

By UNMISSET Spokesperson's Office

Dili, 02 December 2002

POLICE AND RIGHTS OFFICIALS ADDRESS BAUCAU VIOLENCE

In a press conference at UNMISSET headquarters today, Timor-Leste Police Service (TLPS) Commissioner Paulo Martins, UN Police (UNPOL) Commissioner Peter Miller and the Chief of UNMISSET's Human Rights Unit, Patrick Burgess answered questions about the on-going investigation into the 25 November violence in the Baucau area that left one Timorese dead.

At the outset of the conference both Police Commissioners reinforced their earlier statements that the investigation was being conducted in a thorough and transparent manner. UNPOL Commissioner Peter Miller expressed his regrets at the loss of life and said ballistic testing was already underway to determine who fired the shot. Commissioner Miller declared, "no one wins with violence", and added, "I want that message out throughout the country".

TLPS Commission Paulo Martins appealed to the local community to help create conditions of stability and asked them to participate in the investigation to the fullest extent possible. He noted that government cars and other assets had been destroyed in the violence and he urged the Timorese people to help protect these donated items which are essential to police functions.

While both police commissioners said they were not yet far enough along in the investigation to confirm who specifically was behind the violence, Commissioner Miller said, "it appeared the protesters were well-organized and we will try to find out who was behind it." He cited what he believed to be two factors behind the violence: One was earlier police-community tension that had developed in Wailili on 18 November. In that incident police broke-up an illegal road block and the resulting confrontation left one officer injured and 16 people detained. The second factor,



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according to the UNPOL Commissioner was long-standing unhappiness with the recruitment process for the TLPS.

Commissioner Miller said that while anyone can apply for the TLPS, there are not enough positions available. "This problem," he said, "is simply not going to go away with 70 per cent unemployment". He cited as a particular concern the plight of the 6,000 Falintil veterans who had applied for police positions with only a small number being able to be recruited. He suggested the need for a national policy to deal with the ex- Falintil and clandestinos. "We can't put 6,000 in the police force. The math doesn't work out."

Commissioner Miller was asked about allegations that the Minister of Internal Administration, Rogerio Lobato, whose Ministry oversees the TLPS, had weakened police authority. He responded that there may have been incidences in which Mr. Lobato "had received wrong information". He added, however, that "We have been working with him for some time and have good relations." He also said, "We are strengthening communication with Minister Lobato by placing UNPOL liaison officers in the ministry "so he has good, timely information". Commissioner Miller urged the journalists at the press conference to remember: "This is a new country and a new ministry, all just a few months old. There will be mistakes".

Asked whether the Timorese people were increasingly critical of the TLPS, Commissioner Miller said, "The people respect them even though they are a young force". He compared them to the 25 years of Indonesian policing. "The two big problems then were corruption and violence against human rights." Commissioner Miller said, "We listen very carefully to the complaints against the police, but most are not against the regular police officers in their blue shirts but the SPU." He added, "We are going to be looking at this area, at discipline, professionalism and training to make them better".

Commissioner Miller told the press conference of UNPOL's concern regarding human rights. "This is why the Human Rights Unit is part of the investigation team". Patrick Burgess, the Chief of the Human Rights Unit, said that he felt that in general the "Timorese police have been doing a good job to date in terms of human rights".



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He said, however, "We are always concerned when we see injuries resulting from clashes between agents of the state and civilians, but it's too early to say what took place". He said an important part of the investigation will be to establish whether police used an appropriate level of force to deal with the threat.

Mr. Burgess added that by international human rights standards, "use of force should only be in exceptional cases and proportional to the threat." He told the journalists, "The field of human rights pays particular attention to agents of the state because they have authority to use firearms".

Commissioner Miller said that when dealing with violence such as occurred in Baucau, officers have to assess and only use the force that is necessary. "There are other options than the firearm", he said. "There's the baton, pepper spray and tear gas at our disposal". Mr. Miller added, "These are key issues we will be looking at, but there are always situations where you have to use the gun".

When asked about alleged concerns amongst some TLPS police officers regarding their own safety, Commissioner Miller said it was his sense that some of this police frustration has to do with inadequate equipment such as lack of cars or radios, the inability to communicate. These are issues, he indicated, that need to be addressed.

The Investigation is expected to take several weeks.

FIRST JUVENILE SENTENCED FOR 1999 VIOLENCE

The Special Panel of Dili District Court for Serious Crimes today sentenced the juvenile "X" to a term of 12 months imprisonment, following his conviction last month for the manslaughter of three people during the 1999 post-ballot violence. "X" -- his name was suppressed by the Court because he was only 14-years-old at the time of the crime -- is the first juvenile to be tried by the Special Panel. He had been abducted and brutalised by members of Sakunar militia before the crimes to which he pleaded guilty were committed.



MEDIA BRIEFING NOTE

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The prosecution had recommended a maximum penalty of time already served, while the defence recommended that no sentence be recorded in light of the particular brutality endured by “X” and his young age at the time of the offence. After credit for time served in pre-trial detention, only nine days of the one-year sentence remain to be served. The Court suspended the remainder of the sentence, thus “X” was declared free to return home and released from the conditions of his earlier conditional release.

In order to ensure the continued smooth return to normal life for “X”, Timor-Leste Social Services and the UNMISSET Human Rights Unit are planning a reconciliation meeting between him and family members of the victims.

End

