

Timor-Leste

In 2005 the UN's presence in Timor-Leste was winding down with a sense of job well done. Peacekeepers had withdrawn and the UN Office in Timor-Leste (UNOTIL), the small political mission, was scheduled to end in May 2006. Although not without its critics, the UN appeared to have successfully laid strong foundations for sustainable peace in the recently established state. As 2006 closes, the picture is much different. Responding to two months of riots, shootings, and the disintegration of state security, the Timorese government invited military and police assistance from Australia, New Zealand, Malaysia, and Portugal. International troops were deployed in May under Operation Astute. Three months later, the Security Council established the multidimensional UN Integrated Mission in Timor-Leste (UNMIT), the fifth UN mission on the island since 1999, and the third since independence in May 2002. Secretary-General Kofi Annan observed that the magnitude of the tasks facing UNMIT meant it was "likely to stay for many years." UNMIT will have to address issues that were either incompletely dealt with or hedged during the transitional administration phase. Although all elements of the mission are interconnected, its success will be measured largely by its effectiveness in helping to reestablish the police and military.

Background

Soon after representatives of the Frente Revolucionária do Timor-Leste Independente (Fretilin) declared independence in 1975, Indonesia invaded and then annexed East Timor. After twenty-four years on the UN's agenda, in January 1999 Indonesia proposed

a referendum to offer the people of East Timor a choice between autonomy within Indonesia and independence. The UN conducted the "consultation" on 30 August 1999, with 78.5 percent of voters rejecting the Indonesian proposal. Pro-Indonesian militias immediately launched a campaign of violence, which was not contained by the Indonesian authorities. In addition to large-scale casualties, East Timor was physically devastated and Indonesian administrators—including the majority of people with higher skills and education—left the territory.

Under intense pressure, President B. J. Habibie agreed to an international security presence to quell the violence. On 15 September 1999, the Security Council authorized the Australian-led International Force for East Timor (INTERFET) to restore peace and security under Chapter VII of the UN Charter. In October, the UN Transitional Administration in East Timor (UNTAET) was established to administer the territory for a transitional period, and to take over from INTERFET in early 2000. UNTAET assumed full governing powers over East Timor. Partly in response to complaints about its heavy-handedness, it set up a series of power-sharing transitional arrangements with the Timorese leadership starting in mid-2000. East Timor progressively assumed governing authority. On 20 May 2002, the country became independent, with Alejandro "Xanana" Gusmão sworn in as its first president.

Following independence, UNTAET was replaced by the UN Mission of Support in East Timor (UNMISSET), with a mandate to provide security, assist in the development of

a local police force, and engage in “capacity building” and other forms of support to public administration. Most of the UN’s executive functions were handed over to the new Timorese government. However, pending establishment of a fully functioning domestic police service, UNMISSET retained interim law enforcement authority. UNMISSET also maintained a substantial military presence of 5,000 (at its peak) to deter continuing threats from militias based in West Timor. A new Timorese defense force was created, but a large number of demobilized Falintil were not incorporated into the new army. This laid the foundations for the trouble that was to emerge in 2006.

UNOTIL, Operation Astute, and UNMIT: Mandates and Functions

In May 2005, UNMISSET was replaced by UNOTIL, a much smaller mission than its predecessors, composed of 180 international staff. The creation of UNOTIL was itself a political compromise between members of the Security Council. Led by the United States, some members argued that the peacekeeping phase in Timor-Leste was largely complete, while others, including the Timorese government, argued that further support was needed to strengthen fledgling state institutions. UNOTIL’s one-year mandate was basically a continuance of UNMISSET, with a focus on security and support for public administration, justice, and law enforcement institutions and for promotion of democratic governance and human rights. The purpose of the mission was to guide the transition from a large peacekeeping operation to coordinated development assistance. With numerous bilateral and multilateral programs in Timor-Leste, the Special Representative of the Secretary-General (SRSG) organized regular consultative group meetings with donor countries and the Timorese government. Capacity-building initiatives continued, albeit in smaller scale.

A major focus of UNOTIL was police training. As the Policia Nacional de Timor-Leste (PNTL) was judged capable of delivering basic



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Operation Astute

• Authorization date	20 June 2006 (UNSC Res. 1690)
• Start date	May 2006
• Head of mission	Brigadier Mal Rerden (Australia)
• Budget	n/a
• Strength as of 30 September 2006	Troops: 1,085 Civilian police: 445

For detailed mission information see p. 384.

UN Integrated Mission in Timor-Leste (UNMIT)

• Authorization and start date	25 August 2006 (UNSC Res. 1704)
• SRSG	Atul Khare (India)
• DSRSG	Finn Reske-Nielsen (Denmark)
• Police commissioner	Rodolfo Asel Tor (Philippines)
• Budget	\$49.96 million (commitment authority)
• Strength as of 30 September 2006	Military observers: 18 Police: 463 International civilian staff: 80 Local civilian staff: 227 UN volunteers: 34

For detailed mission information see p. 333.

policing services, UNOTIL concentrated on training, including for specialized units such as border patrol and forensics. However, strain between the PNTL and the armed forces precipitated renewed violence. Compared to the police, the Falintil–Forças de Defesa de Timor-Leste (F-FDTL) was relatively neglected by the international community including UNTAET and UNMISSET, poorly funded by donors, and sidelined by the Timorese prime minister. It was an institution without a role.¹ As many of its everyday functions were assumed by the PNTL, alleged unfair treatment ignited discontent. In February 2006, 594 officers went on strike over discrimination and promotions. The decision of the chief of the defense force to sack them in March 2006 prompted demonstrations by officers that took on a violent character.

By late May, security had collapsed so completely that then-foreign minister José Ramos-Horta requested military and police assistance from Australia, New Zealand, Malaysia, and Portugal—key bilateral donors—to help stabilize the situation. The Security Council expressed “understanding” for this request, and over 2,000 troops and police from these countries began to deploy as the Australian-led Operation Astute. Under the operation, the Australian Defense Forces (ADF), with assistance from the New Zealand Defense Forces (NZDF), arrived in Dili on May 26, calming the situation to some extent.

Security Council Resolution 1704 was passed on 25 August 2006, paving the way for UNMIT. Authority for policing was transferred from Operation Astute to the UN. Among UNMIT’s assignments are: supporting the 2007 elections, institutional development of the police and armed forces, justice sector development, relocating displaced persons, and using good offices to help reconcile a fractured polity. Restoring public security is a mission priority, and UN civilian police will be its most visible face. At full strength it will include some 1,608 officers. UN police will provide interim executive policing support,

while simultaneously reconstituting the deeply politicized, institutionally weak PNTL.

UNOTIL, Operation Astute, and UNMIT: Key Developments and Challenges

The acrimony precipitated by the dismissal of 594 soldiers escalated in April and May, and increasingly acquired an ethnopolitical character, as armed groups from Timor’s eastern and western provinces clashed. The police force split along similar lines. Twenty people died and many houses were destroyed. Among the brutal incidents that occurred were the killing of nine unarmed police officers by soldiers, and a mob burning-to-death of six women and children in their home. Among the ransacked buildings was the office of the prosecutor-general, in which the original records of the investigations of serious crimes in East Timor in 1997 were kept. One hundred fifty thousand Timorese—15 percent of the entire population—sought refuge in makeshift camps.

Within the space of a few months, many of the institutions established by the UN, and then handed over to the government of Timor, appeared to have unraveled. The tensions laid bare cracks in the leadership, the police, and the security forces. The government seemed paralyzed, with rumors of a split between the unpopular prime minister Mari Alkatiri and President Xanana Gusmão. It soon became clear that it could not control the spiraling insecurity. The PNTL and F-FDTL were at best incapable, and at worst complicit in crime and lawlessness. The small UNOTIL mission could do little in such circumstances, and Operation Astute was called in.

Further to securing key areas in Dili, including the air- and seaport, UN headquarters, and government buildings, ADF and NZDF forces helped evacuate nearly 500 foreign nationals. Some weapons were confiscated from gangs, and a semblance of order was restored. However, clashes spread from Dili to other towns and cities as government

wrangles continued, with Prime Minister Alkatiri refusing to resign. By mid-June, greater stability returned, with the departure of Alkatiri and the ministers of interior and defense. Weapons began to be handed to peacekeepers, including the symbolically important rifle of the mutineers' leader, Major Alfredo Reinondo, chief of the military police, who deserted the military in early May.

Troops were followed by the deployment of international police from Australia, Malaysia, New Zealand, and Portugal. As the PNTL lacked legitimacy and capacity, the international police took on daily police functions. The mandate of UNOTIL was extended by three months, while a team led by Ian Martin, former head of the UN Assistance Mission to East Timor, was dispatched to assess the situation and use the Secretary-General's good offices to facilitate dialogue between the various factions. Annan opined that perhaps the UN had withdrawn too soon: "Would it have made a difference if the U.N. had stayed longer, if we had not drawn down our forces too quickly? This is something that I must assess."²

The need for foreign troops a year after the departure of the last international peacekeepers raised doubts about the long-term prospects of one of the world's youngest nations. Beyond insecurity, Timor-Leste must cope with deep-seated social, economic, and governance problems: high unemployment, rapid population growth, inadequate infrastructure, a weak public sector with limited service capacity, poor governance, and fragile state institutions. Unemployment is running at about 40 percent and is higher among the youth, per capita gross domestic product is \$350 a year, few industries exist apart from coffee, and the birthrate is 7.8 per woman, among the world's highest. Half the population still has no access to safe drinking water. Revenue from oil and gas in the Timor Sea has yet to fill government coffers.

Encouraged to do so by the Timorese government, the UN made plans for a long-term

operation to rebuild what had been regarded as a peacekeeping success. This will be a second test of the ability of UN peace operations to effectively build state institutions. The UN arrived better prepared this time, as the UN system was less integrated to handle complex peacekeeping in 1999. With UNMIT, there has been a greater lead-in time and rigorous planning. Many senior personnel have experience in Timor, including the Deputy Representative of the Secretary-General (DRSG), Finn Reske-Nielsen. UNMIT also deals with a supportive Timorese administration, led by a new prime minister, former foreign minister and Nobel laureate José Ramos-Horta.

With state building as the foremost challenge, the overriding objective of UNTAET and UNMISSET was to recruit, train, and deploy a large number of PNTL officers (approximately 2,800) in a very short time frame. However, the haste to mobilize new officers left critical shortcomings in the selection of PNTL cadets, and in basic and field training. The constant rotation of personnel—most officers were seconded for just six months—meant that information hemorrhaged quickly. As the UN assessment team discovered, the PNTL was without legal frameworks, mechanisms for control, and well-functioning managerial systems. The force was politicized: a large number of former Indonesian police officers were recruited into the PNTL and placed in leadership positions. This contributed to growing mistrust of the PNTL among some sectors of Timorese society.

Police reform is a complex and difficult task in many peace operations. It requires overcoming profound political, cultural, and logistical obstacles. It also demands the condensing of skills into short periods. Much turns on the manner in which policing is organized. It remains difficult for peace operations to find officers of sufficient quality, in sufficient quantity, and in a timely manner. A common doctrine that would unite practice for officers from entirely different policing backgrounds is still at an early stage of development. Police

Box 3.7.1 The Failings of Security Sector Reform in Timor-Leste*Shepard Forman**

Whether through a simple failure of policy imagination or a misreading of the political, cultural, and economic realities of Timor-Leste, four successive UN missions have gradually handed off authority to the fledgling state without ensuring its capacity to exercise the sine qua non of national sovereignty: the ability to protect its borders and provide basic security to its citizens. The failure is all the more conspicuous since its starting point, Falintil (East Timor's defense force), was a disciplined and courageous national liberation force that managed, with full support of the East Timorese population, to maintain its resistance to the Indonesian occupation for nearly a quarter century. Fighting as army to army, Falintil never engaged in an act of terrorism, and actually submitted to self-imposed cantonment while an Australian-led international force drove marauding militias across the border in the aftermath of the independence referendum in 1999.

What went wrong? First, the UN Transitional Administration in East Timor (UNTAET) chose not to recognize the important place Falintil held in the imagination and hearts of the East

Timorese people, sidelining it as an institution while placing defense responsibility fully in the hands of international forces. Large numbers of Falintil fighters were decommissioned with little more than a parade to honor them and no provisions for any sort of productive livelihoods. With cross-border defense issues largely resolved by the international force, the newly established Falintil-Forças de Defesa de Timor-Leste (F-FDTL) had virtually no institutional role to play in building the new nation, was given little training or actual resources beyond uniforms and rudimentary material (despite a five-year, \$37 million defense cooperation program with the Australians), and quickly became subject to national political infighting among rogue members of the government of Timor-Leste.

UNTAET and its successor missions did little more to help establish a credible national police force. This was needed to manage increasing tensions among political rivals and diverse regional groups who were crowding into and vying for property and resources within the capital, including gangs of unemployed and disaffected youth.

Police officers, recruited from the general population and having little formal training, were often placed under the command of officers who had previously served as police under Indonesian occupation. A \$40 million, multiyear, joint UK-Australian police training and development program, begun in 2004, hardly had time to professionalize the police force before dissension in the police ranks and the sacking of nearly half the armed forces led to a complete breakdown of the security forces and escalating violence.

The task before the new mission, the UN Integrated Mission in Timor-Leste (UNMIT), is clear. It needs to vest leadership in the hands of the Timorese, who must assume the responsibility for defense and security in their country. It is up to the Timorese government to sort out the proper roles of the national police and defense forces, to align these with a credible national system of criminal and civil justice, and to seek advice, training, and technical assistance from governments that are willing to make a firm commitment to Timorese sovereignty and success.

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reform requires more than just patrol officers, and must include personnel skilled in anthropology, change management, capacity building, and organizational practice. Whether UNMIT can recruit sufficient numbers of such candidates remains to be seen.

UNMIT will also have to deal with an institution that was neglected during the transitional administration: the F-FDTL. The force is administratively and organizationally weak, and lacks a strong role. Relations between the police and the army caused problems in Timor,

as neither appeared to have been educated about the concept of their respective roles as envisaged by their constitution.³

Encouragingly, the mandate is constructed so that police and military development will be approached comprehensively. The appointment of an DSRSG for security sector reform is a sign of this commitment, and a comprehensive review of future functions and needs is planned. The extensive role that nonstate or subnational actors play in providing policing and justice services in



(Paula Bronstein/Getty Images)

An Australian peacekeeper patrols the scene of gang violence in Dili, 7 June 2006.

Timor requires urgent attention. Four years after independence, the majority of everyday disputes in the country are still dealt with largely by informal means rather than through an underresourced formal justice system. For the 80 percent of the population who live in rural areas, accessing the nearest police post, magistrate, or even telephone might involve a lengthy and difficult journey. In any case, reliance on a formal police force may not be financially feasible, especially when funding ends and foreign personnel are withdrawn. With population growth outstripping economic growth, careful attention needs to be paid to financial sustainability.

In contrast to the security sector, UNMIT will make extensive use of nonstate mechanisms for justice and reconciliation in dealing with the events of 1999. Building on the recommendations of the Commission for Reception, Truth, and Reconciliation, UNMIT will coordinate “restoration” programs to provide psychological and practical remedy at individual, familial, and community levels.

Although prosecutions of those involved in the events have taken place in both Timor-Leste and Indonesia, many alleged perpetrators continue to benefit from immunity. Warm relations between Timor-Leste and Indonesia may paradoxically slow efforts to bring those involved to justice. The Committee for Truth and Friendship has been established between the two governments, with the goal of establishing “conclusive truth” about the events of 1999. However, neither government has wanted to create difficulty with the other. An important part of UNMIT’s remit will be to keep the issue of justice and accountability paramount, as well as to improve the capacity of Timorese government institutions in that regard.

Justice, accountability, and security sector reform are not the only important tasks for UNMIT. Equal attention will have to be paid to underlying socioeconomic and governance issues. Challenging issues for UNMIT will be restoring basic services, many of which are not available beyond the capital,

revitalizing the economy, and dealing with lack of accountability, transparency, and capability within the central government. A large part of Timor-Leste's future is linked with how revenues from oil and gas, expected to generate \$35 billion over the next decade, will be used. Helping translate mineral wealth into effective development for all will depend on a comprehensive approach to economic governance. Secretary-General Kofi Annan proposed a new Timorese compact between the government and the international community to ensure that the new mission's activities and resources complement the government's own budget resources and bilateral and

multilateral coordination programs. It will also be a stern test of the integrated mission concept.

Conclusion

José Ramos-Horta insists that despite its difficulties, Timor-Leste is not a "failed state." It is up to the country's elected leaders, with sustained commitment of the international community, to ensure that it does not become one. For the UN, the successful performance of UNMIT will demonstrate that past failings have been identified and have been addressed.

Notes

1. Edward Rees, "Under Pressure: Falentil F-DTL—Three Decades of Defense Force Development in Timor-Leste," Working Paper no. 139 (Geneva: Geneva Centre for Democratic Control of Armed Forces, April 2004).
2. Richard C. Paddock, "Bloodied East Timorese Hope U.N. Will Return," *Los Angeles Times*, 5 June 2006.
3. International Policy Institute, *A Review of Peace Operations: A Case for Change* (London: Kings College, 2003).