



DEMOCRATIC REPUBLIC OF TIMOR-LESTE

OFFICE OF THE PRIME MINISTER

ADDRESS

BY HIS EXCELLENCY THE PRIME MINISTER

KAY RALA XANANA GUSMÃO

ON THE OCCASION OF THE SEMINAR ON BORDER MANAGEMENT

18 May 2009

Police Training Centre

Dili

Excellency, President of the National Parliament, Dr Fernando Lasama,
Excellency, Deputy Special Representative of the Secretary General, Dr. Takahisa Kawakami,
Excellency, Secretary of State for Security, Dr Francisco Guterres,
Excellency, Secretary of State for Defence, Mr Júlio Tomás Pinto,
Excellency, Chief of the Defence Force, Brigadier-General Taur Matan Ruak,
Excellency, Commander of the PNTL, Commissioner Longuinhos Monteiro,
Excellency, Commander of the Police Training Centre, Inspector Carlos Jerónimo,
Excellencies, Ambassadors of Australia, Brazil, the United States, Japan and Portugal,
Excellency, Commander of the United Nations Police, Superintendent Luís Carrilho,
Distinguished guests,

I wish to start by expressing my gratitude and recognition for the work that has been done throughout the past few weeks by all those who have been involved in organizing this seminar.

Border management is an area that covers many Ministries and State agencies, and almost all of these are represented not only at this event but also in all preparatory tasks that have been conducted.

I would highlight the Secretary of State for Defence and the Secretary of State for Security, which share the greater responsibility for the control and patrolling of border areas; but also the Ministry of Finance, which is responsible for the National Customs Board; the Ministry of State Administration and Territorial Planning, which is responsible for District Administrations; the Ministry of Tourism, Trade and Industry, which is responsible for controlling traditional markets; the Ministry of Foreign Affairs, which has led negotiations with Indonesia towards the demarcation of land border areas; the Ministry of Agriculture and Fisheries, which includes the National Directorate of Quarantine; the Ministry of Justice, which through the National Directorate of Registry and Notary Services is tasked with preparing property records; and the Ministry of Transportation, which is responsible for the National Directorate of Land Transportation.

I must also express my appreciation for the commitment of the Office of His Excellency the President of the Republic, in particular the Coordination Committee for the

Reform and Development of the Security Sector, the contribution of which was vital for the success of this work meeting.

I further salute the representatives from the National Parliament, in particular the members of Commission B, Foreign Affairs, Defence and Security, with whom we intend to continue to have a close cooperation in what regards the border management process, which does not end here with this seminar, but rather will be enabled from now on.

I would also give a heartfelt thank you to the international organizations present in Timor-Leste for their contribution, namely the International Organization for Migration (IOM), which had an active participation in the field work, leading to the drafting of the “report and recommendations” that we will be appreciating here; UNMIT and UNDP, for the financial support they have provided us; and UNPOL, which has provided us with specialists in border control.

We also hope to have the chance to collaborate with other entities not directly involved in the works that led to this seminar, but whose experience and know-how concerning border management will be extremely useful to us in the future, such as the International Stabilization Forces (ISF).

It is up to the State, as it possesses competences that under no circumstance can be delegated unto others, to take the proper measures to ensure the normal operation of land, sea and air borders, ensuring the safety of populations living in border areas, regulating the circulation of people and goods, and ensuring strict compliance with all legal obligations related with border movements.

This is an obligation that results from a constitutional commitment to the People, based on the right by the latter to live in safety, peace and tranquillity. An effective patrolling of the entire border area, complemented by a rigorous control of entrances, constitutes an essential condition for preventing crime, in particular preventing the intrusion into the national territory of destabilizing groups that seek to commit illicit activities, namely criminal activities, including the introduction of drugs and other contraband goods, illegal trade and people smuggling.

It was exactly to safeguard this imperative that the Government, which I have the duty of leading, has decided to involve the Military in the surveillance of border areas. This is to be done in close coordination with the PNTL, in particular its Border Patrol Unit.

For this purpose the F-FDTL recently built two posts, one in Tilomar, District of Suai, and the other in Tunubibi, District of Bobonaro, garrisoned by a total of 37 soldiers.

These are already performing their tasks in full, namely contacting with the populations, becoming familiar with them, and providing support to the PNITL in the detection of illicit acts, namely illegal trade and infiltrations.

I am convinced that the F-FDITL and the PNITL, as a result of the experience acquired last year through the joint mission given to them and executed under the Joint Command, which included them both, will once more rise to the occasion and cooperate with each other without attrition, striving for success.

The participation of the Armed Forces in border surveillance operations also represents a focus on a new concept of National Security, adapted to modern times, where the differences between National Defence and Internal Security tend to disappear. Both areas are intrinsically connected to each other, completing one another, and both have to be inserted in the National Security Integrated System, as foreseen in the National Security Law that was recently debated by the Council of Ministers.

The State is responsible for ensuring the defence of its borders, preventing and repressing any attempt to breach its national territory or national waters by forces that are foreign and contrary to the national interest.

As such, the Military Institution has a vital role in the border management system, considering that the defence of national sovereignty starts in the geographic and maritime space where the jurisdiction of the State runs out.

The National Police of Timor-Leste also has relevant functions in the defence of our borders, both on the land and on the sea, respectively through the Border Patrol Unit (BPU) and the Maritime Unit.

For this mission to be completely successful it is essential that there is full articulation between the Defence and Security Forces. It is also necessary to define with great care the missions meant for the various entities that compose the Maritime Authority System, in particular the Naval Component of the F-FDITL and the Maritime Unit of the PNITL.

The latter also has specialized competences as maritime police, exercising the Authority of the State on the Sea, as set in the Organic Law of the PNITL. Because of this, the missions to be carried out on our territorial waters should be complementary to those already exercised by the Naval Component of the F-FDITL. It is necessary to legislate on this subject, so as to prevent the overlapping of tasks.

In addition to the F-FDTL and the PNLT, there are other State Departments dependent from various Ministries that perform missions within the border management system, namely Customs, integrated in the Ministry of Finance; Quarantine, belonging to the Ministry of Agriculture and Fisheries; and the Migration Service, which is now an autonomous department within the Secretary of State for Security.

Indeed, with the entry into force of the new Organic Law of the PNLT, the Migration Service went from being a Police unit to being a fully autonomous Security Service. Its Organic Law, presently being drafted, should define clearly the functions to be performed in terms of border management, so that here too the eventual overlapping of tasks may be avoided.

In view of this it is clear that there is absolute need for effective and efficient coordination, articulation and cooperation between the various institutions at the borders, or close to them, which is no easy task and requires professionalism and competence by those who are designated to assume that responsibility.

The report prepared in good time for this work meeting proposes a Commission to Install the Border Management System, which in addition to other competences should study and propose the creation of a Border Coordination Committee or a Border Authority.

I fully agree with this suggestion, but I would like to remember here the remarkable work done by the plenary and its secretariat, led by Dr Isabel Ferreira, who I commend for the human and professional qualities she has shown throughout this process. As this group covers all agencies with competences in what regards borders, it is natural that their know-how and experience should be used, and these should be the embryo for the Commission to be created.

I have said it before: border management work does not end here. Instead, it is now that we will start putting it into practise. Therefore we would not do well to be creating more commissions, when we already have one that meets its intended goals perfectly.

Let us not waste means, which by nature are already limited, but rather concentrate all available resources.

Ensuring security throughout the entire border area does not result only from a commitment made to our People, but also from the obligations inherent to a sovereign State before the international community.

The same way that it is important to prevent eventual criminal acts in national territory by those crossing the border illegally, it is also important for Timor-Leste to ensure that no national or foreign citizens living in our Country take advantage of the frailty of the surveillance and control of the borders under our responsibility to enter the territory of our neighbour country and dedicate themselves to the practise of illicit acts.

Hence the importance the Government attributes to the subject in discussion, and its focus on investment seeking to improve the operational capacity of Defence Forces and Security Services, as well as of other State agencies with responsibilities in terms of managing border areas.

Only by strengthening human resources at these departments and providing them with logistical and administrative means and infrastructures, will it be possible for them to perform patrolling, surveillance and control missions efficiently and effectively at our land, sea and air borders.

The “report and recommendations” to be presented next, drafted as a result of research in the field, indicate various difficulties that all those involved in the border management system have to face.

I would highlight the following:

- Lack of public transportation that serves conveniently the population living close to the borders, thereby conditioning the movement of the officers who work there; this difficulty might be mitigated if all departments had sufficient and proper motorized means of transportation (cars and motorbikes), which unfortunately is not the case.
- Most if not all housing and work facilities do not offer the minimum conditions of dignity and present deficiencies that should be repaired urgently.
- Difficulty in using means of communication or even, in many cases, their absence, namely telephone, internet and radio.
- Deficient supply of power, drinkable water and fuels. In the latter case, the inexistence of fuel means that it is impossible to use generators and motorized means of transportation, even when they are available.
- Short supply of equipments, namely office equipment, uniforms, patrol utensils, emergency and first aid equipment and miscellaneous furniture.

- Improper storage of guns and ammunition, due to the absence of armouries. This fact leads to the improper use of firearms distributed to our officers, when they are off duty and get involved in personal conflicts.
- Lack of medical assistance and severe shortage of human resources.

I cannot help being extremely worried seeing this picture. The State has the duty and the obligation to correct these problems, which put it under a bad light. I hope that, starting tomorrow, all Ministries with responsibilities for border management will roll up their sleeves and start taking the necessary and vital measures for inverting this situation.

This will certainly take time, and we are constrained by budget limitations, but if we do not start doing something now, if we use these budget limitations as an excuse to be idle, we will be responsible for the deterioration of the living and working conditions of people who serve the State and are dedicated to the cause of national security.

Also, if we abandon these officers to their fate, we will also be contributing to the insecurity of the populations. As such, we risk being penalized by them in a near future, as is common in democratic societies.

My final request is that this “report and recommendations” is not neglected. The proposals included in it should be duly assessed and, if feasible, implemented quickly.

The Commission that will now be constituted, the membership of which shall be based on the individuals who prepared this seminar, must be able to rely on the complete commitment by all bodies represented in it. I hope that those which, for various motives, have not yet contributed to the work already done, will now make up for lost time and take an active participation in this process.

I hope that all those who will now dedicate their hearts and souls to this noble cause will be able to achieve the intended outcomes, so that they will be worthy of the admiration and respect of the State and the People that we all serve.

Thank you very much.