

# Dealing with the *kilat*<sup>1</sup>

## An historical overview of small arms availability and arms control in Timor-Leste

Six years after independence and two years after the 'Krize',<sup>2</sup> the role of small arms in Timor-Leste society has not yet received a thorough accounting. Such weapons have played a decisive role in shaping repressive tactics of the former colonial powers and countermeasures by resistance movements, through to contemporary criminal violence. Today, against a backdrop of weak institutions, lingering tension, and poorly enforced legislation and arms control norms, military and civilian-style arms continue to trigger interpersonal and collective violence. The issue of missing small arms from state stocks has generated media headlines every week for the last six months.<sup>3</sup> Stories associated with the distribution of arms to civilians are no less controversial.<sup>4</sup>

The gradual militarization of Timor-Leste is a legacy of the country's recent history. The modest numbers of arms flowing into the country during the Portuguese colonial period stand in stark contrast to the progressive arming of Timorese society in the 1970s, which lasted until 1999. Although there are in fact comparatively few small arms and light weapons in the country, sophisticated military-style weapons grew more common during the period of Indonesian occupation (1975–99), with a modest, but nevertheless significant, number held by the Timorese resistance.<sup>5</sup>

In tracing out a chronology of arms availability in Timor-Leste, this *Issue Brief* finds that the availability and motivations associated with arms acquisition and use evolved over time. During the Portuguese and Indonesian era, arms were used primarily as an instrument of repression by colonial forces, while armed groups used them to further resistance and insurrection. In the past decade, arms enabled and exacerbated communal violence, particularly in 1999

and 2006. But Timor-Leste is hardly awash with guns. While existing public and private holdings are poorly registered and accounted for, there are comparatively few manufactured arms in the country; however, craft weapons do present a clear challenge. Nevertheless, as the 2006 crisis readily demonstrated, even a small number of illicit small arms can generate a disproportionately large impact. Specifically, this *Issue Brief* finds the following:

- The presence or rapid influx of small arms into Timorese society has triggered periodic, but nevertheless widespread, violence.
- Since the 1970s, and especially in the 1990s, weapons leakage from state stockpiles and the intentional arming of civilians by security forces have left a pool of weapons that are unlikely ever to be completely recovered.
- Although small arms and light weapons availability is not new, high levels of militarization in civilian society is a comparatively new phenomenon.
- The application of small arms has changed over time—from repression and insurrection to household defence, gang-related predation, and for intimidation.
- New transfers of arms are comparatively rare, but existing public stockpiles and patronage-led diffusion constitutes the largest source of new weapons in the country.

Critically, during the 2006 crisis, the Timor-Leste government lost control of much of its armoury. A history of poor security management of existing stockpiles of weapons and ammunition combined with the largely uncontrolled distribution of arms to civilian groups before the crisis increased tensions and eventually hastened the onset of acute violence. As such, a comparatively

small number of modern and colonial-era weapons remain dispersed among a wide range of civilian groups (i.e. gangs, martial arts groups, and veterans movements). Likewise, there are potentially significant challenges related to ammunition and grenade availability following outbursts of violence in 1999 and 2006. Managing existing stocks and controlling illicit arms presents a major challenge, but such efforts are likely to yield important improvements in safety and security.

### The rise of the gun: the Portuguese period (1520–1975)

Portuguese officials first introduced substantial numbers of small arms to Timor during the nineteenth century. These were to be used against encroachment from the Dutch East Indies and directly against domestic opposition, but also by way of transfers to local allies. During the latter part of the century, new technology improved on the art of killing: rapid-firing breech-loading weapons led to more efficient pacification. But these weapons were also soon turned against the Portuguese themselves,<sup>6</sup> including during the Manufahi war (1908–12).<sup>7</sup>

The pivotal role of small arms in contributing to insurrection was highlighted during a 1959 insurrection led by a mixture of anti-imperialist Timorese and Indonesians. In this year, Viqueque district in eastern Timor was the site of the final major armed revolt mounted against the Portuguese. The insurrection was enabled by a small number of uncontrolled weapons. In June 1959 the rebels seized just 48 weapons from government offices.<sup>8</sup> Prior to the onset of the rebellion, a small number of illegal arms seizures and transfers also generated a climate of insecurity.<sup>9</sup>



Maj. Alfredo Reinado and Lt. Gastao Salsinha group Maubisse, Timor-Leste.

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Portugal's response to these thefts was decisive and bloody: at least 1,000 Timorese were killed in a rapid crackdown that year.

Recognizing the need to shore up the colony's domestic security apparatus, the Portuguese imported new weapons. By 1975 Portugal had shipped a large quantity of modern NATO standard G3 semi-automatic rifles to Dili. Portugal itself was undergoing political transformation in the wake of the collapse of the Salazar regime and the beginning of colonial divestment. The resulting instability in Lisbon allowed for the emergence of a number of new political parties, including FRETILIN, UDT, APODETI, KOTA, and Trabalhista.<sup>10</sup> With Indonesia influencing the process from across the border, domestic political competition soon turned violent. Weapons from poorly secured weapons armouries played a key role in sparking civil war.

The chain reaction that eventually ignited civil war began on 27 July 1975, when UDT held a large anti-FRETILIN demonstration in the centre of Dili. The next day, in a show of force, FRETILIN put fifty men on the streets armed with G3 rifles.<sup>11</sup> Fearing a FRETILIN attack, UDT accessed the police armoury and took control of the city on 10 August 1975. On 20 August 1975 Lt. Rogerio Lobato, a senior FRETILIN activist, later to become the first minister of defence, convinced most Timorese regulars in the Portuguese Army to align with FRETILIN, and was able to obtain weapons from the armoury of the armed forces (see Table 1).<sup>12</sup> By 28 November, when FRETILIN declared Timor-Leste's independence, hundreds of political prisoners had been executed and several thousand people killed, with large numbers forcibly displaced to Indonesia.<sup>13</sup>

## From war to low-level conflict: the Indonesian period (1975–99)

With Portugal and Timor-Leste both in turmoil, Indonesia, with the tacit support of the United States and other Western states, seized Dili on 7 December 1975.<sup>14</sup> The ensuing regime and domestic opposition to it resulted in a large-scale war in which armed violence was a daily feature of Timorese life. The conflict featured several distinct phases, each influenced by weapons supply factors.

During the initial phase, while Dili abruptly fell to the Indonesians, FRETILIN's armed wing, Forças Armadas de Libertacao Nacional de Timor-Leste (FALINTIL), offered sustained resistance to the Indonesian armed forces, Angkatan Bersenjata Republik Indonesia (ABRI).<sup>15</sup> Popular support and liberal supplies of Portuguese G3 and Mauser rifles fuelled the resistance, and casualties were high on both sides (see Table 1).<sup>16</sup> Indonesia had overwhelming human and material resources at its disposal and gradually pushed FALINTIL into the interior of the country. The use of artillery and airpower was particularly effective in reducing FALINTIL's strength. Between 1977 and 1980 large numbers of FALINTIL (and their supporters) surrendered, bringing their weapons with them.<sup>17</sup>

After suffering heavy losses, FALINTIL entered a period of internal consolidation and reorganization. In 1981 Xanana Gusmão was chosen to lead the organization's new guerrilla phase. Gusmão recognized that FALINTIL urgently required fresh weapons

stores, claiming that less than ten per cent of its pre-invasion stocks were still in hand.<sup>18</sup> FALINTIL conducted mobile operations designed to harass (but not substantively engage) ABRI. These served to highlight the continued resistance, but also, critically, they provided opportunities to seize Indonesian weapons and ammunition.<sup>19</sup> Such raiding was a hallmark of FALINTIL operations until 1999; only their scale and frequency<sup>20</sup> changed over time.<sup>21</sup> Crucially, beyond its existing supplies of Portuguese-era weapons and raids (or illegal purchases<sup>22</sup>) of Indonesian stocks,<sup>23</sup> FALINTIL was unable to acquire new weapons from abroad.

The escalation of indiscriminate attacks on Timorese civilians by Indonesian forces marked a turning point. For example, the 1991 massacre of 271 mourners during a funeral procession at Santa Cruz cemetery in central Dili by Indonesian security forces was filmed and broadcast worldwide. The capture and subsequent imprisonment of Gusmão in 1992 heralded a sharp drop in military confrontation and the beginning of a political contest for legitimacy.

By 1999 Indonesian President Habibie proposed that the Timorese decide their future in a popular consultation for either autonomy under Indonesian rule or independence. But the successes reaped during the political struggle were then overtaken by bloody violence. During the August 1999 ballot, in which more than three-quarters of all Timorese voted for independence, roughly 1,500 people were killed, hundreds of thousands displaced, and considerable property destroyed. The distribution of small arms to pro-autonomy civilian militias by the armed forces of Indonesia (Tentara Nasional Indonesia—TNI), and direct actions undertaken by the Indonesian security forces, were the primary causes of bloodshed.<sup>24</sup> Even after TNI withdrew from Timor-Leste in October 1999, most pro-autonomy militia moved to border regions separating Indonesia from Timor-Leste and began dispersing new arms. Half-hearted Indonesian government weapons collection efforts yielded few meaningful returns. Few weapons-related crimes ever made it to trial.

The distribution of weapons to proxy militia forces was hardly unprecedented. ABRI/TNI had, for example, armed, financed, and supplied pro-Indonesia militias since 1975 in a bid to terrorize and subjugate the civilian population.<sup>25</sup> The use of militia also provided a means of distancing the TNI from blame. For example, the March 2008 final report of the Commission of Truth and Friendship, Indonesia–Timor-Leste (CTF)

concluded that ‘[t]here is credible evidence ... that shows the TNI both supplied weapons to the militia and pro-autonomy leaders and then took them away when it chose to do so.’<sup>26</sup> Even so, the CTF noted that the sustained supply of weapons was crucial to the militias’ operations and that they obtained weapons from many sources.<sup>27</sup> In his testimony to the CTF, Wiranto, the ranking TNI general, referred to ‘[armed militias] consisting of approximately 1,100 people ... equipped with 546 weapons of various types.’<sup>28</sup> While there has never been a comprehensive attempt to catalogue weapons and ammunition distributed to militias in 1999 by TNI and the Indonesian national police (POLRI), military liaison officers (MLOs) from the United Nations Assistance Mission East Timor (UNAMET) charged with administering the 1999

ballot asserted that the weapons publicly transferred at the time represented just a fraction of the arms in militia hands (see Table 1).<sup>29</sup>

Command and control of the weapons transferred by the TNI to the militia were weak. The TNI often failed to regain the weapons it distributed, despite orders to militia to surrender them, which were often simply ignored. Transferred ammunition was poorly controlled. The Indonesian special forces were also responsible for the rise at this time of homemade firearms—so-called *rakitans*—to perpetuate community level terror while minimizing the risk of modern weapons falling into the wrong hands.<sup>30</sup> A *rakitan* along with a supply of ammunition was often equally as effective at intimidation as a modern assault rifle. The problem of *rakitans* lingers to the present day (see Box 1).

## The United Nations period: building a security sector

Between November 1999 and May 2002 Timor was administered by the United Nations Transitional Administration in East Timor (UNTAET). Even following the restoration of independence in mid-2002, however, UNTAET’s successor, the United Nations Mission of Support in East Timor (UNMISSET), retained executive authority for internal security and external defence until mid-2004. Despite the fact that the conflict had come to an end, a number of manufactured weapons remained unaccounted for inside Timor-Leste, and large numbers were dispersed among militia groups in West Timor, Indonesia. Together with the challenging process of nation building; disarmament, demobilization, and reintegration (DDR); and the creation of an independent security sector, these factors set the stage for future problems.

*“Weapons remained unaccounted for inside Timor-Leste, and were dispersed among militia groups in West Timor.”*

The process of DDR constituted a potential flashpoint. Between 1999 and 2001, for example, FALINTIL members were cantoned in Aileu. Old rivalries quickly surfaced and generated new security dilemmas.<sup>36</sup> A number of commanders and their men left the cantonment areas following disagreements.<sup>37</sup> During this period, FALINTIL weapons stocks were placed in two containers under joint FALINTIL–UN control. Weapons lists of FALINTIL-era holdings dating from 2004 and 2005 provide significant, but spotty details (see Table 1).

In order to satisfy FALINTIL’s aspirations and deal with border security, it was agreed to create a national defence force based on two light infantry battalions. But a closed selection process led to suspicions that the newly created FALINTIL-Forças de Defesa de Timor-Leste (F-FDTL) was less than representative. Critically, the UN lost its right to observe FALINTIL weapons holdings and these were in any case eventually moved to the new Nicolau Lobato Training Centre in Metinaro.<sup>38</sup> In order to provide for a light infantry capability, F-FDTL was initially equipped with 1,200 M16A1 semi-automatic rifles on loan pending national weapons procurement (see Table 1).<sup>39</sup>

### Box 1. *Rakitans*: adding fuel to the fire

*Rakitan* is a Bahasa Indonesia term meaning ‘an assembled item’. In common usage, *rakitans* are homemade/craft weapons and come in two main varieties: *bom rakitans* (homemade grenades) or *senjata rakitans* (homemade firearms). In Dili, when one refers to a *rakitan*, it usually refers to a firearm, although *bom rakitans* are not unknown.

The production and distribution of *rakitans* has been common throughout much of neighbouring Indonesia during recent periods of communal or sectarian violence. In some cases, *rakitans* are sophisticated and highly effective. During communal fighting in Sulawesi in 2002, for example, the town of Ampana acquired a reputation for copying pistols and even M16s. Factory-made rounds of ammunition, some with TNI markings, were selling for Rp. 5,000 (USD 0.55) per unit.<sup>31</sup> In the case of the Aceh conflict, the Free Aceh Movement (GAM) used significant numbers of *rakitans*.<sup>32</sup>

Usually quite primitive, *rakitans* are essentially fitted pipes with wooden grips and handles designed as muzzle-loading ‘street muskets’ that can fire all manner of metal objects. As they can easily explode when fired, they often pose as much danger to the user as the intended target. More sophisticated versions are breech-loading pistols or rifles with firing pins able to discharge bullets. These ‘zip’ or ‘nail guns’ are particularly effective, enabling increased accuracy and rate of fire. In

the case of Timor-Leste, it was both the policy and practice of Kopassus (the Indonesian special forces) to instruct militia members on how to make *rakitans* at the SGI headquarters in Dili. This train-the-trainers programme created a host of potential *rakitan* craftsmen. The Indonesian Army also supplied the materials necessary to assemble the weapons,<sup>33</sup> and in some cases TNI also distributed *rakitans*.<sup>34</sup> In 2008 it is easy to order the manufacture of a *rakitan* in Dili. For example, the Timor-Leste Armed Violence Assessment (TLAVA) contacted one ‘craftsman’ who was able to assemble a *rakitan* (subsequently disassembled) in less than 24 hours.

In street violence dominated by bladed weapons, there is often a tacit agreement not to employ guns or *rakitans*. However, *rakitans* intimidate, and as fighting slides towards chaos, they can significantly increase the energy and scale of conflict. If employed with deadly effect, a *rakitan* can set off a chain of events never initially imagined or intended by the protagonists. In an environment in which ammunition is readily available, *rakitans* become more common and dramatically increase insecurity in communities. During Operation Kilat between 15 July and 31 August 2008, communities surrendered 9,116 rounds of ammunition (5.56 mm x 2,854/7.62 mm x 116/12.4 mm x 1/others x 6,145) and 152 *rakitans*.<sup>35</sup>

**Table 1. Reported small arms and light weapons stocks and recovered weapons, Timor-Leste, 1975–2008**

Period	Category	Assessed weapons and holders	Source and assessment date
1975	Civil war stocks	FALINTIL: 3,700 G3 rifles, 15,000 Mausers, a 'few' MG250s, 20 81 mm mortars, 40 60 mm mortars, 20 US-made 3.5 inch bazookas, 6 Rheinmetal-Borsig 75 mm howitzers, quantities of FBP9 (based on the German MP40, MG34 Spandau machine guns, Danish Madsens, US M3s, and similar)	Portuguese Army Maj. F. Dentinho, ordnance officer, Dili (1975) <sup>1</sup>
		UDT: 1,000 G3 rifles, 8,000 Mauser rifles, 6–7 81 mm mortars	Portuguese Army Maj. Dentinho, ordnance officer, Dili (1975) <sup>2</sup>
		15,000 G3s, 12–15 81 mm mortars, 12–15 60 mm mortars, a 'small number' of bazookas, 'some' older artillery, 'lots' of artillery ammunition capable of being transformed into explosives	Portuguese Army Maj. Fransisco Mota, political affairs officer (1975) <sup>3</sup>
1975–99	FALINTIL stocks	Circa 1988, the remnants of the GPK (Gerombolan Pengacau Keamanan or Gangs of Security Disturbers) comprised 'less than 244 people . . . and possessed around 217 weapons composed of various light, long and short types'.	Truth and Reconciliation Commission (2005) <sup>4</sup>
		'About 200 FALINTIL, with 106 weapons'	General commander of the Bali-based KODAM Udayana military region, covering Timor (1995) <sup>5</sup>
		188 FALINTIL members with 88 weapons	BIA (Indonesian Military Intelligence Agency) (1996) <sup>6</sup>
		242 FALINTIL members with 127 weapons	FALINTIL representative quoted in Jawa Pos (1999) <sup>7</sup>
		1,350 FALINTIL (up from 670 earlier in the year due to new recruits and returning fighters) with at least 237 weapons in the central cantonment of Aileu	UNAMET MLO (1999) <sup>8</sup>
1999–2006	Ex-FALINTIL stocks	F-FDTL: FALINTIL-era holdings totalling 343 items: 66 SKSs, 105 SPs, 41 G3s, 43 M16s, 9 AR15s, 19 FNCs, 5 LEs, 4 FBPs, 31 Mausers, 3 Metras, 1 AK, 1 Guerem, 3 Rugers, 4 Uzis, 45 Pistolas, 2 Pistola 9 mm, 3 Pistola revolvers, 1 Pistola Beret (spelling errors in the original)	F-FDTL, J4 Division (January 2004) <sup>9</sup>
		F-FDTL: FALINTIL-era holdings totalling 338 items: 13 SS1s, 7 FNCs, 51 M16A1s, 1 AR15, 44 SP1s, 60 SP2s, 1 SP342 G3, 64 SKS, 32 Mausers, 1 Metra FNC, 3 Ruger Mini 14s, 1 Galasi, 4 FBP M63s, 4 Uzis, 2 Metra/Minimis, 3 LEs, 1 GRM 77, 3 Pistolas	F-FDTL (July 2005) <sup>10</sup>
		1,200 government and 342 ex-FALINTIL weapons (1,542 total)	International Weapons Audit Team (IWAT) (June 2006) <sup>11</sup>
1998–99	Pro-autonomy stocks	TNI-sourced weapons: at least 20 SKS rifles and 1 AK (transferred 27 December 1998); 3 M16s (transferred 30 December 1998); 34 G3s, 18 SP2s, 8 Mausers, 2 LEs, 35 units of assembled weapons (transferred 26 August 1999); 50 SKSs to various militias in Wehali village, Malaka Tengah sub-district, Belu district, West Timor (transferred 26 October 1999)  153 SKS units were reportedly returned to TNI on 5 April, 29 April, and 16 June 2000, in West Timor.	Militia 'Commander A' quoted in the Commission of Truth and Friendship (2008) <sup>12</sup>
		Team Saka (Baucau) militia as of February 1999: 19 G3s, 56 SP2s, 10 SP1s, 1 Mauser, 1 M16, and other assault weapons; possibly also 1 PMI/Pindad, 1 FNC, 1 AK	Commission of Truth and Friendship (2008) <sup>13</sup>
		Makikit (Viqueque district) militias as of 1998: 3 M16s, 35 SP1s, and 11 Garands, although there are contradictory reports. Laksaur (Cova Lima district) was armed with at least 10 SKSs, <sup>14</sup> and Mahidi (Ainaro district) with 20 SKSs. <sup>15</sup>	Commission of Truth and Friendship (2008); <sup>16</sup> UNTAET Peacekeeping Force (PKF) (2001) <sup>17</sup>
		The Korem (East Timor military) commander reportedly distributed at least 600 weapons to militias on 31 August 1999, and subsequently possibly 800 more, for the purposes of 'repressive actions against pro-independence figures in the event of their victory'.	Letter from the CNRT's Internal Political Front (FPI) to UNAMET's Political Affairs Office (September 1999) <sup>18</sup>
1999–2002	Pro-autonomy militia weapons collected and/or destroyed	Militia weapons surrendered to TNI: Firearms (217 in total): 10 M16A1s, 3FN35s, 2 FN46s, 3 SP1s, 2 SP2s, 7 Mausers, 28 Getmis, 1 Ruger, 1 LE, 20 mixed weapons, 141 SKSs. Grenades: 36 Manggis/Korea, 1 Nenas, 3 smoke, 3 launch tools. Ammunition: 159 M16A1, 718 SKS, 8,625 G3/SP1, 34 Mauser, 214 Ruger, 31 FN45, 6 FN46, 2,402 SS1, 42 AK, 10 SMR, 53 Sten, 10 Colt, 60 M16A1, 24 SKS, 55 G3. Generic weapons: 628 short muzzle and 370 long muzzle	Cohen (2003) <sup>19</sup>
		Commander A's group: a number of weapons were surrendered to TNI by Commander A's group in 1999, but the group remained active and partly armed. An itemized list of remaining weapons in the militia's possession, and their owners, was provided as recently as 2005 <sup>20</sup>	Militia 'Commander A' quoted in the Commission of Truth and Friendship Indonesia (2008)
		17 tonnes of confiscated militia weapons dumped into the sea in May 2000, most confiscated from October 1999 by the Australian-led International Force in East Timor (INTERFET). This quantity included knives, spears, bows and arrows, homemade firearms, pistols, rifles, and military magazines.	UNTAET (2000) <sup>21</sup>

Period	Category	Assessed weapons and holders	Source and assessment date
		Between 1 January and 28 May 2002, 50 rifles, 189 homemade rifles, 41 old rifles, 267 grenades, 10,442 munitions, 74 magazines, 2 anti-personnel mines, and other material were retrieved.	KODAM IX/Udayana and UN PKF high commands (2002) <sup>22</sup>
2002–08	PNTL weapons stocks (missing)	219 PNTL weapons were missing from the PNTL list, including: 190 Glock 9 mm, 13 Steyers, 10 HK33s, 2 FNCs, and 4 12-gauge shotguns. All 7 F2000s were accounted for. No ammunition stocks were reported.	IWAT (September 2006) <sup>23</sup>
		44 PNTL weapons missing, including 20 Glock 9 mm, 1 Steyr, 1 12-gauge shotgun, 2 FNCs, and 20 HK33s	National Investigation Department (May 2007) <sup>24</sup>
		15 missing PNTL weapons: 5 HK33s and 10 Glock 9 mm; though subsequently PNTL General Commander Afonso de Jesus said PNTL was still missing 20 Glock 9 mm	Senior PNTL inspector (June 2008); <sup>25</sup> <i>Timor Post</i> (August 2008) <sup>26</sup>
		Missing 16 Glock 9 mm (serial numbers, EFP139, EFP140, EFP203, EFP608, EFP777, EFP790, EFP806, EFP926, EFP993, EEH690, EEH773, FGT466, FGT482, FHX267, FHX272, FHX370), at 14 July 2008 Missing 4 HK33 rifles (serial numbers ATM 000790, ATM 014779, ATM 020163, ATM 016989) at 11 July 2008 Missing 1 STC, 12-gauge shotgun (serial number R336462) as at 11 July 2008	Departamento Logística Nacional, Seccao Armamento, PNTL (11 and 14 July 2008)
2002–08	F-FDTL weapons stocks	1,200 government and 342 ex-FALINTIL weapons (1,542 total) held by F-FDTL, though there is a discrepancy of 30 M16s in the figure for government weapons By November 2005 the F-FDTL could account for only 1,073 M16 weapons. <sup>27</sup>	IWAT (June 2006) <sup>28</sup>
		On 9 June 2006 IWAT was informed that F-FDTL held 1,200 government weapons and 342 'ex-FALINTIL weapons'. The IWAT findings state that audits circa 2002 indicate that F-FDTL held 1,200 M16A2s. However, as of February 2004, audits indicated an additional 30 M16A2s. There is, however, no public record of further imports. By November 2005 only 1,073 M16A2s were accounted for. The June 2006 IWAT audit revealed a total of 1,190 M16A2s, 117 more than were accounted for in the previous count. Also, when current holdings are compared to records circa 2002, 46 M16A2s are missing. F-FDTL is in possession of 1 Minimi, 1 .38 Special, 1 Browning 9 mm, 2 G3 semi-automatic rifles, 1 M16A1, and 1 M2 .50 calibre not previously counted. F-FDTL also no longer in possession of previously counted 3 FNC semi-automatic rifles, 3 SKS semi-automatic rifles, and 2 Uzis	IWAT (June 2006) <sup>29</sup>
		Ammunition: 427,560 rounds of 5.56 mm ammunition, but had used 238,813 in training and operations, of which 19,013 were expended during the crisis; 45,920 rounds of 5.56 mm tracer ammunition; 21,905 rounds of .45 calibre ammunition, but had used 10,462 in training and operations; and 3,720 K413 grenades, of which 161 had been used. Unclear how many remain of these various categories.	Lista Geral de Municoes, F-FDTL (2006) <sup>30</sup>

## Table notes

- Debriefed in Darwin, 3 September 1975 (email communication with Australian Army Brig. Gen. (ret'd) Ernest Chamberlain, 25 August 2008).
- Debriefed in Darwin, 3 September 1975 (email communication with Australian Army Brig. Gen. (ret'd) Ernest Chamberlain, 25 August 2008).
- Debriefed in Lisbon, 4 September 1975. He suggested that the older artillery and artillery ammunition was unusable (email communication with Australian Army Brig. Gen. (ret'd) Ernest Chamberlain, 25 August 2008).
- CAVR (2005), part 4, p. 13.
- Quoted in Della-Giacoma (1995).
- Information is contained on a BIA map on file with author.
- Herman (1999); email communication with Australian Army Brig. Gen. (ret'd) Ernest Chamberlain, 25 August 2008.
- Email communication with Australian Army Brig. Gen. (ret'd) Ernest Chamberlain, 9 June 2008.
- Lista do Material das FALINTIL, J4 Division, F-FDTL, 15 January 2004. Does not include those arms used by Brig. Gen. Taur Matan Ruak's escort.
- Lista Kilat Tuan, Quartel em Metinaro, F-FDTL, 12 July 2005.
- OHCHR (2006), p. 42. The pedigree of these weapons is unclear (OHCHR, 2006, p. 42). This is all the more of interest as at least 35 of these weapons remain in use by F-FDTL as of 2006.
- CTF (2008), p. 197.
- CTF (2008), p. 229.
- CTF (2008), p. 198.
- Robinson (2003), p. 109.
- CTF (2008), p. 233.
- In April 1999 some reports estimated Mahidi's strength at 2,000 members with 500 weapons, but local NGOs said the real figures were closer to 1,000 members and 37 firearms (UNTAET PKF, 2001).
- Quoted in Robinson (2003), p. 81.
- Cohen (2003), pp. 99–101.
- CTF (2008), p. 224.
- UNTAET, Tais Timor, 1–14 May 2000.
- Minutes of the 12th Inter-Command Meeting (held between KODAM IX/Udayana and UN PKF high commands) held in Handara Kosaido Hotel, Pancasari, north Bali, 29–31 May 2002.
- IWAT included representatives from the UN, Timor-Leste, Malaysia, Australia, New Zealand, Portugal, and the United States.
- The NID Department Supporting the Office of the Prosecutor-General stated on 17 May 2007 that these PNTL arms were missing (Victorino, 2007).
- Interview with senior PNTL inspector, 19 June 2008.
- Timor Post* (2008b).
- OHCHR (2006), p. 41.
- OHCHR (2006), p. 42. The ICoI notes that the pedigree of these weapons is unclear (p. 42). This is all the more of interest as at least 35 of these weapons remained in use by F-FDTL as of 2006.
- Ibid.
- Lista Geral de Municoes, F-FDTL, 5 June 2006.

In 2000 there was an increase in border incursions by pro-autonomy militia supported by elements inside TNI. This generated considerable alarm. There were also growing concerns that militia were armed and growing in number.<sup>40</sup> While casualties were relatively low, perceived insecurity was rising. These attacks spurred the creation of the F-FDTL. The threats were considered to be so grave that UNTAET peacekeepers obtained permission from UN headquarters in New York to use pre-emptive and lethal force against militia groups that crossed the border. This quickly reduced the number of incursions. Likewise, international political pressure and growing concerns with the predatory nature of the militia groups forced Indonesia to take militia disarmament more seriously. Consequently, TNI made several serious attempts to disarm the militias in 2001 and 2002, though their effectiveness remains a matter of debate.<sup>41</sup>

Militia-led violence did not disappear. In January and February 2003 attacks took place in Atsabe, Ermera, and Atabae, Bobonaro in which a number of people were killed.<sup>42</sup> In response to a request by the Government of Timor-Leste, UNMISSET assigned F-FDTL a temporary area of operations in the Ermera district. The subsequent F-FDTL security operation was criticized as being heavy handed at the time by some Timorese and international observers.<sup>43</sup> But militia attacks persisted in number and intensity. On 24 February 2003 a small group, alternately described as criminal or pro-autonomy militia, armed with automatic weapons attacked Atabae, Bobonaro from across the border.<sup>44</sup> On this occasion, F-FDTL was not deployed in favour of a UN response.<sup>45</sup> At the time, weapons caches were discovered in the area,<sup>46</sup> but it was believed that the Atabae attackers were in possession of just three SKS rifles.<sup>47</sup>

Ongoing militia attacks refocused attention on the need to bolster Timor-Leste's nascent security sector. The Timorese police service (Policia Nacional de Timor-Leste—PNTL) was established in 2000, but the way in which it was formed and its subsequent behaviour undermined its legitimacy. UNTAET used a core group of Timorese ex-POLRI in its initial recruitment, which placed the PNTL at odds with many in the community and with the new defence force. Further, PNTL was armed by the UN Police (UNPol) with a large number of Glock 9 mm semi-automatic pistols, some of which were

turned against civilians between 2001 and 2002.<sup>48</sup> The most vocal backlash against both the F-FDTL and PNTL emerged from a wide range of veterans' organizations in 2001.<sup>49</sup>

Politically-minded veteran groups were one of a number of new non-state entities to rise in prominence between 2001 and 2004,<sup>50</sup> along with so-called martial arts groups or gangs<sup>51</sup> and 'social movements'.<sup>52</sup> In most cases, these groups relied on traditional sharp-edged weapons, and in some cases, *rakitans*. Very few, if any, possessed modern small arms. While these organizations have often been at odds with the state, and therefore PNTL and F-FDTL, they also hold considerable community-level legitimacy and count their affiliates as meaningful security providers. Likewise, their affiliations with public security providers<sup>53</sup> also provide sporadic access to small arms for political or criminal purposes.<sup>54</sup> The membership of some of these groups (particularly martial arts groups) overlaps with the police, in particular the PSHT<sup>55</sup> martial arts group. One group was deemed so dangerous that it precipitated presidential intervention in 2003. The south coast district of Covalima had hosted an armed group consisting of an assortment of veterans known as '*isolados*'.<sup>56</sup> In September 2003 then-President Xanana Gusmão sought logistical assistance from the UN to help his intermediaries convince the group to 'give up any weapons in their possession and to meet with me'.<sup>57</sup>

Lingering militia and dissident activities in 2003 led to the government's decision to establish and subsequently arm paramilitary police units. They included, among others, UIR, UPF, and URP,<sup>58</sup> with URP and UPF established to maintain border patrols, and to protect civilians against cross-border militia attacks and rural insurgency. Recruitment into these units appeared to have been deliberately politicized by Rogerio Lobato, the minister of the interior. The formation of paramilitary units was greeted with apprehension by F-FDTL, which viewed them as a political and practical encroachment on its role as security provider. Many civilians also perceived the paramilitary police as a threat to their own well-being. Sensing the ill-advised nature of these special police units, UNMISSET resisted efforts by Lobato to procure weapons for them.

## The Timor-Leste period (2004–08): from independence to crisis

Following the transfer of responsibility for internal security and external defence from the UN to Timor-Leste in 2004, the government immediately began procuring new weapons. An initial shipment was received from Malaysia of 180 HK33 semi-automatic assault rifles for the URP, the police reserve unit. Also, in September 2004, the government purchased 200 Steyr semi-automatic assault rifles for UPF, the border patrol unit. Another 66 FNC semi-automatic assault rifles and 7 F2000 automatic machine guns were also purchased for UIR, the rapid response unit (see Table 1). Although the HK33s and Steyrs involved state-to-state transfers, a Dili-based intermediary purchased the FNCs and F2000s directly from FN Herstal<sup>59</sup> for the government. F-FDTL did not disguise its displeasure with these purchases.<sup>60</sup> Also in 2005 the Ministry of the Interior procured 257,000 rounds of 5.56 mm ammunition for USD 107,940 from Cavallo Bravo,<sup>61</sup> a company owned by Bader Alkatiri, the brother of the prime minister at the time.<sup>62</sup>

Significantly, these weapons and ammunition purchases were not subject to proper parliamentary scrutiny or oversight. When civil society groups contested these acquisitions, their protests were dismissed and they were chastised by the political establishment.<sup>63</sup> The Organic Law for PNTL states, 'it is the exclusive responsibility of the PNTL to control the manufacture, storage, sale, use and transport of weapons, ammunition [etc.] ... that do not belong to the Armed Forces or other security forces recognized by law'.<sup>64</sup> Interestingly, other parts of government also issue licences for the supply of firearms.<sup>65</sup>

Tensions between the government and segments of the community lingered between 2004 and 2006. In July 2004 ex-FALINTIL veteran Elle Sette held a demonstration in front of the Government Palace. UIR broke up the demonstration using tear gas and batons, a show of force later denounced as heavy-handed. In April 2005 the Catholic Church led a large anti-government demonstration calling for the resignation of Prime Minister Alkatiri. This is viewed by some as the precursor to crisis. Following the outbreak of violence in April and May 2006 (see Box 2), the international community was called in to re-establish order. The Australian-led Joint Task Force 631 effectively averted a return to war, even if simmering insecurity persisted and communal *lorosae/loromunu* gang fighting and arson remained commonplace after its arrival.

## Box 2. The 2006 crisis and the distribution of weapons

From 24 to 28 April 2006 hundreds of F-FDTL soldiers, led by Lt. Gastão Salsinha, staged a demonstration outside the Government Palace in Dili. After a January petition to the president claiming discrimination, these ‘petitioners’ left their posts unarmed and were dismissed in March. On 28 April the demonstration turned ugly. A number of people were killed and wounded. The minister of the interior’s reaction was to instruct his senior commanders to ‘kill them all’ and to arm himself with an F2000 and 2,000 rounds of ammunition.<sup>66</sup>

F-FDTL was called into the city in an effort to restore order. It was attacked with grenades, and killed several people in response. F-FDTL was wrongly accused of massacring 60 people. However, because F-FDTL was composed primarily of easterners (*lorosae*) and the petitioners were westerners (*loromunu*), the rumours of massacre gained credence and soon pitted one community against the other. Maj. Alfredo Reinado, commander of the military police, deserted his post on 3 May and, with 17 of his men and two UIR, took with him a small number of weapons and a large supply of ammunition. Other F-FDTL soldiers left with Maj. Tara a few days later, also carrying their weapons with them.

During this period, the police service also began to come unstuck. On 9 May the murder of a *lorosae* PNTL officer in a demonstration in the western petitioner stronghold of Gleno Ermera caused PNTL to experience similar communal fractures. The irregular movement of weapons, particularly PNTL rifles and ammunition,<sup>67</sup> spurred suspicion and the slide to conflict. The PNTL general commander sometimes removed weapons from the PNTL National Armoury without the knowledge of the armoury officer.

For example, on 23 March, 60 Steyrs were sent to URP Aileu, and on 15 April, 10 Steyrs were sent to the Liquiça police station. On 11 and 21 May a group of PNTL led by Dili District Deputy Commander Abilio Mesquita (a leading PSHT adherent) were armed with Steyrs. After disarming eastern PNTL in the UPF, on 8 and 21 May Minister Lobato secretly armed a civilian militia led by former F-FDTL veteran Rai Los with 18 HK33s and 6,000 rounds of 5.56 mm ammunition.<sup>68</sup> On 17 May 2008 Brig. Gen. Taur Matan Ruak wrote to the prime minister requesting an audit of F-FDTL weapons stocks in response to accusations that civilians were being armed by the defence force. There were also significant rumours of secret weapons imports, which persist to the present day.

On 23 May Maj. Reinado and 11 of his men along with 10 URP officers armed with Steyrs engaged a contingent of F-FDTL in a violent clash in eastern Dili. On 24 May PNTL and a civilian militia led by Rai Los and armed with HK33s supplied by the minister of the interior attacked F-FDTL in west Dili. Additionally, on 24 May Sub-Inspector Mesquita attacked the residence of the chief of the defence force. F-FDTL responded by distributing 200 M16A2s to sympathetic veterans and PNTL. On 25 May, PNTL and F-FDTL engaged in fire fights between their respective headquarters in central Dili and a number of F-FDTL and PNTL were killed or wounded. In total, 37 people were killed, 150,000 fled from their homes, and thousands of properties were destroyed. Weapons distribution and irregular movement were significant drivers of the events of 2006.

## Dealing with disorder: weapons audits and other interventions

A major concern following the 2006 crisis was the state of weapons inventories and arsenals. Within a few weeks of the events, the International Weapons Audit Team (IWAT)<sup>69</sup> completed a review of F-FDTL weapons on 26 June. The weapons control and management of F-FDTL stocks were considered to be superior to that of the PNTL. IWAT found that F-FDTL was in possession of a number of previously unknown weapons and that it could not account for the whereabouts of others. Its records are also unclear on ammunition and grenade stocks (see Table 1). Amateur video footage taken on 25 May of veterans armed by F-FDTL in central Dili suggests that ammunition was handed out indiscriminately.

IWAT also completed a review of PNTL weapons stores on 24 September. The diffusion of PNTL weapons among the population was considered at the time to be a major hindrance to the completion of the audit. The final report noted that PNTL officers often moved weapons without proper authorization. PNTL was also criticized for the way in which ‘verbal orders [were] used by PNTL’s senior leadership to distribute weapons and ammunition, and finally for the lack of accountability for ammunition once it has been issued from the PNTL National Armoury.’<sup>70</sup> IWAT submitted no findings on the state of PNTL ammunition stocks (see Table 1).

But many weapons also remained at large outside of public control. Shortly after claiming to have surrendered his weapons to Joint Task Force 631 in July 2006, Reinado was arrested in Dili for (additional) weapons possession. He and his followers escaped from prison in August that year. By 25 February 2007 Reinado rearmed by relieving UPF border posts in Covalima of a small number of HK33s. In March the International Stabilisation Force assaulted Reinado’s base in Same, Manufahi. A number of people were killed, while Reinado and some followers escaped. For the remainder of 2007 Timor-Leste experienced considerable insecurity, in both Dili and the districts. Maj. Reinado and his armed group were a focus for discontented youth and gangs in Dili, but also cemented feelings of insecurity among internally displaced people. Against a backdrop of growing numbers of politically and criminally motivated killings, martial arts groups and gangs rose in prominence and activity, partially as a result of their increased access to weapons.<sup>71</sup>



Australian Defence Force personnel Joint Task Force 631, Dili, Timor-Leste

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After the announcement that the Aliança para Maioria Parlamentar (AMP) would form the new coalition government, an armed group exchanged gunfire with a UN convoy in Baucau on 10 August 2007.<sup>72</sup> On 5 October 2007 there was a grenade attack on the Australian Defence Cooperation Programme compound in central Dili. Making global headlines, in February 2008 the Reinado group attacked the president and prime minister. President Ramos-Horta was critically wounded, while a group led by Gastao Salsinha failed in their attempt to ambush Prime Minister Gusmão. In a case of domestic 'blowback', it is conceivable that the very same HK33s that the government received from Malaysia when Ramos-Horta was foreign minister were used to shoot him as president less than four years later.

## Hard and soft interventions

The government adopted a multi-pronged 'crackdown' response to rising levels of armed violence. A national 'state of siege' was declared on the day of the shootings, and on 17 February the government established the combined F-FDTL/PNTL Komando Operasaun Konjunto (KOK), with F-FDTL assuming command of joint operations.<sup>73</sup> Almost immediately, KOK commenced 'Operasaun Halibur' (Operation Halibur),<sup>74</sup> designed to apply physical pressure on the armed groups

while political efforts were made to have them surrender peacefully. Finally, PNTL paramilitary police units were (re-)issued long-barrelled firearms immediately in the wake of the 11 February attacks.

***“Rebels drew from a limited supply of former state weapons and ammunition to hold the country to ransom for some two years.”***

These activities generated some tangible results. By March 2008 Amaro 'Susar' da Costa, Reinado's senior accomplice, surrendered himself and his weapons. In late April Gastao Salsinha and his remaining group surrendered, along with weapons dating from the Portuguese, Indonesian, and current period (i.e. 9 HK33s, 1 Mauser, 1 SKS, and 1,386 rounds of ammunition).<sup>75</sup> With the benefit of hindsight, it is clear that the hold-out rebels drew from a limited supply of former state weapons and ammunition to hold the country to ransom for some two years. The exact figures on weapons collected during Operation Halibur are contradictory. Lt. Col. Meno Paixao (F-FDTL) is quoted by an official publication as stating that KOK collected

29 guns (25 rifles and 4 handguns), in addition to 7 grenades and 4,547 rounds of ammunition.<sup>76</sup> Other sources suggest that Operation Halibur retrieved just 12 HK33s, 1 M16A2, 1 FNC, 1 Minimi, 2 Mausers, a number of *rakitans*, ammunition, and grenades. Importantly, Operation Halibur also retrieved four bipod mounted light machine guns that were allegedly smuggled from Indonesia, since they are unknown to F-FDTL and PNTL.<sup>77</sup> These are however almost certainly the 'light bipod' variant of the G3.

The Timorese government also undertook at least two 'softer' initiatives to rein in the threat of arms availability, i.e. the introduction of draft legislation and voluntary arms collection. Firstly, in 2008 the government sought to redraw the legal framework for small arms, while simultaneously seeking to encourage citizens to voluntarily hand over weapons to the authorities. Specifically, on 9 June 2008 a firearm law (Gun Law No. 9/11/2008) was forwarded by the Council of Ministers to the Parliamentary Committee B for Foreign Affairs, National Security, and Defence for its consideration.<sup>78</sup> A preliminary analysis of the proposed law by the Small Arms Survey found that it contains certain omissions and limitations and that the law would potentially increase the number of guns in civilian hands.<sup>79</sup> Civil society actors registered their concerns almost immediately (see Box 3).

### Box 3. Civil society reactions to the proposed gun legislation

The Gun Law No. 9/11/2008 was drafted by the Ministry of Justice and considered by the Council of Ministers.<sup>80</sup> It was forwarded directly to the relevant parliamentary committee for consideration without consultation with civil society and other outside stakeholders.<sup>81</sup> When it reached plenary debate in Parliament, it was an immediate political flashpoint. Of greatest concern is Article 4, which proposes that the police commander should exercise sole discretionary powers over which civilians might possess weapons. This is especially unusual, given that this power currently rests with the PNTL general commander, who is empowered by Decree Law No. 8/2004. The proposed

law also does not address the issue of stockpile management and security.

A number of senior government and civil society leaders contested the draft gun legislation. President Ramos-Horta voiced his concern, suggesting that he would veto the proposed law.<sup>82</sup> Mario Carrascalao, president of PSD, a major alliance partner of the Gusmão-led AMP coalition government, suggested that some business people were behind the law.<sup>83</sup> The influential bishop of Baucau has reportedly stated that the new gun law could create and exacerbate a culture of violence, and that it should not be a government priority to give weapons to civilians, as the people cannot 'eat a gun'. Additionally, he stated that the proposed gun collection,

when juxtaposed with the gun law, is contradictory and confusing. He also stated that if some can carry weapons, it will create the conditions where others will want firearms, whether legally or otherwise (and thus create a black market in guns).<sup>84</sup>

Nevertheless, ardent supporters of the legislation are convinced that it should be passed. On 22 August 2008 Fernando 'Lasama' de Araujo, the president of the national Parliament, was reported as stating that controlling guns is important, that the intention is not to indiscriminately issue weapons to civilians, and that the Gun Law is a parliamentary priority.<sup>85</sup>



In addition to attempting to revise the legal framework, the government commenced a national gun collection/amnesty dubbed Operation Kilat on 15 July 2008. The public authorities made little effort to broadly articulate the purpose and objectives of this collection, other than to recall weapons from the hands of civilians either from the pre- or post-1999 periods. Prime Minister Gusmão made a belated public announcement on national television on 31 July 2008. Originally scheduled to end on 15 August, it was extended to 30 August, and the public destruction of these weapons is scheduled for 24 October. Reports of the results have emerged slowly and, in some cases, contradictorily. What is clear is that, in addition to the large numbers of traditional sharp-edged weapons recovered, a number of grenades and significant amounts of ammunition and homemade firearms were also gathered.<sup>86</sup>

TLAVA obtained the initial figures of weapons surrendered as compiled by the UN peacekeeping operation, the United Nations Integrated Mission Timor-Leste (UNMIT). These figures offer an early sense of the apparent confusion of the Operation Kilat collection results. In short, these figures suggest the following was collected between 15 July and 31 August 2008: 1 HK33,

obtained in Oecusse;<sup>87</sup> 152 *rakitans*; 712 air rifles; 9,116 rounds of various ammunition; 48 grenades; and 7,930 traditional weapons (see Table 2). It appears that the presence of homemade firearms and explosives may have increased since 2006. *Rakitans*, in particular, became relatively common, partially due to availability of ammunition (particularly 5.56 mm rounds).<sup>88</sup>

These initial figures also point to a number of emerging trends. For example, in one case, 600 bullets were surrendered, suggesting larger civilian holdings than widely anticipated.<sup>89</sup> In another case, and contrary to the UNPol figures, on 22 July, an M16 with 116 rounds was reportedly surrendered to PNTL in Aileu.<sup>90</sup> It has been suggested that this was neither an ex-FALINTIL nor an F-FDTL weapon. A senior Timorese government adviser noted that it could have been purchased in Indonesia for the Reinado group, indicating that weapons tracing could be required.<sup>91</sup> Intriguingly, calls have been issued to veterans to give up their weapons, since they are no longer needed. Indirect calls for veterans to surrender weapons are often pointed at Elle Sette, now president of UNDERTIM and a member of Parliament. However, he claims that he surrendered all weapons in Aileu in 2000.<sup>92</sup>

A major weakness of Timorese arms control regime is the management and security of official public stockpiles. The government, members of the security sector (F-FDTL and PNTL), and civilians at large are acutely aware of these current weaknesses. The 2006 Krize highlights how leakage can easily generate instability. While the secretary of state for defence has identified the physical improvement of F-FDTL armouries as a priority, critical management and procedural reforms have still not been proposed.<sup>93</sup>

Standard measures, such as the registration of state-held weapons, periodic and effective auditing, and increased penalties for leakage, are possible starting points. But there are other ways to enhance stockpile security. Firstly, administrative mechanisms associated with the issuing of arms to police officers and soldiers and their recalling need to be made more robust and conscientiously implemented. Secondly, periodic armoury and transparent audits of holdings are crucial to ensure increased command and control, and to rebuild broken confidence with the public. Thirdly, penalties for sloppy and wilfully illegal behaviour can provide the necessary incentives for security personnel to prevent leakage. Without sanctions and verification, no amount of administrative tinkering will adequately secure weapons stocks.<sup>94</sup>

**Table 2. Weapons collected before and during Operation Kilat**

Districts	Firearms of Government of Timor-Leste		Homemade firearms		Other firearms, including air rifles		Ammunition (rounds)		Bombs/grenades/mortars		Traditional weapons		Others (e.g. bayonets)		Total	
	1 May–14 Jul 2008	15 Jul–31 Aug 2008	1 May–14 Jul 2008	15 Jul–31 Aug 2008	1 May–14 Jul 2008	15 Jul–31 Aug 2008	1 May–14 Jul 2008	15 Jul–31 Aug 2008	1 May–14 Jul 2008	15 Jul–31 Aug 2008	1 May–14 Jul 2008	15 Jul–31 Aug 2008	1 May–14 Jul 2008	15 Jul–31 Aug 2008	1 May–14 Jul 2008	15 Jul–31 Aug 2008
	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	Sub-total	1 May–14 Jul 2008	15 Jul–31 Aug 2008
Aileu	0	0	0	3	0	18	0	8	0	4	0	261	0	0	0	294
Ainaro	0	0	0	2	0	24	0	129	0	0	0	167	0	0	0	322
Baucau	0	0	0	30	0	31	0	2,908	0	4	0	236	0	0	0	3,209
Bobonaro	0	0	0	30	0	145	0	10	0	4	0	636	0	3	0	828
Covalima	0	0	0	3	0	22	0	1,037	0	2	0	383	0	0	0	1,447
Dili	0	0	0	0	0	12	0	2,634	1	10	0	4,271	0	4	1	6,931
Ermera	0	0	1	0	0	0	808	0	2	7	26	55	1	6	838	68
Lautem	0	0	19	25	1	202	98	125	2	2	21	149	0	0	141	503
Liquica	0	0	0	0	0	3	0	372	1	1	0	22	0	10	1	408
Manatuto	0	0	7	8	0	111	130	519	0	7	9	130	6	9	152	784
Manufahi	0	0	0	0	0	50	0	111	0	3	0	607	0	0	0	771
Oecussi	0	1	0	51	0	70	0	131	0	0	0	55	0	125	0	433
Viqueque	0	0	0	0	0	24	0	1,132	0	4	0	958	0	7	0	2,125
<b>Total</b>	<b>0</b>	<b>1</b>	<b>27</b>	<b>152</b>	<b>1</b>	<b>712</b>	<b>1,036</b>	<b>9,116</b>	<b>6</b>	<b>48</b>	<b>56</b>	<b>7,930</b>	<b>7</b>	<b>164</b>	<b>1,133</b>	<b>18,123</b>

Source: UNPol Operations, United Nations Integrated Mission Timor-Leste (UNMIT), as of 2 September 2008.

## Conclusion

The type and availability of small arms is entering a qualitatively new phase in Timor-Leste. While no longer present in large numbers, weapons are dispersed among the civilian population in an uncontrolled fashion. Despite the country's small size, the combination of simmering mistrust with a small number of uncontrolled weapons can create significant insecurity in Timor-Leste. Furthermore, ill-advised government reactions to real and perceived (illegal) weapons holdings can spur even more formal and informal procurement. Despite the seemingly successful execution of Operation Halibur, the security sector continues to suffer from persistent questions associated with its institutional and programmatic capacity and legitimacy. It also continues to act as a potential conduit of arms from legal to illegal weapons holders.

While this *Issue Brief* has described the role of small arms in the recent phases of Timorese history, a number of questions remain unanswered. For example, the dynamics of state procurement require more investigation. Given the chronic weaknesses in routine stockpile management, it is questionable whether stockpiles should be expanded even more in the absence of appropriate control and verification systems. Appropriate civilian oversight over the procurement of weapons can serve to inhibit excessive and inappropriate procurement.<sup>95</sup> Likewise, there are lingering concerns over ammunition and munitions stocks: a surfeit of ammunition in vulnerable communities may spur on the craft-made arms industry.

In the context of the current debate over the draft Gun Law, it is important to note that it may be wise for the government to address issues relating to the counting and controlling of its own guns before it proposes to further disperse weapons into the hands of 'authorised' civilians. Ultimately, a domestic debate on a distinctly 'Timorese' approach to controlling arms is much needed. This is an especially important conversation given that the international community is set to withdraw from the country in the next 12–24 months. While Timorese solutions will undoubtedly be more sustainable than international ones, they also require steady and reliable political leadership to prevent the recurrence of previous mistakes.

## Notes

*This Issue Brief is based on research and analysis by Edward Rees, Political Adviser to UN Special Envoy, Ian Martin, during the 2006 Timor-Leste Crisis.*

- 1 Tetun for gun.
- 2 Krize: the colloquial expression for the crisis of 2006.
- 3 On 23 September 2008 the prosecutor-general called upon Col. Lere Annan Timur and Lt. Col. Falur Rate Laek to appear before his office to answer questions with regard to charges relating to the 2006 crisis (*Timor Post*, 2008c). The PNTL deputy commissioner for operations informed the press that many weapons had been lost since the 2006 crisis. However, since 11 February 2008 a number have been returned, but seven Glock 9 mm, one 12-gauge shotgun, and five HK33s remain missing (*Timor Post*, 2008d). Former PNTL general commander, and now member of Parliament, Paulo Martins, responded by asserting that no weapons were lost as a result of his administration of the PNTL.
- 4 *Suara Timor Lorosae* (2008b).
- 5 CAVR (2005), Executive Summary, p. 13.
- 6 Durand (2006), p. 56.
- 7 The rebellion led to violent countermeasures by the Portuguese. By 1912 an estimated 15,000–25,000 Timorese had been killed. By comparison, 40,000–70,000 Timorese died during the Japanese occupation of Timor from 1942 to 1945. During the Second World War the Australian military, and to a lesser extent the Japanese, provided modern firearms to Timorese auxiliaries.
- 8 The weapons were primarily 1886-model Kropatschek (Mauser) 8 mm bolt-action rifles manufactured by Steyr for Portugal (Chamberlain, 2008, p. 48).
- 9 '... in late 1958, 16 rifles were stolen from the military storehouse in east Dili (13 of which were eventually recovered), and weapons and explosives were being passed to Indonesian vessels from Japanese wartime caches in the Lautem and Viqueque' (Chamberlain, 2008, p. 48).
- 10 FRETILIN (Frente Revolucionária de Timor-Leste Independente); UDT (União Democrática Timorese); APODETI (Associação Popular Democrática Timorese); KOTA (Klibur Oan Timor Asuwin).
- 11 Nichol (2002), p. 303.
- 12 'At 1.00am on 20 August, Rogério Lobato and Hermenegildo Alves launched FRETILIN's armed insurrection by taking control of the Quartel Geral (army headquarters) in Taibessi. The Commission received testimony that there were liberal supplies of weapons in Dili, and that both sides handed them out indiscriminately. This increased the scale of violence exponentially' (CAVR, 2005, p. 42).
- 13 CAVR (2005), pp. 43–4.
- 14 ABRI had commenced special forces cross-border operations in September 1975, and with regulars in October 1975.
- 15 An April 1976 an American embassy report suggests the difficulties faced by the Indonesian military: 'Gen Yogi [Soepardi, assistant for planning, Department of Defence] ... estimated Fretilin strength to be around 3,000 with only 5,000 of 15,000 weapons so far captured by Indonesia' (CAVR, 2005, p. 74).
- 16 In excess of 100 000 people had been killed (CAVR, 2005, Executive Summary, p. 44).
- 17 This is still a sensitive subject today, with the *rendidos* (surrendered) viewed by many as not having held out appropriately, and those that surrendered with large amounts of weapons continue to be viewed dimly by some to the present day.
- 18 Gusmão (2000), p. 62.
- 19 For example, on 8 August 1983, during the Kraras attack in Viqueque, FALINTIL captured 17 SP1 rifles. On 21 November 1986, 34 M16 rifles were captured from ABRI in Iliomar (email communication from Ernie Chamberlain, 6 August 2008).
- 20 The last major FALINTIL action against Tentara Nasional Indonesia (TNI) was the 1998 assault on a TNI post in Alas, Manufahi. Carried out contrary to orders, it was organized by Commandante Elle Sette and led by Amaro 'Susar' da Costa, and it resulted in a number of TNI deaths and captured weapons. Reprisals were severe.
- 21 One such attack was caught in the film *Blockade*. The film shows an attack on an ABRI convoy in Baucau on 20 August 1996 led by David 'Alex' Daitula, with Taur Matan Ruak in overall command. It is significant because, after the attack, with at least one man mortally wounded, the commander happily notes that it was 'worth it', as they had captured 'a single rifle and some ammunition'.
- 22 Weapons were bought from Indonesian security personnel, oftentimes Timorese in ABRI/TNI-Indonesian national police (POLRI). One ex-FALINTIL said that in 1997 one could purchase a pistol for Rp. 500,000–1,200,000, an AK-47 for Rp. 1,500,000–2,000,000, and an M16 for Rp. 2,500,000–3,500,000 (interview with ex-FALINTIL, Dili, 27 August 2008). Weapons were bought from Indonesian security personnel, often Timorese in ABRI/TNI-POLRI.
- 23 One ex-FALINTIL said that a small number of Uzi sub-machine guns were seized from captured or cornered Indonesian intelligence operatives from SGI (SATGAS-INT), the Indonesian special forces Kopassus Joint Intelligence Task Force (interview with ex-FALINTIL, Dili, 27 August 2008).
- 24 In the general confusion around the 30 August 1999 ballot, a number of Indonesian and pro-autonomy militias were relieved of their weapons by pro-independence elements, further dispersing militia weapons into the wider population. In one case, a pro-independence group stopped a convoy transferring refugees in Laileia, where a truck guarded by POLRI was ambushed. Twenty weapons belonging to POLRI were taken.
- 25 For example, the main Bobonaro district militia group, Halilintar, was founded with Indonesian support in 1975 and assisted in the invasion.
- 26 CTF (2008), p. 256.
- 27 Their types ranged from modern military issue weapons (M16s, Mausers, SKSs, Rangers, RPDs, SP2s, SP1s, AR16s, G3s, pistols, and grenades) to homemade guns (*rakitans*) and sharp weapons (CTF, 2008, p. 195).
- 28 CTF (2008), p. 108.
- 29 Robinson (2003), p. 109.
- 30 *Ibid.*, p. 109.
- 31 HRW, Indonesia (2002), p. 30.
- 32 Between May 2001 and December 2002 TNI captured 824 GAM weapons in Aceh: 498 standard and 326 *rakitan* (usually *bom rakitan*).
- 33 CTF (2008), p. 197.
- 34 On one occasion, a TNI armourer signed over 36 *senjata rakitan* to a militia leader (CTF, 2008, p. 193).

- 35 UN Police, United Nations Integrated Mission Timor-Leste, Operation Kilat, 2 September 2008.
- 36 See, for example, Peake (2008).
- 37 For example, Commander Elle Sette (L7) left the cantonment with a number of his men. A senior military UN official at the time notes that 'Elle Sette and his group of about 20 decided to leave Aileu following disagreement with TMR and other commanders. They definitely took some weapons, but not many' (email communication with the former deputy force commander UNTAET, 17 July 2008).
- 38 At least 35 of these weapons were in use in 2006.
- 39 These were eventually replaced with M16A2s.
- 40 'There may now be 60–120 Militia in at least eight groups located in ET with a further 80–130 Militia equipped and poised in the NTT for operations into ET' (UNTAET PKF HQ, 2000). One M16, one SKS, 400 rounds of ammunition, and a number of grenades were recovered.
- 41 'Many weapons, ammunition, and grenades are still in the hands of militia. When searches were made in the camps, they hid them outside the camps by burying them in the ground' (report by W. Timor NGOs presented to UN Delegation, Humanitarian NGO Forum of West Timor, Kupang, 14 November 2000).
- 42 For example, on 4 January 2003 a group numbering 20–30 persons armed with automatic weapons launched an attack on Atsabe, and five people were killed (UNSC, 2003).
- 43 Amnesty International and the Dili-based Judicial Services Monitoring Programme.
- 44 Two people were killed, while five were wounded.
- 45 UNPKF exchanged fire with 8–9 men, with one shot dead (UNSC, 2003).
- 46 UNSC (2003).
- 47 UNPKF (2004).
- 48 The most serious of these was the attack on Baucau police station on 28 November 2002 and the Dili riots on 4 December 2002 in which a number of people were killed.
- 49 Recently returned from a life in exile, some of which was spent in an African prison for diamond smuggling, Rogerio Lobato harnessed some of these groups to undermine the legitimacy of F-FDTL. He was appointed minister for internal administration, with responsibility for PNTL, on 20 May 2002.
- 50 CA-75, Sagrada Familia, CPD-RDL, OPS, Isolados.
- 51 Ie KORKA, PSHT, and 77.
- 52 Colimau 2000 and Bua Malu's are but two examples.
- 53 Given the more community-based disposition of PNTL and its less robust chain of command and institutional identity, this is often more common in the case of the police than it is with F-FDTL.
- 54 On 12 March 2005 a group of five men armed with M16s and Glock pistols attempted to rob the ANZ Bank in Dili (UNOTIL, 2005).
- 55 Persaudaraan Setia Hati Terate.
- 56 'Isolated ones', including Daniel Mota, Vicente 'Karau Timor', Joaquim 'Tim Saka', Cipiriano 'Nunura', and Loro Dias.
- 57 Letter from President Xanana Gusmão, 10 September 2003.
- 58 Unidade de Reserva da Polícia (URP); Unidade Patrulhamento Fronteira (UPF); Unidade Intervenção Rápida (UIR).
- 59 Sancar Pty, registered with the Department of Commerce in 2003, No. 13229. Interestingly, the logo of FN Herstal, the Belgian manufacturers of the FNC and F2000, is displayed on Sancar's Web site, <<http://www.sc-et.com>> (accessed 11 and 28 August 2008). Sancar also reportedly provided 129 portable light machine guns for F-FDTL (MacDonald, 2006).
- 60 In relation to the F2000s, the owner of that dealership commented to the *Sydney Morning Herald* in 2006 that '[t]his is what you would want ... if you were going to give the army a go' (MacDonald, 2006).
- 61 Cavalho Bravo's business registration indicates that it is registered to import and supply military/police equipment, ammunition, grenades, helicopters, armoured vehicles, and patrol boats (Secretario de Estado do Comercio e Industria, business registration No. 10368, 22 March 2005).
- 62 Cavalho Bravo also procured 215,000 5.56 mm ball, 20,000 5.56 mm ball tracer, 120,400 5.56 mm 4-ball tracer link (M16A2), and 3,000 fragmentation grenades and other assorted material for F-FDTL in 2003, at a cost of USD 462 727.62; see ETPA purchase order 3086 24/12/2002. The grenades were procured from South Korea via Surabaya Indonesia.
- 63 *Timor Post* (2004).
- 64 The Organic Law of the National Police of Timor-Leste, Decree Law No. 8/2004, 5 May 2004.
- 65 Companhia Country Supply II, business registration Department of Commerce No. 13179, supplies 'military armaments, weapons and guns' by order only.
- 66 OHCHR (2006), p. 26.
- 67 TLAVA has obtained records from the PNTL Departamento Logistico that show that between 15 April and 24 May 2006, 11 PNTL officers of inspector and sub-inspector rank signed out 49,600 5.56 mm rounds of ammunition; and that on 25 May 2006 an additional 10,500 rounds were signed out by three senior officers, making a total of 60,100 rounds. These officers came from a number of units, including UPF, CSP, NID, Dili district, Liquica district, the general commander's office, and operations. Additionally, in January 2008 TLAVA learned that PNTL and UNPol retrieved 1000 rounds of 5.56 ammunition from a civilian's house in the Comoro area. One respondent stated that UNPol sees a lot of zip guns designed for use with 5.56 rounds and frequently confiscate grenades. This respondent also stated that 19 Steyr semi-automatic guns were reportedly recovered from agang leader's house in Manlueauna in January 2008, likely associated with PNTL: Anthony Henman, UNPol Deputy Station Commander Comoro, Dili, 7 August 2008.
- 68 OHCHR (2006), pp. 39, 40.
- 69 IWAT included representatives from the Australia, Malaysia, New Zealand, Portugal, Timor-Leste, the UN, and the United States.
- 70 IWAT (2006b).
- 71 Nonetheless, PSHT's leader, Jaime Lopes, was arrested, along with dozens of his members, on 30 January 2007, in a combined raid by FPU, ISF, and UNPol forces. A large number of weapons were seized in the raid, including firearms, ammunition and Molotov cocktails (Scamby, 2007).
- 72 In late 2007 UNMIT conducted a review of illicit weapons possession in eastern districts and found that there are possibly a small number of weapons, thought to be HK33s, but likely misidentified, in the hands of civilians in the area, reportedly distributed during the 2006 crisis.
- 73 Joint Operations Command.
- 74 Operation Assemble/Gather Up.
- 75 As announced on national television by the KOK operational commander, Maj. Coliate, TVTTL, 29 April 2008, with the weapons and ammunition on display (video and photos on file with author).
- 76 *Jornal Defeza Nasional* (2008), p. 5.
- 77 Discussions with F-FDTL and PNTL officers associated with Operation Halibur.
- 78 The English translation of the law can be found at <[http://www.easttimorlawjournal.org/East\\_Timor\\_National\\_Parliament\\_Laws/draft\\_arms\\_law.html](http://www.easttimorlawjournal.org/East_Timor_National_Parliament_Laws/draft_arms_law.html)>.
- 79 See, for example, Parker (2008).
- 80 One member of the Council of Ministers told the TLAVA that he never read the law, as it was presented in Portuguese only.
- 81 Both F-FDTL and PNTL command articulated their concern over the law.
- 82 *Timor Post* (2008a).
- 83 *Jornal Nacional DIARIO*, (2008).
- 84 *Ibid.*
- 85 *Ibid.*
- 86 TVTL (2008). This included bullets, hand grenades, and rifles.
- 87 Although a Timorese intelligence official interviewed on 16 September suggests that this is a Portuguese-era G3, while on 22 September 2008 a member of the UNMIT Human Rights Unit suggested that it was a museum piece pistol.
- 88 UNMIT (2007).
- 89 RTL (2008). Caixa Clandestina Larigua, Suco Buibua, Baucau surrendered 600 bullets for SKSs, Mausers, and M16s, reportedly from an ex-resistance cache.
- 90 *Jornal Nacional DIARIO*, 28 July 2008.
- 91 Private discussion with senior government adviser, August 2008.
- 92 *Suara Timor Lorosae* (2008a). The president of FRETILIN, Lu Olo, called on all veterans still holding weapons to surrender them to the relevant authorities during Operation Kilat.
- 93 On 20 and 22 September 2008 PNTL CSP officers were seen carrying M16 rifles in Dili, which are not PNTL-issue firearms.
- 94 Indeed, on 18 September 2008, Jose Luis Oliviera, director of the HAK Foundation, a leading human rights NGO, criticised the prosecutor-general for not being serious about pursuing weapons related crimes; see *Timor Post* (2008e).
- 95 On a positive note, in a dramatic departure from previous administrations the secretary of state for defence has established the bi-annual *Jornal Defeza Nasional* with a view to increasing transparency of F-FDTL plans. In 2008 two editions were published (*Jornal Defeza Nasional*, 2008a; 2008b). These publications have addressed armouries, weapons and ammunition procurement, policy, and operations.

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## TLAVA project summary

The Timor-Leste Armed Violence Assessment (TLAVA) is an independent research project overseen by Austcare and the Small Arms Survey. Working with public and non-governmental partners, the project was designed to identify and disseminate concrete entry points to prevent and reduce real and perceived armed violence in Timor-Leste. With support from a network of partners, the project will serve as a Dili-based repository of international and domestic data on violence trends. Between 2008 and 2010, the TLAVA will act as a clearing house for information and analysis with specific focus on:

- the risk factors, impacts, and socioeconomic costs of armed violence in relation to population health—particularly women, children and male youth, and internally displaced people;
- the dynamics of armed violence associated with 'high-risk' groups such as gangs, specific communities in affected districts, petitioners, veterans, state institutions, and potential triggers such as elections; and
- the availability and misuse of arms (e.g. bladed, homemade, or 'craft' manufactured) as a factor contributing to armed violence and routine insecurity.

The project's objective is to provide valid evidence-based policy options to reduce armed violence for the Timorese government, civil society, and their partners. The project draws on a combination of methods—from public health surveillance to focus group- and interview-based research—to identify appropriate priorities and practical strategies. Findings will be released in Tetum, Bahasa, Portuguese, and English. TLAVA *Issue Briefs* provide timely reports on important aspects of armed violence in Timor-Leste, including the availability and distribution of small arms and craft weapons in Timor-Leste and election-related violence.



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