

The Mission of CivPol

- To provide, during the transitional period, a professional, modern, democratic and community-based police service in East Timor;
- To ensure the human rights of every person in East Timor are protected;
- To provide training, guidance and direction in the development of a national police service which can operate on its own once a Timorese government is elected.

Priority Tasks for CivPol

- To safeguard and protect the people of East Timor;
- To provide a visible uniformed presence by patrolling on foot and in vehicles and to respond swiftly to requests from the public for police assistance;
- To investigate crimes;
- To develop community policing strategies with input from the community itself to keep homes and neighborhoods secure;
- To ensure law and order for a limited period of time until the East Timor police is fully established and operational;
- To recruit, train and establish an East Timor Police Force; and,
- To facilitate the safe return of displaced persons and refugees.



CivPol Dili Telephones
Desk: 312 573
Mobile Phone: 0408839978.
In all areas of East Timor
approach a CivPol officer
if you need assistance.



United Nations
Transitional Administration
in East Timor (UNTAET)

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Establishing the Rule of Law

To ensure that the East Timor people have a secure and just nation, a new judicial and law enforcement system is being created.

“Every person is entitled in full equality to a fair and public hearing by an independent and impartial tribunal in the determination of his rights and obligations and of any criminal charges against him.”

Article 10, Universal Declaration of Human Rights

The New East Timor Legal System

The Judiciary — it is composed mainly of the civil and criminal courts where cases get a fair, impartial hearing before a judge or a panel of judges;

Law Enforcement — it consists of police who ensure basic security and safeguard the lives and possessions of the East Timorese; and,

The Penal System — the prisons, detention houses and other facilities where violators of the law are duly held pending trial, punished and or rehabilitated after conviction.

“A legal system in the design that is just and responsive to the people.”

The Criminal Legislation

The current legal basis for detention and trial of persons for criminal offences is the Indonesian Code of Criminal Procedure insofar as the provisions of this code are in accordance with internationally recognized human rights standards. A new Code of Criminal Procedure that will reflect these human rights standards is under consideration.

Establishing the Judiciary

To establish this new system of law, which is the keystone of a democratic society, UNTAET has appointed a Transitional Judicial Service

Commission. This body — which is composed of two international and two East Timorese lawyers, and is chaired by Bishop Basilio do Nascimento — is responsible for recommending judges, and prosecutors who are appointed by the Transitional Administrator to the new Timorese judiciary. By



Timorese defense attorneys with acting chief justice Domingos Maria Sarmento at Dili Court House

April 2000, 16 judges and eight prosecutors had been appointed. More will be appointed in the future. The jurists have already taken up their duties and are processing some 85 cases. They are joined by eight public defenders who are hired by UNTAET and represent the defendants at pre-trial hearings. They also are reviewing the cases of persons currently detained at the Civilian Detention Center in Dili.

As part of the efforts to establish a judiciary in East Timor, the UNTAET Judicial Affairs Department has been conducting training of appointed judges, prosecutors and defenders. Through simulated exercises in court procedure and in forensic techniques, a group of international and local experts are training the judges and lawyers in international standards.

What Is the Judicial

Process?

Let's look at an example: A man steals a bicycle. The CivPol is called and begins an investigation. If there is sufficient evidence to support a charge the man is arrested. Eventually, the alleged thief is brought before the court where the lawyer for the complainant, the prosecutor, the lawyer for the public, argues that the man stole the bicycle; and his lawyer provides the

defense by arguing that he could not possibly be the person who stole the bike. Each party, the prosecution and defense, provide the judge evidence to support their case. Ultimately, when the judge has heard all evidence and testimony, he or she renders a verdict. If the man is found guilty, the judge may impose a monetary fine or sentence him to prison. If found innocent, he will be released.

Frequently Used Judicial Terminology

THE COMPLAINANT — The person who reports the alleged crime against person or property. Complainant means the person who lodges the criminal complaint with CIVPOL or the Court.

THE PROSECUTION — The side in a trial that represents the state and the interests of the person who alleges that another person has committed a criminal offence. Prosecution is the process whereby an alleged offender is charged and tried before a court of law. In court, the evidence necessary to prove that the accused has actually committed the offence, has to be presented.

THE DEFENSE — The side in the trial that represents the interests of the accused person in putting before the court evidence that the accused did not commit the offence or has a lawful excuse not to be held legally responsible for the acts alleged to constitute the offence. The accused person may be represented by a lawyer or act for him/herself in presenting his/her defence. The right to a defense lawyer is a fundamental human rights guarantee.

THE EVIDENCE — The alleged facts that are put before the court as the basis on which the alleged offence is intended to be proved or disproved. Both the prosecution and defence are expected to put before the court the evidence on which they rely to establish or disprove alleged facts or circumstance.

THE VERDICT — The decision or finding of the court based on the evidence presented by the prosecution and the defense. Evidence can be any item, document, photograph, or even witness.

THE SENTENCE — The punishment which a court decides a person may get for committing a crime. Generally, the punishment may take the form of a fine or imprisonment.

THE FINE — A form of punishment in which the court requires a person who has been found guilty of a crime to pay a sum of money to the State as punishment for the crime.

The Civilian Police Force

The UNTAET civilian police force (CivPol) is operating in East Timor during the transitional period. When fully mobilized, CivPol will have 1640 officers. As of 1 April, there were 984 CivPol officers deployed in East Timor. Their principal role is to ensure law and order. Civpol exists to serve the people of East Timor and to protect their human rights. Instructions have been issued to CivPol officers in the field that all weapons carried without a justifiable reason are to be confiscated.

“To safeguard and protect the people of East Timor”

Rapid Response Unit

UNTAET CivPol has created a Rapid Response Unit that will ultimately consist of 240 officers. The main task of the RRU is to assist local police and to respond to major security threats and other large scale emergencies such as plane crashes.

Police Assistance Group

The Police Assistance Group is to employ some 300 former Timorese police who are considered acceptable, to work along side CivPol officers on routine police duties. The first batch of 50 recruits has undergone training. All 300 will be deployed by the end of May. Members of the Police Assistance Group will not have power of arrest, but will assist and advise CivPol officers on community concerns.

The East Timor Police Academy

Not too long in the future, a Timorese police force will take over responsibility for policing East Timor. The training of the first recruits is already underway and it is envisioned that there will ultimately be 3,000 East Timorese officers trained.