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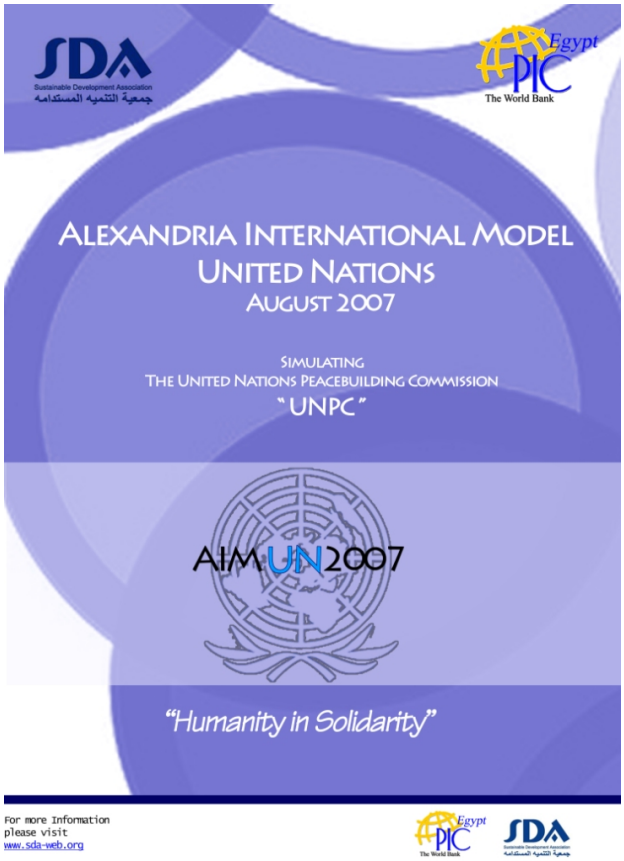
On 23 June 2006 the UN proudly launched its Peacebuilding Commission (PBC) seeking to reverse a situation where international efforts to rebuild war-torn societies had, more often than not, failed. In the words of its charter, the PBC will "marshal resources at the disposal of the international community to advise and propose integrated strategies for post-conflict recovery, focusing attention upon reconstruction, institution-building, and sustainable development in countries emerging from conflict." As an advisory body made up of 31 member countries including four permanent members of the Security Council, and currently chaired by Japan, the PBC purports to offer tailor-made solutions to target countries making the transition from war to peace.



The UN's Peacebuilding Commission

Mindful of such cases as Haiti, Cambodia, Somalia, and Liberia, where security deteriorated once international support was withdrawn, obviously the drafters of the PBC had much to learn from the East Timor (Timor-Leste) example, just as they have much to contribute to the rehabilitation of the newly independent nation. This was highlighted by the massive civil unrest sparked off in East Timor in early 2006 returning to world attention in February 2008 with the near assassination of the Democratic Republic of

Timor-Leste (RDTL) president and the continuing humanitarian crisis whose multiple dimensions are addressed in the International Crisis Group Report "Timor-Leste's Displacement Crisis." [1] The irony could not be lost on Timor-Leste that one of the PBC's specific briefs is to "extend the period of attention by the international community to post-conflict recovery." [2] To date, only Burundi and Sierra Leone are beneficiaries of Peacebuilding Fund support, although emergency funding has also been advanced to Cote d' Ivoire and the Central African Republic. Guinea-Bissau is presently under active discussion. Given the ad hoc nature of past UN missions in East Timor, the hybrid character of security operations conducted independent of the UN flag, and the general lack of governance capacity inside the new nation, this article explicitly argues in favor of extending PCB commitment to Timor-Leste. [3]

Crisis of 2006 Revisited

Tragically, it was precisely the decision of the Security Council to prematurely terminate the United Nations Office in East Timor (UNOTIL) mission (May 2005-August 2006) over the advice of the Secretary-General, that allowed events to spin out of control; resulting in civil breakdown, some 30 deaths, some thousand houses destroyed, massive population dislocation; and the call for fresh military and international humanitarian intervention. Confronted with the prospect of a "failed state," consensus emerged in the Security Council to mandate a fresh UN mission, as discussed below. Its task was not only to oversee fresh elections but, to consummate the rebuilding of failed institutions while achieving the kind of sustainable development necessary to break the cycle of unemployment and poverty that helped to fuel the violence. Primarily, though, the underlying cause of the crisis of 2006 lay with the security sector and the rebuilding of this sector is at the heart of Security Council discussions on the new mission. The crisis was not without domestic fallout. Amid much acrimony, including claims of coup d'etat, six weeks after the intervention the elected RDTL Prime Minister, Mari Alkatiri, was obliged to step down.

The Australian Intervention

With the security situation out of control, on 24 May 2006 the RDTL government formally requested security assistance from Australia, New Zealand and Malaysia. Australia, which had already pre-positioned ships off Timor island, was the first to respond and assumed overall command of a so-called International Stabilization Force comprising some 2,500 Australian soldiers out of a total of 3,200 international forces, alongside 500 international police answering to UN command. It might also be noted that the original "request" came from Canberra, not Dili. Portugal subsequently sent a police detachment, the Guarda Nacional da Republica, (GNR) operating under its own mandate. With the arrival of an advance party of 150 Australian commandos on 25 May, the rules of engagement were hastily drawn up at a meeting at Dili airport involving the Australian Military Commander, the RDTL Foreign Minister, and the Special Representative of the Secretary-General (SRSG). On 26 May, the RDTL government handed over responsibility for security in Dili to Australian troops. It should be noted that Operation Astute – as it was known - did not operate under UN control, nor was it mandated by any Security Council resolution. The model would be that of the Australian-led mission in the Solomon Islands or RAMSI.

Australian peace keepers in action in East Timor

Australian insistence that it remain in charge of the security force outside of a Blue Helmet UN mission would later backfire, as Australians themselves subsequently became a target of hostility by supporters of victims of East Timorese casualties by Australian Defense Forces. Their number was 1,000 as of early 2007 (780 as of early 2008). On 8 April 2007, then Australian Foreign Minister Alexander Downer announced that Australia might be willing to transfer ownership of the security force to UN control after the June 2007 legislative elections. Still, that did not transpire. Quite the reverse, following the 11 February 2008 assassination bid against newly sworn in President Jose Ramos-Horta, the incoming Rudd Labor government actually expanded Australia's force commitment by 250 and has pledged a longer-term security commitment to the new nation. But even as the hunt proceeds for rebel holdouts, concerns of Australian interference or domination in the former Portuguese colony remain in the minds of many. [4]

UN Response to the Crisis of 2006

While, as mentioned, on 24 May 2006 the RDTL government requested Australia, Malaysia, New Zealand and Portugal to send troops and police to help calm the situation, it was only on 26 May that the Security Council offered its blessing to Dili's request. Nevertheless, on the following day the UN announced that the majority of its staff would be withdrawn from the country. On 28 May, the SRSG requested international police force reinforcements. In the face of a mounting humanitarian crisis, especially relating to the spike in numbers of Internally Displaced People (IDPs), a Danish national was appointed Humanitarian Coordinator for East Timor.

In May, the Security Council (Resolution 1677 (2006) extended the UNOTIL mission for one month past its 30 May expiration. In June, in resolution 1690, the UNOTIL mandate was further extended until 20 August with the request that, by 7 August, the Secretary-General provide the Council with a report on the UN role in East Timor following the expiration of UNOTIL's mandate. Obviously UNOTIL alone was not to blame for the unraveling of the security situation and the descent into chaos, but obviously it suffered problems of leadership, recruitment, local knowledge and vision. [5]

Following a request from the RDTL government, the UN established an independent special inquiry commission to review the incidents of late April and May 2006 as well as other events that contributed to the crisis. A three-person commission, led by Paulo Sergio Pinheiro of Brazil, was appointed on 28 June, with a brief to report by October.

With Security Council approval, the Secretary-General's Special Envoy for Timor-Leste, Ian Martin (simultaneously head of the UN Human Rights Office in Nepal and former head of the UN mission in East Timor in 1999), was dispatched to Dili to assess the situation and report back.

Confronted by the prospect of a failed state, a consensus emerged within the international community that it had neglected to provide the

new nation with adequate support for a sufficient time and acted too quickly in significantly reducing UN presence on the ground. The Core Group (comprised of Australia, Brazil, New Zealand and Portugal, in addition to Security Council members France, Japan, the UK, and the US, acknowledged the need to establish a new, much more robust UN operation. As made clear on 13 June, the RDTL government expressed its wish for a UN peacekeeping force to replace the multinational force. Then serving Timor-Leste Foreign Minister, Jose Ramos-Horta subsequently made it known that he wished the deployment of 800 international police for a period of five years

There were significant differences, however, regarding the shape of the future mission. While all agreed on the need for UN policing, differences emerged over the numbers required, with some arguing that a small number of high-quality police personnel would better meet the needs than personnel of many diverse national origins. Another point of contention was whether the operation should include a blue helmet military component under UN command, or as with the Australia military contingent, outside of UN command. Another issue was criticism on the part of the RDTL leadership as to the "heavy footprint" of previous UN missions and the dead hand of the UN bureaucracy, as shown by the huge diversity and inexperience of many international personnel. [6]

The United Nations Integrated Mission in Timor-Leste (UNMIT)

On 25 August 2006, acting upon the conclusions of the Ian Martin assessment mission, as well as input from the SRSG, the Security Council decided on the shape of a new UN mission. UNMIT, East Timor's fifth UN mission since 1999 was established under Security Council Resolution 1704. On 5 February, the UN Secretary-General recommended that the mission be granted an additional 12 month extension. Officially the mission is concerned to support stability, national reconciliation and democratic governance." Additionally, it seeks to facilitate relief and recovery, and to aid justice and reconciliation. It also provided technical advice and support for the presidential and legislative elections held in 2007. Appointed in December 2006, Atul Khare, an Indian national, serves as SRSG. As of April 2008, the mission included 156 international staff, 382 national staff, some 1,608 UN Police along with 34 military liaison officers. UNMIT also seeks to reconstruct the Timorese police force (PNTL).

Notionally, at least, UNMIT continues UN assistance with the Office of the Prosecutor General in resuming investigative functions of the former Serious Crimes Unit "with the aim of completing investigations into the serious human rights violations of 1999." As an "Integrated" mission, UNMIT brings together the various UN agencies operating in East Timor "to maximize efficiency and impact." [7]

On 25 February 2008 Security Council (Resolution 1802) extended UNMIT's mandate for another 12 months. Deploring the attacks against the President and Prime Minister as "an attack on the legitimate institutions of the country" the Resolution sought UNMIT to intensify its work in strengthening the security sector including the PNTL. UNMIT also promises an internal investigation of the events of 11 February. Obviously such commitment is crucial to the rehabilitation of the nation, but we wonder whether such ad hoc-ism on the part of successive UN missions will ever raise capacity to a critical mass, short of the kind of international footprint implied by the PBC model.

Independent Special Committee of Inquiry

As mentioned, a UN Independent Special Commission Inquiry for Timor-Leste was mandated to establish the facts and

circumstances relevant to the incident on 28-29 April and 23-25 May 2006. It was also mandated to investigate related events or issues contributing to the crisis, to clarify responsibility for the events, and recommend measures of accountability for crimes and serious human rights violations specific to this time frame. Also, according to mandate, on 17 October 2006 the Commission Inquiry submitted its report to the National Parliament.

The Commission chided the Crisis Cabinet and in particular the then Prime Minister, Mari Alkatiri, for failing to follow requisite legislative procedures in calling out the F-FDTL or Timor-Leste armed forces on 28 April.

Concerning the events of 23 May, Major Alfredo Reinado and his men were deemed "reasonably suspected" of committing crimes against life during an armed confrontation near Dili. [Reinado was the self-proclaimed leader of a breakaway F-FDTL or "petitioner" group and major cause of instability inside East Timor until his demise on 11 February 2008 in the still mysterious assassination attempt against Jose Ramos-Horta.] In this regard, the then President (Xanana Gusmao) "should have shown more restraint and respect for institutional channels in communicating directly with Major Reinado after his desertion."

Ramos-Horta (left) and Reinado

Specific to the events of 15 May, it held that the Chief of the Timor-Leste Defense Forces Taur Matan Ruak cannot be held responsible for the F-FDTL shooting of the unarmed PNTL officers, but concluded that he failed to exhaust all avenues to stop the confrontation.

Specifically, Minister of Interior Rogerio Lobato and Police Commander Paulo Martins "bypassed institutional procedures" by transferring weapons. Together, Lobato, Minister of Defense Roque Rodrigues, and Ruak "acted without legal authority" and should be "held accountable" for illegitimate transfer of weapons.

Prime Minister Alkatiri was cited as failing to

use his authority to denounce the weapons transfer, although no evidence was found leading to the recommendation that he be prosecuted, at least not before further investigation.

The Commission also blamed President Xanana Gusmao for adding fuel to the fire by publicly claiming that the dismissal of the petitioners was unjust while lending credibility to their claims of regional discrimination.

Generally, the Commission found "the fragility of various State institutions and the weakness of the rule of law were the underlying factors that contributed to the crisis." That is undoubtedly the crux of the matter, but the Commission is notably silent on the failings of international actors and the UN body itself.

As East Timor-watcher Joseph Nevins commented upon these findings, still in need of investigation was the role of the Catholic Church "which helped fan the flames that sparked anti-government (and by extension anti-eastern) violence." Added to that, Gusmao's "murky" role in communicating with the rebel Reinado outside of official channels also must be investigated. [8]

In any case, on 10 July 2006 Jose Ramos-Horta was sworn in as interim Prime Minister of the Second Constitutional government two weeks after Alkatiri resigned amid accusations that he was responsible for the violence. On his part Alkatiri remained indignant claiming to be a victim of a number of conspiracies on the part of international actors, including sections of the Australian media.

Sequels

Having dramatically staged a breakout from Dili's Becora prison on 30 August 2006 along with followers, Reinado defied all efforts to apprehend him. Even so, he was contacted in his mountain hideout by members of Australian military forces, international media and even leading RDTL government officials, raising questions about the nature of his immunity. Official tolerance only seems to have changed when, in February 2007, Reinado brazenly raided a police depot and captured weapons. Acting on orders from the RDTL President, Australian-led security forces mounted a botched raid on Reinado's headquarters, leaving five of his supporters dead but with the renegade soldier evading capture. This led to violent demonstrations in the capital by supporters of Reinado. The UN in turn mounted an inquiry into the killings. Further urban violence flared when, on 7 March 2007, Lobato was sentenced by a panel of three international and one East Timorese judge to 7 years 6 months prison (appealed) for manslaughter and unlawfully using weapons. Earlier, charges against Alkatiri had been dropped, citing lack of evidence. As a result of the flare up of violence a number of foreign nations (Australia included) evacuated non-essential staff, just as the number of IDPs increased.

It was against this uncertain backdrop that East Timor prepared for Presidential elections, with the first round held on 6 April 2007 and a runoff conducted on 9 May followed by parliamentary elections held on 4 June 2007. Rather than confirming legitimacy and socializing democratic norms, the results, much contested, led to the somewhat anomalous outcome where the former President and Prime Minister exchanged roles, and where the party which gained the plurality of votes (Fretilin) was relegated to the opposition. This time round Fretilin supporters responded with a rash of house burnings. After initially boycotting the parliament, Fretilin members have subsequently taken their place. It is understood that just prior to the assassination attempt on the President, he had been in talks with political figures concerning the prospect of an early election, suggesting to this author a crisis of legitimacy barely masked in Dili.

Conclusions

Was this then a failing state situation? Was East Timor becoming a Pacific Haiti in the worst possible sense? Could this situation have been averted with better international preparedness, or was this, as former Australian Prime Minister John Howard kept repeating, an egregious example of "bad governance?" [9 After all, should Timor-Leste be inscribed in the PBC at least in such a way as to support a new level of partnership (such as seems to be working in Sierra Leone) to avoid the worst excesses of international colonization?

We wonder as well about the politicization of ethnicity, the deliberate creation of east-west divisions in society by agent provocateurs and other actors that left many innocent victims. Certainly, as the Independent Special Committee of Inquiry concluded, the "fragility" of state institutions contributed to the crisis. And so too did leadership failure. Nevertheless, we cannot absolve international society including the United Nations. Crucially, Australia's and Japan's veto of mission extension flowing through to Security Council deliberation, was shortsighted. Looking further back, those individuals and nations responsible in the initial recruitment of the F-FDTL and the RDTL police, simply failed the nation, as did certain of their trainers.

Undoubtedly, accountability for the events of 2006 will be necessary to create an atmosphere of trust and reconciliation for the future but, the need for full accountability for serious human rights violations and past crimes against humanity under the long Indonesian occupation is likely to prove just as important. As highlighted in the International Crisis Group Report, only a holistic approach to peace building in East Timor can break the cycle of impunity necessary to safeguard the human security environment including the population displacement crisis.

Set back years by the violence of 2006, this author feels that only a deeply embedded and unencumbered UNMIT, or better still a longer term commitment as implied by the PBC, can lead East Timor out of its lingering crisis. This is especially the case as the new nation has the wherewithal for economic recovery – oil reserves amounting to over one billion dollars in escrow account – to see through sustainable development.

Notes

[1] "Timor-Leste's Displacement Crisis," International Crisis Group, Asia Report No.148, 31 March 2008.

[2] A/RES/60/180 of 30 December 2005.

[3] In March 2007 Japan's Ministry of Foreign Affairs hosted a symposium on peacebuilding including the possibilities of a PCB role in East Timor. It can only be surmised why Burundi and Sierra Leone alone have met PCB inscription criteria. Can it be the case that the UN wished a success with these two cases rather than face another failure as with East Timor?

[4] See, for example, Richard Tanter, "The Crisis Beyond the Coup Attempt."

[5] One, albeit premature, assessment of UNMISET is offered in Geoffrey C. Gunn and Reyko Huang, New Nation: United Nations Peacebuilding in East Timor, Tipographia Macau Hung Heng, Macau, 2006, pp.169-73.

[6] Evidently this was a view shared by some members of the Core Group. See this report.

[7] Lusa, 14 July 2006, "Ramos Horta Government gets "benefit of doubt" – dissident army officer."

[8] Joseph Nevins, "Timor-Leste in 2006: The End of the Post-Independence Honeymoon," Asian Survey, Vol.XLVII, no.1, January/February 2007, p.166.

[9] For a lucid discussion on East Timor and failed state prospects, see James Cotton, "Timor-Leste and the discourse of state failure," Australian Journal of International Affairs, 61:4, December 2007, pp.455-470. Cotton argues that if East Timor is to be a "successful state" it is more likely to conform to Melanesian rather than Southeast Asian forms of functionality.

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