United Nations Peacekeeping in Timor-Leste

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This article seeks to elucidate many of the avoidable difficulties that the United Nations (UN) face when intervening in a given conflict. The article begins with a review of the UN’s capability to act, fund, cooperate, and coordinate in peacekeeping missions. The UN’s capability to respond to conflict is, in theory, boundless; however, it is limited by the realities of operating within the UN’s vast bureaucracy and the possibility of member states having competing national interests. The article then proceeds with an analysis of the UN involvement in Timor-Leste, focusing first on the United Nations Mission in East Timor – the referendum monitoring mission – and then covering larger operations such as the United Nations Transitional Administration in East Timor and the United Nations Mission of Support in East Timor, and finally analyzing more recent missions: the United Nations Office in Timor-Leste and the ongoing United Nations Integrated Mission in Timor-Leste. The article concludes that the UN’s performance is dependent upon a steady commitment to supplying resources and the ability to properly assess and appropriately respond to specific realities within the context of a peacekeeping operation.

INTRODUCTION

Peacekeeping has proven to be one of the most important tools at the disposal of the international community for ameliorating the violent conflicts characteristic of the post-Cold War period. The United Nations (UN) has consistently been the primary candidate for legitimate involvement, although its peacekeeping record is decidedly mixed. Does this record indicate an inability to deal with certain kinds of civil wars entirely, or perhaps only certain phases of civil wars? Is there a particular combination of capabilities and contextual factors that can lead to the success of a UN peacekeeping mission in civil wars?

Drawing on the analytical framework established in the opening contribution, our analysis begins with a review of the UN’s capabilities to act, fund, cooperate, and coordinate in the context of its peacekeeping operations (PKOs). We establish that the UN has extensive capabilities to respond to conflict situations; however, because of the realities of operating within the UN’s vast bureaucracy and the possibility of individual member states having competing national interests, the success of UN peacekeeping missions is far from guaranteed.

The analysis continues to our case study of Timor-Leste and outlines the situation during the various missions. We first examine the United Nations Mission in East Timor (UNAMET), which observed the referendum for independence, then
proceed to focus on the largest, most comprehensive operations in Timor-Leste that involved UN troops: the United Nations Transitional Administration in East Timor (UNTAET) and the United Nations Mission of Support in East Timor (UNMISET). We then outline the intermediate mission (the UN Office in Timor-Leste, UNOTIL) and conclude with a tentative evaluation of the ongoing United Nations Integrated Mission in Timor-Leste (UNMIT). Our analysis concludes that the success of any UN peacekeeping mission in civil wars is contingent upon the combination of steady UN commitment—evidenced by the timely supply of all necessary resources such as financial, troops, and logistics—and its ability to properly assess and respond in a timely manner to specific realities within the context of a given mission.

UN peacekeeping missions have helped Timor-Leste remain relatively secure and stable, which compels us to conclude that they were successful. Careful examination of local, contextual factors in Timor-Leste, however, warrants a more skeptical judgment concerning the missions’ performance and evinces the necessity to evaluate the conflict context both prior to and during the UN’s involvement.

UN PEACEKEEPING: CAPABILITIES TO ACT, FUND, COOPERATE, AND COORDINATE

Since its inception in 1945, the UN has remained the main global actor in matters of international peace and security. The main UN actors involved in dealing with peace and security form the 15-member UN Security Council (SC, with the Russian Federation, the United States, the United Kingdom, France, and China as the permanent, veto-holding members), the Secretary-General (SG) and the Secretariat (including the UN Department of Peacekeeping Operations (DPKO) and the UN Department of Political Affairs (DPA)), and the 193-member General Assembly.\(^1\) The most relevant ‘mandates for intervention’ are found in Chapter VI of the UN Charter, which focuses on the diplomatic resolution of violent conflicts, whereas Chapter VII (Article 42) contains a clause of collective security, which states that the UN can use all necessary means to mitigate a threat to international peace and security. In addition to traditional threats to international peace and security that the UN is authorized and obliged to deal with, the World Summit of 2005 endorsed the Responsibility to Protect (R2P) principle. The essence of the R2P lies in the principle that each state has a responsibility to protect its own citizens, and when a state fails to do so the international community should assume responsibility for the citizens of that member state.

Peacekeeping has been one of the most visible tools at the disposal of the UN to deal with armed conflict; however, peacekeeping is not mentioned in the UN Charter. We owe the \textit{de facto} name for UN PKOs – ‘Chapter VI and a Half’ – to former Secretary-General Dag Hammarskjöld. Peacekeeping originated as simply the interposition of international lightly armed forces between warring parties to maintain cease-fires and to prevent a resurgence of hostilities as well as to create more secure conditions while diplomatic solutions to the underlying causes of the conflict were searched for. This style of traditional peacekeeping was designed mainly for armed
conflict between states and rarely used in the context of internal or internationalized armed conflicts. SC Resolutions on international peace and security were limited in the scope of their application as a corollary to super power rivalry during the Cold War, and it has only been over the past two decades since the end of the Cold War that the international community has placed new hope in peacekeeping missions.

This led to an increase in multifunctional peacekeeping missions that were ambitious in both scope of geographic deployment and tasks assigned to peacekeepers. Second-generation PKOs attempt to address military, political, and economic problems. They supervise cease-fires but can also assist in the demobilization and disarmament of warring parties (UNOCI, United Nations Operation in Côte d'Ivoire); monitor the implementation of political settlements (UNTAC, United Nations Transitional Authority in Cambodia); design and oversee constitutional and political reforms (UNMIH, United Nations Mission in Haiti); organize elections (ONUSAL in El Salvador); train local police (UNMISET in Timor-Leste); monitor human rights violations (UNAVEM, United Nations Angola Verification Mission III in Angola); strengthen law enforcement (UNMIT in Timor-Leste); and assist in economic recovery reforms (ONUMOZ, United Nations Operation in Mozambique). In some cases, peacekeeping troops are granted an enforcement mandate under Chapter VII of the UN Charter. The beginning of the 21st century saw the rise in frequency of establishing strong peacekeeping missions with robust enforcement mandates – more extensive and more expensive missions directed toward overall stability in the conflict zones (for example, UNAMSIL, United Nations Mission in Sierra Leone; UNMIL, United Nations Mission in Liberia, and UNMISS, United Nations Mission in the Republic of South Sudan).

While scholars and practitioners disagree on the question of how to evaluate peacekeeping effectiveness (ranging from mandate fulfillment to addressing broader goals of international peace and security), there is a general agreement that the peacekeeping record in internal and internationalized armed conflicts has been mixed. Many authors agree, however, that the 1990s witnessed some abject failures of peacekeeping efforts, such as Rwanda and Somalia. These failures led the UN to reevaluate its approach to peacekeeping and focus on the lessons learned. While Boutros Boutros-Ghali’s Agenda for Peace (1992) and his Supplement to an Agenda for Peace (1995) provided a solid overview of the framework within which the UN is expected to perform (including divisions into peacemaking, peacekeeping, peacebuilding, and prevention), the Report of the Panel on United Nations Peace Operations (2000), better known as the Brahimi Report, attempted to provide detailed, in-depth recommendations for how the organization can learn from its failures and improve on peacekeeping missions in the future. Among other key recommendations, the Report calls for sustained support from the UN member states for each operation; an increased emphasis on the role of peacebuilding activities; clarification of mandates, including specification of operations’ authority to use force; reaffirmation of the key principles of peacekeeping (consent of the local parties, use of force only in self-defense, and impartiality); and timely deployment of the mission. The ‘United Nations Principles and Guidelines’ document
(Capstone Peacekeeping Doctrine, 2008) attempted to operationalize many of these recommendations. The ‘New Partnership Agenda’ document (A New Partnership Agenda. Charting a New Horizon for UN Peacekeeping, 2009) stresses the need for a global partnership to deal with the challenges faced by peacekeeping today.

All PKOs since their inception have remained dependent on member states’ willingness to participate in the endeavor. This structure leads to the inevitability that while, in principle, UN capabilities to act, fund, cooperate, and coordinate are vast, each individual peacekeeping mission depends on both the political will of the member states and the organizational capacity to conduct an ad hoc mission, despite the absence of a UN army.

With respect to UN capabilities to act, the traditional Cold War bipolar SC deadlock does not occur often, although the upsurge of peacekeeping in the 1990s coupled with the lack of political will and experience in dealing with civil wars led to many disastrous failures in the 1990s. The beginning of the 21st century witnessed more focused, concentrated peacekeeping efforts. With the lack of a standing UN army, however, capabilities to act will always depend on the readiness of individual member states. Moreover, there is a problem with troops from various countries acting together within the same peacekeeping mission. These issues stem from the following: contingents reporting not only to the mission’s head, but also to their national headquarters; contingents not being able to communicate in the same language; and countries sending troops without logistics and ammunition and thus having to rely on other countries’ supplying such resources to have fully operational missions.

Concerning UN capabilities to fund, the UN relies on member states’ contributions. The UN has a regular budget for its entire operation and a separate budget for each PKO. PKOs can be financed from this regular budget, from separate assessments, from voluntary contributions, and from reserve funds. Many efforts in the Cold War were significantly hampered by member states’ behavior. For example, the USSR and France withdrew financial payments for United Nations Operation in Congo (ONUC) in the 1960s, which significantly impeded the mission’s performance. Right after the Cold War, member states often demonstrated a frightening indifference toward missions, resulting in serious delays in necessary funding. Missions of the 21st century have enjoyed more solid financial commitments, although the instability of the world financial market has had an adverse effect on the UN’s PKO budget. The approved budget from 1 July 2006 to 30 June 2007 was $5.2bn; three years later it grew to $7.86bn. This trend, however, has not lasted. The budget for PKOs, the maintenance of the UN Logistics Base at Brindisi, and the support account for PKOs for the period from 1 July 2011 to 30 June 2012 was lowered to $7.06bn. There are no data to suggest that the PKO budget will continue to shrink; however, given the precarious nature of markets in Europe and the United States, it is not an unreasonable assumption.

Regarding UN capabilities to cooperate and coordinate, the UN enjoys the highest legitimacy according to international law in the matters of international peace and security, including the authority to delegate responsibilities to regional
organizations under Chapter VIII, and, critiques notwithstanding, the high level of moral authority for intervening in civil wars. As in most instances described above, however, the structure of the UN is such that individual member states‘ national interests can supersede international concerns and impede the UN‘s ability to cooperate with other organizations as well as with regional and local authorities.

The importance of coordination – horizontally with the other regional and international organizations and vertically with member states – has been stressed in the recent UN document ‘A New Partnership Agenda.’ It calls for ‘a renewed global partnership among the Security Council, the contributing Member States and the Secretariat’ and stresses that one of the vital peacekeeping success factors is ‘an integrated UN approach: effective coordination with other actors and good communication with host country authorities and population.’ Some recent examples of cooperation with other organizations include the UN’s work with the North Atlantic Treaty Organization in Afghanistan and Kosovo, the African Union (AU) in Darfur, and with the European Union in Chad and Kosovo.

The importance of coordination within the UN has also been stressed in both UN documents and scholars‘ analyses. For example, the lack of coordination between HQ in New York and the United Nations Assistance Mission for Rwanda (UNAMIR) – together with the poorly designed mandate – arguably led to the outward failure of the mission. The reluctance of the SC to commit to large-scale engagement in the Democratic Republic of Congo has seriously stressed the mission’s capacity to address the crisis earlier. Many scholars and practitioners have also demonstrated instances of inter-departmental infighting and competition for resources (for example, in Timor-Leste between DPKO and DPA), which can hamper the effectiveness of the mission. At the same time, the UN has recently attempted to address some of the problems of internal coordination, for instance, by creating the Department of Field Support and by creating the Peacekeeping Best Practices Unit in the Office of the Under-Secretary-General for Peacekeeping Operations (to convert lessons learnt into policy suggestions).

Overall, the UN has a high organizational capacity to act, fund, cooperate, and coordinate, but this is contingent on circumstances within the organization and among member states. What is more, in addition to dealing with organizational challenges, the UN must pay special attention to the conflict context on the international, regional, and local levels, as mistakes in evaluation of the conflict situation can significantly undermine even a well-intended, well-committed, and well-planned operation. This dynamic is evinced in our analysis of the UN intervention in Timor-Leste.

UN MISSIONS IN TIMOR-LESTE: A BRIEF OVERVIEW

Lying northwest of the Australian coast, the small, tropical island of Timor is located in the southeastern region of the Indonesian archipelago. Save for a brief Japanese occupation during World War II, Timor-Leste was used as a trading outpost and
governed by the Portuguese for more than 400 years until the Carnation Revolution of 25 April 1974, when the authoritarian rule of the Caetano regime in Portugal fell.

Following the events of 1974, several political parties formed in East Timor to vie for future governance of the country. It was only when the left-leaning Revolutionary Front for an Independent East Timor (Fretilin) emerged as the preeminent party did the anticomunist Suharto regime in Indonesia display interest in the territory, fearing that the realization of self-determination in East Timor might spur separatist movements elsewhere in the archipelago. Beginning in late 1974, Jakarta established ties with smaller political groups, working first with the Timorese Popular Democratic Association (Apodeti) until early 1975, when Indonesian authorities switched their focus to the right-wing Timorese Democratic Union (UDT), Fretilin’s strongest opponent.15 Civil war erupted between UDT and Fretilin in August of 1975, with pro-independence Fretilin emerging victorious. Supported by elements of Apodeti and the UDT, Indonesian military forces attacked Fretilin shortly after the civil war. Facing a larger Indonesian invasion, Fretilin declared East Timor an independent nation on 28 November 1975. Indonesia invaded two days later, and on 7 December attacked the capital of Dili. Less than a year later, on 17 July 1976, Indonesia incorporated East Timor as its 27th province. From 1975 to 1981, the General Assembly ‘passed annual resolutions reaffirming the inalienable right of the Timorese to self-determination and expressing concern at the suffering – which was indeed extreme – of the civilian population.’16

For 24 years, the Suharto regime ruled East Timor with an iron fist, with an estimated 200,000 Timorese – roughly one-third of the population – killed in fighting and famine.17 The plight of East Timor, however, received little attention from the rest of the world. In 1976, many countries were reluctant to sanction Indonesia for ousting a political party with Marxist leanings, and support for East Timor did not increase with the end of the Cold War despite continued human rights violations. It was not until the Asian economic crisis of 1997–98, which served as a catalyst for the downfall of President Suharto, did the situation in East Timor begin to see tangible change.

In January 1999, B.J. Habibie, Indonesia’s new president, announced that he planned to afford the people of East Timor the option of self-determination. On 5 May 1999, Jakarta signed agreements with Portugal and the UN that allowed a UN electoral monitoring mission to supervise a referendum in East Timor, with the Indonesian National Armed Forces (TNI) providing security. UN Security Council Resolution 1246 established UNAMET to organize and administer the ballot, which took place on 30 August 1999. With a 98.6 percent voter turnout, 78.5 percent of the population voted against autonomy within Indonesia in a de facto vote for complete Timorese independence.18 Following the results of the referendum, pro-autonomy forces led a three-week scorched earth campaign known as ‘Operation Clean Sweep,’ the operation ‘in which an estimated 1,500–2,000 Timorese were killed and led to the displacement of three-quarters of the total population of 890,000, including the exodus of 250,000 persons’.19 What is more, 70 percent of the physical infrastructure was destroyed.20
UNAMET was unable to halt the violence that broke out in 1999 and the majority of the mission’s staff was evacuated. International pressure on Indonesia eventually forced the acceptance of a UN-mandated multinational force (the International Force for East Timor, INTERFET) headed by Australia, and in October 1999, Indonesia formally accepted the results of the referendum and turned power over to a newly established UN mission, UNTAET. UNTAET operated with and eventually replaced INTERFET when the Australian-led peace enforcement operation left in February 2000. In August 2001, Timor-Leste elected an 88-member Constituent Assembly, an assembly that later adopted a constitution (March 2002) and held the country’s first presidential election (April 2002). Former FALINTIL commander Xanana Gusmão won by a landslide with 82.69 percent of the vote and became the country’s first president, and on 20 May 2002 Timor-Leste became an independent country. UNTAET concluded its mission following independence and formally handed over sovereignty of the country to the Timorese, marking the end of a three-year-long passage to independence under the guidance of the UN.

That same day, the UN established UNMISET through SC Resolution 1410 (2002) to provide assistance to the country until the Timorese were capable of self-governance. The mission was completed on 20 May 2005. Despite isolated incidents of violence, no large-scale campaigns took place in the country during UNMISET’s deployment.

UNTAET and UNMISET were successful when evaluated by criteria that measure humanitarian assistance, resettlement of the population, electoral assistance, and emergency rehabilitation. Neither mission, however, succeeded with respect to a number of important peacebuilding tasks, most notably in building the security and defense institutions in the newly independent country.

When UNMISET ended on 20 May 2005, a successor UN political mission – UNOTIL – was established. UNOTIL was scheduled to conclude in May 2006; however, the violence that erupted in 2006 caused a breakdown within the security forces, displaced the urban population, and prompted the resignation of the prime minister. This outbreak of rioting led the SC to prolong UNOTIL’s mandate and, ultimately, to launch a new UN mission – the UNMIT. The new mission’s mandate mostly focuses on the reform, restructuring, and rebuilding of the national police service – the Policia Nacional de Timor-Leste (PNTL). In 2012, UNMIT’s mandate was extended until 31 December 2012. Because of growing dissatisfaction with the international presence in Timor-Leste particularly with the UN missions’ performance, however, local authorities have voiced their opposition to the current mission, which warrants a careful examination not only of UN capabilities in the context of Timor-Leste, but also of the local context that is inexorably tied to the missions’ success.

Concerning the performance of the UN peacekeeping missions in Timor-Leste, there are a number of dissenting opinions. Howard as well as Smith and Dee, for example, are positive in their evaluations. These authors, among others, cite organizational learning and eventual adaptation to the local context when concluding that the UN missions were successful. Our study offers a more
cautious evaluation, primarily because we believe that the UN could have done more to foster local participation in statebuilding, the lack of which undermined the UN’s effectiveness and stained the legitimacy of UN efforts.

Other authors, Chopra and Hughes, for example, are critical of the UN in Timor-Leste. Such authors focus on the lack of local participation in statebuilding and the subsequent inefficiency of the efforts to rebuild the country. They argue that the UN became a ’neo-colonial’ power, i.e., that it imposed state structures without regard for the local context. Chopra’s main criticism is that the UN was not equipped to assume responsibility for the country and that the UN acted as it were a state; Hughes similarly asserts that the UN’s administrative authority turned into a form of sovereignty.28 While these authors are indeed correct in their criticisms, we opt to take a broader perspective. The missions in Timor-Leste were less than perfect, but they did contribute to the revival of a devastated country and, hopefully, to improvement of the UN’s peacekeeping efforts in the future.

UN CAPABILITIES IN TIMOR-LESTE

As the only true global institution, the UN’s organizational capabilities are limited by the political will of its member states. Although the UN has access to vast resources, the size and scope of the UN as an international institution can limit its effectiveness. With respect to Timor-Leste, the UN wanted to create an example of successful peacekeeping that incorporates peacebuilding activities: ’in Timor-Leste, all the ingredients for manageable operations seemed present. If the UN could not succeed here, the feeling was that it would hardly succeed anywhere.’29 Indeed, most of the shortcomings in Timor-Leste should not be attributed to a lack of resources, but rather to contextual factors and an inability to adeptly delegate responsibilities within the UN’s structure.30

Capabilities to Act

The UN’s capabilities to act in civil wars are mostly determined by the missions’ mandates. During UNAMET – the referendum observation mission – TNI-supported militias cultivated an oppressive atmosphere through violence and intimidation. Because UNAMET was not structured to coordinate combat missions, there was little they could do to halt the violence leading up to the ballot and, most strikingly, to stop ‘Operation Clean Sweep.’ On 29 June 1999, militias stoned the UNAMET Regional Office in Maliana, forcing the UN to relocate election officers to Dili. On 4 July, militias attacked a humanitarian aid convoy in Liquica.31 Violence continued throughout the polling day, when militia members armed with automatic weapons killed a UN staffer and forced the closure of the polling station at Atsabe.32 Finally, ‘Operation Clean Sweep’ was a clear indicator that military actions needed to be coordinated. During INTERFET, the international community deployed professional soldiers with a strong enforcement mandate and pushed militias back to West Timor, paving the way for UNTAET’s deployment. Once UNTAET officially took authority in Timor-Leste in February 2000, it assumed INTERFET’s
experienced and successful military structure as well as 70 percent of its actual forces.\footnote{experienced and successful military structure as well as 70 percent of its actual forces.\footnote{Having inherited an effective combat force, UNTAET was able to keep militias from doing serious damage in Timor-Leste during its deployment. At the height of activity in the summer of 2000, UNTAET estimated that up to 150 militia members were operating in Timor-Leste, compared to UNTAET’s authorized military component of 8,950.\textsuperscript{34} On 24 July 2000, a New Zealand peacekeeper was killed by militia members in the Covalima district; a Nepalese soldier was killed two months later in the same district. To quell these assaults, UNTAET successfully launched counteroperations before pro-autonomy militias could take civilian lives or disrupt peace operations.\textsuperscript{35} Without a Chapter VII enforcement mandate and a robust military component, militia activity could have been exceedingly more destructive.

Although UNMISET was initially deployed with 5,000 peacekeeping soldiers and an enforcement mandate, the UN quickly tapered its presence with respect to security. This paring down was possible because by the time UNMISET was operational, Timor-Leste had an official military force (Falintil-FDTL, F-FDTL) that could conduct security operations. Many observers pointed out, however, that Timor-Leste’s police and military forces were underdeveloped during both UNTAET and UNMISET: ‘at independence on 20 May 2002, neither the ETPS (Timor-Leste Police Service) nor the FDTL (Timor-Leste Defense Force) were ready to take over full responsibility for public security and external defense.’\textsuperscript{36} Thus, UNTAET and UNMISET failed in building fully operational military and police forces, a failure that led to the violence in 2006.

Naturally, the UN peacekeeping missions’ capabilities to act can be both strengthened and undermined by their mandates, as in the case of Timor-Leste. Although UNAMET was largely successful in overseeing the independence referendum – its major task – the lack of a stronger mandate or capacity prevented it from stopping Operation Clean Sweep. UNTAET was granted an unprecedented amount of authority to maintain security in Timor-Leste and created a transitional administration; however, its mandate did not specify how this enormous undertaking should have been conducted, ‘which once established, was slow to change with the reality on the ground.’\textsuperscript{37} While UNMISET was also provided with a robust military component and a broad mandate, how the mission should have involved the local population in the building of national structures was similarly not specified and, as a result, local participation was virtually excluded. UNOTIL was envisioned to be a small mission of transition from UN to Timorese rule; failure to appreciate the potential for violence led to the fact that its mandate failed to prevent the violence of 2006. Indeed, it has been argued that the UN ‘failed to address the internal dimensions of the security threat posed by rivalries among political groups.’\textsuperscript{38} The current mission – UNMIT – was able to contribute to the restoration of security in the country, although not without significant Timorese participation.
Capabilities to Fund

The UN’s funding capabilities in Timor-Leste have rather generously been appropriated and when necessary helped by external donors. Following President Habibie’s announcement in January 1999, a group of 30 countries in support of Timor-Leste was formed at the UN, with a core group of the United Kingdom, the United States, Australia, New Zealand, and Japan. This coalition bolstered support for Timor-Leste throughout the international community’s involvement there and acted as an ‘unofficial coordination committee.’ In response to the post-referendum fallout, the UN established a trust fund for the Australian-led INTERFET, to which Japan promptly donated $100 m. Thanks, in no small part, to international donors, namely Australia, INTERFET was a successful, well-funded mission, and almost all of the resources procured for INTERFET were transferred to UNTAET during their five-month overlap from October 1999 to February 2000.

With the Asian economic crisis, it was exceedingly difficult for developing countries to self-fund their involvement in INTERFET. To secure strong regional participation in Timor-Leste, another Indonesian prerequisite, Australia offered to provide advance payment for Association of Southeast Asian Nations (ASEAN) countries, on faith that their actions in Timor-Leste would warrant reimbursement. As Australia paid its own costs in addition to supplying more than half of the operating force, their overall contribution to INTERFET was more than $360 m. For the Transitional Administration, however, much more was needed in terms of resources.

The original budget for UNTAET was approved despite the fact that it was larger than the UN budgets in Kosovo or Sierra Leone. The UN during UNTAET provided the entire breadth of governmental services, a responsibility that necessitated an average of $500m a year, eventually totalling $1.28bn in UN-assessed contributions. At the same time, several observers warned that UNTAET’s planning phase, which was conditioned by the Secretariat’s judgment of major countries contributor’s budgets and treated as a regular PKO, might have been too rushed, and ‘as a mission financed by assessed contributions, it had built-in demands for rapid completion.’ Thus, one could argue that the nature of UN’s funding for this operation led to the somewhat rushed planning phase of UNTAET, which in turn created an impediment in building the necessary security and defense institutions.

At the same time, the high operating costs were assuaged by an array of internationally funded developmental programs. Most of the major programs in Timor-Leste were under the direction of and funded in part by the World Bank, specifically its Community Empowerment and Local Governance Project (CEP). UNTAET and the World Bank facilitated the repair of irrigation systems and farm feeder roads in the agricultural sector as well as the construction of schools and general infrastructure, including the rehabilitation of the nation’s water. Corn and rice production returned to pre-1999 levels; fisheries were reestablished; water and sanitation services were returned; and hospitals, power stations, and community health stations were built. Restoration of agriculture and pisciculture was
particularly important, as this sector provided an estimated one-third of the total gross domestic product during UNTAET.48

Like UNTAET before, UNMISET did not encounter many problems with respect to financing the operation, although at the inception of UNMISET there was some hesitation among members.49 UNMISET’s budget ranged from $287.9 m for the period July 2002–June 2003 to $85.2m for 2004–05. In addition to the development of infrastructure, continued international commitment was crucial in the creation of national security forces. Funds received allowed UNMISET to construct communications systems, a permanent base for the first F-FDTL battalion as well as provide weapons to the police and maintain their buildings.50 As of 13 February 2004, the PNTL policed the entire country with 3,024 trained officers,51 and the F-FDTL provided regular security in the eastern districts.52

When the UN could not pick up the bill, some external donors stepped in. For example, the lack of progress in the development of PNTL capacities by UNMISET in early 2003 conditioned the fact that Australia and the United Kingdom initiated a major program of support for the AU – $40m for four and a half years for ‘policy development, financial and human resource management, and on police operations, including logistics and communications, and training development and delivery.’53 The World Bank also became involved in providing technical assistance to the Timor-Leste Ministry of Planning and Finance.54

During its deployment, UNOTIL was also adequately funded. The approved budget for the UNMIT mission (2010–11) was $206,311,600.55 Overall, one should stress that the availability of funding from both within the UN and with respect to external donors has been favorable in the case of Timor-Leste, especially when compared with other peacekeeping missions in civil wars.

Capabilities to Cooperate and Coordinate

With respect to the capabilities to coordinate, organization members provided a relatively timely supply of necessary resources such as personnel and logistics. The UN also successfully integrated the World Bank’s CEP as well as the United Nations High Commissioner for Refugees into the mission, resulting in the partial rehabilitation of Timor-Leste’s infrastructure and the return of over 200,000 refugees.56

Regarding cooperation within the UN, there have been significant disagreements among commanders on the ground, for example, between Special Representative of the SG (SRSG) Sergio Viera De Mello and several senior officials, including Jarat Chopra – Head of UNTAET’s Office of District Administration – who later resigned from his post there.57 De Mello was sensitive to this critique, which called on the UN mission to be tied to the local situation, and restructured the mission to include a system of co-governance with the local population. This met some resistance from UN headquarters in New York.58 The decision not to include the local population in governance from the start stemmed to a significant degree from the fact that the planning for the operation was largely modeled after the UN’s
experience in Kosovo – an entirely different mission – that created an additional impediment for UN personnel within Timor-Leste. 59

There were also concerns about the lack of effective leadership on the ground, particularly during UNMISET’s deployment. The lack of appropriate leadership arguably ‘was caused partly by the politicized nature of senior appointments. Throughout UNTAET and UNMISET, the appointments of the CIVPOL commissioner and his/her deputies were largely contingent upon the appointees’ nationalities rather than their expertise and experience ... UNMISET was plagued by lackluster leadership, not only within the CIVPOL contingent but also at the uppermost echelons of the mission itself.’60

Finally, political infighting in New York significantly compounded the issue. The UN DPA planned the election monitoring UNAMET and had been active in Timor-Leste for some time when the Transitional Administration arrived in the autumn of 1999. During UNAMET, the UN demonstrated sensitivity on the local level and directly selected ‘political officers with particular knowledge of Indonesia and Timor-Leste and appropriate language skills.’61 The authority to lead UNTAET, however, was given to the DPKO.62 A corollary of this is that the DPKO hired professionals for UNTAET with little or no knowledge of the region.63 The lack of personnel with local knowledge and the infighting between the DPA and the DPKO resulted in a failure to communicate, ultimately to the detriment of the Timorese people.

International and Regional Context

The high level of support for the people of Timor-Leste was one of the most unique aspects of the UN involvement there. To be exact, it was not the magnitude of support that was unique, rather the lack of the opposition from the SC’s permanent members in the post-Cold war period. When Indonesia incorporated Timor-Leste in 1976, the plight of the Timorese was obscured by Cold War politics. Western powers were unwilling to reprimand Indonesia, a country that was friendly to Western interests, for invading an area dominated politically by left-wing parties. Once the opportunity came to assist the Timorese in 1999, the SC held eight discussions and unanimously passed six resolutions.64 ‘A crescendo of diplomatic pressure was applied against the Indonesian government. It was led by the intense personal diplomacy of Kofi Annan, in close partnership with Prime Minister John Howard of Australia.’65 The SG insisted upon Indonesia’s acceptance of an Australian-led force, while also ensuring the participation of Asian countries as per Indonesia’s request.

Thus, SC politics were not an impediment here. Moreover, Indonesia did not show any explicit resistance to Timorese independence, even though its militias had been exceedingly malicious throughout the nation’s history. International pressure forced Indonesia to publicly accept independence for the Timorese, even if it resisted implicitly. The United States in particular was instrumental in securing Indonesian consent for peacekeepers, an SC prerequisite to authorize an international force. After the Asian economic crisis of 1997–98, Indonesia was
indebted to the International Monetary Fund (IMF) and the United States. The
Clinton administration proceeded to sever military ties (training and support) with
Jakarta and exerted leverage through economic sanctions to persuade the Indonesian
government to accept a peacekeeping force.\textsuperscript{66} Coercing Indonesia into accepting a
PKO was a crucial step on the road to an independent Timor-Leste, although more
needed to be done.

Security Council members’ concerns with respect to Indonesia’s reaction led to
delays in planning when UNTAET was to take over INTERFET and at least partially
influenced the UN’s decision to administer the territory rather than delegate
authority to the Timorese: ‘the constitutive principles of the emerging UN state of
Timor-Leste reflected in some respects the political logic in the Security Council
that embodied caution and consensus . . . The UN would “need to be fully
responsible for the administration of the territory” in the transition period, and would
itself be the administrative agent. The voice of the Timorese would only be heard
through unspecified “mechanisms for dialog at the national and local level.”’\textsuperscript{67}
While international and regional support was essential to the independence
movement in Timor-Leste, the resulting international administration of the
emerging country also contributed to the continued exclusion of the Timorese from
positions of authority.

The participation of regional and other countries in Timor-Leste has been
positive, having provided military, police, and civilian personnel as well as other
resources. Australia provided numerous military contingents and has been very
active politically, Japan contributed significantly financially, and missions had Force
Commanders from Thailand and the Philippines.\textsuperscript{68} For example, in July 2000, the
Philippines and Thailand deployed 623 and 919 troops, respectively, to Timor-
Leste.\textsuperscript{69} Portugal – a European country with historical links to Timor-Leste – also
played an important role in the missions. Among the current missions’ 1,241
personnel, the largest contributors are Bangladesh, Malaysia, Pakistan, Australia,
and Portugal (the latter contingent was instrumental in stopping the 2006 violence as
the Portuguese personnel had training in anti-urban rioting skills).\textsuperscript{70}

Local Context
Following ‘Operation Clean Sweep,’ of Timor-Leste was devastated. In addition to
the violence and displacement of hundreds of thousands of Timorese, when the
Indonesians pulled out, they razed the country. What is more, prior to 1999,
Indonesian bureaucrats filled the vast majority of government posts; a wealth of
experience left the country with the exit of the Indonesians. One advantage the UN
had, however, was the support of the Timorese under the capable leadership of
Xanana Gusmão. For years, the oppressed population recognized the UN as their
only legitimate means of freeing themselves from the Indonesians. This
understanding is represented most clearly by the UN’s relationship with the
Timorese resistance group Falintil.

The most important assistance peacekeepers received from Falintil was the
group’s willing separation from the fighting. Under the directive of resistance leader
and eventual president Xanana Gusmão, Falintil fighters cantoned themselves on base while militias destroyed the country they fought more than two decades to free. Falintil remained there throughout UNTAET’s and some of UNMISET’s deployment. Gusmão understood that in order for the independence movement to be legitimate, Falintil could not be complicit in the fighting. Gusmão also understood that any direct contact between Falintil and Indonesian security forces had explosive potential. If these two groups were to come into direct conflict, everything that the UN had accomplished – rehabilitation of agriculture and infrastructure, creation of the National Council (NC), etc. – could have been for nothing. UNTAET commanders eventually integrated Falintil fighters into peacekeeping units – a tremendous display of consent and cooperation on the part of the local population, as this shows a willingness to take directives from international force commanders. Another demonstration of the local support for UN peacekeeping was the fact that ‘after the international intervention in 1999 in Timor-Leste, the village and suco (cluster of villages) chiefs took part in cooperative efforts with CNTR, the vast political umbrella revered by the Timorese population for its role in the resistance against Indonesia.’

As the missions progressed, however, the local population came to realize that peacebuilding was taking place without their participation. Some observers even characterized the UN’s dealings with the local population as ‘highly controversial.’ The UN did not incorporate a large enough local component into the institutional structures it was building and demonstrated disregard (stemming largely from a lack of understanding) of the local systems of governance and justice that the Timorese preferred to Westernized ones. For example, some observers noted that the UN’s call for equal rights for citizens’ access to government did not correspond to the local traditional socio-political structures based on principles of ancestral authority. A United States Agency for International Development report cited a 2003 survey of the Timorese population, which found significant support for traditional systems of justice as opposed to Western-influenced court systems.

The UN involvement in Timor-Leste has often been characterized as neocolonialist because of a centralization of power in Dili and the exclusion of the Timorese from the political process. UNTAET originated purely as a UN operation ‘with no recognized local counterpart. It had an internationally recruited civil administration, mostly staffed by persons with no expertise of the country or knowledge of locally understood languages . . .’ Sergio Viera De Mello even referred to his position as that of ‘benevolent despotism.’

In short, complete legislative and executive authority rested in the SRSG. What is more, the Transitional Administration was not accountable to the local population. In response to calls from the Timorese for a more direct stake in the governance of Timor-Leste, the SRSG created the National Consultative Council (NCC) in December 1999. Establishment of the NCC, even with its shortcomings, was a positive step for UNTAET–Timorese relations. There were, however, two main problems with the NCC, the first and most apparent of which was that it had no legislative powers and merely issued advisory opinions. The UN created the NCC
with the intention of including the Timorese in the Transitional Administration. Real
decision-making capabilities, however, remained within the small circle of the
SRSG and his advisors. As late as January 2000, only 17 professional-level staff
were active across the 13 districts, as compared to 174 working in the capital.79
The second shortcoming of the NCC was its failure to represent successfully the will
of the Timorese. In April 1998, a number of political parties in Timor-Leste, most
notably UDT and Freti\lín, merged to form the National Council for Timorese
Resistance (CNRT). The NCC was composed of seven CNRT representatives, three
pro-autonomy representatives (although they were no longer politically relevant), a
representative from the Catholic Church, and four international members, including
the Transitional Administrator.80 Although the CNRT became the de facto
voice of independence leading up to UNAMET, the Timorese felt that the NCC was too
monochromatic politically as the CNRT was the sole representative of the Timorese
people, and without opposition there can be no democracy. Furthermore, the NCC
conducted its meetings in English, which was understood by very few of the local
representatives. The people of Timor-Leste felt that the Transitional Administration,
the NCC included, was purely an international institution. They felt that the NCC
was not improving the lives of the Timorese.

Demands for the inclusion of the Timorese population into the governing
structures intensified in March–April 2000.81 In response to these pressures, the
Transitional Administration created the NC in June 2000. With 33 members, the NC
was more representative than its predecessor and served as a precursor to the
eventual parliament. Members included representatives from the 13 districts; 7
members from the CNRT; 3 members from groups opposed to the CNRT;
representatives from the Catholic, Protestant, and Muslim communities; and
members from women’s groups, youth groups, professional associations, and other
Timorese NGOs.82 Around the time of the NC’s creation, the Transitional
Administration also added local deputy administrators to the 13 district offices who
were responsible for public services and agricultural affairs.83 The UN’s efforts,
however, were insufficient. Measures to gain local acceptance for internationally
created institutions ultimately fell short, failing to corral Timorese support.

The failure of UNTAET to successfully link international institutions with the
local context was directly related to the difficulties of legitimizing the UN’s
presence during UNMISET. These effects are still felt today during UNMIT. In
short, UNTAET failed to interact with local leaders, preferring to prioritize the
building of national-level structures that could police the local level. The CEP
operated at the village level but neither village chiefs nor traditional leaders were
permitted to sit on the development councils, a provision that was designed to avoid
‘elite capture.’84

UNTAET’s failure to connect central statebuilding activities with local
structures was further compounded by the inability of the newly established elites to
communicate with villages and the population, further undermining the legitimacy
of the national government as well as the effectiveness of national structures such as
security and defense.85 A recent UN report acknowledges that:
peacekeeping operations, supported by other UN and outside actors, have confronted obstacles in transitioning to longer-term peace consolidation and development in Timor-Leste...

Operations in Timor-Leste have had all of the advantages afforded by the UN’s organizational capabilities. The missions’ effectiveness has been limited by the UN’s disregard for the paramount importance of the local context of the situation in which the UN intervenes.

CONCLUSION

The UN missions in Timor-Leste could be considered partially successful: UNAMET supervised the referendum; UNTAET oversaw internally displaced persons (IDP) returns, maintained a secure environment, and assisted in the country’s first elections; UNMISET trained local security forces; UNOTIL attempted to maintain security in 2006; and UNMIT assisted in the restoration of security after the violence of 2006.

Overall, in Timor-Leste the UN demonstrated sufficient capabilities across all three dimensions of action: funding, cooperation, and coordination. The missions were given robust, albeit ambiguous, mandates – the necessary funds were dispersed largely without delay and the UN successfully cooperated with regional actors (e.g., Australia, Indonesia, and ASEAN countries) and other international organizations (e.g., the IMF and the World Bank). While critics and observers often discuss the apparently inert leadership and the difficulties caused by infighting between the UN’s DPKO and DPA, these shortcomings are offset by other, more positive aspects of the UN’s performance in Timor-Leste. Although coordination both within and outside the UN was less than perfect, it was comparatively better than in many other peacekeeping missions. In addition to the UN’s organizational capabilities, the international and regional contexts were also conducive to success.

A careful examination of the local conflict context in which the various UN missions in Timor-Leste worked, however, warrants a word of caution concerning the appropriate nature of UN mandates and evaluation of the local situation. In short, the UN misinterpreted the local realities and appropriately labeled Timor-Leste a terra nullius, a corollary of which was the belief that institutions had to be built anew with minimum local participation. This initial misconception was so egregious that not even ‘Timorisation’ could legitimize the UN’s presence in Timor-Leste. What is more, the UN attempted to reconstruct Timor-Leste by delegating responsibilities to bureaucrats and soldiers who were not qualified to be involved in the process of peacebuilding and could not even communicate with the local population. This approach led to a number of inadequacies, among them the failure to create solid internal security structures – a contribution to the violence of 2006. The UN involvement in Timor-Leste illustrates the importance of properly evaluating the conflict context before deployment and, inversely, the danger of an a priori assessment. Imprecise mandates, a top–down approach lacking transparency and accountability vis-à-vis the local population and a failure to incorporate local actors
meaningfully in peacebuilding activities can significantly impair a mission and, subsequently, diminish the reputation of peacekeeping in general. Thus, the UN has the capacity to create a secure environment and ameliorate the underlying causes of instability; however, having the capacity to mitigate issues in a given conflict is different from having an aptitude for it.

NOTES

1. The SC has traditionally been the most powerful actor, although the Secretary-General operates behind the scenes as well as oversees the implementation of SC decisions. The role of the General Assembly is stressed in the Uniting for Peace General Assembly Resolution 377, which states that in situations that involve a threat to peace, breach of peace, or an act of aggression where the SC fails to act for lack of unanimity among the permanent members, the General Assembly shall immediately consider the matter and make recommendations to Members for collective measures. Uniting for Peace General Assembly Resolution, United Nations, A/RES/377(V)[A-C], 3 Nov. 1950, online at <www.un.org/depts/dhl/landmark/pdf/ares377e.pdf>, accessed 12 Dec. 2011.


10. Ibid., p.12.

11. Pushkina (note 2).


21. UNTAET was established by SC Resolution 1272 (1999) as an integrated, multi-dimensional peacekeeping operation. UNTAET is consisted of three pillars: (1) a governance and public administration component (the East Timorese Transitional Administration); (2) a UN peacekeeping force of equivalent size to INTERFET (the SC-authorized multinational force launched in September 1999 under a unified command structure headed by Australia to restore peace and security in East Timor, to protect and support UNAMET in carrying out its tasks and, within force capabilities, to facilitate humanitarian assistance operations); and (3) humanitarian assistance and rehabilitation components. Mission’s actual strength was 7,687 total uniformed personnel (including 6,281 troops, 1,288 civilian police and 118 military observers; UNTAET also included 737 international civilian personnel and 1,745 local civilian staff), online at <www.un.org/en/peacekeeping/missions/past/unmit/background.shtml>, accessed 15 Aug. 2011.

22. UNMIT’s mandate authorized the mission to provide assistance to core administrative structures critical to the viability and political stability of the country; to provide interim law enforcement and public security and to assist in developing the East Timorese police service; and contribute to the new country’s internal and external security. UNMIT reached its peak strength on 31 August 2002: 4,776 military staff; 771 UN police; 465 international civilian staff; 856 local civilian staff. From the very beginning of the mission, the SC made clear that the downsizing of UNMIT should proceed as quickly as possible (after a careful assessment of the situation on the ground) and that the mission would, over a period of two years (later extended to three), fully delegate all operational responsibilities to the East Timorese authorities as soon as possible without jeopardizing stability, online at <www.un.org/en/peacekeeping/missions/past/unmit/>, accessed 15 Aug. 2011.


25. UNOTIL (May 2005–August 2006) supported the development of critical State institutions and the police and provided training in observance of democratic governance and human rights, online at <www.un.org/en/peacekeeping/missions/unmit/background.shtml>, accessed 15 Aug. 2011. UNMIT’s mandate (SC Resolution 1704 (2006)) authorized the mission to support the Government and relevant institutions; to support Timor-Leste in the 2007 presidential and parliamentary elections; to ensure the restoration of public security; to assist, in further building the capacity of State and Government institutions in the justice sector; to assist in strengthening the national institutional and societal capacity and mechanisms for the protection of human rights and for promoting justice and reconciliation, including for women and children; to facilitate the provision of relief and recovery assistance and access to the Timorese people in need; to assist the Office of the Prosecutor-General of Timor-Leste to resume investigative functions of the former Serious Crimes Unit; to cooperate and coordinate with UN agencies, funds, and programs; to mainstream gender perspectives and those of children and youth, online at <www.un.org/ga/search/view_doc.asp?symbol=S/RES/1704/>, accessed 15 Aug. 2011. As of 31 December 2011, UNMIT consists of 1,216 total uniformed personnel: 1,183 police and 33 military liaison officers; 394 international civilian staff; 883 local civilian personnel; and 211 UN Volunteers, online at <www.un.org/en/peacekeeping/missions/unmit/facts.shtml>, accessed 20 Mar. 2012.

26. See, for example, Edward Rees’ comments in The Atlantic, online at <www.theatlantic.com/international/archive/2010/12/time-for-the-un-to-withdraw-from-east-timor/68,334/>, accessed


28. Chopra (note 20) and Hughes (note 24).


30. Anthony Goldstone, ‘UNTAET with Hindsight: The Peculiarities of Politics in an Incomplete State’, Global Governance 10 (2004) pp.83–98. Goldstone points out that most of the literature on UNTAET agrees that ‘the powers granted to the transitional administration were unparalleled and that the conditions in which it operated were conducive to a successful outcome’.


36. Martin and Mayer-Rieckh (note 16) p.135


41. Smith and Dee (note 15) p.412.

42. Ibid., p.423.

43. Goldstone (note 30) p.87.

44. Suhrke (note 29) p.10.

45. Chopra (note 20) p.984.


47. Howard (note 13) p.288.


50. Smith and Dee (note 15) p.450.


52. This figure, however, does not highlight the professionalism of the created security services that many observers found rather unsatisfactory. See, for example, Goldstone (note 30), Suhrke (note 29) pp.1–20, Lemay-Hebert (note 19).


54. Ibid., pp. 154–55.


57. Lemay-Hebert (note 19) p.204.

58. Ibid., p.207.
59. For details, see Lemay-Hebert (note 19), Suhrke (note 19).
61. Martin and Mayer-Rieckh (note 16) p.130.
62. Suhrke (note 29) p.6; Goldstone (note 30) p.84.
63. Ibid., p.10.
64. Howard (note 13) p.288.
68. Martin and Mayer-Rieckh (note 16) p.139.
71. Smith and Dee (note 15) p.442.
72. Lemay-Hebert (note 29) p.199.
75. Ibid., p.198.
76. See, for example, Chopra (note 20).
77. Suhrke (note 26) p.11.
79. Chopra (note 20) p.988.
80. Howard (note 13) p.278.
82. Ibid., p.280.
83. Chopra (note 20) p.987.
84. Hughes (note 24) p.234.
85. Many observers point to this problem. See, for example, (note 24) p.224; Goldstone (note 30); Hood (note 53).
87. Some of these difficulties are typical for international territorial administration. Please refer to excellent works by Bernhard Knoll, The Legal Status of Territories Subject to Administration by International Organizations (Cambridge: Cambridge University Press 2008); Carsten Stahn, The Law and Practice of International Territorial Administration (Cambridge: Cambridge University Press 2008).