Rebecca Isaacs

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Professor Haq

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risaacs@monmouthcollege.edu

United Nations’ Nation Building in East Timor

*The 1990s was a challenging decade for the United Nations. With the end of the Cold War, the United Nations became a central source for peacekeeping in the world. But various public world events such as the Rwandan genocide made the United Nations look like a failure when it came to maintaining international peace and stability. The UN mission in East Timor gave the international organization its first ‘success story.’ For the first time in the history of the international organization, it took complete control of a country and both governed it and built a new sovereign government within it for over two years. In this research project, I examine the factors that contributed to UN success in East Timor. The UN was able to maintain and keep a stable operation within East Timor because they planned out possible events in advance and began to incorporate the people’s decision almost immediately. Furthermore, the nation-building was mostly successful because they incorporated the international community and the people within East Timor, despite criticism that would suggest otherwise.*

A small region located in what is technically Southeast Asia, East Timor is often cited as one of the, “successes,” of the United Nations because the UN played a central role in the creation of a state in a territory previously controlled by Indonesia. For the first time in the history of the UN, the Security Council gave the UN total control of a country, “with all executive, legislative, judicial, and even military power vested in its appointed administrator, who ran everything from the power stations and fire departments to radio, television, and a U.N. newspaper” (Steele 76). The UN completed the first phase of the United Nations Transitional Administration to East Timor by creating a basic democratic government and a sovereign nation. The United Nations mission, UNAMET, oversaw not only a popular consultation in the region, but they also assisted East Timor in the results of the referendum vote (they called it a popular consultation) in the overall UNTAET mission. The UN also returned in 2005 after a series of violent events caused clashes between the East Timorese army and the police and threatened to undermine UNTAET’s efforts. In looking at the first successful attempt by the United Nations to help a country gain independence and build a capacity for self-governance, much can be learned about the international organization. The world came together in this mission through the United Nations to help create a new, stable state literally “from the ground up.” While East Timor has yet to overcome such obstacles as justice in a practically nonexistent justice system, or the issues of Timorization, or the incorporation of the East Timorese into the government, within the state, the main success is that the United Nations was able to create a democratic state with a representative body in a territory that previously had nothing the United Nations could work with in the beginning.

Historical Background

Historically, Portugal and Indonesia have been the two largest influences on East Timor. When the Portuguese first arrived around 1513, the European country colonized the area (Macaulay 42, Traub 75). In the 1970s, Portugal decolonized the area, with Indonesia ferociously sweeping in to take over East Timor; they had gained control by 1975, with only two main groups- the Timorese Social Democratic Association (Fretilin) and the Timorese Democratic Union (UDT) attempting to fight against Indonesian troops (Traub 75, Macaulay 43).

According to Traub, the Indonesian annexation of East Timor from 1975-1998 was very brutal and violent (75). The East Timorese began to resent the control that the Indonesian government had on the region because it essentially treated the East Timorese unfairly, preventing them from holding any power in their own country (76). Traub states that, “the poverty rate was twice that of Indonesia proper, while the rate of maternal mortality was among the highest in the world… Elementary school teachers were Timorese, for example, but high school teachers were Indonesian” (76). Portugal and East Timor’s other neighbor, Australia, did not attempt to change this situation in East Timor because the

Portuguese and Australian governments were preoccupied with serious problems at home. Furthermore the Australian was far more concerned not to upset the Indonesian military, some of whom were covertly stirring up trouble on the East Timor border. (42)

The violence had its toll on the population, for, “about 200,000 people died… out of a population of fewer than a million” (Traub 76).

The fact that the East Timorese were divided into various political factions made it difficult for them to stand up against Indonesian oppression. According to Steele,

the political party of the elite, the Timorese Democratic Union (UDT), preferred federation with Portugal, while Fretilin (the Revolutionary Front of Independent East Timor) was a typical Third World liberation movement with a vaguely socialist orientation… the UDT launched an armed coup to try to destroy Fretilin…. Fretilin and its hastily formed army, Falantil, defeated the UDT, whose members fled to West Timor. (77)

Other groups included the CNRT, or the National Council for Timorese Resistance, who wanted the state of East Timor to be independent from Indonesia; however, by the time the 1980s and 1990s came around, most of these groups had been pushed back into the jungle after being barraged by Indonesian forces (Macaulay 43, Traub 87).

What eventually changed the current state of East Timor was the Southeast Financial Crisis in 1998. The chaos that stemmed from the crisis spread to Indonesia. The then-President Suharto had, “dealt ruthlessly with independence movements throughout the archipelago” (Traub 76). The Asian Financial Crisis weakened Suharto’s government and loosened it hold over East Timor. Due to mounting protest against his government, President Suharto resigned on May 21, leaving his Vice President, BJ Habibie, in charge (Suryadinata 114-115, Traub 76). Just as his predecessor, Habibie was preoccupied with the financial crisis in Indonesia rather than the growing chaos in East Timor and did not pay much attention to the growing chaos in East Timor (Traub 76). Habibie asked United Nations to organize a referendum in East Timor, but the Indonesian army was not willing to let go of East Timor, and, “in a ruthless campaign of violence and intimidation, they first tried to influence the result of the U.N. referendum and then launched a frenzy of terrorism when voters choose freedom” (Steele 78).

Building a Nation: the United Nations Transitional Administration in East Timor (UNTAET)

April 1999 saw increasing violence between pro and anti-independence groups. East Timorese were being slaughtered in churches by militia groups that were, “joined by police and Indonesian soldiers in civilian clothes” (Traub 77). Furthermore, the violence became international news when, “sacked soldiers” started fighting with the government troops in the capital (Sahin 251). The international community, who had not recognized Indonesia’s claim to East Timor, was, “taken by surprise by the scale of violence in late April” (Traub 77, Sahin 252). In fact, the United Nations Security Council had, “always treated it as an internal Indonesian problem” (Traub 77). At the rise of such violence, the Council could not ignore the problem any longer. Previously, the Council had ignored various incidents of violence, the most famous one being the Rwandan Genocide, where “hundreds of thousands,” were massacred because the United Nations was reluctant to enter in to the small state and intervene (Traub 81). Because of the infamous failure of international community in preventing the genocide in Rwanda, the UN was now more willing to become involved in cases of violence and chaos within states.

On May 5, Indonesia, “became party to an agreement with Portugal that under U.N. auspices mechanisms would be established to determine whether the people of East Timor would accept a new autonomous status within Indonesia or whether they would prefer independence” (Cotton 5). Furthermore, the state that supported this agreement the most was Timor’s geographically close neighbor, Australia (Cotton 15). The first official report that addressed the issue of East Timor in the United Nations and announced the agreement was published on May 5, 1999. In the, “Report of the Secretary General S/1999/513,” the Secretary General at the time, Kofi Annan, states that both countries have come to an agreement that entrusted,

me with the organization and conduct of a popular consultation for the purpose of ascertaining whether the East Timorese people, both inside and outside the Territory, accept or reject a proposed constitutional framework providing for a special autonomy for East Timor within the unitary Republic of Indonesia. (1)

According to Cotton, it was Australia that actually suggested that the United Nations go in and participate (15). The UN at the beginning emphasized the timeliness and cooperation of both Portugal and Indonesia. Indonesia was charged with maintaining security in the region, while Portugal would be required to, “initiate within the United Nations the procedures necessary for the removal of East Timor from the list of Non-Self-Governing Territories of the General Assembly and the deletion of the question of East Timor from the agendas of the Security Council and the General Assembly” (1). By assigning Indonesia, its current ruler, and Portugal, its colonizer, with these tasks, the United Nations could focus on security and the creation and implementation of the referendum (Gorjao 315). According to Traub, Annan, “asked Jakarta to disarm the militias and permit foreign troops to supervise the voting process” (77).

In the, “Report of the Secretary General S/1999/595,” Annan proposes:

the establishment of the United Nations Mission in East Timor to organize and conduct a popular consultation to ascertain whether the East Timorese people accept or reject the proposed constitutional framework providing for special autonomy for East Timor within the Unitary Republic of Indonesia. (1-2)

Furthermore, in the report, Annan outlines three important conditions that need to be met in order to make the UNAMET effective. They are: “First, it must at all times have the full confidence and backing of the Security Council. Secondly, it must function with full cooperation of the Indonesian authorities. Thirdly, it must have the resources necessary to carry out its tasks” (2). The establishment of this mission helped the United Nations become more involved in East Timor to quell the violence. This was a task that much of the Security Council was supportive of because they did not want Rwanda to occur again, and instead just wanted to focus on, “a peacekeeping operation” (Cotton 5). In June 1999, the Security Council issued Resolution 1246 to help publicly display the UN’s control of the territory. East Timor would receive assistance in the mission with the deployment of civilian officers to help run the election, while they tasked the Indonesian forces to, “provide security and person protection for members,” of the United Nations. (1999).

One of the most important East Timorese at the time, Alexandre “Xanana” Gusmao, “the imprisoned President of the National Council of Timorese Resistance (CNRT), and Commander of its armed wing the Armed Forces for the National Liberation of East Timor (Falintil),” was invited to participate in the United Nations Commissions for the first time (Traub 87). His hold over these groups gave the UN the idea that in order to work to bring peace, they needed a strong leader that the Timorese would respect and follow. By bringing such a strong leader as Gusmao in, the various militia groups such as the UDT and Falantil could begin working on a peaceful solution to help the police maintain law and order (S/1999/705 2-3).

The UNAMET mission that Gusmao would help with would consist of: the civilian police; and the military liaison component (S/1999/735 1, S/1999/750 1). Over 27 countries offered to help with maintaining order; neither Portugal nor Indonesia was able to assist in these security measures, for their focus was preparing East Timor for the popular consultation (S/1999/750 2, S/1999/735 2).

In July, the Council began to realize that the violence was if anything increasing. *The Independent* reported that Indonesian soldiers in one particular incident had killed two demonstrators in, “pro-independence protests in East Timor” (“Thousands” 1). It was incidents like this that caused people to flee the area for fear of a surge in violence. Because of these surges in violence, the Security Council agreed to push back the referendum to July 16 in an effort to gain control over the vandalism and people being murdered. One of the biggest issues that that occurred in regards to the referendum was that many of the East Timorese were being threatened into not registering or being forced to flee their homes to avoid being persecuted for registering to vote (4). The Bishops of Dili and Baucau attempted to reconcile these threats and the violence that occurred from these threats by hosting a conference to generate ideas to quell the protests and fighting groups. The Council promised to watch carefully over the security and assess if the consultation would need to be postponed again (6).

In August, Resolution 1257 extended the mandate to late September 1999 which gave it time to make future arrangements for East Timor. What makes the United Nations Mission in East Timor so successful is that before the popular consultation, the, “Report of the Secretary General: Question of East Timor S/1999/862,” discusses the possible outcomes in the region. Less than a month before the consultation was to take place, the UN recognized that the United Nations, “will be required to play a substantive role in East Timor in the post-ballot period” (1). Firstly, if the area of East Timor were to vote that they reject the autonomy proposed,

the 5 May Agreement provides that Indonesia, Portugal, and the Secretary General shall reach agreement on arrangements for the peaceful and orderly transfer of authority in East Timor to the United Nations. The Secretary General shall then, subject to the appropriate legislative mandate, initiate the procedure enabling East Timor to being a process of transition towards independence. (1)

What would happen in this case would be that East Timor, Indonesia and the United Nations would have an interim phase. One of the largest concerns during this phase would be stability in East Timor, for people would be trying to adjust to a new government taking over to start helping the region make its own (2). To help combat these concerns, the UN planned an increase to the number of security personnel to nearly a thousand. During this process, the UNAMET would attempt to stay as publicly transparent as possible, and the Indonesian armies would stay to help keep law and order. Furthermore, to help offset the costs, a budget of $53 million was set aside by UN member states for during, “5 May through 31 August 1999” (4). The final point of this report was that in order to be successful if the people vote to reject the autonomy, the UNAMET will have to undergo dramatic restructuring in order to be successful with the interim period (2).

On 27 August 1999, the Council stated that it must, “pursue its efforts in East Timor in the period following the ballot to build confidence and support stability and to reassure all groups, in particular those in the minority in the ballot, that they have a role to play in the future political life of East Timor” (1). Furthermore, since the UNAMET was able to get most of the militia groups under control thanks to the civilian police component, the Council recognizes the good job that the UNAMET has done and the promise that it will continue to fulfill its objectives in East Timor, extending the mandate until November 30, 1999 (1-2).

No matter what happened before or after the consultation, all sources point to the same result. On September 3, 1999, Kofi Annan announced the outcome to the President of the Security Council. In a letter, he reports:

that 94,388 (21.5 per cent) votes were cast in favor of the proposed special autonomy framework and 344,580 (78.5 per cent) votes were cast against it. Thus, the people of East Timor have rejected the proposed special autonomy and expressed their wish to begin a process of transition towards independence. (1)

This part of the mission was generally regarded as successful. Despite all of the violence and the East Timorese clashes, the United Nations was able to successfully conduct a relatively peaceful referendum to an impoverished region. As history will tell, however, this was only the beginning of the UN involvement.

While the UNAMET expanded the civilian police force, they were not necessarily prepared for the immediate aftereffects of the election. According to Traub, once the election occurred, “the militias struck in full force. Moving from town to town and village to village, they looted and burned virtually every house” (77). Robinson states that, “Indonesian forces and the local militias they created launched a coordinated campaign of violence against real and presumed supporters of independence, including Catholic clergy and local UN staff” (1008). To make matters worse, no one knows the final death toll of the looting (it is estimated at 1,500 deaths), and while most of the East Timorese population fled for fear of their lives, almost all of their valuable possessions were, “stolen or destroyed- cattle, chickens, motorbikes, phones, furniture, and books” (Traub 78, Gorjao 315). The violence was so great that the, “Portuguese and Australians demanded Security Council action” (78). Another account referred to the violence as a “scorched earth campaign,” in which, “the forces sympathetic to the integration of East Timor into Indonesia,” had attacked whatever they could (Strohmeyer 48).

No one had predicted that the violence would explode on such short notice; the United Nations acted quickly to combat the problem so that they could focus on nation-building. One of the claims was the Indonesians faced was that their militias were the persons responsible for the attacks on the East Timorese. On September 6, the Council agreed to dispatch a group of people to help Indonesia oversee a peaceful transition to, “rebut the Indonesian lies about the violence” (Traub 79). They were: Martin Andjaba, the head of the mission from Namibia; Hamsy Agam, from Malaysia; Alphons Hamer from the Netherlands; Danilo Turk of Slovenia; and Jeremy Greenstock of the United Kingdom (S/1999/972 1). In their mission, they aimed to help address the violence that had exploded overnight and figure out what was happening, for despite the forces in the country, the violence caused, “the closure of all but four of UNAMET’s regional offices; the Mission’s headquarters is now under a virtual state of siege” (S/1999/972 2).

One of the biggest limitations of the United Nations is that it, “cannot or will not forcefully intervene until catastrophe strikes, even when it has good reason to anticipate such catastrophe” Traub (79). While the United Nations as an organization could not intervene unless it was strictly to keep the peace, states themselves refused to sit idly by. Rather than let the violence continue, many states stepped up to address the problem. The Australians, “offered to lead a multinational force- a ‘coalition of the willing,’ in the new U.N. phase” (Traub 79). In Resolution 1264, the Security Council authorized a multinational force,

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 authorizes the states participating in the multination

al force to take all necessary measures to fill this mandate. (S/RES/1264 233)

According to Traub, the mistakes of the United Nations in Rwanda were reflected in East Timor; within five days of the Resolution passing, soldiers landed in East Timor to help stabilize the new state. Furthermore, according to Traub, “it was the first time in the post-Rwanda, post-Srebrenica era that the Security Council met an emergency head-on (79-80). In Rwanda, as previously stated, the United Nations was reluctant to tackle the violence. When they finally did intervene, the United Nations stated that, “the magnitude of the human calamity that has engulfed Rwanda might be unimaginable but for its having transpired” (S/1994/640 11). At the time the report was written, two months had passed and people were still getting murdered (11). Because it took two months to respond to Rwanda and nearly 500,000 were killed, the United Nations wanted to respond quickly to ensure that East Timor would not escalate and turn into the next Rwanda (2) Habibie accepted the UN’s aid so he could focus on stabilizing Indonesia (79).

Firstly, this force would have a unified command structure that would assist with peacekeeping and, “humanitarian assistance operations” (S/1999/1025 3). By establishing the fact that the force was internationally requested, it could begin by becoming a legitimate force. Major General Peter Cosgrove, a military man who hailed from the Australian Defence Force, was, “appointed Commander of the multinational force, known as the International Force, East Timor (INTERFET)” (3). For the INTERFET mission, Cosgrove created a plan that would be carried out in four phases. In the first report, the plan would consist of:

Phase I, establishing the preconditions for deployment, has been completed. Phase II, insertion of INTERFET, commenced on 20 September. In Phase III, INTERFET will take measures to implement its mandate to restore peace and security to enable the transfer as soon as possible to a United Nations peacekeeping operation (phase IV). (S/1999/1025 4)

One of the ideas that INTERFET stressed was that the most they could do was keep the peace and arrest, but nothing more (6). The plan was to have this military force enter into talks with the Indonesian forces to ensure that no more lives were lost; on September 20, 1999, the forces were officially deployed.

The team that entered was comprised of states that supported the freedom and stability of East Timor. They were: Australia, Brazil, Canada, France, Italy, Malaysia, New Zealand, Norway, the Philippines, the Republic of Korea, Singapore, Thailand, the United States of America, and the United Kingdom of Great Britain and Northern Ireland. In fact, according to Traub, the United States was so upset with the ongoing violence that at one point, “President Clinton, after temporizing for several days, threatened to veto new loans to Indonesia from the World Bank and the International Monetary Fund” (Traub 79). However, when this opportunity arose, the US jumped at the chance to assist in the peacekeeping mission.

In October 1999, the Security Council officially acknowledged the outcome and initiated the next stage of the mission. In the Resolution 1272, the Council established,

in accordance with the report of the Secretary General, a United Nations Transitional Administration in East Timor (UNTAET). (2)

This mission was given complete control over East Timor- the first of its kind- and was charged with slowly rebuilding and transferring authority over to the East Timorese. The initial stay of the UNTAET would be until January 2001 (4).

One of the major questions that political science and other scholars ask themselves is whether or not the UNTAET was successful in its mission. What is most important to note about the UNTAET mission, however, is that the mission itself was just one of the phases/missions of U.N. involvement in East Timor that would span over a decade in the country. There were actually five various missions: The UNAMET, UNTAET, UNMISET, UNOTIL, and UNMIT. As a whole, it is still called the UNTAET. Because of some violence and uncertainty that erupted in 2006, many scholars argue that the nation-building regime has been somewhat unsuccessful as a whole while the sub-missions UNAMET and UNTAET were successful.

When the mission initially began in 1999, the United Nations established various regulations to help create a democracy. However, according to Gorjao, the UTAET began having problems from the moment of its conception (315). In his article, “The Legacy and Lessons of UNTAET,” Gorjao cites that the mandate and the mission itself suffered from the very beginning of having different views in regards to preparing East Timor for independence. Furthermore, he cites that Jarat Chopra, who helmed the UNTAET’s Office of District Administration, states that the mission initially refused to keep in contact or involve any of the East Timorese in the beginning (315-316). To build upon this problem of refusing to incorporate other opinions into the nation-building process, the United Nations gave Ian Martin a, “detailed proposal for a mixed Timorese-U.N. administration,” should the popular consultation have voted for independence (Steele 79). This proposal would have given the Timorese the opportunity to have more of a say in the government, which would have been a more incorporative approach. While this proposal indicated how prepared the United Nations was in case the Timorese voted for independence, they failed to follow through with this proposal; instead, when the events began unfolding, the United Nations- for reasons unknown- veered off in another direction and Resolution 1272 was passed, which gave UNTAET control over East Timor (Steele 79). This occurred because when the UNTAET was formed, the East Timorese had no actual elite class- the closest they had to an elite class was the UDT, or the Timorese Democratic Union, and even then, that definition could be considered sketchy- due to Indonesian oppression. With the creation of UNTAET, the United Nations needed to simultaneously create an elite class while building a new nation.

Furthermore, one of the United Nations’ bigger goals was to dismantle Falantil, the East Timorese army created by the pro-independence Fretilin, rather than focus on the democratic transition in East Timor (316). This in theory could have been for various reasons: INTERFET, the United Nations international peacekeeping force, was installed in East Timor at this point and Vieira de Mello, the Brazilian in charge of UNTAET, could have viewed Falantil as a threat to the mission; he could have been considering another possible clash between the Timorese elite UDT and the representatives of the poor again; or he could have wanted to dismantle what the East Timorese now called their nation’s army in an attempt to rebuild it. Either way, the dismantling of Falantil was one of the mission’s priorities.

When the UNTAET was created, just months after Kosovo, they had created a clear mission with a set time frame of a two to three years; this was completely different from Kosovo, which had no set time frame at the time of Kosovo’s conception. Even Gunn writes that the UNTAET, “was a relatively safe UN mission alongside the likes of Cambodia and Kosovo…. The UN looked to international experts on conflict and conflict management,” to help keep the mission running smoothly, showing that the United Nations had the fullest intentions of completing this mission as efficiently as possible (Gunn 106). If the mission followed this time frame for East Timor, it would have been an independent nation by as late as 2002 (Steele 76).

In another report, Andrew Harmer and Robert Firth discuss the biggest issues in regards to East Timor. They are: concerns about the concept of Timorization; security; gender; health; and justice. In many of the accounts in post- referendum East Timor, these issues are constantly cited. All of these have been mentioned in regards to how well the United Nations is creating a successful, stable, and independent nation (Harmer 245). The most important that have been cited are justice and security.

The mission was not as simple as it seemed, however. According to Croissant,

Establishing a civil administration, a police force, a judiciary system, a monetary system and banking sector, and a fiscal and taxation system, as well as ensuring the delivery of basic health and education services, assisting in the repatriation of displaced persons, supporting the emergence of civil society, and assisting in the establishment of local administrations were the core tasks for UNTAET. (658)

Looking at the goals of the mission, the UNTAET successfully accomplished all of its goals rather than squander the funding and ignore the problems. When looking at the scene that INTERFET walked in upon- over 85 percent of the schools were razed and over three quarters of its health care and infrastructure destroyed, while another report states that nearly 70 percent of the actual infrastructure was destroyed - they would have been focused more on stabilizing the people’s basic needs rather than building a nation in the first couple of months (Steele 77, Harmer 249). It is only once the people’s basic needs are met that the UN can even begin to rebuild the massive infrastructure that East Timor lost in the chaos.

One of the biggest challenges that the United Nations faced when they were called to help with the popular consultation and nation-building was the issue of East Timor’s culture. Not only had the culture been suppressed by the Indonesian population for decades, but because of this suppression, not much was known about East Timor. When then United Nations sent personnel into the area, “in May 1999 [the mission] lacked even basic data on the territory, just as international staff lacked relevant language and local knowledge” (Gunn 95). Another huge problem that the United Nations dealt with in this territory was that because they did not know the language or the culture very well, they ran into a language barrier. Statistically, East Timor is a very poor country, with the literacy rates being atrociously small, even in the local language, called Tetum. To complicate matters, the United Nations’ official language used for East Timor was English, a language that very few East Timorese even knew. Therefore, getting information out to the East Timorese was extremely difficult, marred by language and cultural barriers. These issues complicated matters for the UN personnel. One of the ways that the United Nations attempted to combat these large problems was that when they initially went into East Timor, “several hundred international staff, many with undoubted professional skills in a range of disciplines, led to the creation of a new data set on East Timor, ranging from GIS mapping, to poverty surveys, to land registers, livestock counts, and even a general census” (Gunn 96). By having the staff personnel work on these tasks, they were able to get an idea of the situation they were dealing with/ what they would be able to work with in terms of language, population, and infrastructure reconstruction.

TIMORIZATION: United Nations Mission of Support in East Timor (UNMISET)

The United Nations did not solely rely on the use of their resources to assist with East Timor. In Resolution 1272, the United Nations stressed the need to work outside of itself and work with the local populations to ensure a successful democratic transition (Harmer 245, S/RES/1272 3). Since clearly Timorization was an issue, the international organization also began to rely on the influx of NGOs that came into the region to assist with the rebuilding of a state; in total, there were nearly 300 working in East Timor (Harmer 243). La’o Hamutuk, a local NGO that was, “established in April 2000 in Dili, East Timor,” is just one of many NGOs that the United Nations worked with during the process, but simultaneously was one of the biggest relationships the UN maintained in East Timor. It is such a huge organization because it is an umbrella organization, with many smaller NGOs working through it. La’o Hamutuk, “relies on funding from foundations, nongovernmental organizations (NGOs), and governments of small countries, as well as individual donations,” and does not accept funding from the United Nations, making the organization one of the most ideal organizations to work with the East Timorese and the UN because their interests are not linked financially to the UN (Harmer 242). The United Nations relied on the La’o Hamutuk to bridge the gap between the government and the civil society. La’o Hamutuk, “works to improve communication between the international community and the various sectors of Timorese society,” but at the same time, does not announce itself as the voice of the people.

The United Nations came to rely on organizations such as La’o Hamutuk to help communicate with the East Timorese. If the United Nations published it, then La’o Hamutuk published it. The United Nations has seen over, “thirty-six bulletins since 2000; broadcasts [from] a radio program (*Igualidade*) every Sunday in Tetum and Bahasa Indonesia,” and public meetings where La’o Hamutuk informed the people of the United Nation’s actions and kept them informed (Harmer 242). By relying on these organizations to help spread the word and keep their transparency, the United Nations was able to reach more East Timorese and let them know the course of action.

As for the language barrier, according to records, there was no real address to this issue until the state received its official recognition in 2002. Important documents were translated for the East Timorese elite into either Tetum or Portuguese, depending on the occasion (Gunn 96). Finally, the state’s official language was declared to be Portuguese and Tetum on May 30, 2002 (Gunn 109). This completely interfered with the promise that the United Nations made to the people; when they first came into the territory, the UN, “preached good governance, transparency, accountability, democracy, and the rule of the law to the East Timorese” (Harmer 247). However, according to Harmer, the United Nations, “showed little of these in itself,” because if the people cannot understand the language that the information is being published in, then it can be argued that the people are not receiving this transparency at all (247). By using organizations such as La’o Hamutuk, however, the United Nations was able to give the people at least some transparency in regards to government building.

This promise and the lack of deliverance then brings into question the issue of who exactly was responsible and accountable for East Timor. The people would argue that they are not responsible for the consequences of such nation-building; the United Nations came in and promised statehood, and so they should be held accountable for their actions. However, unlike the United Nations, the people wanted more accountability placed on themselves. A lot of responsibility is placed on the United Nations itself- and understandably so- but in particular Mello, who was in charge of Kosovo and was moved to helm the mission in Timor. Mello, however, was only accountable to the United Nations for his actions; to some degree, he was accountable to the people of East Timor, but it was the United Nations that appointed him to head the project, not the people (Harmer 247). As a result, while the issue of the people was taken into account, taking them into account actually created more tension within the government because now the United Nations had to struggle with focusing on the local governments or placing an emphasis on the national government. As a result, the people criticized the United Nations for underemphasizing the local governments (247). In the beginning, the United Nations overlooked this criticism and continued to focus on nation-building: establishing permanent health care facilities, establishing schools, etc. However, when the Timorese who were involved with the nation-building process began to threaten to resign, that is when the United Nations began to undergo the stage of Timorization (Gorjao 320).

Timorization- or the incorporation/strengthening of the local populations in East Timor into the government and the transition from the international organization’s control to the people’s- itself was a huge hurdle that the United Nations had to overcome in their process of working with the local populations to establish a government (245). As previously stated, the UNTAET started nation-building with the idea that they would incorporate the people into the process so that the international organization could transfer over authority to the local people. However, as Gorjao notes, “International staff continued to be dominant,” and were slow in changing power over to the local people. La’o Hamutuk’s archives also mention the issue of Timorization and how it needed to be fixed, which shows that the people were increasingly growing frustrated over the lack of control and the slow transition pace in their new country (Harmer 245). This slow pace does not mean that the United Nations simply refused to hand over power, however; in 2000, they replaced the previous council, National Consultative Council, with the National Council, a 33 person representative group that had no East Timorese members in it (319-320). Unlike the previous group, the largest represented body was the CNRT with seven members on the Council. The rest of the members included other political parties, labor organizations, and other various interest groups, including the Catholic church and the Muslim community (319). What was the issue at hand, in this case, was that the East Timorese were growing impatient and wanted progress and elections. While it did take a while, the United Nations fulfilled this promise.

This was not what the people were expecting. When the UN came in, the East Timorese seemingly expected that a new nation would be built overnight and they would gain their freedom practically immediately. This expectation did not happen for them because the UN wanted to focus on ensuring that people had food and shelter before they wanted to build a nation. By December 1999, Gorjao writes that, “less than 20 per cent of UNTAET’s efforts was orientated towards preparing the territory for independence” (318). In the aftermath of the referendum, there was very little infrastructure in the state, so when the UNTAET began their mission, they were focused on the basic human needs. Steel writes, “People needed to feel safe enough to go home…. By independence day, over 80 percent of the 250,000 refugees were home” (78). This happened because they focused on the needs of the people. For example, the territory’s health care was well established by March 2001, with 80 percent of the population having access to permanent health care (Harmer 245). These basic human needs were the priority before the nation-building could commence, and as a result, the East Timorese, “were increasingly seeing UNTAET’s state-building operation as illegitimate and something far below their expectations” (Gorjao 320). However, because they were focusing on ensuring the people had basic needs such as food, water and health care, the mission can be seen as successful because they wanted to stabilize the people’s needs before they stabilized the people’s government. Plus, as Harmer writes, “the UN is, ‘the least illegitimate of all possible outside actors…. [because]…. It derives some legitimacy from the breadth of international support’” (245). In other words, if any international organization could successfully and legitimately work with nation-building, it was the United Nations; so in this case, the accomplishment of the United Nations is that they were able to stabilize and then rebuild, even if it did upset the Timorese.

Justice, the SCIU and the Commission of Truth and Friendship

The issue of incorporating and rebuilding a nation was not their biggest problem in the early 2000s, however. Justice, perhaps the biggest concern, in the case of East Timor means the process of trying those responsible for the violence in both 1975 and 1998-1999 and reconciling with the various groups who were victimized in the turmoil. It also means, “the existence, or absence, of institutional mechanisms of accountability through which East Timorese could challenge the actions of UNTAET” (Harmer 249). When the United Nations came into East Timor, they promised the East Timorese that the people who committed crimes would, “be brought to justice ‘as soon as possible’” (249).

A closer look at the judicial state in East Timor, however, proved that trying these criminals would take a lot more time than East Timor and the United Nations had initially predicted. Hans Strohmeyer, a German legal scholar who worked with the UN to rebuild the judicial system, stated that, “Most of the court buildings had been torched and looted, and all court equipment, furniture, registers, records, archives, and… other legal resources dislocated or burned” (50). In order to even begin administering justice, the first thing that the United Nations needed to do was *build* a justice system that could handle the surplus of cases, for while rebuilding occurs, “criminal activity does not cease; in fact, it often flourishes” (47). Strohmeyer, who had also worked with Mello in the past in Kosovo, had to deal with a nonexistent judicial system, and with 70 East Timorese law graduates, who, under Indonesian rule, were banned from practicing law in their home country. Traub states that, “the militias has burned or stolen every single law book in East Timor; Strohmeyer had to travel to Jakarta to beg legal texts from law firms there” (Traub 83).This, according to Strohmeyer, was different from Kosovo because at Kosovo had trouble finding uncorrupt lawyers and judges; in East Timor, there *were* no lawyers. They simply did not exist due to Indonesian suppression.

UNTAET, upon its arrival to East Timor, had not been equipped to handle the lack of lawyers in the region; nor was it ready with a group of international lawyers who were knowledgeable of East Timor. Instead, the UN immediately set out to create a judicial system. Through the word of mouth and even going so far as to drop fliers from airplanes, the mission began, “identifying lawyers, law graduates, and law students,” to come work in Dili as jurists. According to Strohmeyer, “Only a week later, an initial group of seventeen jurists had been identified. In their first meeting, the lawyers sat on the ground outside the former governor’s headquarters,” because as previously stated, the building lacked any furniture. Only two months later, the UNTAET had found sixty East Timorese to work in, “judicial or prosecutorial office[s]” (54), which showed that while extremely slow, the UNTAET was in fact rebuilding East Timor’s justice. Once they had found some staffing, the United Nations was quick to establish a courthouse in Dili, East Timor’s capital, by February, and at the time, only one courtroom was being used (83).

Prisons were also problems in East Timor. Not only had the Indonesian prison guards left, but all of the facilities being used as prisons were deemed unusable by the UNTAET. Strohmeyer states that, “the limited capacities of the makeshift detention center inherited by the United Nations from INTERFET had been stretched to the maximum, leaving no more space for detainees or ordinary criminals” (58). The situation was so dire that the police forces were releasing people with smaller crimes to make room for the suspects with grave offenses, such as the militia members who had burned homes and murdered the East Timorese (58).

Indonesia’s refusal to cooperate with Dili did not help matters, either. The UNTAET created the Serious Crimes Investigation Unit (SCIU), “to investigate and prosecute cases of abuse before a Special Panel of the Dili Court District” (Harmer 249). Indonesia initially supported such measures, and the United Nations initially was supportive of, “an ad hoc tribunal to prosecute the perpetrators” (Kingston 229). Instead of following through with this plan, however, the UN veered off in a direction different from recommendations that came from within the UN. Rather than ensure that Indonesia would follow through with this request, the UN, “accepted the promises of the Indonesian government that those responsible for the outrages would be held accountable” (229). When the time came for Indonesia to keep their promise, however, the country refused to even acknowledge the court, and because of this dismissal, no suspects for crimes in East Timor were extradited to Dili for trial (Harmer 249). Furthermore, when there were questions of its effectiveness, Mello, “requested an internal investigation of the SCIU; UNTAET refused to release its findings contained in the Fisk Report to the public” (Harmer 251).

One of the largest reasons why this occurred within the United Nations and that the United Nations failed to press the situation was due to the events that happened in 2001. According to Kingston, “in the post-9/11 world, pressures to pursue accountability are trumped by desires to cultivate Jakarta as a moderate Islamic ally in the War on Terror” (231). The, “shifting political realities,” made justice in East Timor a smaller issue in comparison, especially after 9/11. By letting the prosecution of Indonesian criminals for the East Timorese slide in exchange for Islamic cooperation, the United Nations gave justice a death sentence for the people of East Timor.

That is not to say that there were not other attempts to give the Timorese the justice they deserved. The United Nations had been seen by the public as essentially squandering resources in Rwanda and Kosovo with tribunals which had never fully developed, and the UN wanted to use East Timor as a means of changing this public view. When Indonesia failed to cooperate with the extradition requests, the United Nations created a hybrid judicial system that would

share judicial functions between the UN and the national government. These tribunals combine UN authority, funding, resources, judges, and prosecutors with local participation, creating a process that is potentially more meaningful to the victims, less politically divisive, and more effective in terms of capacity building. (Kingston 230)

Because of Indonesia’s failure to recognize this system, however, in combination with a budget that was too small to upkeep it, the judicial system floundered. In comparison with Rwanda, the difference was over $100 million, with East Timor being granted a mere $6.3 million to host these tribunals (Kingston 230). Because of the budget crisis, the tribunals were shut down with many victims and defendants were left with trials that slanted towards a certain side. The few trials that actually reached a conviction on the suspects were left without certainty if they would even be able to appeal. All of these issues resulted in the tensions rising between the victims and the suspects (Kingston 230).

Finally, one of the biggest failures of the United Nations was the Commission of Truth and Friendship. In the wake of the violence during the popular consultation, this commission was created to help create closure for the East Timorese who were victimized by Indonesians in 1999. According to Kingston, “Truth commissions may facilitate impunity by they do guard against collective amnesia. Moreover, they can induce a healing catharsis, but only if the testimonies are forthright and accepted by the victims as a credible account of what they experienced” (233). However, rather than induce a “healing catharsis,” the commission focused on promoting reconciliation and angered the East Timorese; by allowing amnesty for truth, the commissions were essentially telling the Timorese that they would not receive the legal justice they so desperately wanted. At the time, then-President Gusmao stated that trying the suspects would, “place human rights and peace at risk,” and opted for stressing truth over justice because the time was not right for legal justice (Kingston 233-234).

Return of the United Nations (UNMIT)

This lack of justice in the nation-building then leads East Timor into 2005/2006 (depending on the accounts), when East Timor was once again left in a state of disarray. When the UN pulled out much of its main mission personnel in 2002, they had left the state on a fast-track plan that gave it independence before it was truly ready. According to Hua Fan, the issues that caused the state to deteriorate were: the failed connection between the leaders and the masses; the leaders’ reliance on personalities over their experience; the emphasis over international relations than the issues within East Timor; a weak economy with few available jobs; and ethnic conflicts, particularly between the police force and the military (180). Kingston states that the trigger for the violence that erupted was due to, “protests by dismissed soldiers [that] escalated into conflict within and between military and police forces, sparking widespread looting and arson by roaming gangs of young men” that worsened in April and May 0f 2006 (227, Arnold 430).

To clarify, the higher positions within the military went to, “the anti-Indonesian guerillas who came mostly from the easternmost part of the country” (Fan 181). The masses from the lower ranks were recruited from the Western part of East Timor and parts of Indonesia, since as previously stated, the United Nations had extreme difficulties and went to great lengths to obtain what few qualified candidates they could. To further bridge the gap between the two groups, the Eastern half spoke the dialect of Fataluki or Makasse, while the Western recruits spoke Tetum. According to Arnold, the petitioners consisted of young soldiers who felt they had discriminated, and were seeking for Gusmao to fix the issue, who delegated the matter to an underling (431).By March of 2006, the number of dismissed soldiers totaled 539 out of 1,400 (Arnold 431). The main trigger, however, was the actual attack on the main government building in Dili by the petitioners when they realized that no action was being taken to rectify the problem. The situation worsened from there, with the Defense Force, FDTL, attacking the police force, PNTL, after a series of post abandonments and attacks on the FDTL headquarters by the police (Arnold 432).

The United Nations initially was called to investigate the violence in April and May that, “left 38 people dead and approximately 150,000 internationally displaced” (Arnold 432). According to Fan, however, the United Nations need to look no further than themselves for the causation of such violence. What the United Nations had attempted to do back in the early 2000s was to create a self-determining state by creating functioning police and military forces. Instead of creating a symbiotic relationship between the two, both forces ended up competing against each other through geographic and ethnic differences that had begun as early as the Portuguese colonization and had intensified with the Indonesians (Fan 184). Instead of creating a separate distinction between the Indonesian occupancy and the new state of East Timor in terms of the police force and the military, they just created the groups from the same people they had originally consisted of and it resulted in the clashes in 2006.

By August 2006, the United Nations with the influence of Australia and New Zealand had strengthened their presence by sending in the UN police force (UNPOL) and extended their mandate indefinitely. In this mandate, they were charged with restoring order and ensuring the safety of the future 2007 election in East Timor (Arnold 433-434). What made this difficult, however, was that the definitions of the rebels and the petitioners were so muddled that the UN had difficulty exerting its power. Instead, they were forced to stick with the UNPOL and the PNTL partnership, which made the FDTL leery of corresponding with them. It should be noted that more people died from August 2006 to February 2007 than in the April/May protests (Arnold 433, Arnold 440).

The United Nations also refused to get directly involved if necessary, which complicated matters. In 2006, Major Alfred Reinado, the head of the FDTL, deserted with a large amount of weapons and began to fight against the East Timor government, leading the petitioners and rebels. As a result, East Timor wanted to arrest him so that the violence would stop. At one point in the mission East Timor had pinpointed Reinado’s location and asked the UNPOL to step in and arrest him. The UNPOL refused under the basis that Reinado was armed and did not want to get sucked into the violence since they were there strictly as a peacekeeping mission (Arnold 439). Incidents like these caused the UN not only to lose face with the East Timorese, but the instability to continue into 2008 and the UN to extend their mandate until 2012 (Arnold 439, Arnold 449).

All of the issues with justice and the re-intervention of the United Nations does not imply that it failed. Instead, the United Nations showed that it succeeded in its efforts of Timorization. The United Nations had successfully created a military and police force- two vital components of maintaining security and creating a stable government for East Timor’s million inhabitants. The problem that arose was that both groups ended up vying for power- after the United Nations had removed its state-building forces and were stationed there as a support-based mission. Furthermore, the refusal to assist in the arrest of Reinado showed that while they kept with the mission, they wanted East Timor to stay on its path of independence by letting the East Timorese try its hand at maintaining its own security without the help of the UN. By letting East Timor attempt this, the United Nations was still keeping East Timor on tract while being a reassuring hand to the state. In other words, they would be supportive, but they ultimately wanted East Timor to maintain its independence.

Overall, the United Nations was successful in that it created a functioning government. It had both a military and police force that despite the clashes in 2005/2006 until 2008, was able to maintain both local and national security. The creation of a judicial branch in East Timor’s government was also a means of creating a functioning government because they were able to maintain local security through the new legal system and with the prisons that the United Nations had to build. Yet another success was that the United Nations was able to create a representative democracy and fully incorporate the East Timorese into the government process to the point that the international organization could remove INTERFET from East Timor. When they returned in the 2000s, they stopped the violence and protests and helped East Timor regain its sovereignty from the UN, even if it was delayed until 2012.

While these were all successes, no mission can be perfect. One of the most important unresolved issues was the trials that were never held. The United Nations promised the East Timorese the justice that they wanted after years of oppression, and they did not deliver this promise. They failed to obtain the promise that Indonesia would extradite the suspects for trial in East Timor and left East Timor on its own. Instead, Gusmao had to promote the Commission which did not do the job that the SCIU and the United Nations had intended/promised. Another major failure of the United Nations was that they inadvertently set up the clashes in 2005/2006 by hiring the military and the police force and not noticing that the military was coming from one region while the police force was coming from another. They also failed to connect the leaders of these groups with the masses, which led to the protesters in Dili.

Today East Timor is still in a state of rebuilding. The state has celebrated multiple elections since gaining its official independence since 2002. A journalist who returned to East Timor in January of 2013 returned to see if he could find a family whose picture he had taken as he covered the story for an Australian newspaper. After successfully finding the mother, named Deolima, he interviewed her about whether or not independence and the United Nations’ building was worthwhile after all of the violence and failed tribunals/prosecution of the perpetrators. She responded with, “Life is hard but it is better than during Indonesian time… at least we have our freedom” (South 1). It is comments like Deolima’s that also point to the United Nations’ success in East Timor, for no matter what, even if they did not get justice, they still have their freedom from Indonesia.

In the United Nations Mission in East Timor, the United Nations became involved in the situation and was mostly able to maintain and keep a stable operation within East Timor because they planned out a timeline and goals in advance and worked with both Indonesia and the local people to ensure stability and a fair consultation. Statistically speaking, East Timor is a small nation. One of the biggest ideas that can be learned from this mission and studying it is that nation-building, while being a huge process to undertake, can successfully occur under the right conditions. Groups might be angered by the slow process, but by taking the extra time to set up basic human needs and then focusing on nation-building is a more reasonable, logical option. Looking at East Timor’s framework, if a larger territory was to undergo this same process of nation-building, the territory could have the same success as East Timor thanks to the set frameworks and willingness to be flexible and incorporate the people’s needs and wants through a specific process. The UNTAET officially left in December of 2012. The future of East Timor as a completely independent, United Nations’-free state are uncertain, but the results are clear; the people wanted freedom, and through an election, they were able to start down the road to achieving it and finally gain their independence.

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