

Rights Declaration which states that: "Everyone has the right to a standard of living adequate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services...". Through the police action, agricultural tools such as machetes and knives were confiscated. It is being debated whether this action was necessary given that CPD-RDTL members were transported with PNTL escort and members are likely to want to continue their agricultural activities in their own districts. PNTL has not discussed a means of returning the confiscated tools to the CPD-RDTL members.

Finally, the police exercised its mandate to forcefully move CPD-RDTL group members with the readily prepared transportation to their respective districts from the occupied land. The land has since been temporarily secured by the police. The government maintains that if CPD-RDTL members have any criticisms of the PNTL performance, they should register cases through formal judicial processes.

Results of Meeting between CPD-RDTL Coordinator the President and Members of the Government



Meeting between CPD-RDTL and Government representatives

In relation to the police blockade in Faturberlihu, the CPD-RDTL Coordinator approached the President of the Republic and requested that the President halt police activities. However the meeting did not bring any resolution, and the President of the Republic proposed to the CPD-RDTL to meet with Vice-Prime Minister (Timor Post 13/3/2013). The Vice-Prime Minister informed that, the government resolution had already mandated the PNTL to facilitate the return of CPD-RDTL members to their home districts. The resolution also stated that the government had prepared funding to purchase the rice production from the CPD-RDTL activities in Faturberlihu. The government was also prepared to support future CPD-RDTL-led

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cooperative initiatives in other districts. (Suara Timor Loro Sae, 14/3/13).

Finally, the government established a team lead by the Minister for Commerce, Industry and Environment including some members of CPD-RDTL to search for pathways through dialogue as to mechanisms through which the government could purchase cooperatively farmed products produced during the period. To-date, there has been no resolution established through the dialogue.

In the meantime, the government has given responsibility to the Subdistrict Administrator and Suco Chief to take care of farming areas that were vacated by the CPD-RDTL. However the government needs to consider this decision as there may be insufficient labour to tend the already planted farmland. Belun suggests that the Minister of Commerce, Industry and Environment may continue dialogue with CPD-RDTL and the local authorities in Fatuberlihu to potentially identify members of CPD-RDTL who live in Fatuberlihu to continue to support the farming process in the fields until the harvest. The government should also stand by its commitment to purchase agricultural products produced from the farm.

CONFLICT IN THE BORDER AREAS (NAKTUKA AND OESILO)

Members of TNI intimidate community members in Naktuka: Tensions and conflict continue to occur in the unresolved border area of Naktuka, Bene Ufe suku, Nitibe sub-district, Oecusse, according to the results of EWER monitoring. Many of these tensions continue to occur due the absence of Border Patrol Unit (UPF) Posts and limits in UPF personnel to patrol the area for 24 hours. A significant incident that took place in December 2012, which resulted in the death of a *Lia Nain* (traditional elder), has not yet been comprehensively investigated in order to assess the motive for the murder. Belun's continued monitoring found that three more incidents occurred during January and February this year. Of these three incidents, one incident occurred in the early morning at 01.30am; unknown persons assaulted and intimidated two households. The other two incidents occurred at 7am and allegedly involved 12 members of TNI wearing uniform and fully armed, who entered two houses, intimidating families and spreading apprehension in the community. Prior to this incident, the Bene Ufe Suco Chief had already heard about the potential incoming TNI to Naktuka. The Suco Chief had coordinated with UPF to patrol the area in the evening, but after the UPF returned to their Post, the TNI entered Naktuka area.

TNI members impede the process of constructing UPF Post in Oesilo: In the subdistrict of Oesilo, TNI officers impeded the work of the 'BTK' company who were contracted for the construction of the new UPF Post in Oesillo from 21 – 23 February. TNI impeded company members who were bringing building materials to the construction site. This occurred despite the fact that the Timor-Leste Ministry of Foreign Affairs had already sent a formal letter to the Ministry of Foreign Affairs Indonesia to inform them that the construction of the UPF Post is not within the disputed border area. After an additional letter reinforcing that the TNI has no right to access the area, the construction of the UPF Post was able to continue.

PNTL asserts that it will take more time to establish a UPF Post in Naktuka: In response to the demands from the community to establish a UPF Post in Naktuka, the General Commander of PNTL, during a visit of the President of the Republic to the sub-district, informed communities that the government still intends to establish a UPF Post in Naktuka, however there has been no concrete action taken to-date because more time is needed for the Government to further develop their Border Police strategy. He confirmed that the UPF post in Oesilo will first be completed before construction of new posts in other sub-districts will begin.

Belun recommends that while waiting for the post to be constructed in Naktuka, the Secretariat of State for Security needs to take rapid action to increase UPF personnel at the post in Suku Bene Ufe in order to be able to conduct 24 hour patrols in Naktuka.

VIOLENCE INITIATED BY PNTL & F-FDTL

Violence initiated by Police Personnel

Belun's monitoring identified that some members of the police are not following policing procedures and are resorting to violence. Seven such incidents were reported from January – February 2013.

Four incidents in January included three in Dili District and one in Liquiça. The first incident took place in Dom Aleixo sub-district, in which a member of the police shot and wounded a mentally ill person in the foot. The other incidents occurred in the subdistrict of Cristo Rei, a police member after resuming his official duty, wearing civilian uniform, physically threatened a youth, followed him into his house, pulled him outside and beat him. This incident was related to personal problem. In the subdistrict of Vera Cruz, a police member under the influence of alcohol sprayed tear gas at an old man and punched him in the face. The final police member also beat a young man in the street in Liquiça district.

During the month of February there were three more incidents reported. One in Lautem district, where some police officers beat two young men in their house. In Dili District, A member of the Police Public Order Battalion (BOP) beat one medical student until he bled. In Oecusse District a police officer beat a woman who was selling goods on the street near the market.

Involvement of F-FDTL officers in violent incidents

There were two reported violent incidents involving members of F-FDTL in January, one in Maubisse (Ainaro), where a Suco Chief was beaten by a man, and called the Ainaro District F-FDTL Office. Members of F-FDTL then came to the man's house and beat him. In February it was reported that in the sub-district of Atauro (Dili), a member of F-FDTL, physically threatened a young man who was charging his laptop at an internet café.

ISSUES REQUIRING ATTENTION

Illegal Appropriation of Funds

During February in Bobonaro district, there was growing concern from the community and youth groups regarding a group who named themselves '*Antigo Combatentes*' (Former Combatants) who carried pictures of the deceased leader Francisco Xavier and provided false information that the deceased leader is still alive. They requested community members to contribute funds for their activities. Members of one youth group who were particularly unhappy with the so-called '*Antigo Combatente*' group and their illegitimate fundraising activities, threatened the group, escalating to a fight between the groups resulting in the injury of one member of the '*Antigo Combatente*' group. The incident was investigated by the Bobonaro UPF and PNTL who arrested members from both groups who have undergone questioning and are awaiting further investigation.

Violent behaviour in a government office after alcohol consumption

Violence occurring as a result of the influence of alcohol reduced overall from 10 incidents in January to 4 in February. Belun's monitoring detected violent acts after alcohol consumption mainly occurred in the street, market and home. However, in the month of February violent behaviour after alcohol consumption also occurred inside a government office in Dili. The incident began with alcohol consumption at a celebration event at the government office. Two staff began quarrelling which escalated to a fight in front of their supervisors. The incident led to the involvement of people from outside who came into the office with machetes and swords and

tried to enter the government office. The fight was finally brought to an end by other staff. The staff members involved in the assaults were later suspended from their jobs and are under further investigation by the Public Service Commission. During the suspension, all government-supported equipment was retrieved by the office.

The district distribution of reported incidents relating to alcohol consumption which occurred in public and street during the month of January – February was as follows: Dili (3-3); Viqueque (1-0); Liquiça (1-0); Bobonaro (1-0); Covalima (1-0); Lautem (1-0); Aileu (1-0) and Ermera (0-1). The other districts: Manufahi, Oe-cusse, Manatuto, Lautem, Baucau and Ainaro showed positive change as there were no incidents of alcohol-related violence reported.

ISSUES THAT NEED ATTENTION

Violence between young people: One person was killed as an impact of youth violence in February. The incident occurred in the sub-district of Dom Aleixo. Other incidents resulted in injuries (2) and destruction of property (2). Total incidents reported during the month of January-February (9-8). These were distributed across districts as follows: Dili (2-5); Bobonaro (3-0); Covalima (1-0); Lautem (1-2);

Baucau (1-0) and Aileu (1-1). Five men were injured as a result.

Land disputes: Violence related to land disputes continued to occur and local authorities are looking for means to prevent and de-escalate this type of violence. Even though Belun offers mediation support for land disputes in Dili and Manatuto districts, solutions cannot be found in cases because the land law has not yet been approved by the National Parliament. Land disputes that occurred in the month of January – February (6-5), took place in Manufahi (2); Dili (2), Baucau (2), Ermera (1), Aileu (1), Oe-cusse (1), Viqueque (1) and Covalima (1).

Other incidents Jan-Feb: Family-related violence (9); violence between students (6); incidents between farmers and livestock owners (6), violence by unknown persons (8). Other crimes reported in January (21) and February (9).

RESPONSE TO CONFLICT



Conflict Prevention Seminar led by the CPRN in Laclo, Manatuto

Conflict prevention in the community during January – February 2013

- The Conflict Prevention and Response Network (CPRN) of Laclo sub-district, Manatuto, conducted a conflict prevention seminar in the villages of Hohorai, Ilimanu, Uma-Naruk, Uma Kaduak, with the theme: “Family as the key for peace in society”. Presentations were made by: the Parish Priest, the Sub-district Administrator, the police commander, the Inspector General for Education, the Manatuto Youth Council Coordinator and NGO Belun.
- The CPRN of the sub-districts Bazartete, Maubara and Liquiça Vila, (Liquiça) in cooperation with

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Liquica's Martial Art Regulatory Commission conducted a conflict prevention seminar in the village of Dato, Guico, and Ulmera. Presenters at the seminar included: the Police Commander, the Sub-district Administrator, the President of KRAM, Veteran Representatives and NGO Belun.

- The CPRN of Zumalai Sub-district (Covalima), implemented a seminar with the theme "Social Conflict Prevention and Strengthening Peace between Young People in the Sub-district of Zumalai".
- Belun through its Program on Mediation and Resolution of Land Dispute (MRD), facilitated mediation to 37 disputants. 31 disputants were able to solve their disputes by signing agreements between two parties that dividing their land plot.

RECOMMENDATIONS

Recommendations regarding the CPD-RDTL Movement:

Community leaders of Fatuberlihu Sub-district

- Conduct open discussion with the Fatuberlihu community, so that they can look after the growing farmland left by CPD-RDTL by keeping their cattle away from the farming areas.

Ministry of Justice, through Land and Property Directorate

- Identify land that belongs to the state in each district and offer portions to the CPD-RDTL group to continue their cooperative farming activities;

Ministry of Agriculture

- Provide agricultural equipment to CPD-RDTL group members to continue their cooperative farming activities in their respective districts;

Timor-Leste National Police and F-FDTL

- When performing duties in attending violent incident, follow formal processes and desist involvement in human rights violations;

Recommendations regarding border tensions:

Secretariat of State for Security

- Accelerate the process for establishing a temporary UPF Border Post in Naktuka.
- Increase numbers of UPF personal at each Border Post and conduct 24 hour patrols in Naktuka.

General recommendation:

Belun and CPRNs that have been established in 43 sub-districts

- Continue actively monitoring the changing situation in each sub-district and cooperating with local authorities, religious leaders and civil society organizations to identify tensions or conflict that emerges and respond to prevent the escalation of conflict.

ABOUT THIS SITUATION REVIEW

This document reports on key issues related to violent incidents and trends emerging from data collected through Timor-Leste's Early Warning, Early Response (EWER) system during January-February 2013. We welcome further information that may clarify or update data acquired through EWER. Please email EWER Program Manager Bylah Da Costa: bylah.belun@gmail.com. Images ©Filipe Oliveira and Elvis da Costa