

JOINT ASSESSMENT MISSION

**Report of the Joint Assessment Mission carried out by
The Government of Timor-Leste, UNMISSET, UNDP and
Development Partner Countries for the
Timor-Leste Police Service**

January 2003

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ABBREVIATIONS AND ACRONYMS

AFP	Australian Federal Police
AusAID	Australian Agency for International Development
CAVR	Commission for Reception, Truth and Reconciliation
CIDA	Canadian International Development Agency
CNRM	National Council of Maubere Resistance
CNRT	National Council for Timorese Resistance
DSRSG	Deputy Special Representative of the Secretary General
ETPA	East Timor Public Administration
FDTL	Timor-Leste Defence Force
FTP	Field Training Programme
GDP	Gross Domestic Product
GoTL	Government of Timor-Leste
HRM	Human Resources Management
ICITAP	International Criminal Investigation Training Assistance Program
INTERFET	International Force for East Timor
JAM	Joint Assessment Mission¹
JICA	Japan International Cooperation Agency
JSMP	Judicial System Monitoring Programme
MoPF	Ministry of Planning and Finance
NDI	National Democratic Institute
NDP	National Development Plan
NGO	Nongovernmental Organisation
PKF	Peacekeeping Force
SID	Security and Intelligence Division
SPU	Special Police Unit
SRSG	Special Representative of the Secretary General
TLPS	Timor-Leste Police Service (also known as the ETPS)
UN	United Nations
UNAMET	United Nations Mission in East Timor
UNDP	United Nations Development Programme
UNDPKO	United Nations Department of Peacekeeping Operations
UNIFEM	United Nations Development Fund for Women
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNMISSET	United Nations Mission of Support in East Timor
UNPOL	United Nations Police
UNTAET	United Nations Transitional Administration in East Timor
USAID	United States Agency for International Development

¹ Not to be confused with the World Bank-facilitated Joint Assessment Mission that took place in late 1999 and early 2000 to assess Timor-Leste's post-conflict reconstruction and development priorities in the wake of the September 1999 violence.

. EXECUTIVE SUMMARY

1.1 Background

The Timor-Leste Police Service (TLPS) is a nascent police service, having been formally established by the United Nations Transitional Administration in East Timor (UNTAET)² on 10 August 2001. Prior to this date, police functions were undertaken exclusively by external players: United Nations Police (UNPOL)³ during the first 21 months of the UNTAET mandate and Indonesian police forces from 1975 until September 1999.⁴ The Constitution of Timor-Leste establishes the police mandate to guarantee internal security, defend “democratic legality,” and prevent crimes “with due respect for human rights.”⁵

UNPOL officers serving under UNTAET and its successor mission, the United Nations Mission of support in East Timor (UNMISSET)⁶, are tasked with developing the TLPS, as well as continuing law enforcement responsibilities.

The development process is taking place through the selection and training of police officers and a gradual unit by unit assumption of authority by the TLPS from the UNPOL component.⁷ A process has been established by UNPOL to certify TLPS members serving in individual units. Remedial training is provided for any officer who is not up to the certification standard. This is followed by an accreditation process for the unit itself again carried out by UNPOL. Once these are complete a senior TLPS officer is vested with the executive responsibility and command of the unit. At the point of handover, the UNPOL component is reduced in size and the roles change from one of authority to advisory. It is anticipated that the handover process will be completed in January 2004. At the time of the needs assessment mission four districts had been handed over.

UNPOL’s presence in Timor-Leste will be downsized progressively as handover proceeds. Projections indicate that the UNPOL contingent of 1,250 as of 20 May 2002 will be reduced to 100 by January 2004.

1.2 The Joint Assessment Mission

The Joint Government / UN / Partner Country Police Needs Assessment Mission (JAM) for the Timor-Leste Police Service was agreed through discussions with donor countries by the Government of Timor-Leste (GoTL), UNMISSET and the United

² The nation of Timor-Leste has been formally known by this name since achieving independence on 20 May 2002. For the purposes of this report, the nation is referred to as East Timor when describing historical events until 19th May 2002.

³ UNPOL was known as CIVPOL during the UNTAET mandate in Timor-Leste.

⁴ Indonesia occupied East Timor in 1975 and remained in the territory until October 1999.

⁵ Section 147 of the Constitution of Timor-Leste, which was promulgated on 20th May 2002.

⁶ UNTAET’s mandate expired on 19th May 2002; UNMISSET came into existence on 20th May 2002, on which day Timor-Leste formally achieved its independence.

⁷ The gradual handover of executive authority from UNPOL to the TLPS is mandated through the *Supplemental Arrangement between the United Nations Mission of Support in East Timor and the Government of the Democratic Republic of Timor-Leste on the transfer of Police Responsibilities to the Timor-Leste Police Service*, which was signed on 20th May 2002.

Nations Development Programme (UNDP). The Joint Assessment Mission (JAM) participants are set out at Appendix “A”. Terms of reference for the JAM are attached as Appendix “B”. The mission took place over the period 17/11/02 to 30/11/02 inclusive.

Broadly, the JAM was required to undertake an assessment of TLPS with five main objectives: (a) assess the handover of executive authority to the TLPS in relevant Districts; (b) assess progress against timetable for the development of the TLPS; (c) assess current TLPS capacity; (d) recommend strategies to address the TLPS’s needs; and (e) develop a TLPS capacity building programme.

1.3 Summary Findings

1.3.1 Police Management and Capacity

The JAM identified a number of areas where there is significant need for overall TLPS capacity building. While the two most common needs cited were training and materials (including infrastructure, vehicles and computers), *there has been little attention paid to strengthening the key management and administrative support areas such as human resources management and finance. Equally, there is little or no planning and policy development capacity within the TLPS.* The lack of a developed policy framework impacts on the TLPS’ capacity to make strategic and appropriate decisions regarding resource procurement and training. It also makes it difficult to prioritise requests for assistance. The focus of support from UNPOL has been on policing and the development and delivery of training. While this has been a necessary starting point in establishing the TLPS it is now necessary to provide assistance to strengthen its management and administration.

There is significant donor assistance being provided to the development of the public sector in Timor-Leste. A comprehensive National Development Plan has been compiled to “support the establishment of government capabilities, enabling legislation and the institutions required to pursue development priorities.”⁸ The GoTL is currently coordinating an initiative to develop a Road Map for the National Development Plan which includes Annual Action Plans for each division. The inclusion of Policing in this essential planning process is a positive first step.

A key institution such as the TLPS should be actively engaged in national planning activities given the importance of public safety and justice in a young nation such as Timor-Leste. Improved administrative and management capacity would better enable the TLPS to actively engage in broader government planning processes.

1.3.2 Key Recommendations

To best address the necessary institutional strengthening needs of the TLPS the JAM has recommended a strategy to better focus on the wider needs of the organization. It is not considered appropriate to simply compile lists of materials and training needs as the nature of both training and materials will be best determined by the

⁸ Executive summary, National Development Plan, Page 1.

development of policies and procedures. Without a broader framework it is difficult to make strategic and prioritised choices. While these are important, it is equally important to develop capacity to plan for, and manage resources.

The overarching recommendation of the JAM is:

The JAM recommends that there be established an institutional strengthening working group for the TLPS. This group should be led by the TLPS with membership determined by the GoTL. Consideration should be given to representation from other justice sector agencies, key government departments (such as MoPF), civil society and the community. UNPOL⁹ should have a representative on the working group to provide police technical advice. To support this working group, an appropriately qualified and experienced institutional strengthening technical adviser should be engaged for a period of at least 12 months.¹⁰ Further provision should also be made for shorter term inputs from at least three other technical advisers in the areas of human resources management, finance and logistics.¹¹

The objective of this working group will be the development of a framework for the institutional strengthening of the TLPS. While the institutional strengthening adviser will guide the process, the TLPS will lead the group and ensure that the framework and timelines developed are appropriate and realistic in the Timor-Leste environment. This aspect of ownership rather than imposition is critical. The framework or plan will need to determine and prioritise requirements and identify specific technical expertise which will be required for implementation. It is essential that the GoTL make a number of key **management decisions** regarding the nature of the TLPS to ensure that training and material requests are in line with a longer term strategy.

A number of secondary recommendations are also made to provide some guidelines for the working group. These are as follows:

A. Legislation and Planning Processes

- *Establish civilian policy development and support units within the Ministry to better position the TLPS to develop the necessary inter-institutional relationships and enhance management and administration;*
- *Strengthen TLPS capacity for, and involvement in, national finance and development planning;*
- *Establish an external oversight body to formalise internal oversight and review procedures, and enhance accountability and institutional integrity;*

⁹ Or any other post-UNMISSET international police presence in Timor-Leste.

¹⁰ This would be a minimum period; 18 months to two years is preferable.

¹¹ Other areas of specialisation may be identified. Policy development is once such example. The JAM was advised that there was to be an adviser attached to the Minister's Office which may assist in this area. Other areas could include information technology and perhaps corporate planning.

- *Approve and disseminate a TLPS Code of Conduct;*
- *Strengthen inter-institutional communication and coordination between the TLPS and the judiciary; and*
- *Develop a uniform policy regarding police-community relations in accordance with the Constitutional mission of the TLPS.*

B. Police Management (Structure, Identity, Accountability, Procedures and Materials)

- *Review policies and procedures to provide an impetus for the consolidation and dissemination of standardised policies to all parts of the TLPS at this important stage of institutional development;*
- *Develop a police manual to clarify work functions and procedures and strengthen respect for the chain of command. Information should be presented in an accessible form and be closely linked to training;*
- *Develop indicators for efficiency and compliance to strengthen the TLPS as a professional and independent institution;*
- *Standardize and promulgate performance monitoring programmes and promotion policies;*
- *Improve the quality of TLPS administration functions by recruiting civilians with relevant skills and expertise for specific positions;*
- *Plan for the deployment and development of human resources to support service delivery;*
- *Review TLPS resources needs in HQ and Districts, giving due consideration to sustainability, policy and standardised operating procedures;*
- *Ensure forms and documents are standardised and implemented consistently across the TLPS;*
- *Standardise information collection across all Districts; and*
- *Implement transparent and accountable procurement procedures.*

C. Human Resources Development

- *Improve existing curricula to better match the skills required to carry out TLPS officers' day-to-day duties to a standard which meets service delivery requirements;*
- *Strengthen the implementation of the Field Training Programme;*
- *Effectively incorporate standardised operating procedures into all training and provide refresher courses, as required; and*
- *Provide officers with concise and up-to-date information on criminal law and procedures.*

D. Community and Environment

- *Formulate and implement community outreach programmes that would contribute to an enhanced citizen understanding of the role of police;*
- *Strengthen the relationship between the TLPS and the community through:*
 - *the establishment of formal mechanisms for police-community consultation and public outreach;*
 - *an assessment and discussion of the role that local rules and customs have in the rule of law area; and*
 - *the establishment of a mechanism for the development of rule of law policy, and inter-agency interactions which involve the three pillars of the criminal justice system – the judiciary, correctional services and police.*

1.3.3 Handover

The handover of authority from UNPOL to the TLPS is broadly progressing on schedule. As of November 2002 the TLPS had assumed executive authority for all routine policing matters in four Districts and a number of specialist units, including the Police Academy. Continued positive progress will require effective coordination both within, and between, UNMISSET and the GoTL.

A number of problems were identified after the initial handovers and steps are being taken to address many of these issues. Problems included:

- Lack of standardised procedures across the 13 Districts due to lack of institutional framework and to the introduction of concepts and procedures by UNPOL officers from a wide range of jurisdictions;
- Lack of clarity of reporting requirements after handover and ambiguous chain of command between District Commanders and the TLPS and UNPOL hierarchies in Dili;
- Lack of standardised forms for both operational and administrative purposes;
- The need to improve the TLPS relationship with the community, better understand the role of local rules and customs in Timor-Leste, and overcome language difficulties;
- The withdrawal of UN equipment at handover prior to GoTL funded equipment being supplied; and
- UN-funded equipment exceeding local requirements and national budgetary capacity.

1.3.4 Summary Comment

The findings summarized above together constitute a serious limitation on the capacity for law enforcement and public security in Timor-Leste. A gap between the Constitutional mandate of the police and the transitional service delivery capacity of both the TLPS and UNPOL creates the potential for conditions vulnerable to human rights violations, crime, and public insecurity, and also can undermine public trust in police. The JAM was sensitive to the risk that this gap may be filled by undesirable forms of vigilantism and private security groups that are neither accountable nor transparent.

2 TIMOR-LESTE: AN OVERVIEW

2.1 Colonisation, Annexation and Independence

In 1859, the Treaty of Lisbon divided the island of Timor between the Dutch, who took the west, and the Portuguese who took the east, including the enclave of Oecussi, which was the original capital of Portuguese Timor. In 1974, as Portugal moved towards democracy it announced it would grant independence to East Timor. Conflicts followed between pro-Indonesian and pro-independence political parties and in December 1975, Indonesia occupied East Timor. Following this occupation, an armed wing of the leading pro-independence party (Fretilin) waged guerrilla warfare on the Indonesian forces. This wing was known as Falintil. In 1987, Xanana Gusmao, leader of the forces, cut Falintil's formal ties to Fretilin and restructured Falintil as a national army under the National Council of Maubere Resistance (CNRM). In 1997, this Council became the National Council for Timorese Resistance (CNRT) which continued under Xanana Gusmao's leadership until June 2001. At the parliamentary elections held on 30 August 2001, Fretilin took 57% of the vote. The head of the Government is Prime Minister Dr. Mari Alkatiri. At the presidential election on 14th of April 2002, Xanana Gusmao stood as an independent and gained 83 % of the vote.¹²

2.2 United Nations Involvement

The United Nations did not recognise Indonesia's annexation of East Timor and continued to consider Portugal as the administering power. The General Assembly moved a number of resolutions between 1976 and 1982 and, while the margin of support was variable, Indonesia was not able to remove East Timor from the UN agenda. Similarly the attention of the world wavered until the infamous Santa Cruz massacre of 1991, the capture of Gusmao by the Indonesian military in 1992 and the awarding of the Nobel Peace Prize to Jose Ramos Horta and Bishop Carlos Belo, two of the leading champions of East Timor's struggle for independence. These events saw renewed and more intense UN interest. This, coupled with the change in political landscape in Indonesia and within the policies of regional neighbours such as Australia saw sustained pressure and support for a resolution of the East Timor crisis.

In May 1999, the UN brokered an autonomy deal for East Timor with Indonesia and Portugal, to be determined by popular consultation. This arrangement included the provision that the UN would play a significant role in implementing the popular consultation. On 11th June 1999, the Security Council passed resolution 1246 establishing the United Nations Mission in East Timor (UNAMET) with a mandate to 31st August 1999. Delays and the recognised need for post-ballot UN presence saw two extensions of the UNAMET mandate to 30th November 1999.

Despite considerable intimidation and deadly violence, largely perpetrated by pro-autonomy militia, the popular consultation saw 78.5% of eligible East Timorese voters choose independence. The announcement of these results on 4th September

¹² Adapted from ASPI Policy Report: New Neighbour, New Challenge, P17.

unleashed a devastating bout of destruction and violence by pro-autonomy militia and elements of the Indonesian armed forces. The UN Security Council subsequently ratified a resolution for a multinational force (INTERFET) to be sent to East Timor to restore order and security. INTERFET troops, led by an Australian contingent, were deployed on 20th September 1999.

On 25th October 1999, the UN Security Council approved the formation of UNTAET, which assumed total executive, legislative and judicial control of East Timor. UNTAET's initial mandate was to 31st January 2001 which was extended by the Security Council until 19th May 2002.

More recent events have seen Timor-Leste gain independence on 20th May 2002 following the constituent elections of 30th August 2001, and the presidential elections of 14th April, 2002. UNTAET's mandate expired on 19th May 2002 and a further UN Security Council resolution established the United Nations Mission of Support in East Timor (UNMISSET), effective as of 20th May 2002. UNMISSET's mandate is scheduled to end on 30th June 2004.

UNMISSET's charter in relation to international police (UNPOL) and defence forces (PKF) requires a staged withdrawal and handover to Timor-Leste counterpart entities. The UNPOL plan is discussed at length below.

2.3 The Present

While it enjoys considerable international support, both moral and material, the world's youngest nation is also experiencing severe hardship. High levels of poverty and unemployment are a real danger to continued peace in Timor-Leste. Recent unrest in Dili (4th December 2002) is attributed by some to organised groups with political affiliations. Others assert that the root cause is poverty and perceived social inequity. Whatever the cause, there does appear to be increasing civil unrest and a potential for ongoing conflict. In this environment the continued support of the international community assumes an even greater importance.

2.4 Demographics

The landmass of Timor-Leste is tiny, about 19,000 square kilometres. Its rugged terrain, poor soil and harsh climate pose many challenges. With a population of about 800,000 there are significant ethnic and linguistic differences. The country is divided into 13 Districts, one of which, Oecussi, is an enclave within Indonesian West Timor with limited transportation links to the rest of the country.

It is one of the poorest nations in the world. Gross domestic product (GDP) per capita is less than US\$500 per annum.¹³ Approximately 75% of the population lives in rural areas and depends on subsistence agriculture to meet basic needs. The poor soil conditions and a current period of drought have impacted significantly on food production in the last year. The mainstay of the economy is foreign aid, which amounted to 45% of the GoTL's budget in the 2002-2003 financial year. The most

¹³ In 2002, the IMF estimated GDP per capita to be US\$463.

valuable resources and main prospect for sustainable economic growth are offshore oil and gas which are expected to come on line in 2004, pending ratification of the Timor Sea Treaty by the Australian Parliament.

Approximately 70% of Timor-Leste's infrastructure was destroyed or seriously damaged in the violence of September 1999. Infant mortality is high and literacy levels among older age groups are low. Unemployment in urban areas is estimated at 70% and 50% of the population is under 20 years of age. Linguistic differences are also significant and challenging for institutional development. There are at least 15 different languages spoken in Timor-Leste in addition to local dialects. Most Timorese also speak Tetum which is the lingua franca which emerged at national level in simplified form from one of the languages. Tetum and Portuguese are the new national languages of Timor-Leste according to the Constitution of 20th May 2002. Those educated during the Indonesian period (approximately 30 years of age and under) tend to speak Bahasa and while Tetum tends to be the language of everyday conversation, it is frequently injected with expressions in Bahasa. Portuguese is now being intensively taught at many levels, mainly to those born since 1975. English is also becoming more widely spoken in urban areas.

Throughout its colonial history and the Indonesian occupation, no tradition of representative government or the rule of law has been established. In this environment, the exercise of power in accord with democratic principles remains a challenge for the GoTL.¹⁴

¹⁴ Demographics compiled through reference to ASPI Policy Report, Chapter 2.

3 THE JOINT ASSESSMENT MISSION

The TLPS JAM was agreed through discussions with donor countries by the GoTL, UNMISSET and the UNDP. The JAM participants are set out at Appendix “A”. Terms of reference for the JAM are attached as Appendix “B”. The mission took place over the period 17/11/02 to 30/11/02 inclusive.

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To meet its objectives, the JAM members, either collectively or in sub-groups, conducted extensive consultations in Dili and in the four other Districts where executive policing authority has been handed over from UNPOL to the TLPS, namely Aileu, Ainaro, Manatuto and Manafahi. The JAM’s schedule is attached as Appendix “C”. These consultations included Headquarters-based sections and units involving both TLPS and UNPOL staff, other GoTL departments, including Ministers and Vice Ministers, Nongovernmental Organizations (NGOs), donor country representatives and UNMISSET human rights officers. During District visits, JAM team members met with TLPS members, UNPOL advisers, District Administrators, village chiefs, other community leaders, local NGOs and human rights workers.

The UNPOL Commissioner, Mr. Peter Miller, and the UN Department of Peacekeeping Operations (DPKO) representative, Mr. Ajay Bhatnagar, were the designated co-team leaders. The Commissioner of the TLPS, Mr. Paolo Martins, gave significant input to the JAM’s consultations.

Following the consultative processes, the JAM undertook a detailed analysis of the information gathered and prepared a summary of findings in an Aide Mémoire for presentation to key stakeholders and donors prior to departing Timor-Leste. The Aide Mémoire is attached as Appendix “D”.

This report provides more comprehensive information on the issues identified, the analysis of these issues and the JAM’s findings and recommendations.

4 THE TIMOR-LESTE POLICE SERVICE

4.1 October 1999

Following the withdrawal of Indonesia's police and military presence in East Timor in October 1999 and the establishment of UNTAET, law enforcement was entrusted to UNPOL, then known as CIVPOL. UNPOL was organised under the command of the UN Police Commissioner, who reported to UNTAET's Deputy Representative of the Secretary General (DSRSG). Part of the UNTAET mandate required the establishment of a local police service. Pursuant to this requirement, the TLPS was formally established 21 months later in August 2001.

4.2 Recruitment

The complexity and sensitivity of recruitment for a new police service in Timor-Leste following the popular consultation and the subsequent violence could best be described as daunting. The nature of the resistance forces, factions within these and their opponents (equally factionalised) all had to be taken into account. Many had played clandestine roles while others had openly displayed their affiliations. Pro-Indonesian militias were still active and many communities divided along political lines.

A further complication was the presence of some who had been members of the Indonesian Police (Polri) prior to Indonesia's withdrawal. By most accounts, police were feared during the Indonesian period and resolution of disputes was largely the role of the village chiefs through custom and rules. These former Polri did, however, constitute a group of people with some police training and experience. It was decided by UNTAET that this group should be included as potential recruits in the selection process.

A further consideration in recruitment was the need to ensure appropriate representation from each of the territory's 13 Districts on a pro-rata basis with population and the numbers of police required for each District. This strategy also took into account the limited budget support and low salaries which would be available to the police service. It was recognised that a police officer could not adequately support himself/herself on the salary alone and that family support would be necessary. This support would only be available if the police officers were deployed in their district of origin. (This is discussed further below in the issues section of this report.)

As a last but equally significant factor, the issue of widespread unemployment created further pressure around the recruitment issue. Many who had fought for independence felt they were entitled to be compensated for their efforts. This expectation could of course not be met both in terms of numbers and the selection criteria developed for recruitment.

Selection criteria for the police service were as follows:

- Good character and a resident of Timor-Leste;
- Not less than 18 years of age by the date of entry into the Police Academy and under 35 years of age;
- Able to speak, write and understand one or more of the languages of Timor-Leste;
- Pass the required physical and medical examinations; and
- Pass a selection interview.¹⁵

For the initial recruitment rounds, UNPOL officers conducted the procedures. Advertisements were placed in the Districts and UNPOL members travelled to each District to carry out the recruitment.¹⁶

Former Polri members who applied to join the police service were considered with other applicants. Exceptions were made on the upper age limit for these individuals. A total of 340 former Polri were selected during the early recruitment stages.

Recruitment has also sought to ensure that substantial women were included in the emerging police service. This appears to have been achieved with recruitment intakes constituting approximately 20% women.

The recruitment process in general was done transparently and fairly with a reasonable attempt to ensure competence and community acceptance, though the JAM did not ascertain what level of screening of former Polri was conducted. It is this dimension of the recruitment that has been viewed with much suspicion by many East Timorese. Continuing high unemployment, ongoing political difference and an inherent suspicion of police based on past experience, all contribute to this perception. Former independence fighters may also harbour strong resentment against the ex-Polri members in particular whom they consider have taken jobs away from those more worthy. It would be difficult to devise any recruitment process in this environment. The JAM considers that what was and continues to be done is the only real option.

Related to the issue of former Falintil and resistance members, the GoTL and the UNPOL Commissioner recently approved the recruitment of 100 TLPS officers to be selected from the broader freedom fighter group. To further assist potential candidates, the upper age limit for the TLPS was raised to 45 while other recruitment standards were enforced. This was well received at first but produced literally thousands of applications and required quite complex verification processes for individuals asserting their “status”. With so many applicants and relatively few positions the perceptions of unfairness and bias (political or otherwise) appeared to be very strong within the broader community.

¹⁵ These are the criteria set down in UNTAET Regulation 2001/22, Section 16.3.

¹⁶ As Districts are handed over, responsibility for recruitment passes to the TLPS.

4.3 Training

The training programme initially designed during UNTAET was of three months duration (in the Police Academy) followed by a three-month Field Training Programme. It was recognised that to achieve the target number of police officers (2,830) this was the maximum time permissible. The planned implementation of handover of policing to the GoTL was the imperative for this decision. The JAM will comment further on the duration of the recruit training later in this report.

The first training course of recruits began on 27th March 2000. In relation to the former Polri members, it was decided that their former experience and training enabled them to complete an abridged 30-day intensive training programme. This was conducted separately from the regular recruit training, an approach which with hindsight may have hindered their integration and acceptance within the TLPS and elements of the wider community.

The establishment of the Police Academy, development of the curricula and delivery of training were all undertaken by UNPOL members.

4.4 TLPS Establishment

Following the graduation of the first recruits from the Academy, the TLPS was instituted on 27th July 2000, and formally established on 10th August 2001 under UNTAET Regulation 2001/22.

4.5 Police Legislation

The statutory framework for the TLPS lies in UNTAET Regulation 2001/22 and Section 147 of the Constitution of Timor-Leste. Prior to this legislation, recruits were appointed under the general authority of UNTAET. The legislation creates the office of the Commissioner of the TLPS and a rank structure underneath him. It also contains various operational and administrative provisions typical of this sort of legislation.

Substantive provisions include direction on recruitment, important operational issues including the use of force (s.9), a reference to the duty of officers to protect and respect human rights (s.6) and to comply with internationally recognised standards (s.10). The Regulation also stipulates that until May 2000 the Transitional Administrator (also the UNTAET SRSG), could through administrative instructions, further prescribe and provide for the use of powers established in the regulation. Following the transition to independence, and the establishment of UNMISSET on 20th May 2002, (UN Security Council Resolution 1410), UNPOL was mandated with the responsibility for law enforcement and public security and development of the TLPS. The Ministry of Internal Administration is the responsible ministry for the TLPS. No specific police legislation has been passed by the new Timorese Parliament. The JAM was advised that a draft Code of Conduct (for the TLPS) had been submitted to the Minister and was awaiting approval.

4.6 Timor-Leste Police Service Profile: December 2002

From information supplied to the JAM during its mission the TLPS strength is currently 2,285 of which approximately 20% are women. The break down in ranks is as follows:

▪ Superintendent	1
▪ Sub-Inspector	217
▪ Senior Agent	2
▪ Agent	1,316
▪ Recruit Agent	749

The Superintendent position is that occupied by the Commissioner of the TLPS, Mr. Paolo Martins, who was appointed on 27th March 2001 in preparation for independence and the beginning of the handover from UNPOL.

4.7 Timor-Leste Police Service Development Plan

Guiding the continued development of the TLPS, including the proposed handover schedule, is the TLPS Development Plan developed by UNPOL in January 2002. Within the UNPOL organization structure, there is a dedicated Deputy Commissioner responsible for this plan and its implementation.

Broadly, this plan seeks to meet the stipulations of the UNMISSET charter on the transfer of police responsibilities to the Timor-Leste Police Service. These are:

- (a) *The Timor-Leste Police Service (TLPS) is expected to ultimately number 2,830 officers, but at the time of independence will total 1,800 serving officers;*
- (b) *Until the final handover is undertaken, the UNPOL and TLPS would perform as a joint police service under the command of the UNPOL Commissioner reporting to the Special Representative of the Secretary General in Timor-Leste; and*
- (c) *The final endorsement of the TLPS organisational structure and handover of command from the UNPOL Commissioner to the Timor-Leste Commissioner is expected to take place in January 2004.¹⁷*

The development process is taking place through the selection and training of police officers and a gradual Unit by Unit assumption of authority by the TLPS from UNPOL. A process has been established by UNPOL to certify TLPS members serving in individual units. Remedial training is provided for any officer who is not up to the certification standard. This is followed by an accreditation process for the unit carried out by UNPOL. Once these are complete a senior TLPS officer is vested with the executive responsibility and command of the unit. At the point of handover, the UNPOL component is reduced in size and the role changes from one of executive

¹⁷ Extract from the *Supplemental Arrangement between the United Nations Mission of Support in Timor-Leste (UNMISSET) and the Government of the Democratic Republic of Timor-Leste on the transfer of Police Responsibilities to the Timor-Leste Police Service*, 20th May 2002.

authority to advisory. It is anticipated that the handover process will be completed in January 2004.

The UNPOL presence will be downsized progressively as handover proceeds. Projections indicate that the UNPOL contingent of 1250 as of 20th May 2002 will be reduced to 100 by January 2004.¹⁸

In practice, this process has seen the newly graduated TLPS officers deployed to Units/Districts where they work side by side with UNPOL officers. While executive authority is vested in the UNPOL members, they work alongside their TLPS counterparts in an “on the job” training capacity. This co-location began in December 2000 and by December 2001 TLPS officers were deployed in all units/districts.

Following handover, the UNPOL officers, in significantly reduced numbers have assumed an advisory role. In those Districts where the TLPS has assumed executive authority for example, there are only three UNPOL advisers.

UNPOL has developed an organisational structure for the TLPS which broadly mirrors the current UNPOL structure and which also reflects generic police organization models.

4.8 Human Resource Management and Development for the TLPS

As part of the overall TLPS development, guidelines have been developed for promotion to higher rank. Broadly, these require a minimum period in one rank before being eligible for promotion to the next level. Clearly, with such a young police organization there are issues to be addressed in filling middle and senior management positions. The first recruits entered the Academy in March 2000 so even the most “senior” members have less than three years service.

During the past two years, part of the UNPOL support has included the identification of high achieving TLPS officers and this has assisted by enabling these individuals to move to key areas either in Districts or Headquarters units where they can be further developed. **However, human resources development and management remain a critical area of concern.** Former Polri members of the TLPS, who do possess more experience and training, are deployed in the same way as others, that is to their District of origin. As would be expected with any group, there are variations with capacity and performance with the former Polri. Some have demonstrated good skills and have supported the newer TLPS officers while others have been less motivated.

As part of the preparation for the handover of Districts/Units it has been necessary to call for applications for the position of District or Unit Commander. The JAM was advised that these positions have generally attracted a number of applications and that suitable candidates have been available. The final decision on these positions is made jointly by the Commissioner of the TLPS and the UNPOL Commissioner. It was also

¹⁸ Summary of process as outlined in the Timor-Leste Police Service Development Plan.

indicated to the JAM that two TLPS Deputy Commissioner positions (Operations and Administration) would be filled in January 2003.

Human resources management (HRM) procedures and policies remain relatively undeveloped. The JAM was advised that a promotion policy had been developed and was awaiting approval.

4.9 Other Administrative Support Areas

The UNPOL support to the TLPS both during UNTAET and more recently UNMISSET has understandably focused on operational areas and capacity. It is recognised that more support is required in key administrative support areas such as HRM (discussed above), finance, logistics, planning and overall organization development. The reality in the medium term is likely to be a very limited and highly centralised budget. While this is the case, it will be even more important in the short and medium term that scarce resources are managed effectively. While currently there are no civilian positions, the UNPOL Commissioner indicated to the JAM that some civilian specialist positions are under consideration, and donors also indicated their support in this regard. The JAM supports this approach and emphasizes the need for appropriately qualified specialists. Further comments are made later in this report.

5 CRITICAL ISSUES IDENTIFIED

This section details critical areas of concern identified during the JAM's consultations.

There is clearly significant work to be done in establishing an independent, competent and appropriately resourced police service in Timor-Leste. The most strategic approach to organisational development is to ensure that a clear policy framework exists. This requires the TLPS, and the GoTL more broadly, to make a number of management decisions regarding the nature of police service they are seeking to develop. Such a policy framework can underpin the development of standard operating procedures, ensure that human resource development and training is appropriately targeted and enable expenditure on materials to be appropriate and strategic. It also provides potential donors with a clear (and common) understanding of the goals, visions and strategic directions of the TLPS.

For this reason the issues discussed below begin with the broader policy issues and then focus on specific aspects of TLPS development which would best be informed by higher-level management decisions. It is not necessarily an order of priority, but a logical, sequential order to ensure initiatives are strategic and appropriate.

5.1 Government Planning Processes

The GoTL has produced a comprehensive National Development Plan (NDP). The NDP assisted government agencies to determine clear visions and objectives. The JAM met with a senior representative from the Ministry of Planning and Finance.¹⁹ It was clear from this meeting that there has been little participation from the TLPS in the preparation of the NDP. This is plainly evident from the single two line reference to police within the 320 page document.

Comment has already been made in earlier passages of this report on the emphasis by UNPOL on police operations rather than administrative areas. The absence of Timor-Leste nationals in middle and senior management positions also must be considered compared to other public sector agencies. The JAM noted that the TLPS as an agency has had little if any participation in the broader planning process. Concern was expressed by the MoPF representative that the TLPS was developing in isolation of the rest of the agencies and that this created the danger of duplication or overlap of functions. The Timor-Leste Defence Force (FDTL) was cited as an area for potential overlap. Similarly, the decision to have the TLPS assume responsibility for Border Control and Immigration was a decision made in isolation of the planning process. (The JAM noted that the TLPS was equally surprised by the latter decision). It will be important that strong linkages are established between agencies with related responsibilities.

¹⁹ Ms. Emilia Pires, Head of the Planning and External Assistance Management Division within the MoPF.

While planning and budget processes are still in the developmental phase in Timor-Leste it is important that all agencies are appropriately represented and participate. The need to establish linkages with planning and budgeting and to develop realistic performance indicators requires the TLPS to be actively participating in annual planning processes. TLPS involvement in the NDP Road Map development is a positive first step. The current budget document contains a number of performance targets for the TLPS one of which is the following:

Target:

Police Officers in field respond to 95% of crime calls within 15 minutes of first report.

Measurement:

Log records from police dispatch office and local police stations plus records of complaints from public about response times.²⁰

The JAM visited one police station (Manufahi) which did not have a telephone. At the same station, three of the four vehicles on issue were unserviceable. It should also be noted that there is no mechanism to record complaints by the public about poor service. Therefore, this performance indicator would be impossible to measure in the current situation.

Support to the development of capacity in planning, including the linking of planning and budgeting and the ability to develop realistic performance indicators and measurement factors is critical to the overall capacity building of the TLPS.

The JAM also noted the absence of any separation between the Minister for Internal Administration and the TLPS, a common practice in many countries. To date there is no civilian policy unit in the Ministry for Internal Administration responsible for policy development and planning for the TLPS.²¹

5.2 Legislation and Policy

There are several aspects to the issue of legislation in Timor-Leste. As a young nation it is confronted with a considerable legislative development agenda. There are apparently at least 80 areas identified based on the generic requirements for legislative platforms as experienced in other developing nations.

Equally, the development of national policy as a precursor to legislation is another area of need.

Specific to the TLPS is the area of criminal law. At the present time, the source of criminal law is either the former Indonesian law or UNTAET Regulations. The JAM was advised that there is confusion about which law to apply. The Public

²⁰ Timor-Leste's "Combined Sources Budget 2002-2003" Page 21.

²¹ The Government of Australia (GOA) has indicated it will fund such a position and recruitment should occur in early 2003.

Prosecutor's Office indicated that the applicable laws do not appear to be well understood either by TLPS or UNPOL officers.

An additional complicating factor is the nature of the Timor-Leste legal system which is a civil system rather than a common law system. Many UNPOL officers have common law backgrounds while others are accustomed to hybrid systems of both. Significant differences exist between the two systems such as the role of the prosecutors, who in civil systems are more directive of the police than in common law systems.

The nature of the legal system and the development of legislation for criminal offences are clearly matters for the Government of Timor-Leste. The issue to be flagged here is simply the need to understand the existing sources of law, their application and the role of police and prosecutors in criminal procedures.

5.3 Standardised Procedures

In most police organizations, officers are guided in the day-to-day performance of their duties by written procedures. These procedures reflect the laws of the particular jurisdiction, international conventions (e.g. *UN Code of Conduct for Law Enforcement Officials*, *UN Basic Principles on Use of Force and Firearms*), community needs and expectations and importantly the policies of government in relation to law enforcement.

These procedures also form an important base for the development of training programs, particularly basic training. Typically, officers are provided with a copy of the procedures at the commencement of basic training and retain them for reference when they commence performing their duties.

As was the case with material resources, the UNPOL officers arriving in 1999 found no existing "police procedures" upon which to base their activities. UNPOL officers were assigned to either a District or Headquarters unit location and were required to carry out their roles either in operational or administrative duties.

The UNPOL contingent comprises police officers from over 40 nations. Each of the international officers' tour of duty is fixed in accord with their government's agreement with the UN. Many stay for six months, others twelve months. There is no apparent deployment strategy and handover between in-coming and out-going officers does not seem to occur. In other words, all institutional memory may be lost to the in-coming UNPOL. In this scenario, it would be possible for British UNPOLs to be predominantly deployed to one District and to be replaced at the end of their tour by police from the Philippines and China with no communication between them.

The JAM does not want to critique the UNPOL deployment and understands the policing imperatives which were confronted in 1999, as well as the volatile environment. It is however necessary to report on this issue as it was frequently raised during the consultations of the mission.

The transient nature of UNPOLs and the tendency for officers to implement practices and procedures from their home police service was commonly cited as a problem. It was also indicated that in some cases, departing UNPOL officers took with them materials used during their tour including the removal of computer files and CDs.

The proliferation of different procedures is problematic for both TLPS and UNPOL officers. Taking up a post without handover and discovering either no or vastly different procedures would no doubt limit the immediate effectiveness of an UNPOL officer. Similarly TLPS members, possibly for a second or third time, would potentially be confused.

UNPOL recognises the problematic diversity of procedures and policies, which have been applied, particularly in the 13 Districts. Through the Office of Strategic Planning (within the UNPOL structure), it is currently seeking (with limited human resources) to gather together existing Standard Operating Procedures (SOPs) from all over the country. This should assist in some way towards the development of a standardised police manual of operating procedures. However, there are a number of areas where management decisions need to be made by the GoTL on the nature of the TLPS before standard operating procedures can be determined. The Working Group should give priority to identifying the decisions which need to be made. The JAM considers the need for such a manual to be of critical importance. The manual should be written simply and clearly and in accessible language. It should be an integral part of recruit training and each member be personally issued with a copy. The JAM also views as critical the involvement of TLPS officers in this process, to ensure adequate handover of the vital area of strategic planning as well as TLPS ownership of, and compliance with the SOPs.

5.4 Structure and Identity

Police organizations in the developed world tend to be characterised by long histories, strong traditions, clear hierarchical structures and an identity within their communities.

The emerging organization that is TLPS was disadvantaged through the presence until 1999 of a policing regime which was generally regarded very negatively by the community. This is compounded even further by the deployment, since late 1999 of a multinational policing authority which today is still the dominant police presence throughout much of the country. The community's perception of the policing identity and mandate is significantly less defined in Timor- Leste than in other places.

From the perspective of the members of the TLPS, their relatively short institutional history has yet to see the development of traditions seen elsewhere. However, important structural challenges remain. Timor-Leste's Constitution, which was promulgated on 20th May 2002, was an important step in defining the institutional mandate of the police, including a duty to defend "democratic legality" and to prevent

crime “with due respect for human rights.”²² The Headquarters of the TLPS is the last area scheduled for handover from UNPOL. At the present time, there is a large void in the management and hierarchy levels of the TLPS. For those members working at Headquarters this impacts negatively on their sense of their own hierarchy. The same may also be true in Districts, even those which have been handed over. While there may be a reporting line to the Commissioner, the TLPS has no clear management structure in place. From a District Commander’s perspective this means that there is little or no understanding of how the chain of command operates beneath the TLPS Commissioner, whether it be an operational matter or an administrative issue. There is most likely an assumption that UNPOL manage these areas. There is no understanding of what the management process should be and how to access it beyond going directly to the TLPS Commissioner. This situation personalises rather than institutionalising authority. This is exacerbated by the continued reliance on UNPOL when there are high priority incidents in the Districts which have been handed over.

5.5 Transparency and Accountability

Most stakeholders with whom the JAM met considered there was a need for some form of independent external oversight of the police. In some cases this was based on concerns about political interference. Examples were cited where it was believed that politicians had sought to direct District TLPS Commanders to take certain arbitrary actions against individuals.

Other concerns raised included the recruitment and promotion practices used within the TLPS. Some stakeholders expressed the need for particular oversight of the Special Police Units (SPUs), the designated rapid response or riot control arm of the TLPS.

Within the UNPOL organization there is a Professional Standards Unit which has an internal affairs function primarily for UNPOL members, although both UNPOL and TLPS officers are clearly bound by international standards (UNTAET Regulation 2001/22, 10th August 2001, s.10) including the *UN Basic Principles on Use of Force and Firearms* and the *UN Code of Conduct for Law Enforcement Officials*. TLPS officers are attached to this Unit and development of capacity to conduct internal investigations is being supported.

The JAM broadly supports the need for some form of external oversight for the TLPS in relation to both operational and administrative practices. Given the powers which are vested in the TLPS and the need to build public trust in the institution, transparency and accountability are critical. This is ultimately a matter for the GoTL and various options do exist. There is soon to be established a Provedor²³ which will apparently have an ombudsman-like function for the public sector as well as a human rights and anti-corruption role. In some countries, police oversight is often vested in

²² Section 147.

²³ Provedor de Direitos Humanos e Justica, referred to in the GoTL’s “Combined Sources Budget 2002-2003” Page 7.

a branch of the ombudsman's office, dedicated to that alone. Other models include the establishment of police complaints authorities and commissions for anti-corruption. A further model used is that of an independent police board or commission which may have a role in promotions, discipline and other administrative practices.

5.6 Human Resource Development

Without exception, every meeting with all stakeholders identified the need and importance of training for the TLPS.

5.6.1. Recruit Training

As stated above the current recruit training course is of three months duration. The JAM acknowledges the rationale for this in terms of being able to meet the target strength figure for the TLPS prior to final handover from UNPOL. It is also acknowledged that there is a Field Training Programme (FTP) of three months duration which follows this initial Academy-based course. Recruits also must complete a further six months probation before being assigned "Agent" status. The JAM was advised that for a number of reasons, the FTP was not being implemented as planned and is not providing the extended training intended.

It remains that the TLPS is currently dependent upon a three-month course to prepare its new officers for their roles. The JAM considers that no other jurisdiction would regard this as an adequate period. The JAM was not able to comprehensively evaluate curricula or pedagogy but members of the TLPS and other training specialists did identify the lack of a good match of training to job requirements. External stakeholders confirmed that TLPS officers seemed to lack training and skills on what are very common incidents such as domestic violence. Another example raised with the JAM was the emphasis in firearms training on marksmanship rather than on the recognition of circumstances in which the resort to firearms could be justified.

In recognition of this, UNPOL has appointed a training adviser to develop a training plan for the TLPS. The JAM endorses this approach and the draft training plan this adviser has developed as well as the adviser's commitment to ensuring TLPS ownership of the plan and its incorporation into overall planning processes.

5.6.2 Other Training Requirements

As mentioned above, a training plan is being developed for the TLPS and the JAM does not intend to duplicate the detail of the training requirements. It should be clearly understood that training is required in all functions of police operations, administration and management.

5.6.3 Training Capacity

The importance of developing training capacity cannot be overstated. The Police Academy is one of the Units which have been handed over to the TLPS. There is

significant UNPOL adviser support almost on a one to one basis.²⁴ It is of concern that the pressure to train recruits to meet the handover timelines has impacted upon the training methods used by UNPOLs and TLPS trainers. Recruit classes contain 50 students. Observations at the Academy and discussions with both Training staff and TLPS members indicate that the teaching methods do not sufficiently include interactive learning, such as the use of scenario or problem- based group learning. Both UNPOL and TLPS trainers tend to read written material to classes.

Given the limited training of trainers, the lack of actual policing experience and the pressure to achieve recruit numbers, it would be unrealistic to expect a very high standard of training. In most police training institutions, especially for courses in practical police operations, instructing staff are required to be highly experienced. This experience enables them to deal authoritatively with student questions and to cite examples to demonstrate why particular procedures or approaches must be adopted. The teaching style also tends to be very interactive and includes considerable scenario based learning.

The development of training capacity in the TLPS will be a medium to long term process. Training is not just about training delivery. The TLPS needs to develop the capacity to manage a training function including the component parts. In turn, training needs to be incorporated within a human resource management system to ensure that organisational human resource development needs are met.

5.7 Material Resources

Given the widespread destruction in September 1999 and the ensuing collapse of civil rule, the UNPOL officers who commenced work in East Timor in late 1999 had virtually no functioning buildings in which to work let alone the requisite equipment. With UNPOL assuming responsibility for internal security in the territory, UNTAET needs to provide UNPOL with all necessary equipment including the refurbishment of buildings in which they could work. While conditions may have been harsh, attempts were made to ensure that individuals and offices were well equipped. This included the provision of generators, vehicles, communications equipment, computers and other office supplies.

As the TLPS officers graduated from the Academy and were deployed to Districts and other TLPS Units, they too benefited from this UN equipment. With many of the young newly recruited officers their first experience of policing was in this environment.

As the handover of Districts and Units began after independence in May 2002 and the UNPOLs were withdrawn, so was much of the UN equipment. The JAM was advised that the processes for the purchase of equipment for the TLPS by the GoTL Ministry of Planning and Finance (MoPF) caused a hiatus between UN withdrawal and GoTL-funded materials reaching the handover sites. Even if there had not been delays, the

²⁴ Currently 44 TLPS and 40 UNPOLs, until recruit targets are met.

nature, quality and quantity of replacement equipment was considerably less than what the TLPS had experienced with the UN supplied materials.

After the first handovers identified this problem, steps were taken to stage the withdrawal of equipment. In addition, some items could be purchased by the TLPS or simply left in situ pending some replacement arrangement. This approach, unfortunately, still causes problems with uncertainty about what will stay and what will go. An example of this situation is the kitchen and associated equipment at the Police Academy. While the TLPS is funding the catering contractor, the facility and all cooking equipment is still the property of the UN and there is no firm agreement about its future.

The aspect of most concern to the JAM in all of this is the development of an expectation of levels of material support within the TLPS which cannot be met through the TLPS budget even in the medium to longer term. Further, it is considered that UN equipment standards significantly exceed those required to support a functional police service in Timor-Leste.²⁵

There has been limited attention given to the administrative support areas of the TLPS and UNPOL has also identified this problem. Management of infrastructure, fleet and other material resources is not yet well developed. Financial procedures are highly centralised with purchasing actually being done by the MoPF. A continued close working relationship with the MoPF is vital. The JAM was advised of the recent purchase of some motorcycles for the TLPS through donor funding. The TLPS requested that the bikes be of the one colour, preferably white. When the motorcycles arrived they were varied in colour and while still being used do not promote a uniform or recognisable image.

The need to properly determine the minimum infrastructure and equipment needs of the TLPS is critical. During every meeting in Districts and with other Units the JAM was given lengthy equipment lists. Many of these appeared to be trying to replicate UN equipment while others were extremely unrealistic “wish lists.” ***The development of service-wide standards, policies, records and procedures is even more critical in view of the limited budget capacity. Any decisions on materials will need to be made within an agreed and sustainable policy framework.*** The expectations of the TLPS members have been raised to standards which cannot be met and this will have to be explained and demonstrated as part of the development of resource management capacity.

5.8 Donor Coordination

A number of donor countries have already provided bilateral support to the TLPS and some have indicated that they will continue to do so. Some new donors are also considering providing assistance. A donor matrix is attached as Appendix “E”.

²⁵ It should be noted that the GoTL is the largest ever recipient of UN DPKO mission assets following an agreement between UNTAET and the GoTL.

Donors have expressed a strong desire to ensure that their efforts are coordinated to avoid duplication or lack of standardisation. It will be equally important that the TLPS takes an active role in making the best use of donor assistance in consultation with the departments within the GoTL responsible for donor coordination. Priorities need to be established and the delivery of assistance should target these. The development of a five-year training programme should provide part of the necessary framework but there will also need to be organisational standards set with which donors should comply. These standards should apply not only to equipment and material support but also to training courses.

Some donors have traditionally offered overseas training and while in many cases this is appropriate there are often language and other difficulties which minimise the benefits obtained by those attending. It may be better and more cost effective to have donor countries provide the technical expertise to develop and deliver the training programme in Timor-Leste. This would enable more students to attend and should ensure the relevance of the training and overcome any language problems.

The tendency to see training as the panacea for capacity building needs to be resisted. While it is undeniably important, it is only one facet of the process. Well targeted technical assistance, formal and on the job training and the provision of equipment to support these are the key elements of capacity building. All of these elements need to be directed towards an agreed philosophy and policy framework of the organization which requires significant further development.

It will also be necessary for donor assistance to be in step with the broad philosophy of the TLPS and to focus on the basic rather than the complex. While there is an emphasis on the need for management training there is also considerable merit in looking at the need for revised recruit training to get the basics right. Middle and senior managers are likely to require mentoring or technical adviser support for the medium term in addition to formal training.

As discussed above, the other critical area for support is that of key administrative support functions. The TLPS should be encouraged to seek qualified civilian staff for positions which require specialist skills. Similarly, technical advisers in these areas should be appropriately qualified specialists.

Of utmost importance is the need for the TLPS – in collaboration with a future civilian policy unit in the relevant GoTL Ministry – to be the driver of the process to determine the medium and long term strategic vision for the TLPS and to determine priorities accordingly.

5.9 Community

Earlier sections of this report have commented upon the nature of the Timor-Leste community as it emerges from a period of oppression and violent conflict. The most recent history of policing has left a legacy of suspicion and fear. The economic environment and widespread unemployment have contributed to resentment of those

who do have jobs, particularly government jobs such as the police. This resentment is especially strong amongst those who were active in the fight for independence.

In response to this situation, UNPOL have sought to establish Community Policing Sections as part of the police structure in each District. The model adopted is largely based on the Japanese Koban system.²⁶ To date, 10 police posts have been established, spread over four Districts. The Community Police are required to interact with village chiefs and other community leaders. The JAM was advised that the initiative was working well albeit still fairly limited in terms of countrywide coverage and the numbers of police deployed this way. However, police officers suggested an outreach campaign would assist by increasing communities' understanding of the role police play.

It was observed that there did appear to be some confusion over the role of community police within the TLPS. While ostensibly intended to improve police community relationships some also saw it as a means of gathering "information" from communities or an informer network. While this is an element of improved relationships the main goals of community policing should be developing trust and credibility and working with the community to solve local problems. As a guiding principle, experience elsewhere demonstrates the need to consult with communities on ways to work together rather than introducing models used elsewhere.

5.10 Rules and Custom

The importance of rules and customs and informal dispute resolution mechanisms throughout Timor-Leste was mentioned on numerous occasions during the JAM consultations. For many rural communities the first or most accessible authority to arbitrate on disputes is most likely to be the village chief. While there is no one system of traditional justice and certainly no legislative base to support such practices they continue to be an integral part of village life.

The relevance of this issue for the JAM is the interface between customary resolution methods and the formal criminal justice system in Timor-Leste. A further related issue is the existing practice within the TLPS to deploy officers to their District of origin. As discussed above, the low salaries of police are a major contributing factor to this practice.²⁷ Added to this, the graduating TLPS officers tend to be young in the main and are less likely to be persons of authority in their village and District.

Consultations with TLPS in the Districts visited revealed divided opinion on whether or not there was a difficulty in asserting authority as police officers or conflict with local authorities such as chiefs. Some officers clearly asserted that the role was straightforward or that, when in uniform, their police duties/authority came before family ties. Others commented that their peers were inclined to not respect them.

²⁶ This model was successful in Japan and essentially involves the establishment of a police post at suburb/village level where the officer/s live and work locally.

²⁷ Salaries commence at US\$80 per month to a maximum of about US\$125.

Whatever the outcome, the JAM considers this issue needs to be explored further with regard to future developments.

Equally important is the issue of the clarification of which issues and disputes should or should not be dealt with outside the formal criminal justice system. The JAM has only anecdotal reports on this matter but some stakeholders, particularly external NGOs working with vulnerable members of the community, expressed concerns particularly in relation to domestic violence.²⁸ This is not an issue on which the JAM is sufficiently informed to make specific recommendations. The existence of traditional customs and rules is a part of the culture of Timor-Leste. It does however appear that there is a need to better clarify the best means to protect vulnerable persons such as women and children and ensure the rights which are enshrined in the Constitution²⁹ and in international human rights instruments to which Timor-Leste has recently become a signatory.

5.11 Language

One of the more striking observations during the mission was the difficulty in ensuring common understanding due to the diversity of languages. Even during the JAM's consultations it was sometimes necessary to have English translated into Portuguese, Bahasa and Tetum at the same meeting.

There are several implications of this linguistic diversity which the JAM simply seeks to flag. These are as follows:

- The language of the Parliament is Portuguese and accordingly the laws are written in that language;
- Almost all TLPS members speak Tetum as a principle language while 70% of the TLPS members speak Bahasa as a second or third language and a minority speak Portuguese³⁰;
- The need for better community consultation and communication taking into account the linguistic challenges;
- Language of training for the TLPS;
- The time taken in either completing written translations or in conducting verbal communications through translations; and
- Difficulties of interpretation, particularly with legal matters when documents are translated.

²⁸ UNIFEM in particular felt that many quite serious assaults were being inappropriately dealt with and that police were reluctant to institute criminal proceedings.

²⁹ Constitution of Timor-Leste, Section 17 (Gender Equity) and Section 18 (Child Protection).

³⁰ Derived from records of TLPS recruits

6 METHOD OF ANALYSIS

During its consultative processes, the JAM compiled a significant amount of information. To enable some ordering and standardising of all team members observations it was decided to use a model in the form of a matrix. This enabled the three core organisational components to be assessed against the three critical institutional strengthening components. The model is set out below and comprises:

Core Organisational Components

Personnel (All human resources both police and civilian)

Resources (This includes material resources and information)

Rules (This includes both internal procedures and legislation)

Critical Institutional Strengthening Components

Capacity (This includes staff capacity, material capacity and organisational capacity)

Integrity (This includes accountability mechanisms for both management and operational practices)

Sustainability (This includes mechanisms for ensuring that planning for both human and other resources are developed)

Using this approach, the JAM's information was analysed in order to assess the current capacity of management structures, policies, systems, operations, professional development, training and support services of the TLPS. (Terms of Reference Objective (c))

	PERSONNEL	RESOURCES	RULES
SUSTAINABILITY INTEGRITY CAPACITY			

7 FINDINGS AGAINST TERMS OF REFERENCE

The JAM's findings against the specific objectives of its Terms of Reference are discussed below. Some objectives have been grouped to reflect their interrelated nature.

Objective (a): Assess the handover of executive authority to the TLPS in relevant Districts; and

Objective (b): Assess progress against timetable for development of the TLPS

The handover of authority from UNPOL to the TLPS is broadly progressing on schedule. As of November 2002 the TLPS had assumed executive authority for all routine policing matters in four Districts, beginning in Aileu in May 2002. Continued positive progress will require effective coordination both within, and between, UNMISSET and the GoTL. This coordination will be key to ensuring minimum standards of service delivery are maintained.

It was indicated to the JAM that the selection of Districts for early handover included consideration of crime rates and other demographic factors such as population. Some Districts, such as Baucau, Viqueque and Dili itself, will pose significantly greater challenges. Lessons learned from handovers already completed need to be taken into account to meet these challenges. These lessons include:

- Difficult choices must be made regarding appropriate and affordable technology that can ensure the sustainable provision of essential police services in keeping with fundamental rights;
- Language and cultural context need to be fully appreciated in order to appropriately assess TLPS preparedness. Deficiencies in this regard by some UNPOL staff have hampered the effectiveness of some technical assistance;
- Rigorous implementation by UNPOL and the TLPS of standardised national records management and field training programmes are essential to maintain continuity and ensure preparedness;
- Effectiveness of UNPOL Technical Advisers (as distinct from UNPOL enforcement/line staff) depends on the recruitment of officers with experience in, and understanding of, the social and political context of Timor-Leste and demonstrated commitment to capacity building;
- Management of the transition from UNPOL to TLPS executive authority requires continuous on site monitoring and adjustment in order to ensure that public security is not jeopardised. UNPOL management based in Timor-Leste is best placed to make this assessment given its ongoing consultation with the GoTL and TLPS officials;
- The strengthening of TLPS-community relations was viewed by TLPS officers as one of the most important ingredients of a successful assumption of authority;

- The interaction of local customs, rules and informal dispute resolution mechanisms with the provision of policing services needs to be better understood and more clearly defined in order to ensure that the fundamental rights of both communities and individuals are protected; and
- The JAM noted that the timeline for handover merits further consideration taking into account both the current skill levels of the TLPS officers and relevant political factors.

Objective (c): Assess current TLPS capacity; and

Objective (d): Recommend strategies to address TLPS needs

The discussion of findings which follows classifies specific TLPS capacity issues and identifies measures by which they could be addressed.

PERSONNEL

Personnel Capacity

All TLPS recruits receive twelve weeks of basic training in addition to field training. However, it is widely acknowledged that this is insufficient and further training is required to strengthen basic policing skills. In addition, there are indications that some TLPS members have limited understanding of existing procedures. Measures to be taken could include:

- *Improve existing curricula to better match the skills required to carry out TLPS officers' day-to-day duties to a standard which meets service delivery requirements;*
- *Strengthen the implementation of the Field Training Programme;*
- *Effectively incorporate standardised operating procedures into all training and provide refresher courses, as required; and*
- *Improve the quality of TLPS administration functions by recruiting civilians with relevant skills and expertise for specific positions.*

Personnel Integrity

The JAM was reminded by stakeholders of the burden on the shoulders of TLPS officers who are the public face of a new democratic institution. This institution, as much as any other in Timor-Leste, is fundamental to the development of democratic governance and respect for human rights. Stakeholders encouraged efforts to incorporate human rights principles effectively across all TLPS training. This was supported by SPU officers and new recruit agents in handover districts. In addition to enhanced training, the JAM considers that personnel development would be enhanced by a number of additional measures including:

- *Standardize and promulgate performance monitoring programmes and promotion policies;*

- *Approve and disseminate a TLPS Code of Conduct;*
- *Develop a uniform policy regarding police-community relations in accordance with the Constitutional mission of the TLPS; and*
- *Formulate and implement community outreach programmes that would contribute to an enhanced citizen understanding of the role of police.*

Personnel Sustainability

Observations and consultations have shown that there is a sense of commitment and loyalty towards the TLPS institution and its goals. Nevertheless, TLPS members come from diverse social groups that have longer and more substantial histories than the newly established police service. Supporting the emerging identity of the new police institution will require dedicated resources and activities.

Of equal importance to the emerging institution is the need for the development of capacity in human resource management and planning. The JAM observes that a training focus was a necessary short-term strategy. To meet longer-term needs and to support training initiatives a further measure should include:

- *Plan for the deployment and development of human resources to support service delivery.*

RESOURCES

Resources Capacity

The JAM identified that material and infrastructure is currently mostly serviced by UNPOL. Regarding materials belonging to the TLPS, the JAM observed inconsistencies in terms of compatibility (various brands for same items) as well as lack of complementarity (no helmets for motorbikes, or five police field kits for 13 districts). It also appeared that after handover, the withdrawal of UNPOL equipment under UN administrative rules resulted in the TLPS being left without the minimum requirements. Infrastructure and materials today do not fully meet the challenges posed by the physical environment. To support improved resources capacity and planning the JAM recommends:

- *Review TLPS resources needs in HQ and districts, giving due consideration to sustainability, policy and standardised operating procedures.*

Current information management could be improved through:

- *Ensure forms and documents are standardised and implemented consistently across the TLPS.*

In addition, the multilingual environment requires careful management of information. To ensure that standards and procedures are applied consistently, and contribute to enhanced capacity, it is important that information can be understood and accessed by all police officers.

Resources Integrity

The JAM considered the impact of limited resources on the integrity of TLPS services. Any standardized information management system must be capable of guaranteeing rights enshrined in the Constitution of Timor-Leste (for example, records management measured against rights associated with arrests or investigations). There is currently great variation in quality and consistency across TLPS District offices in this regard. Budget planning is a further dimension of resource supply and distribution that directly impacts on institutional integrity. Measures to improve integrity could include:

- *Ensure forms and documents are standardised and implemented consistently across the TLPS;*
- *Standardise information collection across all Districts; and*
- *Implement transparent and accountable procurement procedures.*

The JAM was also made aware of the importance of inter-institutional relations, particularly with the Judiciary. While some TLPS units report harmonized case management, this is not consistent across all TLPS investigations, giving rise to a consensus that:

- *Strengthen inter-institutional communication and coordination between the TLPS and the judiciary; and*
- *Provide officers with concise and up-to-date information on criminal law and procedures.*

Resources Sustainability

The current setting addresses short-term resourcing issues. The JAM considers it is necessary to shift to long-term resource planning including sustainable acquisition of appropriate material and maintenance needs.

- *Strengthen TLPS capacity for, and involvement in, national finance and development planning.*

RULES (MANAGEMENT AND ORGANISATION)

Rules, Management and Organisational Capacity

The standardisation of procedures and forms was identified as a high priority. Such standardisation would enable improved information gathering and analysis and strengthen the TLPS as an institution.

- *Develop a police manual to clarify work functions and procedures and strengthen respect for the chain of command. Information should be presented in an accessible form and be closely linked to training; and*
- *Develop indicators for efficiency and compliance to strengthen the TLPS as a professional and independent institution.*

It would also facilitate effective management, enable continuous improvement of TLPS, and strengthen respect for the chain of command.

Rules, Management and Organisational Integrity

A number of stakeholders raised the need for fair, transparent and internally consistent processes for developing organisational standards and procedures in discussions with the JAM.

- *Review policies and procedures to provide an impetus for the consolidation and dissemination of standardised policies to all parts of the TLPS at this important stage of institutional development.*

The need to ensure institutional independence and TLPS accountability was also emphasised in discussions:

- *Establish an external oversight body to formalise internal oversight and review procedures, and enhance accountability and institutional integrity; and*
- *Strengthen the relationship between the TLPS and the community through:*
 - *the establishment of formal mechanisms for police-community consultation and public outreach;*
 - *an assessment and discussion of the role that local rules and customs have in the rule of law area; and*
 - *the establishment of a mechanism for the development of rule of law policy, and inter-agency interactions which involve the three pillars of the criminal justice system – the judiciary, correctional services and police.*

Rules, Management and Organisational Sustainability

The effectiveness of the TLPS will be in part dependent on its institutional relations with other government and community institutions.

- *Establish civilian policy development and support units within the Ministry to better position the TLPS to develop the necessary inter-institutional relationships and enhance management and administration;*
- *Strengthen TLPS capacity for, and involvement in, national finance and development planning; and*
- *Strengthen inter-institutional communication and coordination between the TLPS and the judiciary.*

Community acceptance and respect for the TLPS will also be key to ensuring the sustainability of the organisation. It is important that the community has a sound understanding of the role and rights of the police, and of citizen rights and responsibilities.

Objective (d): Develop a TLPS capacity building programme

In addressing this objective the JAM has formulated an overarching recommendation which proposes a strategy to address the issues identified above:

The JAM recommends that there be established an institutional strengthening working group for the TLPS. This group should be led by the TLPS with membership determined by the GoTL. Consideration should be given to representation from other justice sector agencies, key government departments (such as MoPF), civil society and the community. UNPOL³¹ should have a representative on the working group to provide police technical advice. To support this working group, an appropriately qualified and experienced institutional strengthening technical adviser should be engaged for a period of at least 12 months.³² Further provision should also be made for shorter term inputs from at least three other technical advisers in the areas of human resources management, finance and logistics.³³

The JAM considers this approach will provide a mechanism, in the form of the working group, and guidelines as discussed above for its deliberations. It should also provide a means of informing and coordinating donor assistance.

The working group process could also provide a means of strengthening the linkages of the TLPS with its partners in the criminal justice system. In addition, it could support linkages with other GoTL Departments. More importantly, this approach recognises an environment where policy development is evolving and a legislative framework is being built. As the TLPS moves closer to taking formal control of its functions it is critical that it has ownership of its planning and future development. Strengthened cooperation will contribute to improved consistency across legislation, policy and operations thereby enhancing the capacity of the GoTL to ensure security and stability.

The objective of this working group will be the development of a framework for the institutional strengthening of the TLPS. While the institutional strengthening adviser will guide the process, the TLPS will lead the group and ensure that the framework and timelines developed are appropriate and realistic in the Timor-Leste environment. This aspect of ownership rather than imposition is critical. The framework or plan will need to determine and prioritise requirements and identify specific technical expertise which will be required for implementation.

It is important to distinguish between the recommended working group outputs and the role which has been performed by UNPOL. The mandate of UNPOL was focused initially on law enforcement and then moved to establishing the TLPS and the gradual handover of executive authority. Although the need for more specialised civilian staff has now been identified there is no framework for these activities and the emphasis continues to be on day-to-day policing.

The JAM's primary recommendation seeks to shift the focus to one of development across the organisation. It also seeks to actively support the greater participation of the TLPS in the broader public sector development in Timor-Leste and to encourage more cooperation and coordination within the justice sector

³¹ Or any other post-UNMISSET international police presence in Timor-Leste.

³² This would be a minimum period, 18 months to two years is preferable.

³³ Other areas of specialisation may be identified. Policy development is once such example. The JAM was advised that there was to be an adviser attached to the Minister's Office which may assist in this area. Other areas could include information technology and perhaps corporate planning.

agencies. In addition, this working group will constitute a focal point for the donor community to ensure that assistance is targeted at priority areas and is appropriate for local needs.

8. CONCLUDING REMARKS

The recurring theme of this report is clearly the limited management capacity of the TLPS. It is, however, important to consider this in the context of an organisation which has been in existence for only two and a half years and which is one of many public sector agencies striving to meet the demands and expectations of the people of Timor-Leste. It should be emphasized that the TLPS is only one of the three pillars of the criminal justice system, the others being the judiciary and the correctional services. All three pillars of the criminal justice system must function integrally in order for the justice system to work. At stake is the establishment of the rule of law, acknowledged to be the critical foundation for a transition to democratic governance and economic development. Continuing weakness in this area risks the emergence of unaccountable forms of security and control that can undermine new democratic institutions and leave citizens vulnerable to human rights violations and public insecurity.

It is also necessary to consider the nature of support thus far provided to the TLPS development. While part of UNPOL's mandate under UNTAET required the development of a local police service the JAM considers that the approach adopted by UNPOL was not entirely appropriate. The UNPOL deployment overwhelmingly comprises police officers with appropriate skills for law enforcement activities. To fulfil its mandate in relation to the TLPS, UNPOL should have also included appropriately skilled and experienced specialists in institutional strengthening and organization development. The soon-to-be published "Review of Peace Operations: A Case for Change, East Timor" also identifies such difficulties. In particular, these relate to the management and administrative aspects of the TLPS. The following extract strongly echoes the JAM's findings:

*"UNTAET initially focused on personnel recruitment and training while neglecting the development of the ETPS as an institution and the handover process from UN to East Timorese control. The failure was a direct result of inadequate strategic planning and institution-building know-how at the UN Secretariat and mission level. UNPOL was left to its own devices to set up an administrative and budgetary framework for the ETPS. Lacking the necessary expertise in institution building, strategic planning and budget development (in democratic countries these activities are usually performed by civilian administrators), UNPOL has produced an institution that is unsustainable and weak. All these factors have contributed to the slow development of the ETPS, and the current situation of a continued UN executive mandate in a sovereign country. UNTAET would have benefited from an early independent study on police operations. In addition to technical police expertise, when the mandate includes police development responsibilities, UNPOL requires civilian experts with project management, administrative, donor mobilisation, human rights and institution-building skills."*³⁴

³⁴ *A Review of Peace Operations: A Case for Change, East Timor*, King's College, London, February 2003, Paragraph 102.

In making its overarching recommendation, the JAM is seeking to provide a mechanism and framework within which appropriately qualified advisers can deliver the necessary institutional strengthening expertise to the TLPS.

Appendix A

Joint Assessment Mission Participants

**Joint Government / UN / Partner Country
Police Needs Assessment Mission for
Timor-Leste Police Service Capacity Building
17 – 29 November 2002**

Participants

Government of Timor-Leste:

Mr. Paolo Martins	TLPS Commissioner
Mr. Hermenagildo da Cruz	TLPS Officer

Australia:

Ms. Bernice Masterson	Law & Justice Development Assistance Design Expert
Ms. Cynthia Burton & Ms. Andrea Smith	AusAid officials, Embassy of Australia, Dili (Week 1)
Ms. Sue Graves	Country Programme Manager, Governance, Timor-Leste Programme (Week 2)

Singapore:

Mr. Michael Tan	Superintendent, Singapore Police Force
Mr. G. P. Sze	Inspector, Singapore Police Force

United States:

Mr. Jim Roberts	Director, ICITAP training programme for TLPS
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United Kingdom:

H.E. Mr. Hamish Daniel	Ambassador to Timor-Leste
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UN DPKO:

Mr. Ajay Bhatnagar	Civilian Police Department (co-team leader)
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UNMISSET:

Mr. Jim Coy	Legal Advisor, Human Rights Unit
Mr. John Tyynela	Associate Human Rights Officer, Human Rights Unit

UNPOL:

Mr. Peter Miller	UNPOL Commissioner (co-team leader)
Mr. Luis Elias	UNPOL Deputy Commissioner for TLPS Development
Mr. Glenn MacPhail	UNPOL Training Advisor
Mr. Vinay Kargaonkar	UNPOL Institution & Capacity Building Advisor
Mr. Poge Nyaon	UNPOL Advisor

UNDP:

Mr. Serge Rumin	Consultant
Mr. Ludovic Hood	Programme Officer

Appendix B

Joint Assessment Mission Terms of Reference

Mission Terms of Reference
Joint Government / UN / Partner Country
Police Needs Assessment Mission
for
Timor-Leste Police Service Capacity Building
18 - 30 November 2002

1. CONTEXT

The Government of the Democratic Republic of Timor-Leste, donor countries, UN agencies and NGOs have worked together to plan the smooth transition from the UN Police (UNPOL) to the Timor-Leste Police Service (TLPS, also known as ETPS) as indicated in the UN Secretary-General's report, dated 17 April 2002. Executive control over police has been successfully handed over from UNPOL to the TLPS in three district areas – Aileu, Manatuto and Manufahi – during the last five months. This has been done in accordance with the *ETPS Development Plan*, which was jointly developed by UNPOL and the TLPS, and as agreed in the *Supplemental Arrangement between UNMISSET and the Government of the Democratic Republic of Timor-Leste on the Transfer of Policing Responsibilities to the ETPS*, which was signed on 20 May 2002.

In spite of progress made in training of TLPS Officers, the TLPS has limited capacity to deliver police services, given its emerging managerial experience, embryonic professional development and training, nascent support services, and basic infrastructure in transportation and communication facilities, all of which are directly related to the TLPS' ability to police effectively. To address this challenge UNPOL is developing a five-year training plan for, and in consultation with, the TLPS. The objectives of the UNPOL plan are: (i) to align all training with the intent of providing core competency development at all levels within the TLPS; (ii) to provide a training advisory service for those countries wishing to assist the TLPS in the area of training and training logistical support to ensure value for dollar while avoiding duplication; and (iii) to ensure supervisor, management and executive training that supports the mission of the TLPS by enhancing core competency development in a progressive and systematic manner. However, it is recognized that this is not enough.

The Government of Timor-Leste, together with UNMISSET³⁵ and UNDP³⁶, have discussed with interested donor countries the desirability of organizing a needs assessment mission (the "Mission") to conduct a comprehensive study and evaluation of the current status of the TLPS and the potential areas of need for further assistance from the international community. Several partner countries are interested in participating in the Mission.

2. OBJECTIVES

The objectives of the Mission are to:

- a) evaluate the outcome of the handover of executive authority from UNPOL to the TLPS in the three district areas of Aileu, Manatuto and Manufahi (as well as any other district in which executive authority has been handed over) and the lessons learned from these handovers with respect to management structures, policies and systems; operations; professional development and training; and support services of the TLPS;
- b) assess the progress made against the timetable for development for the TLPS as set out in the *ETPS Development Plan*;

³⁵ United Nations Mission of Support in East Timor

³⁶ United Nations Development Programme

- c) evaluate the current capacity of management structures, policies and systems; operations; professional development and training; and support services of the TLPS;
- d) recommend strategies to address, in both the short- and medium-term, the capacity building needs of the TLPS with respect to its management structures, policies and systems; operations; professional development and training; and support services; and
- e) develop, in consultation with the TLPS and UNPOL, a draft comprehensive TLPS capacity building programme.

3. DURATION

The mission will take place during 18 – 30 November 2002.

Upon arrival, senior government officials of the Ministry of Internal Administration, the TLPS Commissioner, the UNPOL Commissioner and other UNMISSET and UNDP officials will brief the Mission on the current situation. The Ministry of Internal Administration, UNMISSET and UNDP will provide pertinent briefing materials previous to, and also upon, arrival.

The Mission's initial task will be devoted to obtaining information regarding the handover of executive authority in the three district areas of Aileu, Manatuto and Manufahi (as well as any other district in which executive authority has been handed over). After analyzing the lessons learned from the three cases, the Mission will collect the additional information necessary to evaluate the current capacity of the TLPS with regard to its management structures, policies and systems; operations; professional development and training; and support services. Thereafter, the Mission will determine the additional needs of the TLPS in order to develop the desired outputs. It is foreseen that significant time will be spent with the TLPS, other relevant Timor-Leste government officials, UNMISSET and UNDP staff members, as well as bilateral donors who have been providing support to the sector. In addition to dedicated and concentrated time spent in Aileu, Manatuto and Manufahi (and any other districts in which executive authority has been handed over), visits to various other police facilities and locations will be arranged. The remaining days will be used to formulate the Mission outputs, brief stakeholders on findings, and reformulate outputs again as needed.

4. TASKS

- ❑ Evaluate the handover of executive authority in the three district areas of Aileu, Manatuto and Manufahi (as well as any other districts in which executive authority has been handed over), the lessons learned from each of the handovers with respect to the managerial structures, policies and systems; operational; professional development and training; and support services capacity of the TLPS.
- ❑ Assess the current managerial structures, policies and systems; operational; professional development and training; and support services capacity of the TLPS.
- ❑ Compile a comprehensive list of the donor activities that have been undertaken and recommend short-, medium- and long-term strategies with respect to building the TLPS' managerial structures, policies and systems; operational; professional development and training; and support services capacity.
- ❑ Develop, in close cooperation with the Ministry of Internal Administration, a comprehensive capacity building programme with a detailed one and a half (1.5) year work plan to launch its implementation. The document is expected to focus on the short-term managerial, operational, professional development and training, and support services needs of the TLPS, as well as their medium - and long-term structural and systemic implications.

5. PLACES TO VISIT

Aileu, Manatuto, Manufahi, Ainaro, Dili Police Academy and other relevant locations in Timor-Leste.

6. PARTICIPANTS

The needs assessment mission will consist of participants from:

- The Government of the Democratic Republic of Timor-Leste;
- The Timor-Leste Police Service (TLPS);
- The UN Police Commissioner in Timor-Leste;
- The Civilian Police Division, UN Department of Peacekeeping Operations
- The United Nations Development Programme; and
- Partner-Donor Countries, to be identified.

Dili, Timor-Leste
31 October 2002

Appendix C

Joint Assessment Mission Schedule

**Joint Government / UN / Partner Country
Police Needs Assessment Mission for
Timor-Leste Police Service Capacity Building
17 – 29 November 2002**

Schedule

November

17th Sunday

7:00 p.m.: Informal reception and dinner (Hotel Timor)

18th Monday

8:30 a.m. – 3:00 p.m.: Mission kickoff and coordination meeting
(TLPS/UNPOL HQ)

3:00 p.m. – 4:00 p.m.: Formal launch of mission by Prime Minister, TLPS
Commissioner, Acting SRSG and UNPOL Commissioner (Council of Ministers
Meeting Room)

4:00 p.m. – 6:30 p.m.: Mission coordination meeting

19th Tuesday

8:15 a.m.: Daily coordination meeting (TLPS/UNPOL HQ)

Team 1:

9:00 a.m. – 12:30 p.m.: Meetings with TLPS/UNPOL Units at Dili District HQ

2:00 p.m. – 5:00 p.m.: Meetings with TLPS/UNPOL Strategic Planning Unit
(TLPS/UNPOL HQ)

Team 2:

9:00 a.m. – 11:00 p.m.: Meeting with UNPOL Commissioner Peter Miller
(TLPS/UNPOL HQ)

2:00 p.m. – 5:00 p.m.: Meetings with TLPS/UNPOL National Security
Coordination Units

20th Wednesday

8:15 a.m.: Daily coordination meeting (TLPS/UNPOL HQ)

Team 1:

9:00 a.m. – 12:30 p.m.: Meetings with TLPS Border Units

2:00 p.m. – 5:00 p.m.: Meetings with TLPS Special Police Unit (SPU) personnel

Team 2:

9:00 a.m.: Meeting with United Kingdom Ambassador H.E. Mr. Hamish Daniel
(UK Embassy)

10:00 a.m.: Meeting with Mr. Ricardo Ribeiro, Head of the Government
National Security Service (SNSE), and Mr. Bob Lowry, Advisor (GPA)

2:00 p.m.: Meeting with United States Chargé d’Affaires Ms. Shari Villarossa,
Ms. Edith Bowles of USAID, and Mr. Jim Roberts of ICITAP (United States
Embassy)

3:00 p.m.: Meeting with New Zealand Consul-General Ms. Susannah Gordon
(New Zealand Consulate-General)

5:30 p.m.: Meeting with Joint Ministry of Justice / UNDP Judiciary Review Mission (UN House)

21st Thursday

8:15 a.m.: Daily coordination meeting (TLPS/UNPOL HQ)

Team 1:

9:00 a.m.: Meeting with Mr. Jim Della Giacomina, Country Director, and Mr. Edward Rees, Security Sector Reform Project Coordinator, of the National Democratic Institute (NDI)

10:00 a.m.: Meeting with UNMISSET Human Rights Unit (Executive Office of the SRSG)

11:00 a.m.: Meeting with Australian Ambassador H.E. Mr. Paul Foley (Australian Embassy)

Team 2:

9:00 a.m. – 12:00 p.m.: Meetings with National Investigation Unit (NIU) personnel (TLPS/UNPOL HQ)

All Mission members:

12:00 p.m. – 1:00 p.m.: Meetings with TLPS District Commanders of four handover areas (TLPS/UNPOL HQ)

2:00 p.m. – 4:00 p.m.: Meetings with Security & Intelligence Division (SID) personnel (TLPS/UNPOL HQ)

4:00 p.m. – 6:00 p.m.: Meeting with District Human Rights Officers (TLPS/UNPOL HQ)

6:00 p.m. – 7:00 p.m.: Meeting with Mr. Stephen Weaver and Mr. Afonso Alexio, Canadian International Development Agency (CIDA)

22nd Friday

Team 2:

All day: District visit: Baucau

Team 1:

8:00 a.m. – 9:15 a.m.: Meeting with TLPS Commissioner Paolo Martins (TLPS/UNPOL HQ)

9:30 a.m. – 11:00 a.m.: Meeting with Vice-Minister for Internal Administration H.E. Ms. Ilde Maria de Conceicao (Ministry for Internal Administration)

11:00 a.m. – 12:30 p.m.: Meeting with Ms. Edie Bowles of USAID's Rule of Law Programme (at TLPS/UNPOL HQ)

3:00 p.m. – 5:30 p.m.: Meetings with TLPS officers and agents (TLPS/UNPOL HQ)

6:00 p.m. – 7:00 p.m.: Meeting with Minister of Justice H.E. Ms. Ana Pessoa (at Ministry of Justice)

23rd Saturday

All day: Meetings with personnel at the Police College

25th Monday

Team A:

8:30 a.m. – 2:30 p.m.: District visit to Ainaro

Team B:

8:00 a.m. – 2:30 p.m.: District visit to Aileu

Consolidated Team:

3:00 p.m. – 4:00 p.m.: Meeting with Embassy of Malaysia Chargé d’Affaires Mr. Mohamad Rameez Yahaya (Malaysian Embassy)

5:00 p.m. – 6:00 p.m.: Meeting with Mr. Jose Luis Olivera of Yayasan Hak

6:00 p.m. – 7:00 p.m.: Meeting with Ms. Marcela Rodriguez-Farrelly (Legal Research Coordinator), Mr. Nelson Carvalho Belo (Outreach Coordinator), Ms. Helen Donovan (Legal Researcher) and Ms. Bu Wilson (Director) of the Judicial System Monitoring Programme (JSMP)

26th Tuesday

Team A:

8:00 a.m. – 2:30 p.m.: District visit to Manatuto

Team B:

8:30 a.m. – 2:30 p.m.: District visit to Manufahi

Consolidated Team:

3:00 p.m. – 4:00 p.m.: Meeting with officials of the Commission for Reception, Truth and Reconciliation (CAVR)

4:00 p.m. – 5:00 p.m.: Meeting with Ms. Wartini Pramana of UNFPA and Ms. Anne-Claire Dufay of UNICEF (UN House)

27th Wednesday

9:30 a.m.: Meeting with Mr. José Manuel da S. Fernandes, President of the Committee for Foreign Affairs, Defense and National Security of the National Parliament of Timor-Leste (National Parliament)

4:00 p.m. – 5:00 p.m.: Meeting with Ms. Emilia Pires, Head of the Planning and External Assistance Management Division of the Ministry of Finance and Planning

Remainder of day: Preparation of reports and presentation

28th Thursday

All day: Preparation of reports and presentation

29th Friday

All day: Preparation of reports and presentation

30th Saturday

9:00 a.m.: Mission Presentation to the Government of Timor-Leste, donors and SRSG.

Appendix D

Aide Mémoire

**AIDE MEMOIRE
JOINT ASSESSMENT MISSION (JAM)
TIMOR-LESTE POLICE SERVICE (TLPS)
18-29 NOVEMBER 2002**

INTRODUCTION

The Joint Assessment Mission (JAM) was established by the Government of the Democratic Republic of Timor-Leste and the United Nations Mission of Support in East Timor (UNMISSET), with the support of the United Nations Development Programme (UNDP). A number of donors participated in the mission. It was tasked with the following objectives:

1. Assess the handover of executive authority in relevant districts
2. Assess progress against timetable for development of TLPS
3. Assess current TLPS capacity
4. Recommend strategies to address TLPS needs
5. Develop a TLPS capacity building programme

This Aide Mémoire provides a preliminary summary of findings and recommendations with a view to facilitating discussion in anticipation of a final report. The final report will identify short- to medium-term capacity needs and provide further details.

Challenges to be Addressed by an Updated TLPS Development Plan

Further development of the TLPS as a capable, independent and sustainable institution, delivering a service which meets the needs of the community and its mandate under the Constitution of Timor-Leste.

Environment

The TLPS is a national institution. It is one of the three pillars of the criminal justice system, the other two being the judiciary and the corrections department. It functions and interacts in a social environment with other considerably older social and political institutions, including community structures. The economic environment is characterised by high unemployment and limited government revenue in the medium-term. The physical environment contributes to increased demands for TLPS services throughout its borders. The lack of infrastructure, such as reliable electricity and road access, are constraints to the delivery of this service. The TLPS is currently operating under the executive authority of UNPOL in a program of progressive handover to TLPS command (district by district) and ultimately overall handover to the Government. A number of donor countries are providing support to some areas; however, there is no framework through which to best target assistance.

Timor-Leste Police Service

The TLPS is composed of personnel with varying experience and from different social groups. They are supported by resources (infrastructure, equipment, information and finance) largely provided by UNPOL. The TLPS is guided in its management and operations on an ad hoc basis by UNPOL developed rules. The laws under which the TLPS operates are derived from a number of sources including former Indonesian law and UN Regulations.

METHODOLOGY

In order to maximise its consultations the Joint Mission broke into teams. This enabled visits to 6 Districts and relevant government officials as well representatives of civil society and the international community.

To meet its five objectives, the JAM collected information to enable an examination of TLPS capacity, integrity and

	PERSONNEL	RESOURCES	RULES
SUSTAINABILITY INTEGRITY CAPACITY			

sustainability across each of its components, that is, personnel, resources and rules.

FINDINGS ON ASSESSMENT OF TIMELINES AND HANDOVER

The handover of authority from UNPOL to the TLPS is broadly progressing on schedule. As of November 2002 the TLPS had assumed executive authority for all routine policing matters in four districts, beginning in Aileu in May 2002. Continued positive progress will require effective coordination both within, and between, the UN Mission and Government. This coordination will be key to ensuring minimum standards of service delivery are maintained. The first steps towards full executive authority in January 2004 were reviewed by the JAM through site visits.

Lessons Learned

A number of important lessons have been learned in this process which the TLPS officers interviewed willingly shared with the JAM for the benefit of future handovers.

- Difficult choices must be made regarding appropriate and affordable technology that can ensure the sustainable provision of essential police services in keeping with fundamental rights
- Language and cultural context needs to be fully appreciated in order to appropriately assess TLPS preparedness. Deficiencies in this regard by some UNPOL staff have hampered the effectiveness of some technical assistance
- Rigorous implementation by UNPOL and TLPS of standardized national records management and field training programmes are essential to maintain continuity and ensure preparedness
- Effectiveness of UNPOL Technical Advisers depends on recruitment of officers with experience in, and understanding of, the social and political context of Timor-Leste, and demonstrated commitment to capacity building
- Management of the transition from UNPOL to TLPS executive authority requires continuous on-site monitoring and adjustment in order to ensure that public security is not jeopardized. UNPOL management based in Timor-Leste is best placed to make this assessment given its ongoing consultation with Government and TLPS officials.
- The strengthening of TLPS-community relations was viewed by TLPS officers as one of the most important ingredients of a successful assumption of authority.
- The interaction of local custom and processes with the provision of policing services needs to be better understood and more clearly defined in order to ensure that the fundamental rights of both communities and individuals are protected.
- It may be that the timeline for handover merits further consideration taking into account both the current skill levels of the TLPS officers and relevant political factors.

OBJECTIVE C) AND D): ASSESSMENT OF NEEDS AND STRATEGY FOR CAPACITY BUILDING

A number of needs and strategies were identified through the JAM's discussions with stakeholders. These will be both further detailed and prioritised in the final report. Below is a discussion of the key issues relating to the categories of personnel, resources and rules/organization. Within this section the team has summarized its main findings in each of these categories. Further progress in the development of TLPS as a professional and independent agency would be assisted by the formulation of a comprehensive vision and policy framework. Such decisions can only be made by the Government of Timor-Leste. This report seeks to identify strategies the Government may wish to consider to increase the effectiveness and capacity of TLPS as an institution to enable it to implement those policies efficiently once they are formalized.

PERSONNEL

Personnel Capacity

All TLPS recruits receive twelve weeks of basic training in addition to field training. However, it is widely acknowledged that this is insufficient and further training is required to strengthen basic policing skills. Existing curricula could be improved to better match the skills required to carry out their day-to-day duties to a standard which meets service delivery requirements. In addition, there are indications that some TLPS members have limited understanding of existing procedures. It is critical that the Police Academy has at its disposal standardised procedures and ensures their full assimilation during basic training. To improve the quality of police administration functions, it would be useful to consider recruiting civilians with relevant skills and expertise for specific positions.

Personnel Integrity

The JAM was reminded by stakeholders of the burden on the shoulders of TLPS officers who are the public face of a new democratic institution. This institution, as much as any other in Timor-Leste, is fundamental to the development of democratic governance and respect for human rights. Stakeholders encouraged efforts to incorporate human rights principles effectively across all TLPS training. This was supported by SPU officers and new recruit agents in handover districts. In addition to enhanced training, the JAM considers that personnel development would be enhanced by standardization and effective communication of performance monitoring programmes. The approval and dissemination of a TLPS Code of Conduct, and a standardized promotions and reward policy, would also contribute to more effective personnel development.

The development of uniform policy regarding police-community relations in accordance with the Constitutional mission of the TLPS would also strengthen its democratic foundation. Police officers also expressed support for community outreach programmes that would contribute to an enhanced citizen understanding of the role of police.

Personnel Sustainability

Observations and consultations have shown that there is a sense of commitment and loyalty towards the TLPS institution and its goals. Nevertheless, TLPS members come from diverse social groups that have longer and more substantial histories than the newly established police service. Supporting the emerging identity of the new police institution will require dedicated resources and activities.

Of equal importance to the emerging institution is the need for the development of capacity in human resource management and planning. The JAM observes that a training focus was a necessary short-term strategy. To meet longer-term needs and to support training initiatives, planning for deployment and development of resources to support service delivery will be critical.

RESOURCES

Resources Capacity

The JAM identified that material and infrastructure is currently mostly serviced by UNPOL. Regarding materials belonging to the TLPS, the JAM observed inconsistencies in terms of compatibility (various brands for same items) as well as lack of complementarities (no helmets for motorbikes, or 5 police field kits for 13 districts). It also appeared that after handover, the withdrawal of UNPOL equipment under UN administrative rules resulted in the TLPS being left without the minimum requirements. Infrastructure and materials today do not fully meet the challenges posed by the physical environment. A comprehensive review of TLPS material needs in HQ and districts that gives due consideration to sustainability, could contribute to effective resource planning.

Current information management could be improved through ensuring forms and documents are standardised and implemented consistently across the TLPS. In addition, the multilingual environment requires careful management of information. To ensure standards and procedures are applied consistently,

and contribute to enhanced capacity, it is important that information is able to be understood and accessed by all police officers.

Resources Integrity

The JAM considered the impact of limited resources on the integrity of TLPS services. Any standardized information management system must be capable of guaranteeing rights enshrined in the Constitution of Timor-Leste (for example, records management measured against rights associated with arrests or investigations). There is currently great variation in quality and consistency across TLPS district offices in this regard. Budget planning is a further dimension of resource supply and distribution that directly impacts on institutional integrity. To the extent that there is effective coordination between relevant ministries, institutional integrity will be enhanced. Public oversight will also support accountable and transparent rationalization of scarce resources for priority needs.

The JAM was also made aware of the importance of inter-institutional relations, particularly with the Judiciary and Prosecutions. While some TLPS units report harmonized case management, this is not consistent across all TLPS investigations, giving rise to a consensus that further dialogue is required to establish uniform case management expectations. Finally, in Timor-Leste's rapidly evolving and complex legislative context, the JAM was also made aware that further resources need to be dedicated to providing officers with concise and up-to-date information on criminal law and procedures.

Resources Sustainability

The current setting addresses short-term resourcing issues. The JAM considers it is necessary to shift to long-term resource planning including sustainable acquisition of appropriate material and maintenance needs. Effective long-term planning will assist in coordinating external assistance and ensuring it contributes to TLPS goals and objectives.

RULES, MANAGEMENT AND ORGANISATION

Rules, Management and Organisational Capacity

The standardisation of procedures and forms was identified as a high priority. Such standardisation would enable improved information gathering and analysis and strengthen the TLPS as an institution. The development of a police manual would provide clarification on work functions and procedures and strengthen respect for the chain of command. Information should be presented in an accessible form and be closely linked to training.

The development of indicators for efficacy and efficiency to measure performance would contribute to the continued improvement and development of the TLPS as a professional and independent institution. It would also facilitate effective management, enable continuous improvement of TLPS, and strengthen respect for the chain of command.

Rules, Management and Organisational Integrity

A number of stakeholders raised the need for fair, transparent and internally consistent processes for developing organisational standards and procedures in discussions with the JAM. A comprehensive review of policies and procedures would address this concern and provide an impetus for the consolidation and dissemination of standardised policies to all parts of TLPS at this important stage of institutional development.

The need to ensure institutional independence and TLPS accountability was also emphasised in discussions. The establishment of an external oversight body, while also formalising internal oversight and review procedures, would enhance accountability and institutional integrity. TLPS is also accountable to the community. The relationship between police and the community could be strengthened through establishment of formal mechanisms for police-community consultation and public outreach. An assessment and discussion of the role that local rules and customs have in the rule of law area could also enhance relations.

Rules, Management and Organisational Sustainability

The effectiveness of the TLPS will be in part dependent on its institutional relations with other government and community institutions. These relations could be strengthened through the establishment of a mechanism for development of rule of law policy, and inter-agency interactions, which involves the three pillars of the criminal justice system – the judiciary, correctional services and police.

Community acceptance and respect for the TLPS will also be key to ensuring the sustainability of the organisation. It is important that the community has a sound understanding of the role and rights of the police, and of citizen rights and responsibilities.

PLAN

The JAM considers that the development of a comprehensive plan for a capacity building program for the TLPS should be informed by the findings outlined above. Further, it is considered that policy development and planning needs could be met by an appropriately constituted working group led by the TLPS. Membership of this group would of course be determined by the Government of Timor-Leste. The JAM further suggests that consideration be given to including representatives from the judicial system as well as relevant Timor-Leste Government Departments such as the Ministry of Finance and Planning.

The Working Group process proposed could also provide a means of strengthening the linkages of the TLPS with its partners in the criminal justice system. In addition, it could support linkages with other Government Departments. More importantly, this approach recognises an environment where policy development is evolving and a legislative framework is being built. As the TLPS moves closer to taking formal control of its functions it is critical that it has ownership of its planning and future development. Strengthened cooperation will contribute to improved consistency across legislation, policy and operations thereby enhancing the capacity of the Government of Timor-Leste to ensure security and stability.

In addition to establishing a mechanism for planning and policy development, it is important that urgent needs continue to be addressed. A number of urgent training and materials needs have been identified. UNPOL and the TLPS will seek to commence work on these issues immediately. The JAM will build on this work in its discussion of short- and medium-term strategies in the final report.

Appendix E

Donor Matrix

Matrix of Donor Supported Capacity Building Activities for Timor-Leste Police Service (as of January 2003)

Type of Activity	Donor	Amount	No. of participants	Period
Domestic Violence	UNFPA	Training Package on Domestic Violence	28 TLPS Officers	Aug. – Sept. – Oct. 2002
Domestic Violence	UNFPA	26 Motorbikes 12 Digital Cameras US\$ 14.000 for training	50 TLPS Officers	Jan. 2003 – Dec. 2003
Community Policing	New Zealand	320 Bicycles	320 TLPS Officers	Nov. 2002
Crowd Control (RIU)	Portugal	16 4w4 vehicles 4 motorbikes 3 trucks 1 boat and all the logistical equipment existing in the former Portuguese GNR compound Total amount: US\$ 3 million	180 TLPS Officers	Jul. 2002
Police College	Portugal	1 4w4 vehicle	44 TLPS Officers	Jul. 2001
In Service Training	Portugal	46 TV set	500 TLPS Officers	Mar. 2001

Type of Activity	Donor	Amount	No. of participants	Period
In Service Training	Portugal	46 VCD players	500 TLPS Officers	Mar. 2001
General Police Duties	Portugal	46 Satellite Dish	500 TLPS Officers	Mar. 2001
Senior Management Training	Portugal	Degree on Police Sciences Police College (4 years)	1 TLPS Officer	Sept. 2002 – Sept. 2006
Middle Level Management Training	Portugal	Training Course for Inspectors (one month)	2 TLPS Officers	Oct. 2002
Crowd Control (RIU)	USA (ICITAP)	Several Equipment for Crowd Control (RIU) Total amount: US\$ 18,297	180 TLPS Officers	Mar. 2002
Middle Management Training	USA (ICITAP)	Training of TLPS Supervisors (Sub-Inspectors)	220 TLPS Officers	2000/2001
Democratic Policing	USA (ICITAP)	Training Package on Democratic Policing	150 TLPS Officers	2000/2001
Criminal Investigations	USA (ICITAP)	Training Package on Criminal Investigations	150 TLPS Officers	2000/2001

Type of Activity	Donor	Amount	No. of participants	Period
Bomb Search	Australia	Several Equipment and Training Package on Bomb Searches	30 TLPS Officers	Feb. 2003
General Police Duties	Australia	5.000 Notebooks	2,830 TLPS Officers	Jan. 2003
Training in Peace Operations	Australia	Training of TLPS officers in Peacekeeping Operations	5 TLPS Officers	March – April 2003
Forensics	Australia	Training in Forensics (one month)	2 TLPS Officers	2001
Criminal Investigations	Caritas Australia (NGO)	1 vehicle	20 TLPS Officers	2000
Criminal Investigations	Caritas Australia (NGO)	1 TV set	20 TLPS Officers	2001
Criminal Investigations	Caritas Australia (NGO)	1 VCD player	20 TLPS Officers	2001
Criminal Investigations	Caritas Australia (NGO)	1 Refrigerator	20 TLPS Officers	2001

Type of Activity	Donor	Amount	No. of participants	Period
Criminal Investigations	Caritas Australia (NGO)	1 Copy Machine	20 TLPS Officers	2001
Criminal Investigations	Caritas Australia (NGO)	4 Tables	20 TLPS Officers	2001
Criminal Investigations	Malaysia	Training Package on Criminal Investigations (one month)	30 TLPS Officers	Jul. 2001
Crowd Control (RIU)	Malaysia	Training Package on Crowd Control (one month)	13 TLPS Officers	Jul. 2001
Marine Operations	Malaysia	Training Package on Marine Operations (one month)	7 TLPS Officers	Jul. 2001
Middle Level Management Training (for District Commanders)	Malaysia	Training for District Commanders (one month)	13 TLPS Officers	Nov. - Dec. 2002
Middle Level Management Training	Malaysia	Training for Middle Level Managers (one year)	3 TLPS Officers	Nov. 2002 – Nov. 2003

Type of Activity	Donor	Amount	No. of participants	Period
Middle Level Management Training	Malaysia	Training for Middle Level Managers (one year)	5 TLPS Officers	2003
Middle Level Management Training	Malaysia	Training for Middle Level Managers (one month)	52 TLPS Officers	2003
Train the trainers	Malaysia	Train the trainers package at Timor-Leste Police College (three weeks)	40 TLPS Officers	2003
Criminal Investigations	Malaysia	Criminal Investigations package (three weeks)	40 TLPS Officers	2003
Marine Ops	Malaysia	Marine Navigation Course (one month)	32 TLPS Officers	2003
Strategic Information	Malaysia	Intelligence and Strategic Info (three weeks)	20 TLPS Officers	2003
Close Protection	Malaysia	VIP Protection Course (one month)	60 TLPS Officers	2003

Type of Activity	Donor	Amount	No. of participants	Period
Serious Crimes	Japan	Training Course in Serious Crimes Investigations (one month)	1 TLPS Officers	Feb. 2002
Community Policing	Japan & Singapore	Training Course in Community Policing (one month)	2 TLPS Officers	May 2002
General Police Duties / Police College	UNDP	2 Buses	350 TLPS Officers and cadets	2001
Human Rights	Human Rights (UN)	Training Package on Human Rights to the TLPS SPU	180 TLPS Officers	Sept. / Oct. 2002
Community Policing	Canada	12 football team tournament Amount: \$800.00	140 local players and TLPS	Jan. 03 to Mar. 04
Community Poster Campaign	Canada	4,000 color posters Amount: \$7,600.00	All TLPS Officers	Jan. 03 to Mar.04
Training the trainers – police / community partnerships	Canada	Training sessions on Human rights with community and TLPS Amount: \$6,700.00	100 TLPS and Civilians	Jan.03 to Mar.04

Type of Activity	Donor	Amount	No. of participants	Period
Bicycle Patrol Program	Canada	Bike patrol uniforms and spare equipment. Amount: \$17,000.00	350 TLPS Officers	Jan. 03 to Mar. 04
Handbook (Aide Mémoire)	Great Britain	Development of laminated cards for individual TLPS officers on most serious calls for service Amount: \$20,000.00	2,830 TLPS Officers	Mar. to Dec. 03 <i>Note: project is currently under discussion</i>

Compiled by UNPOL.

Appendix F

Additional Requirement of Resources for TLPS

Please note that the appropriateness and sustainability of equipment and materials should be carefully assessed by development partner countries reviewing the list of additional equipment.

Additional Requirement of Resources for TLPS

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
Mobility						
1	Vehicles (4x4 Jeeps) Multipurpose utility vehicles or Jeeps suitable for the terrain may be considered.	100	Each Sub-Dist and units will have at least two or more vehicles. Selection of vehicles should depend on availability of spares & repairs facility & price of the vehicle.	14800	1480000	<u>Priority 1</u> 50 <u>Priority 2</u> 50
2	Bus	10	Each Major district will have one and smaller neighboring districts can share one bus between Two	24500 (Tata)	245000	<u>Priority 1</u> 5 buses <u>Priority 2</u> 5 buses

¹ **Note:** we established three types of Priorities: **Priority 1** means equipment that needs to be purchased between six months and one year (next fiscal year); **Priority 2** means equipment that needs to be purchased in the next two years; **Priority 3** means equipment that needs to be purchased in the next five years.

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
3	Mini Bus	10	Each Major district will have one and smaller neighboring districts can share one mini bus between Two	14750 (Hiunday)	147500	<u>Priority 1</u>
4	Trucks	10	Each Major district will have one and smaller neighboring districts can share one truck between Two	32500	325000	<u>Priority 2</u> 5 trucks <u>Priority 3</u> 5 trucks
5	Boats (With trailers)	3	For Coastal Patrolling	6620	19860	<u>Priority 1</u>
6	Speed Boats	3	For Coastal Patrolling	25000	75000	<u>Priority 1</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
7	Horses	10	For accessing remote areas in certain Police Stations which are not accessible by vehicles	800	8000	<u>Priority 1</u>
8	Motorcycles	30	Each Police Station can have at least one for patrolling and other Police duties	2500	75000	<u>Priority 2</u> Due to the fact that TLPS is now purchasing 86 motorbikes
9	Bicycles	-	For patrolling			<u>Priority 2</u> Due to the fact that TLPS received recently a donation of 320 bikes

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
10	Vehicles for ferrying Prisoners. (Multipurpose vehicles at Sr No. 1 may also be used for this Purpose)	13	For ferrying prisoners from Police Stations to courts/prisons. One vehicle for each district	24000	312000	<u>Priority 1</u>
11	Towing truck (Renault)	4	For towing vehicles	59500	238000	<u>Priority 1</u>
12	Water tankers (Daewoo)	2	For supplying water in case of emergency to Police officers and civilians	49000	98000	<u>Priority 2</u>
Communication						
1	Stationary Radio Sets and allied equipments	60	All Police Stations, village police posts & at least one vehicle from each Police Station will have radio set.	1000	60000	<u>Priority 2</u> Due to the fact that TLPS purchased recently a VHF communications system

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
2	Repeater Sets	-	For establishing communication in remote areas	1000		<u>Priority 3</u> Due to the fact that TLPS purchased recently a VHF communications system
3	Batteries for charging	300	For Stationary sets	50	15000	<u>Priority 2</u> Due to the fact that TLPS purchased recently a VHF communications system
4	Mobile Radio Sets with chargers	-	Each Police Station and unit will have at least five	500		<u>Priority 2</u> Due to the fact that TLPS purchased recently a VHF communications system
5	Phone Connections with instruments	100	Each Police Station and unit will have at least one Phone	100	10000	<u>Priority 1</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
6	Fax Machines	15	Each District will have at least one Fax	500	7500	<u>Priority 2</u>
Computerization						
1	Computers + UPS	100	Each Police Station and unit will have at least one PC	1300	130000	<u>Priority 2</u>
2	Printers	50	Each Police Station and Unit will have at least on Printer	150	7500	<u>Priority 2</u>
3	Internet Connectivity	15	Each District HQ will have internet connectivity			<u>Priority 2</u>
4	Scanners	2	HQ and training college will have it	200	400	<u>Priority 3</u>
5	CD writers	2	HQ and training college will have it	100	200	<u>Priority 3</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
Weaponry						
1	Pistols (Glock)	1800	At least one Pistol per Two Police officers. Only officers on field duty will be issued pistols.	325	585000	<u>Priority 1</u>
2	Gas Gun (Tear Gas)	22	Each district will have at least one and SPU will have remaining	317	6974	<u>Priority 1</u>
3	Tear gas shells (Long range)	2000	Each district and SPU will have at least 100 shells	17	34000	<u>Priority 1</u>
4	Tear gas shells (short range)	2000	Each district and SPU will have at least 100 shells	16.50	33000	<u>Priority 1</u>
5	Tear gas hand grenades	2000	Each district and SPU will have at least 100	25	50000	<u>Priority 1</u>
6	Individual pepper spray	1500	Officers in all districts on field duty will have it.	8.5	12750	<u>Priority 1</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
7	Non-Lethal weapons (experts to decide)					<u>Priority 1</u>
8	Ammunition for pistol	100000	Each officer carrying Pistol will be issued 20 rounds.	0.16	16000	<u>Priority 1</u>
Uniform Articles						
1	Belts	4000	Each officer will have at least one belt and provision for replacement in case of wear and tear of belts	89.50	358000	<u>Priority 2</u>
2	Caps	4000	Each officer will have at least one cap and provision for replacement in case of wear and tear of cap	2.3	9200	<u>Priority 1</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
3	First Aid Kits	500	Each Police Station, unit, vehicles including motorcycles will have at least one kit.	34	17000	<u>Priority 1</u>
4	Flash Lights with holster	3000	Each officer will have one	32	96000	<u>Priority 2</u>
5	Holster for Pistols	1800	Each officer carrying Pistols will have one	45	81000	<u>Priority 1</u>
6	Shirts	9000	At least three shirts per officer	13.50	121500	<u>Priority 1</u>
7	Trousers	4200	At least two trousers per officer	14.50	60900	<u>Priority 1</u>
8	Shoes	3200	Adequate provision for replacement as wear and tear is fast in hilly terrain	55	176000	<u>Priority 1</u>
9	Sport Shoes	3200	One for each officer	45	144000	<u>Priority 1</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
10	T-Shirts	3200	One for each officer	8.5	27200	<u>Priority 1</u>
11	Water proof suits	20	For border services/marine unit	145	2900	<u>Priority 1</u>
12	Water proof lights	20	For border services/marine unit	45	900	<u>Priority 2</u>
13	Water bottles	4000	One bottle for each officer	10	40000	<u>Priority 1</u>
14	Handcuff and holder	2500	One hand cuff for each officer	33	82500	<u>Priority 1</u>
15	Judo uniforms/Unarmed combat uniforms	3200	One for each officer for training in unarmed combat	59	188800	<u>Priority 2</u>
16	Note books	4000	One for each officer	8	32000	<u>Priority 2</u> Due to a recent donation of 5.000 notebooks
Anti riot equipments						
1	Expandable baton & Baton Holder	2500	One per officer	83	207500	<u>Priority 1</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
2	Gas Mask, filter riot protector	200	Can be used by SPU and other officers during riots	126	25200	<u>Priority 1</u>
3	Gas masks, full face with ear + case & canister	200	Can be used by SPU and other officers during riots	280	56000	<u>Priority 1</u>
4	Gloves, Kevlar riot protector	200	Can be used by SPU and other officers during riots	65	13000	<u>Priority 1</u>
5	Helmet with neck pad	200	For SPU and other officers	92	18400	<u>Priority 1</u>
6	Arm guard protector	200	For SPU and other officers	25	5000	<u>Priority 1</u>
7	Protector leg guard	200	For SPU and other officers	25	5000	<u>Priority 1</u>
8	Vest Protector	200	For SPU and other officers	169	33800	<u>Priority 1</u>
9	Polycarbonate riot shield	400	For SPU and other officers	49	19600	<u>Priority 1</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
10	Water canon	2	For dispersing rioting crowd	60000	120000	<u>Priority 1</u>
Furniture and other equipments						
1	Generator	90	Each Police station and unit will have at least one generator	1521.18	136907	<u>Priority 1</u>
2	Photocopiers	15	Each district and major units will have at least one	15000	225000	<u>Priority 1</u> 13 Photocopiers <u>Priority 2</u> 2 Photocopiers
3	Investigation Kit	15	Each district and major unit will have at least one	120	1800	<u>Priority 1</u>
4	Finger Print Kits (Lift supplies, Powder brushes, Tape cards, etc)	15	Each district and unit will have at least one	315	4725	<u>Priority 1</u>
5	Hand held Public megaphones	20	Each district and important Police Station will have at least one	57	1140	<u>Priority 1</u> 13 megaphones <u>Priority 2</u> 7 megaphones

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
			at least one			
6	Search lights	95	Each Police Station and other units will have at least one	125	11875	<u>Priority 1</u>
7	Sleeping bags	200	National HQ will have it and will be used as per need	18	3600	<u>Priority 2</u>
8	Haversack	200	National HQ will have it and will be used as per need	86	17000	<u>Priority 2</u>
9	Traveling bags	200	National HQ will have it and will be used as per need	90	18000	<u>Priority 2</u>
10	Explosive detector	6	National HQ will have it and will be used as per need	20000	120000	<u>Priority 1</u>
11	Metal Detectors	6	National HQ will have it and will be used as per need	219	1314	<u>Priority 1</u>
12	Tape recorder/Digital voice recorder	20	Each dist and major unit will have at least one	35	700	<u>Priority 2</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
13	Camera/Digital camera	20	Each dist and major unit will have at least one	950	19000	<u>Priority 3</u> TLPS received a donation of 13 digital cameras for VPU in all districts
14	Video camera	5	Major dist and National HQ will have it and will be used as per need	650	3250	<u>Priority 2</u>
15	Binoculars	20	Each dist and major unit will have at least one	95	1900	<u>Priority 1</u>
16	Night vision devices	2	National HQ will have it and will be used as per need	735	1470	<u>Priority 2</u>
17	Multi media projector	2	National HQ will have it and will be used as per need	5430	10860	<u>Priority 2</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
18	Televisions	40	Each Police Station and unit will have at least one	565	22600	<u>Priority 2</u>
19	Fans	-	Each Police Station and unit will have at least one			<u>Priority 2</u>
20	Fire extinguisher (9 Kg)	100	Each Police Station and unit will have at least one	45	4500	<u>Priority 1</u>
21	Executive tables	-	Each Police Station and unit will have at least one			<u>Priority 1</u>
22	Executive chairs	-	Each Police Station and unit will have at least one			<u>Priority 1</u>

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
23	Secretary tables	200	Each Police Station and unit will have at least seven	180	36000	<u>Priority 1</u>
24	Secretary chairs	400	Each Police Station and unit will have at least Ten	78	31200	<u>Priority 1</u> 200 chairs <u>Priority 2</u> 200 chairs
25	Filing cabinets (big)	50	Each Police Station and unit will have at least two	85	4250	<u>Priority 1</u>
26	Filing cabinet (small)	50	Each Police Station and unit will have at least three	72	3600	<u>Priority 1</u>
27	Armory Cabinets/gun safe	38	Each Police Station and unit will have at least one	160	6080	<u>Priority 3</u> TLPS purchased gun safes for all the districts and most of the stations

Sr No	Resources	Additional Requirements (II)	Remarks	Unit Cost (Approx) US\$	Total Cost US\$	Priority ¹
28	Repair /cleaning equipment for guns			15 per gun for 2880 guns	43200	<u>Priority 1</u>
29	Stationary items including registers, forms, papers, files, pens, pencils, etc				30000	<u>Priority 1</u>
30	Building and Physical infrastructure for all Dist HQ, Police Stations, National HQs and other units					<u>Priority 1</u> For the main districts and some stations <u>Priority 2 and 3</u> For other districts and stations

Total estimated cost (excluding cost of non-lethal weapons and cost of housing) is US \$ 6693055 i.e. 6.7 million US \$.

OVERALL ADDITIONAL REQUIREMENT OF RESOURCES FOR TLPS

RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
Mobility	1,662,860	1,198,000	162,500
Communication	10,000	82,500	1,000
Computerization		137,500	600
Weaponry	737,724		
Uniform Articles	632,600	675,700	
Anti-riot Equipment	503,500		
Furniture & other equipment	611,412	123,479	25,080
TOTAL in US\$	4,158,096	2,217,179	189,180

RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
Mobility			
- Jeep	740000	740000	
- Bus (Tata)	122500	122500	
(Hyundai)	147500		
- Trucks		162500	162500
- Boats (with trailer)	19860		
- Speed Boats	75000		
- Horses	8000		
- Motorcycles		75000	
- Multi purpose vehicles	312000		
- Towing Truck (Renault)	238000		
- Water Tankers		98000	
TOTAL in US\$	1,662,860	1,198,000	162,500

RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
Communication			
- Stationary Radio Sets and allied Equipment		60000	
- Repeater Sets			1000
- Batteries for charging		15000	
- Phone connections with instruments	10000		
- Fax Machines		7500	
TOTAL in US\$	10,000	82,500	1,000

RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
Computerization			
- Computers & UPS		130000	
- Printers		7500	
-Scanners			400
- CD writers			200
TOTAL in US\$		137,500	600

RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
Weaponry			
- Pistols (Glock)	585000		
- Gas Gun (Tear Gas)	6974		
- Tear Gas Shells (Long Range)	34000		
- Tear Gas (short range)	33000		
-Tear Gas hand grenades	50000		
-Individual Pepper Spray	12750		

-Ammunition for pistol	16000		
TOTAL in US\$	737,724		

RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
Uniform Articles			
-Belts		358000	
-Caps	9200		
-First Aid Kits	17000		
-Flash lights with Holster		96000	
-Holster for Pistols	81000		
-Shirts	121500		
-Trousers	60900		
-Shoes	176000		
-Sport Shoes	14400		
-T-shirts	27200		
-Waterproof suits	2900		
-Waterproof lights		900	
-Water bottles	40000		
-Handcuff and Holder	82500		
-Judo Uniforms/Unarmed combat uniforms		188800	
-Notebooks		32000	
TOTAL in US\$	632,600	675,700	

RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
Anti-riot Equipment			
-Expandable Baton & Baton Holder	207500		
-Gas Mask, filter riot protector	25200		
-Gas Masks, full face with ear +case &canister	56000		
-Gloves,Kevlar riot protector	13000		
-Helmet with neckpad	18400		
-Arm guard protector	5000		
-Protector leg guard	5000		
-Vest protector	33800		
-Polycarbonate riot shield	19600		
-Water canon	120000		
TOTAL in US\$	503,500		

RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
Furniture and other equipment			
-Generator	136907		
-Photocopiers	195000	30000	
-Investigation Kit	1800		
-Finger Print Kits	4725		

-Handheld Public megaphones	741	399	
-Searchlights	11875		
RESOURCES	PRIORITY 1	PRIORITY 2	PRIORITY 3
-Sleeping Bags		3600	
-Haversack		17000	
-Traveling Bags		18000	
-Explosive detectors	120000		
-Metal detectors	1314		
-Tape recorder/Digital voice recorder		700	
-Camera/Digital camera			19000
-Video camera		3250	
-Binoculars	1900		
-Night vision devices		1470	
-Multi media projector		10860	
-Television		22600	
-Fire extinguisher	4500		
-Secretary tables	36000		
-Secretary chairs	15600	15600	
-Filing Cabinet (big)	4250		
-Filing Cabinet (Small)	3600		
-Armory cabinets/gun safe			6080
-Repair/cleaning equipment for guns	43200		
-Stationary items including registers, forms, papers, files, pens, etc.	30000		
TOTAL IN US\$	611,412	123,479	25,080