



Early Warning, Early Response System (EWER) ALERT

“Community Concerns and families displaced in Naktuka after the Murder of Traditional Elder near the Border”

Sub-district Nitibe, District Oecussi

January 2013

On December 30, a *lia nain* (traditional elder) of the subdistrict Nitibe, district Oecussi was allegedly murdered as he slept near his fields in the unresolved border area of Naktuka, Suku Bene Ufe, subdistrict Nitibe. The incident has had a profound impact on the community of Naktuka due to the respected status of the *lia nain* within the community. The incident has generated significant tension and fear, and caused 27 families to evacuate the area.

The perpetrators of the alleged murder remain unknown, adding to speculation among community members as to whether the murder was related to ongoing border tensions. Concerns have been raised that the community living in Naktuka remain vulnerable to cross-border skirmishes and disputes until the diplomatic negotiations between the Timor-Leste and Indonesian governments are concluded and the border delineation is clarified.

Belun recommends some medium-term measures to increase protection of the community through increased cross-border dialogue and improved coordination of security efforts in the Naktuka area to be conducted alongside diplomatic efforts.

Recent tensions were building in the Naktuka border area throughout December 2012, with a number of incidents occurring prior to the alleged murder. On 2 December a family's home was burnt down; on 7 December members of TNI allegedly threatened the late *lia nain*; and on 21 December, 14 huts in the rice fields of Naktuka were burnt down, allegedly by citizens from Oepoli (Indonesia).

Tensions in this border area are not a new occurrence. Belun has been closely monitoring the issue for the last three years since the EWER program released an alert about border tensions in Naktuka in July 2010. Since then, Belun has been working with the community in Naktuka through the EWER Conflict Prevention and Response Networks in Oecussi to engage local authorities and civil society organizations through the REINO *Rede Infomasaun NGO Oecussi* (Oecussi NGO Information Sharing Network) to maintain communication and facilitation networks at the local level.

Belun also continues to follow up with the relevant national-level government authorities including the President's Office, Commission B of the National Parliament, the Ministry of Foreign Affairs and the Secretariat of State for Security through the National Directorate for the Prevention of Community Conflict. Belun is coordinating with these national level actors to facilitate response to the needs and recommendations of the community in order to provide security and protection for the community while expediting the search for a political solution to the unresolved border demarcation between the two countries.

Background information to the border tensions:

1. From June – December 2012 ongoing tensions and reprisal disputes have occurred between members of the communities from Bene Ufe (Timor-Leste) and Oepoli (Indonesia). Some of these incidents have involved members of TNI.
2. Some members of Timorese communities who settled across the border in Oepoli (Indonesia) in 1999 and became Indonesian citizens remain unsatisfied with the distribution of farmland in the border area and continue to lay claim to some fields that the Timorese consider to now lie within the borders of Timor-Leste.
3. The late *lia nain* was known to hold some strong views on certain issues, strengthening the community's speculation that the *lia nain's* death was suspicious. For example, the *lia nain* supported the local Government in the prevention of illegal border crossings into Naktuka by members of the Oepoli community, even when these trips were to visit family members. On religious issues, the *lia nain* had impeded the requests of the Catholic Priest from Bene-Ufe to hold Sunday Mass in Naktuka for the past four years, without sharing clear information about the process with community members.
4. Due to the unresolved status of the Naktuka area, the Timorese government has not agreed with Indonesia to establish a post for the Border Police Unit (UPF) in the area. Many of the Timorese families in the area therefore live closer to TNI posts on the border than to UPF posts in Bene Ufe suku. Due to the isolation of the area especially in the rainy season when the river swells, cutting the community off from the rest of Bene-Ufe, this leaves the community vulnerable to cross-border incursions by the TNI, with poor communication facilities and no river crossing preventing UPF from coming to their protection.

5. Limited UPF personnel, transport and resources, restrict the efficacy of UPF patrols. Numbers of TNI on the border are frequently more than triple the number of UPF, making joint border patrols very unbalanced.
6. The six-monthly rotations of the TNI personnel posted to the border area mean that the officers are not familiar with ongoing local issues, hampering negotiations and causing repetition of problems.
7. Relevant Government departments have not yet satisfactorily responded or prioritized recommendations from civil society or from the Oecussi District community to provide sufficient protection to the Naktuka community.

Recommendations:

In order to manage the situation and avoid similar incidents recurring, the community, Belun and relevant partners offer the following recommendations:

Commission B of the National Parliament for issues of Foreign Affairs, Defence and National Security

- Conduct regular monitoring and review of the border areas of Oecussi in order to maintain updated information about conflict drivers in the area and support the Border Demarcation Unit of the Ministry of Foreign Affairs to facilitate dialogue on the border issues at local, national and international levels. Support the Ministry of Foreign Affairs to continue to strengthen diplomatic efforts and negotiations with Indonesian authorities, to hasten formalisation of the border delineation between the two countries.
- Designate a time in the calendar of the National Parliament to facilitate plenary discussion to develop recommendations to respond to the concerns of the Naktuka community.
- Strengthen the ability of Members of Government to respond swiftly with concrete actions to implement recommendations as endorsed by the National Parliament.

Ministry of Foreign Affairs

- The Ministry of Foreign Affairs must strengthen diplomatic efforts and negotiations with Indonesian authorities to hasten formalisation of the border between the two countries.
- Request Indonesian authorities to provide increased orientation to new TNI recruits to prevent them from repeatedly escalating tensions between border communities.
- Hold regular meetings with communities and community leaders in the border areas to deliver updates on the progress of negotiations between the two governments, so that the community can access accurate information about the process.

- Organise a public information campaign, socialising the border laws and regulations among communities, local authorities and security actors in the remaining unresolved border areas of Oecussi, especially Naktuka.

Secretariat of State for Security

- An important, recent recommendation from the Naktuka community is for the Secretariat of State for Security to cooperate with the Border Demarcation Unit from the Ministry of Foreign Affairs to develop a new strategy to dispatch a community policing unit to the Naktuka area to complement the UPF patrols. This unit would be able to facilitate information to the relevant institutions and authorities if any incidents occur, until such time as diplomatic negotiations permit the establishment of a permanent UPF post in the area.
- Increase UPF's personnel, transport and communication facilities and resources along the border.
- Increase the numbers of patrols conducted by UPF in unresolved border areas, and ensure increased numbers of UPF members attending joint patrols with TNI.
- Strengthen communication between TNI and UPF to encourage transparency and cooperation so joint patrols can proceed along unresolved borders.
- Commence negotiations with the Indonesian Ministry of Foreign Affairs to build new UPF posts in Naktuka.
- Renegotiate the patrol agreement between TNI and UPF through the respective Ministries of Foreign Affairs, more clearly defining the areas through which the forces are permitted to enter and patrol (using identical maps).
- Assist the police to facilitate the exhumation of the body of the deceased *lia nain*, in order to conduct a full autopsy in Dili to assist the Police investigation.

Ministry of Transport and Communications

- Encourage telecommunication companies to improve their infrastructure in the border regions, to improve the UPF's ability to communicate on patrol, and the community's ability to communicate with UPF and Bene-Ufe local authorities.

Ministry of Public Works

- Provide funds to develop and construct a permanent bridge or as a minimum, a temporary suspension bridge across the river in Naktuka to improve mobility of UPF and the local community.

Preventive Action from Belun and Partners

- Belun will continue to monitor the situation in Naktuka through the Early Warning, Early Response system, and to facilitate communication through alerts, updates and recommendations to relevant actors and authorities.

- Incident listings are available through Belun's online mapping service www.belun.crowdmap.com
- Belun should follow up recent meetings with the Office of the President, the Minister and Vice-Minister of Foreign Affairs, the President of Commission B of the National Parliament and the Secretary of State for Security through the Directorate for Prevention of Community Conflict, to coordinate with government scoping visits to the area and to follow up on recommendations.
- Belun is currently working with civil society in Oecussi, the Naktuka community and local government, to respond to community requests to facilitate a seminar with representatives of National Government to share information about the current situation and develop response plans.
- Belun will develop a proposal together with government departments, local authorities and civil society to address recommendations made towards preventing further tensions along the border in Naktuka.

Conclusion

In light of the monitoring results of the EWER program, Belun has seen that the community living in Naktuka remain vulnerable to cross-border skirmishes and disputes until the diplomatic negotiations between the Timor-Leste and Indonesian governments are concluded. To prevent continued tensions, Belun believes that the coordination on the ground requires inter-ministerial cooperation to support effective security and protection of communities. Effective, regular and transparent communication with communities regarding these activities going forward is essential.

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