

English Translation of La' o Hamutuk / TVE Interview with José António de Jesus Neves (Samala Rua), 13th March 2017

There are some omissions from this translation due to a technical problem during the recording.

As the former commissioner of the Anti-Corruption Commission (KAK), you decided to leave KAK to become a candidate for President in this election. What was your main motivation for doing this?

Thank you for the question. First, it was because of the work I did in the public sector, which shaped my perception of the current governance situation, beginning with my work with youth and then finally with my work at KAK, the state agency charged with combating corruption.

In this role, with regard international operations and several state institutions, I felt that working with KAK was not the maximum contribution I could make. KAK's authority is limited, and combating corruption needs more than just a commission. It needs the whole state to engage in a concerted effort.

Including the President?

The President, Government, Parliament, civil society, and others working together can combat corruption. There is no example in the world that shows that just one agency can combat corruption in a state, but collection action from the whole state, this is the primary issue.

The second question is that leadership of the state must continue. We see now that our leaders beginning from the 1975 generation are getting older. But the state itself is still young, and have to be brave to step up and assume this responsibility (to lead).

Perhaps you can elaborate to help viewers understand more about who exactly is Samala Rua, and why is Samala Rua competing in this election?

So when you mention the name Samala Rua, we have to look back to the resistance. Anyone involved in liberation (struggles) uses a name, and some use a codename. But when we mention codenames, it doesn't mean to use this name as a privilege, but the question now and going forward is how can we, who came from the resistance, do good for the people.

People say that Samala Rua happened after Lasama was captured. Is the story related to that?

It is related. When I was still in Timor I used the codename Anin, and then when I went to Java I continued using it until Lasama was captured.

We gathered together to reorganize the clandestine movement in Java because Lasama's and other comrades' capture effectively dismantled the clandestine network in Indonesia.

So we gather together to reorganize, and when we did this, some comrades convinced me to head a permanent committee to continue working while the Secretary-General of RENETIL was in prison.

So, in consideration of RENETIL's statute that the Secretary-General had to be maintained, I changed my name to Samala Rua, Samala being the opposite of Lasama and Rua (two) because of continuing work with a second person, the person who took charge while Lasama was in prison. So there is a historical connection, as well as a connection with functions of clandestine work at that time.

Comrade Samala Rua, why are you running as an independent, even though you could run as a member of a party or a resistance organization? Why did you choose the independent route, as opposed to the other candidates who are running as members of parties?

Because the law allows for Presidential candidates to be independent, and because the President is supra-party, or above parties, and thus has to watch over the parties.

Second, I'm not active in any party, and haven't entered the structure of any party. My party is to vote, when I've voted, that's it. And the way is open for me to be an independent candidate for President, so I'm using the legal mechanism created by the state.

The President cannot do much work as it is limited by what is defined in the constitution. What are the main priorities for you as President in the next five years?

First I'd like to clarify something, it's not that the President cannot do much work. The President's work is important, and while executive power is limited, the competency is broad.

The President as supreme commander and Head of State, guarantees the functioning of the state to achieve its objectives regarding unity, national independence and the regular functioning of democratic institutions - this is broad and important work, albeit limited.

So what are your main priorities?

I have three main issues – first, good governance. Good governance determines the functioning of the whole state, and links with all sectors, all pillars of the state – Government, President, Parliament, judiciary, courts – all need to conform to the principle of good governance. There are various aspects to this – policy, law, procedures, functions, transparency, use of state resources and appropriate use of public finances.

My second concern is about people, but my main focus is on youth. Our society is very dynamic, and there is a high proportion of young people. So this component is a strength for our state, our development, security and stability.

Many changes also happen through youth. Our political process in 1975 began with the youth. Our big brothers today used to be youth! And with the youth we can create change.

The state is already independent, but the concern is that youth are not defeated. And they shouldn't be ignored, they need to be given a lot of attention, and the conditions to strengthen youth and fulfil their potential need to be created.

We have potential but the conditions do allow us to realize it. So we need to improve conditions, and the state will benefit a lot from this. There are some things already happening, like the youth policy, but implementation needs to be better, as the situation of many has not yet been improved. This is because we have used methods which continue to marginalize youth in various ways.

In addition to human resources, what are your other priorities?

Third, family, or the household. The family is the root, the cell, the seed of this society. In fact there is no society which is not constructed by the household. The lives of all societies are born from the household.

A household is mother, father, children. From the mother and father, children are born and this forms the base of the community, and then the hamlet, the village, the subdistrict, the municipality and the nation.

How can you introduce family development into your program, when social and economic development programs are the government's responsibility? How can you introduce this to the government?

The President doesn't make a specific program for all these issues. The President leads the state and government to do these things. The government focuses on these things and the President calls the government's attention to good governance, to youth.

How will you ensure that the Government will listen to the President?

Political communication is needed, so that all state bodies function for the good of the whole state. This communication is to make each other aware. Our state has established a system of 'power sharing', where Parliament controls the President and the government.

The Constitution outlines the separation of powers between state bodies. If you are elected as President, what will you do to guarantee that there are checks and balances between the state bodies?

The reading of this article needs to be complete – there is separation AND interdependence. So they are separate but they also communicate.

This is separation of power so that each state body's duty is carried out according to the law, and that there is no intervention from other bodies in functions which are specific to that body.

But communication between them, because there is not only separation, but interdependence. The state is built on four pillars – and communication is important to guarantee the question of interdependence.

And on the other hand, the constitution says that each body has to function according to their competency as outlined in the law. The President's duty as stated guarantees the regular functioning of democratic institutions, and the word 'guarantee' here itself means something active.

This word shows that that specific action, policy or ruling is needed to guarantee the sovereign functioning of state body. The President is the guard of the constitution.

When he assumes this role, he makes an oath to abide by the constitution, and guarantee the principles we mentioned, the separation, interdependence and functioning of state bodies.

But in our experience, when the current President has made suggestions, this has resulted in controversies as people in government have considered these as attacks or opposition against them. What would President Samala Rua do to ensure that the opinion of the President is not considered as an attack but as helping to construct policy?

First we need to define our national priorities which the President, Parliament and Government agree on. If one of our national interests is combating corruption, when the President sees that the Government is not functioning well, he has to speak, but carefully.

One duty of the President is to be a referee. When a player makes a mistake, he blows the whistle: first, second, card, final card. The President sometimes has to do this as part of his

competency. Therefore we need to agree that the principle of good governance is to work against abuses of power, conflicts of interest. The President needs to speak.

As President will you empower the Anti-Corruption Commission (KAK) to continue its work and struggle against corruption?

We need to strengthen KAK's work, as well as other bodies which need to work together with KAK, it can't work alone. KAK needs to work together with public ministries, courts, other state bodies, police – institutional cooperation is an issue in our state.

Because often people come with their personal character, which then influences the character of the institution. So this can impede the functioning of the state. Our personal character should be separated from that of the institution.

That's why there are problems in KAK, and not only KAK, but other institutions. But I didn't work alone in KAK, we were a group, a collective working together, using methods which were given to us as competencies by the law. Not very broad but enough, and we used them to effect change.

Timor-Leste still does not have a permanent maritime boundary, and our land boundary with Indonesia is not complete. As President, how would you ensure our sovereignty, that no piece of land or sea would be lost?

This issue is linked to our foreign policy. The question of maritime and terrestrial boundaries is not just a question of bilateral relations, but our foreign policy has to be clear that the maritime boundary is a national issue.

But when the state wants to define the boundary, we also need a foreign policy with a clear definition. And our foreign policy with Australia needs definition.

But the result of defining the maritime boundary should be that the state receives the full benefit from our resources. National independence with a permanent boundary, and this is in process. But we need a foreign policy that the whole state agrees on so that our efforts are strong and sovereign. We also need strong diplomatic work to secure our terrestrial boundary with Indonesia.

What will you do in relation to the maritime boundary with Australia?

The President, on this issue just serves. The question is, it isn't the President alone who has to act, but the president, government and supreme body. The President executes the general policy of the state, and therefore must accompany the process to allow the state as a whole to work together to achieve the goal of defining our land and sea borders.

Currently Brother Xanana Gusmão is leading the maritime boundary negotiation process. We know that last year the popular movement and activists demanded that the Australia government negotiate in good will or agree to an international arbitration or mechanism. As President, what is your opinion on how to help Timor-Leste and other small countries to secure their sovereignty?

There are several things we need to know about the sensitivity of current negotiations. It isn't easy for the general public to understand the sensitivity of diplomatic policy, but what can we do as citizens and what actions. Our negotiation principles should be based on the international law, it is the international law that can give a solution.

Would you as President support an international mechanism?

This is the way to define an international mechanism.

The Chega report included a set of recommendations that the international community, including that Timor-Leste and Indonesia should create a credible international tribunal to judge the perpetrators of serious crimes during the Indonesian occupation. As President, what will you do to stand in front and bring hope to victims and the people of Timor-Leste who were oppressed by the Indonesian military? What will you do for the victims?

First, measures taken by the President must be related to his function, guaranteeing national independence. This should be the basic concern. Now to create a mechanism to bring those responsible for crimes during the occupation also require a good foreign policy, between Timor and Indonesia. Because the legal process can be carried out but should also match with some political measures that the two countries should communicate with each other.

Now, if our state doesn't communicate well politically, we won't be able to guarantee that the two parties will agree to establish a mechanism to hold the perpetrators of crimes legally accountable (the court will do this).

For me, first begin with good political relations with Indonesia. If in the end Indonesia says that our relations are good, ask them if we can achieve a good mechanism. This kind of relationship can be a condition for the two countries to finally agree to create this mechanism.

If we don't agree then we can't, so in order to agree, we chose to go down the route of establishing good relations with Indonesia, so that at a more opportune moment the two countries can agree on a mechanism.

Many people say that recent human rights violations in Timor-Leste cannot be separated from ongoing impunity (for the past crimes). If we cannot judge or bring the perpetrators to a court, this creates a bad precedent in the world, where elsewhere violations can continue. This includes Timor, and the situation with our police and military – we see that these violations are not punished, crimes are committed but nobody goes to prison. What do you think we can do to prevent this from happening in Timor?

It could be a precedent, but it also might not. It depends on how the state creates the conditions to train our military, if it just trained to fight wars or to work in a civic capacity.

With respect to the basic principles related to people, I think the military does not have a strong tendency to go (to war). Because we are a small country, we don't need a modern armed military. So we need to train the military to have a social and humanitarian function.

It should respond to social conditions?

A social function, because it makes no sense for us to train our army to a high military capacity, because we won't be responding to threats that come from outside.

As President, or supreme commander of the armed forces, how will Samala Rua develop our military to become more professional? Because to have armed forces that are responsive to social conditions, they need to have more capacity. What will you do as supreme commander to help them to develop?

First is what needs to be secured most? Our borders, our natural resources, or what? Identifying these interests will show us what kind of military we need.

But second, where are threats to these interests likely to come from? From Australia, or whatever other country or from where? If it's from a neighbouring country do we have the capacity to give a military response to such a threat?

So there is the first interest, then the second about whether these threats require a military or some other kind of response. These will enable us to define a defence and security policy, which we still don't have. We hope to regulate an operational military. But an operational military to protect policies in Timor, to respond to internal threats.

In 2015, there was a major police and military operation in Laga, Baucau, with the objective of capturing Mauk Moruk and his supporters. Unfortunately he and some of them were killed. People are still concerned about this event, and many people think that this should not have happened as it violates the constitution. As President, what will you do to prevent crimes like this from happening again, from having a Laga 2 or a Baucau 2?

There are situations which happen as a result of poor communication between leaders of the state. I think because we didn't wait until the situation was aggravated, it was worse.

When we approach a certain situation, continuous communication is important to prevent misunderstandings and to allow us to work together, consistently until the end. Sometimes we don't recognize important factors which then creates the conditions for bad situations to occur. So we need communication, and when we see these kinds of signals we should know where it is leading.

So are we talking about a politician with adversaries, or between political leaders? Because some situations we think we know and we think that it is simple, so we minimize its impact, we minimize the destructive forces for the state.

Therefore preventative measures need to be taken beforehand, but on the condition of political communication between leaders of the state.

The President in this situation plays the role of guarantee the unity of the state, to function and communicate. The President has a responsibility to monitor this situation, because the President's competencies are few but important. But he has to understand certain things about the whole state, about security, stability, human development, youth, everything.

So communication and dialogue are the routes President Samala Rua would take to avoid problems?

Not only to avoid problems, but to guarantee the consolidation of the state.

Before we come to the third segment, I'd like to give the audience in the studio the chance to ask questions.

Ato: OK thanks, I think I'll just ask quite a practical question. Earlier the moderator mentioned corruption cases, I can mention the name because this is public and everyone knows. The case of Emilia Pires – at that time you were in KAK, and the case resulted in some tension between major political leaders, then we heard shortly after that Emilia was not here anymore, then we heard that she was no longer a Timorese citizen. Now you saw this, so to guarantee good governance in the future as President, why can be done better in this area?

First the state – the Government and Parliament makes a decision to create a body to be a check and balance.

KAK exists as part of this system of check and balance, which gives some authority to KAK to take action. And thus KAK took some measures against certain members of government, directors, citizens.

These actions were done not because of some political hatred or revenge, but because there was evidence which compelled KAK to take measures. However, it wasn't KAK which suddenly decided to go after Minister A or B, Director A or B.

The President was also concerned about this case, saying that the Government has to bring this person to face the charges. We also know that she went abroad as part of her duties to the state. What will you do as President to prevent something like this happening again in the future?

Strengthen and increase political support to state bodies including KAK. To say that the President as Head of State has the responsibility to guarantee the regular functioning of state institutions, and can perhaps become spokesperson.

So bodies which the state creates to perform a function, allow it to perform its function properly. The President can become moderator if a state body attacks another unnecessarily. Because measures which are taken by institutions such as KAK are legal measures, based on evidence, as permitted by law. However, the commentaries which followed were political.

So politicians can provide commentary, the implementation of the laws continues. The President continues to do his/her work, while he (politicians) can give commentary as he wanted, but remember this, utilize the check and balance practice.

He doesn't specifically come from outside the system, our system shares power between several bodies, no one body has all the power. Executive, legislative, judiciary, it's shared. The Parliament, legislative (body), carries out oversight, makes political decisions. The Government executes. The courts carry out legal duties. If they carry out these duties, complementary, there are no problems.

Our problem is our mentality, the character of our leadership. So if we improve this mentality so they understand their function better, according to the main principles and competencies as set out in the constitution. We need communication to ensure that this goes well.

To ensure check and balance, the constitution allows the President to veto or promulgate laws? Many people are concerned that the President's veto has no value, because when a law arrives back with the Parliament, it can just override the veto. I'd like to ask you, what is the value of the veto or promulgation according in your view?

The veto is the President exercising his function as a legal control. Because earlier I said, this mandate does not lie in one area only. The Parliament makes a law, the President promulgates. If a law isn't promulgated, it doesn't take effect. The President cannot promulgate a meaningless law.

But in the case of a veto of a law, the President isn't in a strong position, because he can veto only once and has to justify it with strong legal arguments and reasoning to convince Parliament that it's justified.

If it's not a strong reason, the Parliament will have justification to just send the law back to President, who has to promulgate. He has no other option. But the problem isn't just with justification. Here the President becomes the guardian of the constitution.

But the President has one capacity, not the President alone but his office, advisors must be strong to ensure that he properly understands a law's constitutionality, impact to society and the state if he is to promulgate it.

Therefore the President has to have support for this, but can only veto a law once. For a decree law he (the President) can veto once and it will not come into force.

We have received a question via SMS from a viewer, who has asked this: "if you are elected, what policy would you take to coordinate the ministries in charge of protecting our local products, in order to help them to compete with products from outside?"

The President communicates with Ministries through the Prime Minister. The ministers are subordinate to the PM.

So we need the Government to define an investment policy which relates to the conditions of Timor-Leste. The structure of the market here, we import a lot of products. We don't have many local products to export except coffee, the second biggest export after oil.

But there aren't any others. This doesn't mean that there is no potential – we have a lot of economic potential. But we need a policy to develop this potential.

Sometimes we talk about foreigners who would like to buy products here, for example candlenut and yams. But who here in Timor grows candlenut or species of edible tuber? There isn't anyone making plantations of these things.

Timor-Leste's economy depends heavily on oil, but our oil will run out soon. Some fields are already dry and our other field will also be empty in three or four years. What will you do as President to help Timor-Leste's economy when the oil is gone?

There are many sectors, and two sectors which have not received attention – agriculture and tourism – have a lot of potential.

We talk about agriculture and our connection with nature and many things in our country. Tourism is also linked with several things here, such as our economic development, our human needs. And things from nature, plants, water, air, wind.

Economic development uses all of these things, so we need the government to make efforts to identify which sectors have economic potential and prioritize them.

Oil has provided money, but it is non-renewable. We have joined a global agenda – the Sustainable Development Goals. These goals want to guarantee that development doesn't involve destruction of the natural environment, and provide development which comes from nature.

(Environmental damage) this will affect the next generation, who won't be able to make the most of the resources.

First we need a policy which guarantees sustainable development based on what nature can provide, and this needs serious attention from the whole state, meaning the Parliament can create laws related to development. The Government can then execute this law according to what the state agrees, and this can then create development which will continue from generation to generation.

It's very interesting to talk about sustainable development. Currently we have a major project in Tasi Mane which will need billions of dollars in investment. La'o Hamutuk thinks that this project will just waste money, and many economists also think that it won't generate returns. We know that if Timor-Leste adopts the principle of sustainable development, this project doesn't align with this because it relies on oil which can't be considered a sustainable sector. As President, what will you do to ensure that our development is really sustainable, and what do you think about the Tasi Mane project itself?

First, the President as head of state has to guarantee that state bodies work towards the objectives of the state, which are that development has to achieve material and spiritual well-being for our people. It can't destroy social justice, nature or the environment.

So, the President doesn't execute, but asks the state to orient economic policies to the state's goals, which are equal distribution of the resources of the state across the territory.

So we have development which has an indirect long-term impact, which can happen, but people's basic needs are current, they need food or health now. So needs are always current, not in the future, but the future is also our objective.

We need to respond first to the current needs so that people can participate in developing other sectors. The people are the owners of the state, and need to feel that the state is good, so when the state creates the conditions people can participate.

There are ways to respond to people's basic needs, and these needs are not huge – people need water, money, decent work to support their lives, health, education and security and stability.

Now we are developing large infrastructure, with huge costs, and think this will give us a return in the future. But that's in the future, not now, basic needs have to be met now. We already spent a lot, and some things have been built. But we need to shift attention to basic needs.

In Oecusse what do people need, in the south coast what do people need, in Timor as a whole what do people need first? They need basic things first and a guarantee of stability, security and ability to participate in the democratic process.

About the Special Zone in Oecusse and Tasi Mane, the public can't really access the available information. And there is no public body which can help people to get information about how the people's money is being spent, how decisions are being made. In the cases of Suai, Oecusse, a lot has happened. As President, what will you do to help the people of Oecusse, Suai, Tutuala, Maubisse and other places have adequate access to information?

The Government has several Ministries, and their work has branches of priorities. One aspect of the Ministry of Justice is to look at human rights. This structure of governance is the base, and related to community authorities, Suco chiefs. We need to use this structural mechanism properly.

But the role of the President is to guarantee the regular functioning of the state, which means to call on the government to use these structures, and not just use them but to train and improve them. Communicate every political decision with a connection to the public interest. There is also a connection with people's lives, we need to communicate with people. Another thing, the state needs to live within this structure.

We have civil society, media, associations. Use networks to transmit information to the public, the President doesn't have to just talk about the pillars of the state, but also has concerns with organizations which exist between people, media, associations. Timor is a society with many organizations, where one person belongs to three, four, five organizations.

We have some more questions from viewers, who want to know “when you become President, what will you do to prevent nepotism in Timor?” Because they feel that nepotism reduces people’s ability to contribute to the state.

Strengthen checks and balances. We have the Ombudsman for Human Rights and Justice, we have the Chamber of Accounts, we have the Inspector General, inspectors for each ministry, KAK, Public Prosecutor. These bodies exist to guarantee that there are checks and balances, and we need them to function properly.

For me, we need to call attention to this so that they can function properly. Nepotism happens because people don't carry out their duties properly. For example, the Ombudsman for Justice and Human Rights, its role is to ensure good governance, which goes against things like nepotism. To reduce nepotism, we need to strengthen these institutions. They are created by the state to be a check and balance.

This is something which isn't nepotism but which many see as an injustice – our formal economy cannot absorb everyone to allow full benefits and participation, and many of our people have to support themselves through their creativity in making small businesses, mobile businesses. Unfortunately, the state uses its power and the Decree-Law on Hygiene and Public Order to ban people from selling in public areas, and there are no politicians representing them. I haven't seen the President, Prime Minister or Parliamentarians speak up for the interests of the three-wheel vendors. If you are elected as President, what will you do to protect their rights and ensure that they can access the economy?

Economic development can also come from the creativity of individual citizens who express their capacity to engage in small business activities. These initiatives need to receive a positive response from the authorities. So the question of hygiene is important, but their businesses activities do affect public hygiene and cleanliness.

But if they don't do this then should they just be hungry at home? What can they do about this?

The economy is open to initiative, our system is not only a business market but there is also the possibility for people to engage in traditional community market activities. People can have these initiatives, and when they don't affect the security of the state, stability, public order, the state needs to support it.

So things that are happening in Dili now, for me don't seem to have an impact on cleanliness. For example, in Lecidere, people sell, but there is nowhere to dispose of rubbish. And the reason can't be to impede initiatives that come from the community, which people do to develop their economic capacity and sustain their lives. This is the most important thing – that people sustain themselves with their initiative.

Someone sent this question – “when the state sees the people as a problem, this allows for our economy to be dominated from outside the country. We know that it isn't just the street vendors who throw rubbish, and when people from outside dominate, this also isn't good. What can the President do to ensure that the state doesn't treat those who have more capital nicely and gently while discriminating against those who have only a little?”

The President is the head of state, and he acts directly with several key bodies. In this case for example, to ask the government to take responsibility, as the executive body directly in charge of the affairs that affect people's lives. The President's four functions I mentioned earlier, he has to act according to these.

But this doesn't mean just to allow these situations, so first there needs to be communication with the responsible bodies. If the situation is the government's responsibility, advise the government to pay attention. If the situation is related to the competency of the Parliament, communicate with them. But the President must understand, and actions have to come from the competent bodies who have the responsibility to address the situation.

We need foreign investment, but the state has to create various conditions in order to ensure that this kind of investment doesn't damage our own economic potential. Earlier we talked about rubbish. This is something important as many products are packaged in plastic, and this can be very damaging for the earth, as it takes a long time to degrade. Our current situation requires various products to be packaged with plastic, and we still don't have any recycling facility to reduce the impact to our environment.

Timor-Leste is currently in the process of joining ASEAN. However, many people are concerned about some of the implications of this. As President, what will you to ensure that Timor-Leste won't be impacted negatively by joining ASEAN, that we don't just become a 'market' but that we truly benefit?

The ASEAN charter mentions various objectives related to security, stability, socio-cultural and economic development. Some of these will not be a major impact for us, but the economic aspect will be. We asked to join ASEAN between 2002 and 2009, and now it's up to ASEAN to decide when we will join.

However, before they decide, they will evaluate various conditions here to see if they conform to their social, security, stability, socio-cultural and economic objectives. Some aspects allow us to join ASEAN, but economic aspects may not yet enable us to compete properly, such as our infrastructure which is still not developed enough for a lot of economic activity.

Many of our businesses can't yet compete, as they depend on state projects. But some can, like our businesses which are more independent, autonomous, with a higher economic capacity.

To gain an economic advantage, we can't yet compete with (ASEAN). So we need to first create good conditions, so that we enter ASEAN with more competitive capacity.

So joining ASEAN is not bad, but it's a question of whether can conform to the principles which they have laid out or not. Second, it's not up to us to decide – ASEAN will make a decision based on our conditions and it has to be made by consensus, with all members supporting us.

So you think that Timor has to prepare itself before entering ASEAN?

We certainly have to prepare ourselves. If we don't, we won't gain any advantage from becoming a member, and economic development will give all the benefits to others rather than to ourselves.