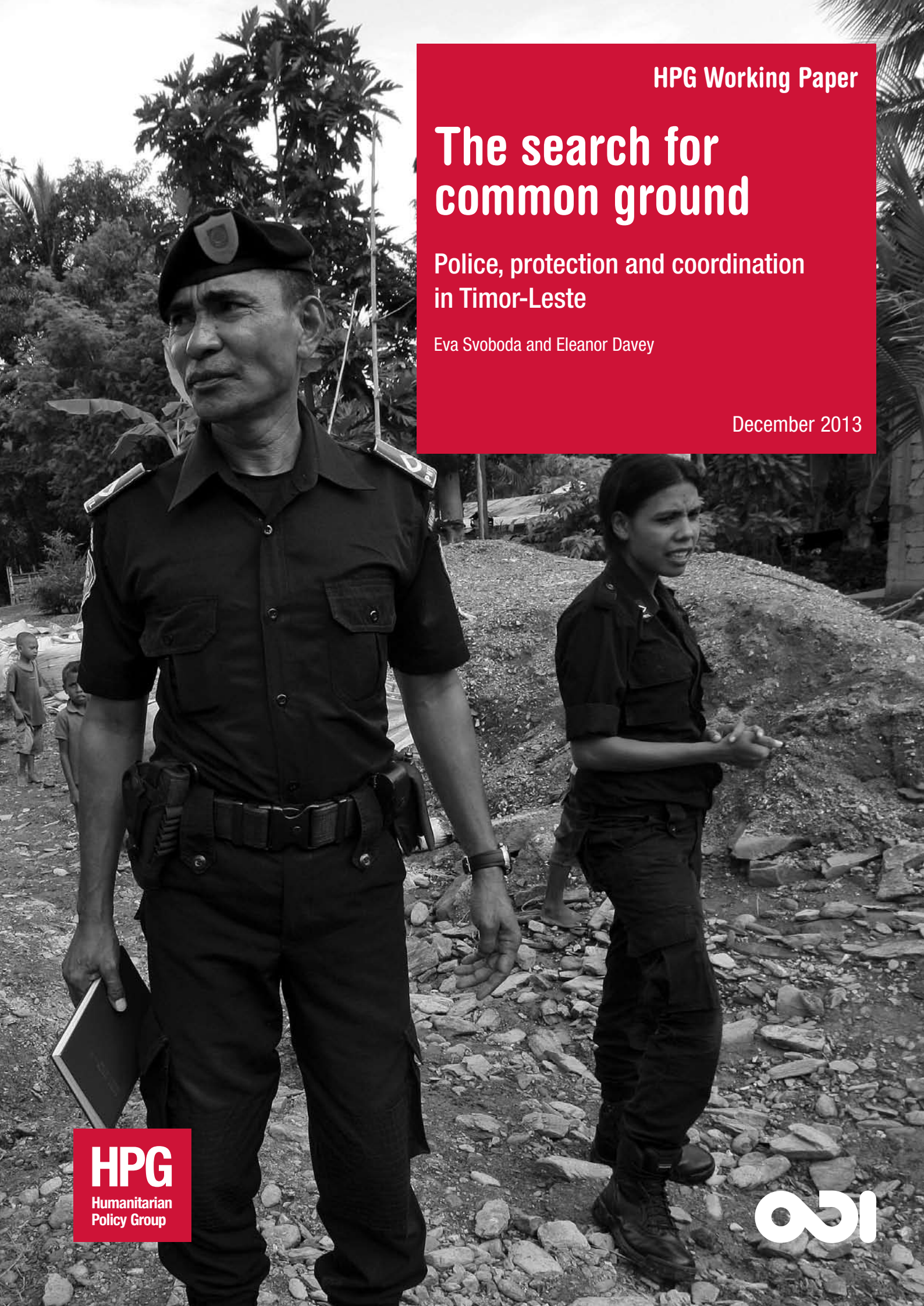

HPG Working Paper

The search for common ground

Police, protection and coordination in Timor-Leste

Eva Svoboda and Eleanor Davey

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About the author

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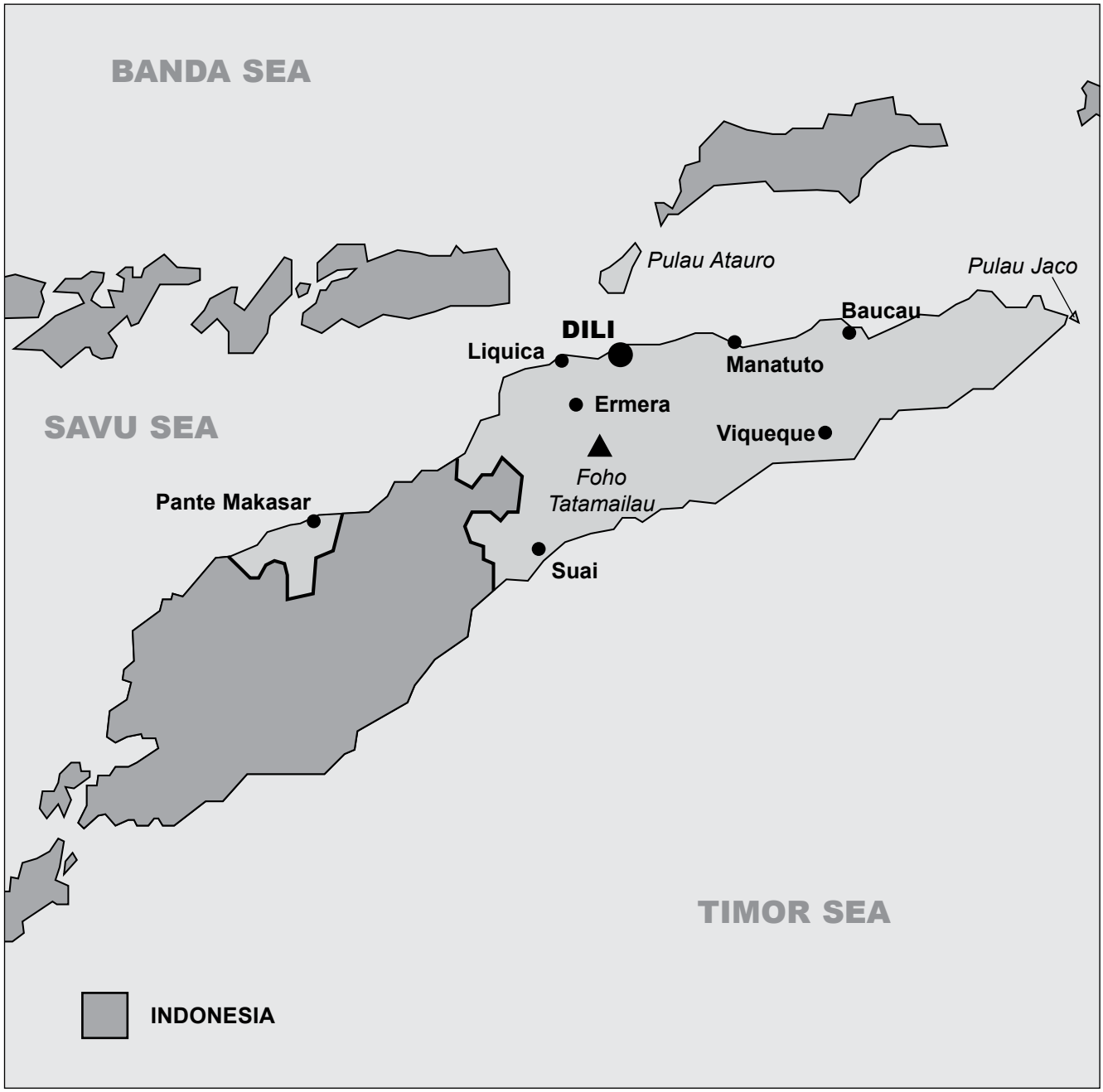
Acronyms

ADF	Australian Defence Force
AFP	Australian Federal Police
BPU	Border Patrol Unit
CAVR	Timor-Leste Commission for Reception, Truth and Reconciliation
CERF	UN Central Emergency Response Fund
CIMIC	civil–military coordination
CIVPOL/UNPOL	UN Civilian Police
CNRT	National Council of Timorese Resistance
DPKO	UN Department for Peacekeeping Operations
FALINTIL	Armed Forces of National Liberation of East Timor
F-FDTL	Timor-Leste Defence Force (or FALINTIL-FDTL)
FPU	Formed Police Unit
FRETILIN	Revolutionary Front for an Independent East Timor
GNR	National Republican Guard
IASC	Interagency Standing Committee
ICCG	Inter-Cluster Coordination Group
ICG	International Crisis Group
IOM	International Organisation for Migration
INTERFET	International Force for East Timor
ISF	International Stabilisation Force
JMAC	Joint Mission Analysis Centre
MINUSTAH	UN Stabilisation Mission in Haiti
MONUSCO	UN Stabilisation Mission in the Democratic Republic of the Congo
OCHA	UN Office for the Coordination of Humanitarian Affairs
OHCHR	UN Office of the High Commissioner for Human Rights
PNTL	National Police of Timor-Leste
SPU	Special Police Unit
UNAMET	United Nations Mission in East Timor
UNAMID	African Union–United Nations Hybrid Operation in Darfur
UNDP	United Nations Development Programme
UNMISET	UN Mission of Support in East Timor
UNMIK	UN Interim Administration Mission in Kosovo
UNMIL	UN Mission in Liberia
UNMIT	UN Integrated Mission in Timor-Leste
UNOCI	UN Operation in Côte d'Ivoire
UNOTIL	UN Office in Timor-Leste
UNTAET	UN Transitional Administration in East Timor
VPU	Vulnerable Persons Unit

MAP OF TIMOR-LESTE



Executive summary

With two military interventions and five UN missions over the course of nearly 13 years, Timor-Leste's experience of international engagement is extensive, despite only recently celebrating its tenth anniversary as an independent nation. Similarly, with international policing missions beginning in the 1960s the UN's involvement in policing is longstanding – although it has grown significantly in scale and ambition over the last 20 years. This study uses the experience of Timor-Leste to explore the place of policing within civil–military coordination. It examines the evolution of policing in UN missions in Timor-Leste between 1999 and 2012, highlighting their impact on the development of the National Police of Timor-Leste (PNTL) and the PNTL's relationship with the Timorese military, the Timor-Leste Defence Force (F-FDTL). It looks in particular at the violence that flared up in the country in April–June 2006, and examines the coordination mechanisms and actors involved in the response.

The case of Timor-Leste demonstrates that improvements are needed if international and national police in transitional settings are to provide an effective and reliable service for people affected by violence and crime, and play an appropriate institutional role in society as a whole. Fragmentation, lack of clarity and language issues undermined the performance of UN police as well as the development of the PNTL throughout the 13 years of international missions. Successive UN missions did not sufficiently take into account Timorese perspectives, eventually leading to the departure of the UN Integrated Mission (UNMIT), at the request of the Timorese government, in December 2012. In particular, the failure to take into account the legacy of the liberation struggle, and the prestige veterans of that struggle hold within Timorese society, hampered efforts to promote the independence and integrity of the PTNL.

Effective civil–military coordination is essential to the humanitarian objective of saving lives and alleviating suffering. The role of police forces in the protection of civilians and in interactions with humanitarian actors during peacekeeping operations has not to date been a strong focus of research or training. However, as the mandates of peacekeeping missions become more wide-reaching, there has been greater recognition of the importance of policing, and the UN has begun to review and reform its policies in this regard. The case of Timor-Leste demonstrates the importance of involving national actors – leaders, organisations, society – in coordination mechanisms during a crisis, as well as engaging them on issues such as security sector reform and the establishment of strong judicial systems.

1 Introduction

1.1 Overview of the project

Effective civil–military coordination is essential to the humanitarian objective of saving lives and alleviating suffering in conflict and disasters. In recent years civil–military coordination has faced a number of major and often interconnected challenges, including expanded international intervention in fragile and conflict-affected states, the increased frequency and scale of natural disasters and the rapid proliferation of humanitarian actors. In the face of these multiple challenges, interaction and dialogue between military and humanitarian actors is essential. However, they often fail to reach a common, functional understanding of the role that each plays, the challenges they face and, critically, the priority needs of affected populations and how these can or should be addressed.

This Working Paper is part of a two-year project, entitled 'The Search for Common Ground', examining current challenges to civil–military coordination and identifying opportunities to ensure more effective coordination at policy, strategic and operational levels. Through a series of case studies and other exchanges, the project aims to provide contextual analysis of how civil–military coordination mechanisms have functioned in disaster and conflict contexts. Of key concern is the impact civil–military coordination mechanisms have had on the efficiency and effectiveness of humanitarian response and outcomes for affected populations. Each case study highlights a different element of civil–military interaction (role of the national army, police, international militaries engaging in humanitarian assistance etc.) and, while each case study is a stand-alone document, it is hoped that together they form a comprehensive analysis of civil–military coordination.

This study uses the experience of Timor-Leste to examine the place of policing within civil–military coordination. It explores the evolution of policing in successive UN missions between 1999 and 2012, highlighting their impact on the development of the National Police of Timor-Leste (PNTL) and the PNTL's relationship with the Timorese military, the Timor-Leste Defence Force (F-FDTL). The study begins with an overview of policing components in UN peacekeeping missions. Section 3 outlines Timor-Leste's experience of occupation and independence and the importance of these experiences in gaining a full understanding of the country. The remaining sections discuss the period between 1999 and the withdrawal of the UN Integrated Mission (UNMIT) in December 2012, with particular reference to policing. The final section offers conclusions and recommendations drawn from the preceding analysis.

1.2 Methodology

This study of civil–military coordination takes the role of the police as its focus, examining in detail the case of Timor-Leste. Research for the study involved a review of primary and secondary sources, including UN documents, grey literature and academic publications. Fieldwork in the Timorese capital Dili took place in December 2012, complemented by additional interviews with individuals no longer based in Timor-Leste. Interviewees included members of Timorese civil society, staff of international organisations and international non-governmental organisations (NGOs), members of international military forces, government advisors, UN staff and staff from multilateral agencies and security sector experts. The authors recognise that an international perspective is dominant in this paper. More international than local actors were interviewed as part of this research and, while utmost care was taken to ensure a balanced analysis based on diverse viewpoints, the Timorese perspective remains under-represented. In order to allow for fuller discussions, the names of interviewees have been withheld, although the authors would like to thank those who offered to be quoted on the record.

1.3 Terminology and definitions

The Democratic Republic of Timor-Leste is referred to in this study by the shortened name of Timor-Leste. When discussing the period before independence, the territory will be referred to as East Timor.

English-language names will be used for Timorese organisations and institutions, although the official languages in Timor-Leste are Portuguese and Tetum, with English and Bahasa Indonesia having the status of working languages.

The definition of humanitarian civil–military coordination put forward by the Interagency Standing Committee (IASC) and the UN Office for the Coordination of Humanitarian Affairs (OCHA) will be used for the purposes of this study. It states that such coordination is:

> *the essential dialogue and interaction between civilian and military actors in humanitarian emergencies that is necessary to protect and promote humanitarian principles, avoid competition, minimize inconsistency, and when appropriate pursue common goals. Basic strategies range from coexistence to cooperation. Coordination is a shared responsibility facilitated by liaison and common training* (OCHA, 2007).

This coordination may take different forms, from coexistence to more direct cooperation through information-sharing, liaison and joint training. Although policing is technically a civilian task, it is part of the broader security sector in this context and hence on the 'military' side of the term civil–military coordination. Civil–military guidelines such as those adopted for South Sudan state: 'Military/security actors: For the purpose of this document military/security actors refers to a structured military or police presence, armed or unarmed, whether national or international. This may include a wide spectrum of actors such as the national or local military forces, civilian representatives or armed forces, multi-national forces, UN peacekeeping troops, military observers and other officially organised foreign troops' (UN Civil–Military Coordination Guidelines for Sudan, 2008). The term 'international' as applied to security sector actors may refer to both multilateral and bilateral deployments. The UN's civilian police contingent was referred to as CIVPOL until 2005, when its name was officially changed to UNPOL.

2 International policing: overview and key missions

2.1 The growing presence of police in UN missions

Police officers have been deployed as part of UN peacekeeping missions since the 1960s. Traditionally their role was limited to monitoring, observing and reporting. This changed in the 1990s when tasks such as training and mentoring were added. The police contingents within the UN Interim Administration Mission in Kosovo (UNMIK) and later UN missions in Timor-Leste were also in charge of interim law enforcement, a function that has historically been part of transitional administration missions, and in effect the international police deployment substituted for national law enforcement actors. The demand to assist in the implementation of UN Security Council mandates has risen sharply over the past 30 years: while there were a mere 5,840 police officers deployed in 1995, by 2013 that number had increased to 13,500.[1] Other multilateral organisations, such as NATO, the African Union (AU) and the European Union (EU), also have the capacity to deploy police and gendarmerie-type forces, and several such deployments can at times operate in the same context, as in the case of Afghanistan and the Democratic Republic of Congo (DRC).

Today, the largest UN police contingent is the AU–UN Hybrid Operation in Darfur (UNAMID), established in July 2007, which currently fields 4,490 police officers.[2] The UN Security Council renewed UNAMID's mandate for a further year in July 2013. In renewing its mandate, the Security Council emphasised the mission's priority as being the protection of civilians, and called in particular for increased police patrols in displacement camps and areas of return, in addition to the development and training of community police. The mission has found it difficult to implement its mandate due to high levels of insecurity, problems obtaining consent from the host state to conduct operations and lack of confidence in the mission among the local population due to insufficient resources and capacity.

The UN Stabilisation Mission in Haiti (MINUSTAH), established in June 2004, has the second-largest police contingent, numbering 2,522 officers.[3] The mission was tasked to support institutions such as the Haitian National Police (PNH) to improve security and the rule of law. More specifically, UNPOL in Haiti is tasked to provide oversight of the national police force's activities, actions and behaviour to ensure that international human rights and democratic policing standards are met; to provide guidance, assistance and advice on the development of an effective peacetime civilian policing capability; and to assist in the functioning of democratic institutions.

In March 2012, UNPOL and the PNH drafted a five-year Haitian National Police Development Plan. One of the main objectives of the plan is to achieve a minimum of 15,000 serving officers in the PNH by 2016. MINUSTAH is providing professional training for up to 6,000 officials in the PNH in areas such as logistics, accountability, recruitment, training, organised crime reduction and border control. MINUSTAH personnel have also worked with the PNH to help dismantle some of the violent drug gangs that operate in Haiti. MINUSTAH has made some progress in improving the overall security situation, although interviewees criticised some of the tactics used and raised questions about UNPOL's support for evictions of displaced people by the PNH. The UN's own internal audit of MINUSTAH, published by the Office of Internal Oversight Services in 2012, concluded that overall UNPOL's operations were 'unsatisfactory' given 'the lack of progress by MINUSTAH towards enhancing the capacity of the Haitian National Police to conduct criminal investigations' (OIOS, 2012).

1 See http://www.un.org/en/peacekeeping/issues/police.shtml.

2 See http://unamid.unmissions.org.

3 In addition to UNAMID and MINUSTAH, missions with significant police contingents include the UN Mission in Liberia (UNMIL), with 1,457 police officers, the UN Stabilisation Mission in the DRC (MONUSCO – 1,420 police officers) and the UN Operation in Côte d'Ivoire (UNOCI – 1,331 police officers).

2.2 Trends and issues

The volume of research on and knowledge of civil–military interaction either from the perspective of the military or humanitarian actors is considerable, ranging from organisation-specific guidance for particular contexts to discussion papers, OCHA guidelines and Humanitarian Country Team instructions.[4] In particular, the literature on civil–military coordination in relation to the protection of civilians (POC) is extensive. The same cannot be said for the role of international police in the protection of civilians and their interaction with humanitarian actors, an area that remains under-researched and underdeveloped, both by humanitarian actors and by the police themselves. This section explores some of the key issues from the literature and research conducted by HPG as part of the 'Search for Common Ground' project.

Peacekeeping missions have traditionally not been in need of skills that typically come with policing. However, there has been a significant change in the objectives of peacekeeping since the 1990s, and today's missions often operate in conflict-affected environments where the restoration of the rule of law and support to state institutions is seen as crucial to a peace process. UN Under-Secretary-General for Peacekeeping Hervé Ladsous has stressed that 'beyond the "traditional" roles of monitoring ceasefires and deterring the eruption of violence, peacekeepers today provide direct support to peace processes in the aftermath of conflict, including but not limited to assistance to reform of rule of law, justice and corrections institutions; support to elections processes; promotion of human rights and women's empowerment; HIV and AIDS awareness-raising and civil–military coordination; protection of children and other vulnerable populations; and Disarmament, Demobilization and Reintegration of former combatants' (Challenges Forum, 2012: 92). International police contingents are considered better suited to some of these tasks than military forces. Keeping two armies apart or monitoring a ceasefire requires different skills and equipment from law enforcement and training functions. There are similarities between the two groups, such as the concept of 'minimum use of force' employed by the police, which can be compared with the concept of 'proportionality' for the military (Greener, 2011). The differences however outweigh the similarities. For example, the military has an 'enemy'; in fact, one could argue that the very identity of the military hinges on having an enemy. The police – at least in democratic states – are seen or aspire to be part of the community. At the same time, the largest police-contributing countries in July 2013 were Bangladesh, Jordan, Senegal, India, Nepal, Nigeria and Pakistan, countries that do not have a strong human rights-based policing tradition. Some argue that, unless UN police are 'well-versed in human rights standards and the principles of democratic or community policing' the UN will not be able to authoritatively convey the importance of the rule of law and democratic institutions in post-conflict countries (Durch and England, 2010: 29).

The first UNPOL Formed Police Units (FPUs) were created by the UN Department for Peacekeeping Operations (DPKO) in 1999, when the UN assumed full responsibility for enforcing the law both in Kosovo and in Timor-Leste, a task that required a capacity and capability distinct from general policing. FPUs are defined by UNPOL as 'rapidly deployable, well equipped and trained to act as a cohesive body capable of responding to a wide range of contingencies. They are self-sufficient, able to operate in "high-risk" environments and are deployed to accomplish policing duties such as crowd control rather than to respond to military threats'.[5] Their cohesiveness and special weapons and equipment give them an advantage in comparison to 'regular' international police. The move to FPUs also reflected a recognition that general policing is ill-equipped for the challenges of urban violence and communal unrest and the associated factors of displacement. Three core tasks have been identified for FPUs:

1. Managing public order.
2. Protecting UN personnel and facilities.
3. Supporting police operations that require a formed response[6] and may involve higher risk (above the general capability of individual UN police) (DPKO/DFS Policy, 2010).

4 See for example Oxfam International (2003); Save the Children (2004); Caritas Internationalis (2006); SIPRI (2008); HCT Mali (2013); and OCHA (2011).

5 See http://www.un.org/en/peacekeeping/sites/police/units.shtml.

6 A 'formed response' refers to a response by a cohesive, specialised unit. Other examples of formed units are SWAT teams and canine units. See http://www.un.org/en/peacekeeping/sites/police/units.shtml.

The ability to operate independently of military counterparts in less secure areas has been identified as an advantage in a context such as Darfur, where FPUs have been deployed as part of UNAMID.

The UN struggles to recruit sufficient numbers of adequately skilled police officers. Durch and England (2010: 17) argue that 'until recently, planners and donors often treated police peacekeeping as an afterthought for missions, focusing instead on the military aspect of peacekeeping'. Reforming, restructuring and training a local police force is a long-term process, and there is reluctance among donors and police-contributing countries to commit to a task whose end is not clearly visible (*ibid.*). Police are usually more difficult to replace in their home countries than military personnel. There is also a glaring lack of female police officers.[7] In 2000 the UN recognised the important role women play in peace and reconciliation, and called for the fuller participation of women in peacekeeping missions in Resolution 1325. In 2007 the UN deployed its first all-female FPU (from India) as part of the UN Mission in Liberia (UNMIL), and the UN aims to have 20% female officers among its police force by 2014.

There are significant differences in institutional culture, skills and training among police-contributing countries, resulting in a lack of coherence in approach. Some interviewees suggested – and the example of Timor-Leste shows – that there can be significant differences in approaches and institutional languages between one police-contributing country and another, and from one model of deployment to another in UN, multilateral and bilateral agreements. In recognition of this DPKO has endeavoured to streamline preparation and ensure that police officers undergo pre-deployment training as well as training in the recipient country. In 2009 the UN developed the UN Peacekeeping Training Standards for Pre-deployment Training of UN Police Officers, and in 2011 began developing a strategic doctrinal framework for international police (Challenges Forum, 2011).

7 That said, the situation for national police forces is not dissimilar, although progress has been made in the recruitment of women. Women comprise 27% of police forces in England and Wales, for instance (https://www.gov.uk/government/publications/police-workforce-england-and-wales-31-march-2013/police-workforce-england-and-wales-31-march-2013), while numbers generally in Europe have increased (Institut de Seguretat Pública de Catalunya 2013).

3 Taking account of the past

3.1 From colonial rule to the independence referendum

With two military interventions and five UN missions over nearly 13 years, Timor-Leste's experience of international engagement is extensive despite only recently celebrating its eleventh anniversary as an independent nation. The long involvement of the UN in the creation of the country, beginning with a referendum on independence in 1999 leading to formal independence in May 2002, along with the relatively benign operating environment, meant that Timor-Leste was in certain ways more forgiving and more welcoming than other contexts in which the UN has had a sustained humanitarian, peacekeeping or governance role. In other words, 'there were conditions for success that are rarely available to peace missions': a welcoming population, a single interlocutor, a favourable climate for development agencies (Chopra, 2000: 28; see also Wilson, 2010: 2). Even so, recurring difficulties have accompanied the state-building process since Timorese independence.

Many of these challenges relate to the experiences of colonial rule and the decolonisation struggle. Colonised by Portugal in the sixteenth century, Timor was split in 1859, with Portugal retaining the eastern part and the Dutch gaining control of the west, although this division was not officially ratified until 1916. The entire island was occupied by Japan from 1942–45, when a few hundred Australian troops fought with the support of Timorese locals against occupying forces (see Cleary, 2010). During the period of Portuguese rule, the Catholic Church became a significant force in Timorese society and politics, with many of the leaders of early political parties educated in Jesuit schools and some receiving tertiary education in Portugal. Yet despite the changes to Timorese society that these influences represented, attempts by the Portuguese colonial administrators to break down local power structures were unsuccessful because 'they failed to understand the cultural ideology and worldview that underpins the indigenous hierarchy and legitimacy of leadership, the kinship and exchange systems that are essential for the local alliance systems, and political alliance networks between former kingdoms' (Molnar, 2010: 43).

These experiences had a crucial impact on political and military developments in East Timor following the end of Portuguese rule in 1975. A short-lived alliance between the Timorese Democratic Union (UDT) and the Revolutionary Front for an Independent East Timor (FRETILIN) broke down in mid-1975 when the UDT withdrew from the alliance and attempted a coup. A brief but bloody civil war ensued, which saw the UDT and a third party, the Timorese Popular Democratic Association (APODETI), forced out to West Timor, after which FRETILIN declared Timorese independence, prompting Indonesia to invade and annex the territory.

Although the UN never recognised Indonesia's incorporation of the former Portuguese colony into its territory, and there was active armed resistance in the shape of the Armed Forces for the National Liberation of East Timor (FALINTIL), the armed wing of FRETILIN, the annexation of East Timor was tacitly accepted by Western and regional powers, and in 1978 Australia gave de jure recognition to Indonesian authority. Cabinet documents released in 2009 show the extent to which the Australian government – like many other Western governments at the time – considered it strategically desirable to support Indonesia, which was seen as a bulwark against communism (Ryan, 2009). With Cold War politics favouring Indonesia, Jakarta was able to control access and limit information about the conflict and its repression of opposition to its rule. The Timor-Leste Commission for Reception, Truth and Reconciliation (CAVR), which examined the period from 1974–99, found that the lowest reasonable estimate for conflict-related deaths was approximately 103,000, although it speculated that the death toll could have been as high as 183,000 (CAVR, n. d.; see also Kiernan, 2003).

Given the importance of anti-communism in sustaining and justifying support for Indonesia, the collapse of the Soviet Union and the end of the Cold War had a profound effect on the prospects for the Timorese independence struggle. The international profile

of the Timorese received a lift when Carlos Felipe Ximenes Belo, then Bishop of East Timor, and José Ramos-Horta, the exiled leader of the diplomatic side of the struggle, were jointly awarded the 1996 Nobel Peace Prize, while the arrival of Bacharuddin Jusuf Habibie to the Indonesian presidency two years later led to a softening of Indonesia's stance on Timorese autonomy. A UN-run referendum took place in August 1999, with 78.5% of participants voting in favour of independence. Following the vote, extreme violence erupted as anti-independence militias, backed by the Indonesian military, conducted a campaign of terror. Although there had been intimidation campaigns prior to the vote, the level of violence after it was significantly higher: approximately 250,000 people were displaced across the border into West Timor, with the remaining population displaced internally, and some 1,500 people were killed (CAVR, 2005). Roughly 70% of Timor-Leste's buildings and infrastructure were destroyed by the joint actions of the Indonesian military and anti-independence militia in 'Operation Clean Sweep' (Nevins, 2002; see also Robinson, 2010). The violence led to the establishment of the International Force for East Timor (INTERFET), authorised by UN Security Council Resolution 1264 under Chapter VII of the UN Charter.

3.2 Legacies of the past

Arriving in East Timor in September 1999, international actors and observers were confronted with scenes of devastating violence and destruction. Discussions of the UN's state-building efforts often mention that it was starting 'from scratch' in the creation of new governance structures, the establishment of the judiciary and security sector and the provision of social services such as health and education. Some staff members of international agencies spoke of a tendency to treat East Timor in this period as the site of a natural disaster rather than a decades-long conflict. Yet Timor-Leste was anything but a clean slate (see for example Engel and Vieira, 2011). An important legacy of the period of Indonesian rule was the position of prestige held by resistance fighters and other veterans of the independence struggle.[8] As Wilson (2010: 33) argues, historical legacies 'have produced a contemporary situation where political parties and factions place high importance on gaining control, sometimes by force, of the post-independence uniformed forces and their weapons'.

While antagonisms dating from the 1975 civil war – what the CAVR called its 'deep and enduring scars' – and the conduct of the resistance struggle continue to affect post-independence politics, the leaders of the FALINTIL guerrilla force, and its political wing FRETILIN, have remained among the most influential figures in post-independence society in Timor-Leste. The prominent position and high standing of the military is a legacy of the guerrillas' sacrifice and ultimately their success in the long war against Indonesia, and the F-FDTL, thanks to its formation out of FALINTIL forces, carries the mantle of protector of the nation despite the relative lack of external threats to the country. While Costa Rica, for instance, has chosen to do without a permanent standing army, this possibility was dismissed in Timor-Leste, partly due to initial and seemingly unfounded fears about the threat posed by Indonesia, but also because of the need to give due place to the resistance veterans. Related to this is the fact that, in a small country like Timor-Leste, 'many of the citizens – most especially the small élite – have gnarled interconnections with each other … The state is not

TABLE 1: UN MISSIONS AND INTERNATIONAL FORCES IN TIMOR-LESTE

Name	Established	Closed
United Nations Mission in East Timor (UNAMET)	June 1999	October 1999
International Force for East Timor (INTERFET)	September 1999	March 2000
United Nations Transitional Administration in East Timor (UNTAET)	October 1999	May 2002
United Nations Mission in Support of East Timor (UNMISET)	May 2002	May 2005
United Nations Office in Timor-Leste (UNOTIL)	May 2005	August 2006
International Stabilisation Force (ISF)	May 2006	November 2012
United Nations Integrated Mission in Timor-Leste (UNMIT)	August 2006	December 2012

8 For a longer view of the legacy of Portuguese and Indonesian colonial rule for the use of violence in Timor, see Robinson, 2010: 21–39.

anonymous' (Peake, 2009: 232–33). In comparison to the prestigious position of the veterans, the legacy of colonial rule for the policing sector was largely negative or disadvantageous. The Timorese police under Indonesian rule acted with impunity as part of a repressive state apparatus. More generally, as Wilson (2009: 13) notes, 'Timorese thinking about development of the security sector has been greatly influenced by the authoritarian resonances of both colonial and occupation history'. The models derived from the military-style policing of the Indonesian period sat awkwardly with the (vague) democratic models promoted by the main UNPOL force and other international police contingents.[9]

In building the post-independence security sector, as in other areas, the international community failed to properly engage with the historical realities of the Timorese context. According to Jarat Chopra, a former head of UNTAET's Office of District Administration, the UN's Department of Political Affairs had followed the conflict in East Timor since 1975, and UNAMET staff drawn from this department had a strong awareness of the Timorese context. This experience and planning continuity was lost when UNTAET was established, which drew instead on DPKO personnel, so that it and subsequent missions' understanding of history was limited and insufficiently connected to the formulation of policy (Chopra, 2000: 28). Members of the Timorese NGO La'o Hamutuk drew attention to this 'historical amnesia' in a letter to the UN Secretary-General in early 2010, arguing that 'In a sense, UN responsibility for Timor-Leste since 1999 grows out of failures from 1975–1999; renewed attention since 2006 is an attempt to redress mistakes made in 1999–2005'. With regard to the training of UN police, the letter argued that 'the UN did not provide enough training for CIVPOL about the history, culture and society of East Timor', reducing the likelihood of their interacting appropriately with the people they were mandated to assist. Gordon Peake, while acknowledging the challenges that such comprehensive and nuanced cultural and historical training represents, concurred that 'one should not be coy about the need for such knowledge in order to ground programmatic effectiveness' (Peake, 2009: 234). That this was not done placed a serious handicap upon international efforts in Timor-Leste.

As the involvement of the UN, states and NGOs in Timor-Leste's reconstruction efforts continued, the attitude of the government moved from an initial willingness to engage to 'advice fatigue' and finally a desire to stand alone. This change of attitude, while understandable and perhaps inevitable, also reflected the tendency of international actors to overlook or undervalue domestic practices or 'local' knowledge. For some of those interviewed for this project, the discourse of international best practice served to sideline these elements of the national setting. As Engel and Vieira (2011: 1) argue: 'Despite efforts by local actors to shape the country's macroeconomic policy and institutional framework, the inexperience of many in government, the initial trust placed on international technical advice and early dependency on external financial assistance limited the scope for a Timorese voice in policymaking'.[10]

One reason for the omission was the relatively forgiving operating environment that Timor offered throughout the period of the UN missions, despite the severe suffering that preceded the arrival of the international community. If other parts of the world that have been host to UN peacekeeping missions have seen sustained violence or conflict and have often faced international ideological controversy, the challenges and risks in Timor-Leste have appeared comparatively manageable. This arguably made the incentive to report success all the greater, and senior UN officials working in Timor-Leste noted the pressure on staff members not to air concerns or criticisms of a programme that has been positively contrasted with the direr situation in other countries.

In 2012, celebrations of the closure of the UN mission in Timor-Leste were couched in the language of Timorese achievement but remained strongly marked by the narrative of international accomplishment. UN Secretary-General Ban Ki Moon, for instance, noted that after 'over a decade of United Nations peacekeeping support in the country … We can all be proud of this partnership for peace'. One of the more celebratory commentaries to accompany UNMIT's

9 As discussed by Smith, Holt and Durch (2007: 13), since the adoption of this model by UNPOL and other UN agencies, there has been 'disagreement over the precise goals, strategies, and policies that "democratic policing" should entail', and what it means in practice.

10 This is relevant in emergency situations as well as in longer-term development, as shown by a study of the differences in understandings of protection between local and international actors in Timor-Leste (Ageng'o, dos Reis da Costa and Searle, 2010).

last days captured this perfectly: 'As we look back on 2012's deadly global turmoil in places like Syria, and towards growing conflicts like Mali, Timor-Leste is this year's sleeper success story' (Yeo, 2012).

However, the positive portrayal must be placed against the strong criticism that has been levelled at the UN and other international actors regarding their role in Timor-Leste since 1999.

4 New country – new state?

4.1 The referendum, UN intervention and new institutions, 1999–2002

Security Council Resolution 1246 established the United Nations Mission in East Timor (UNAMET) in June 1999. UNAMET's purpose was to assist with the independence referendum. To this end, it was authorised to deploy up to 280 civilian police officers and 50 military liaison officers to assist with security during the referendum. Two months later, Resolution 1262 increased the police component to up to 460 personnel 'to continue to advise the Indonesian police and to prepare for the recruitment and training of the new East Timorese police force'. The military liaison component was increased to up to 300. Policing and the task of building the Timorese force was thus a clearly identified concern from the outset.

However, these provisions did not take into account the strong likelihood of violence around the referendum. The warnings were clear. The Indonesian military commander for East Timor, interviewed by an Australian journalist three months before the referendum, declared:

> *I want to give you this message: if the pro-independence side wins, it's not going to just be the Government of Indonesia that has to deal with what follows. The UN and Australia are also going to have to solve the problem and well, if this does happen, then there'll be no winners. Everything is going to be destroyed. East Timor won't exist as it does now. It'll be much worse than 23 years ago [when Indonesia invaded]* (cited in CAVR, 2005: 109).

As a political mission UNAMET was not equipped to deal with such a situation,[11] and so the Security Council authorised a multinational force under Chapter VII of the UN Charter under Resolution 1264, adopted on 15 September 1999. The International Force for East Timor (INTERFET) was mandated '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'. The states contributing to INTERFET were authorised to 'take all necessary measures to fulfil this mandate'. Twenty-two nations contributed to INTERFET, which was roughly 12,600-strong; Australia was the lead country with a contingent of 5,521 troops, and provided the command in the person of Major-General Peter Cosgrove. This was the largest overseas deployment of Australian Defence Force (ADF) troops since the Vietnam War (Kelly et al., 2001). Despite the widespread violence that accompanied the referendum period INTERFET faced few outright clashes with militias or the Indonesian military (although there were some close calls, including between the Indonesian and Australian navies), and losses were very small. Its objective relatively rapidly moved from stabilisation and consolidation of territorial control to preparing for the handover of security functions to the UN Transitional Administration in East Timor (UNTAET), which took place formally on 23 February 2000.

Through UNTAET, the United Nations effectively assumed control – executive, legislative and administrative – of East Timor. As Peake (2009: 218) observes, 'Although UNTAET was responsible for a relatively small territory compared to other UN peacekeeping missions, its mandate was colossal'. That mandate was:

- To provide security and maintain law and order throughout the territory of East Timor.
- To establish an effective administration.
- To assist in the development of civil and social services.
- To ensure the coordination and delivery of humanitarian assistance and rehabilitation and development assistance.
- To support capacity-building for self-government.
- To assist in the establishment of the conditions for sustainable development.

11 For a personal account of the challenges that CIVPOL officers deployed to assist with the referendum faced after the outbreak of violence, see Savage (2002).

In terms of force numbers, UNTAET's mandate allowed for a civilian police contingent of up to 1,640 officers as part of the 'governance and public administration' component, and a military component of up to 8,950 troops and 200 military observers.

UNTAET was more-or-less contemporaneous with the UN Interim Administration Mission in Kosovo (UNMIK), and like UNMIK it established the UN as the civil authority in situ and gave it the responsibility of both enforcing the law and creating new institutions to take over this role, a responsibility that proved difficult to manage (Rausch, 2002). What the executive and legislative mandate meant was vividly captured at the time by journalist James Traub (2000):

> *The UN Transitional Administration for East Timor (UNTAET) is not just helping the new country's government – it is that government. UNTAET issues postage and UNTAET signs treaties. At the airport in Dili, a Timorese in a UN uniform puts an 'UNTAET' stamp in each passport. In a fine if unintended piece of symbolism, the UN now occupies the 'Governor's House,' a lovely, colonnaded structure facing the ocean that served as the headquarters for both the Portuguese and then the Indonesian colonial administrations. Sergio Vieira de Mello, a Brazilian UN official who functions as the 'transitional administrator,' works from the same second-floor office that once housed the Indonesian governor.*

In the early phase of UNTAET the National Council of Timorese Resistance (CNRT), which represented the Timorese leadership, was not effectively or meaningfully consulted. This exclusion of the Timorese leadership from decision-making was echoed by an emerging double economy separating the expatriate community from local society and local markets (Chopra, 2000). In response to complaints, a Cabinet of the Transitional Government in East Timor was appointed in July 2000, along with a 33-member advisory body called the National Council. Roughly a year later came a Second Transitional Government, headed by Mari Alkatiri, one of the founders of FRETILIN who had spent the occupation period in exile in Mozambique and Angola. Unlike the first transitional government, the second included only Timorese representatives. However, it solely comprised FRETILIN members, reinforcing political tensions derived from 1974–75 and creating the impression that UNTAET supported that element of the political spectrum that could claim authority from the independence struggle. This bias, a common problem when international actors are seeking 'local' interlocutors, failed to take into account other issues, such as factionalism, the relationship between the diaspora and the Timorese population, the impact of rural to urban migration and evolving patronage structures (Engel and Vieira, 2011; Wilson, 2010). International advisors rarely had the necessary understanding of these issues.

Although policing quickly emerged as a focus of the international effort in East Timor, the policing component of UNTAET was slow to deploy: by the end of January 2000 only 400 officers had arrived, and by the end of July there were still only 1,270 out of the target of 1,640 (Hood, 2006). Few of the officers who had arrived in East Timor spoke the local languages, Tetum, Bahasa Indonesia or Portuguese, and not enough translators were available. There were allegations that CIVPOL officers stood by and watched crimes being committed because language problems prevented them from intervening (La'o Hamutuk, 2002). Some were not in fact police officers in their home countries, with some contributing nations sending other personnel such as drivers, administrators, clerks or car-washers (Wilson, 2010: 69). In the absence of a common standard for international policing, managing the different nationalities and therefore standards and models in the CIVPOL force was problematic (Mobbek, 2005), and officers were reluctant to act for fear that any potential error would reflect badly on the contributing nation rather than on CIVPOL itself as an international force. An evaluation concluded that 'It is not the multiplicity of nationalities in itself that is the problem, but rather the absence of a common standard for international policing' (*ibid.*). High turnover rates exacerbated these problems.

Concerns about the lack of common standards and doctrine were also raised in relation to CIVPOL's second main duty in East Timor, namely its training role. When UNTAET was established there was no UN curriculum for training police and no CIVPOL officers were recruited on the basis of their experience in training or capacity-building. The East Timor Police Training College used an ad hoc doctrine assembled from earlier missions, along

with material developed locally by CIVPOL officers (Perito, 2002). Lectures were given in English with translation into Bahasa Indonesia done by assistants. The Field Training Programme, run by CIVPOL officers in the districts, was also inconsistent. The existence of several potential legal reference points, though no definitive Timorese law, further complicated the training process.

The unevenness of training was one element amongst several that contributed to the institutional weakness and isolation of the Timorese police force as it was established by UNTAET. Criteria for recruitment to the East Timor Police Service (ETPS) were developed in January 2000, and recruitment began shortly afterwards. A number of cultural and historical biases shaped the institution. On the one hand, it was closely associated with the period of Indonesian rule. Recruitment was undertaken with the assistance of 800 former members of the Indonesian National Police, of which approximately 400 signed up to the ETPS. As Ludovic Hood, who served with the UN Development Programme in East Timor between 2001 and 2004, notes, 'the UN should have thought twice about recruiting former members of the previous repressive regime's security apparatus' (2006: 150). While the main alternative – attempting to staff the police without any recourse to former personnel – may not have been viable, the need to offset the association with Indonesian rule was paramount. On the other hand, the process was strongly influenced by foreign approaches, including Western techniques of interviewing and a bias towards candidates who spoke some English. CIVPOL's inexperience in institution-building and its desire to have the ETPS on the streets as soon as possible meant that the need to foster a coherent institution and organisation was neglected. The inadequacy of the training provided compounded this fundamental failing. In Hood's rather vivid summary (2006: 144): 'the history of police and defence force development in Timor-Leste is also a story of slipshod UN planning and management, squandered opportunities, and unimaginative UN leadership in Timor-Leste and at UN headquarters in New York'.

Understanding the evolution of the Timorese police force is impossible without reference to the origins and role of the country's military. The two institutions have often been in tension, and at times outright conflict, and more recently the erosion of the distinction between them (for example the military assuming responsibilities normally attributed to the police) has also been a source of problems. The creation of the national defence force did not receive the same attention as the police force, despite being a pressing issue at the time of the referendum, when approximately 1,500 veteran combatants of the war against Indonesia were being grouped in cantonment camps, having agreed to withdraw to avoid being pulled into clashes with militia groups or the Indonesian military. Many UN staff, in-country as well as at headquarters, wrongly believed that the organisation could not engage with 'armed groups' and so avoided directly confronting the issue early on (*ibid.*: 147).[12] After a period of inaction, the UN decided to create the Timorese defence force out of the rump of these veterans, to be trained largely by bilateral donors. The decision drew upon a study by King's College, London (KCL), written at UNTAET's request and with minimal consultation with the Timorese people (KCL, 2000).[13] The military's connection with the resistance fighters is reflected in its name, the FALINTIL-FDTL. Yet its establishment did not advance or strengthen efforts to deal with the more complex legacy of the guerrilla war period and the range of groups that participated in the campaign against colonial rule (Myrttinen, 2009a: 9–10; ICG, 2011).

4.2 Policing in the first years of independence, 2002–2005

On 20 May 2002 the Democratic Republic of Timor-Leste made its official entry onto the world stage with formal and complete independence. This was a landmark date for a country that had struggled for decades in the name of liberation and had made numerous, significant sacrifices along the way. The new head of state was the Timorese President, a post first held by Xanana Gusmão; the head of government

12 Lack of clarity on the part of UN and NGO personnel about the legal framework allowing engagement with armed groups has also been noted in HPG research on humanitarian negotiations. See http://www.odi.org.uk/programmes/humanitarian-policy-group/principles-politics-humanitarian-system.

13 The continued resentment at this lack of inclusivity can be heard in a strategy document produced by the Department of Defence roughly 15 years later, which argued that 'There is a need to move past these proposals, models and studies based on imported concepts' (F-FDTL, 2006: 66).

was the Prime Minister, drawn from the leader of the majority political party – at the time of independence, Mari Alkatiri. The main duty of the first unicameral parliament was the writing of a new constitution, and subsequently it has been charged with legislative duties and to act as a counterbalance to the power of the presidency and the government. However, as Molnar (2010: 85) argues, 'The processes of the formation of the new East Timorese government were riddled with a number of failures on the part of the UN and the East Timorese political elite who were vying for power in the new state'. Many were and remain familiar themes – issues around official languages, the role of personalities, factionalism and rivalries, the lack of separation of powers, internal insecurity, a culture of violence and the neglect of justice – but few of these were acknowledged at the time.

Amidst the celebrations for the new state of Timor-Leste, the UN role was transformed from one of territorial 'administration' via UNTAET to one of 'support' via the UN Mission of Support in East Timor (UNMISET). Resolution 1410, which created UNMISET, planned for the devolution of all operational responsibilities to the Timorese over a period of two years, noting that its own office should be scaled down as quickly as possible. UNMISET's mandate included the provision of interim law enforcement and public security, and assistance with the development of a new law enforcement agency. It allowed for a civilian police component of an initial 1,250 officers and a military component with an initial strength of up to 5,000 troops and 120 military observers. Policing remained an important part of the UNMISET mandate as it was extended and revised over the next three years. Resolution 1543 of 2004 allowed for up to 58 civilian advisors, 157 civilian police advisors, 42 military liaison officers, 310 troops as part of FPUs and a 125-strong International Response Unit. The mandate texts emphasised human rights principles and measures to tackle impunity, calling for investigations and trials to be prioritised.

Despite this emphasis in the texts, in practice the development of the PNTL suffered from poor early choices and mismanagement later on: 'the decision to create and engage with political mechanisms for the management and oversight of the police was postponed until well into the missions' mandates' (Rees, 2006: 10). The intensifying politicisation of the security sector, both in its operational reality and through its sensitivity as an issue, is at the core of this critique, which highlights the UN's refusal to assume responsibility for the development of the sector as a whole and in particular its failure to develop effective civilian oversight. While most of the new government ministries were offered significant bilateral and multilateral capacity-building projects, the Ministry of the Interior (which was responsible for the PNTL) was not. None of the 100 civilian advisors deployed during the UNMISET period was charged with the institutional development of the PNTL, nor did any of the 150 CIVPOL advisors have capacity-building expertise (*ibid.*). This oversight has been not merely characteristic of UN policing in Timor-Leste, but identified as a weakness of the entire system of international executive policing (Perito, 2002). The need for additional strategy, civilian support and resources for international policing was highlighted at the time in the *Report of the Panel on United Nations Peace Operations* (Brahimi, 2000). A decade later, this remains a significant cause for concern.

Events in this period foreshadowed some of the problems that would emerge more distinctly in the second half of the decade. In early 2003, after fatal attacks on civilians by armed groups in Atsabe and Atabae, the F-FDTL arrested around 90 people, attracting criticism from civil society groups on the basis that the military (unlike the PNTL) did not have powers of arrest, and that the detainees did not have their cases reviewed by a judge within the required 72-hour period. Timorese officials, including Gusmão, Alkatiri and then Brigadier-General (now President) Taur Matan Ruak, vocally defended the decision to deploy the F-FDTL. This case, according to Wilson (2008), not only demonstrated 'the lack of understanding of the applicable law by the leadership but also the lack of legislative and policy framework for enlisting military aid to a civil power', as well as 'a much deeper problem of a perceived lack of legitimacy of the PNTL, and a widespread belief in the affected communities that it was only [the] F-FDTL who could really provide internal security'. This incident sheds light upon the institutional fragility of the PNTL and its unstable position in Timorese governance structures and society at large. So great were the implications of this situation that, in 2004, a senior F-FDTL commander, himself a veteran of the liberation struggle, identified 'the police' as the greatest threat to Timor-Leste's security (Rees, 2006: 6).

Another major and related shortcoming was the failure to establish an independent and efficient judicial system. Experiences in East Timor and Kosovo led to the conclusion that 'from the outset the administration of justice must be counted among the top priorities' of such state-building missions because 'failure to address past and ongoing violations promptly and effectively, and to create a sense of law and order, can impede the broader objectives of the operation' (Strohmeyer, 2001: 47). In Timor-Leste's case, the high-profile position of FALINTIL and FRETILIN, particularly in terms of their impact upon post-independence institutions, overshadowed the existence of a number of other groups or networks including those associated with the civil war period as well as the 'clandestine' side of the struggle, largely youth and student networks (Molnar, 2010). These have never been effectively dealt with, nor was factionalism among former fighters recognised.

In a pattern visible across various sectors in which the UN sought to establish new institutions, the imperative of creating a judicial mechanism – initially, to deal with those arrested by INTERFET forces – interfered with the need to build an effective and enduring structure.[14] The appointment of international judges, intended to supplement Timorese capacity and support its development, had mixed results. Language problems again played a part, with Portuguese used in courts despite the small number of Portuguese speakers, mixed legal systems, a lack of resources and political interference (Initiative for Peacebuilding, 2009). As shown by the response to the violence in Atsabe and Atabae in 2003, the difficulties faced by the justice system, notably delays or obstacles in processing arrests, increased confusion over the functioning of law and order. The ineffectiveness of the judicial system, interviewees for this study suggested, also fuelled a culture of retribution as a form of alternative justice, contributing to a wider culture of impunity in the country, including for holders of public office and members of the national police and military. In some cases former militia 'reintegrated' into Timor-Leste after independence were subject to sanctions such as beatings or house arrest imposed by unofficial 'security' forces drawn from resistance structures (Molnar, 2010).

14 Of course, the challenges, given the damage to people's lives and Timorese society and the exodus of Indonesian legal experts (no Timorese had been permitted to serve as judges or prosecutors under Indonesian rule) were immense. See Strohmeyer (2001).

5 The crisis of 2006 and beyond

Deep-seated grievances within Timorese society contributed to the violence which flared up in April–June 2006, during which 37 people died and approximately 150,000 (15% of the population) were displaced. The immediate cause of the crisis was a decision in February 2006 by over 590 troops (often referred to as the 'Petitioners') to strike over pay and conditions. Of broader relevance, however, were allegations of discrimination against westerners (*loromanu*) by those originating from the east (*lorosae*). Interviewees said that this east/west division had been largely ignored by the international community following Timor-Leste's independence in 2002. As such, the strike was a manifestation of a much deeper rift within the political leadership and the military, and between the F-FDTL and the PNTL, the origins of which can be traced back to the independence struggle against Indonesia.

In considering the 2006 crisis through the lens of civil–military coordination, this study draws attention to the challenges of organising systematic, formal and regular coordination meetings including not only international humanitarian and security actors, but also national ones. There were no guidelines to clarify the roles and responsibilities of the various actors at the beginning or during the crisis. Formal mechanisms such as working groups existed to coordinate the response, but Timorese NGOs were under-represented and those who were present often felt excluded as meetings were held exclusively in English. Dialogue between the humanitarian community and the police – both international and national – remained fragmented and lacked a common understanding of protection challenges affecting communities.

5.1 The April–June events and the response

If the issues facing Timor-Leste, to the extent that they implicated the international community, had not been addressed under UNTAET or UNMISET, they had little chance of being resolved by UNMISET's successor, the UN Office in Timor-Leste (UNOTIL), a special political mission established in April 2005. With a pared back mandate, UNOTIL was much smaller than its predecessor, with only 180 international staff, tasked with conducting peace-building activities, supporting national capacity in justice and finance, strengthening governance and respect for human rights and assisting the country in the development of a national police force. UNOTIL represented a compromise between those in the Security Council who felt that the peacekeeping phase had been completed and those who felt that Timor-Leste's fragile institutions were still in need of robust and sustained support, and came about partly in response to a letter from the Timorese Prime Minister calling for a continued international presence. Regarding policing, Resolution 1599 of 2005 provided for advice, not an active operational responsibility. UNOTIL was allowed up to 40 police advisors and up to 35 additional advisors to support the development of the Border Patrol Unit (BPU).

There were warning signs of the violence to come. The image of security was undermined by incidents such as a confrontation with police in Lospalos, the site of an F-FDTL base, in 2004; in January 2005 the F-FDTL attacked a police station and hospital, taking ten PNTL officers hostage (Rees, 2006; Wilson, 2008). According to members of the Joint Mission Analysis Centre (JMAC)[15] team in Timor-Leste, the UN was aware of incidents such as these and the issues underpinning them, and had been reporting them from 2004 onwards. Yet no strategy for engaging the Timorese security forces on these issues was prepared, and when it came the level of the violence in 2006 and the speed which the situation deteriorated took many observers by surprise. Journalists were quick to label the 'success' in Timor-Leste a 'hollow' one: 'The idea of Timor as a success story has vanished … in reality, Timor, the world's newest nation, was never the UN triumph it appeared to be' (Kurlantzick, 2006).

15 The JMAC 'brings together information from across a particular mission and produces analysis to support the strategic activities of the mission'. See http://www.un.org/en/peacekeeping/documents/civilhandbook/Chapter3.pdf.

The response to the crisis was initially slow, partly due to the limited presence of aid agencies. Once the situation following the 1999 referendum had calmed down, aid agencies and NGOs had scaled down their presence and moved from an emergency response to reconstruction and development programmes focusing on 'poverty reduction, water and sanitation provision, livelihood activities, vocational skills training and education, and health and literacy promotion' (Lothe and Peake, 2010: S430). Equally, when the 2006 crisis occurred, the UN, whose personnel in Timor-Leste once numbered in their thousands, had a mere 100 staff whose main task was to close down the mission by June 2006. Much of the UN's logistical strength had gone.

The government, international organisations as well as the Catholic Church and civil society organisations quickly recognised the scale of the crisis and the response was rapidly stepped up. Emergency assistance was provided through the UN Central Emergency Response Fund (CERF), and in June 2006 OCHA launched a Consolidated Flash Appeal totalling $19.6 million (Margesson and Vaughn, 2009), and, in response to calls for assistance from the government, an Australian-led International Stabilisation Force (ISF) was created. The Ministry of Labour and Community Reinsertion (MTRC), with the support of the International Organisation for Migration (IOM), UNDP and OCHA, established an Information Centre with the aim of collecting and sharing information on the humanitarian situation. The MTRC coordinated the humanitarian response through the Humanitarian Coordination Group, which later became the Inter-Agency Humanitarian Assistance Group. Aid agencies focused on the situation of IDPs, where the priority was to ensure that they could be moved out of overcrowded and unsanitary makeshift camps into areas that would also provide protection to women, children and the elderly. However, given the volatile security situation it became apparent very rapidly that relocation would have to be postponed, and therefore the initial focus was on improving conditions in the camps. While food, clean water and shelter were identified as priority needs, mother and child care featured equally given that Timor-Leste's birth rate was one of the highest in the world. Meanwhile, the ISF focused on separating the belligerents and individuals and groups taking advantage of the volatile situation, evacuating Australian and other foreign nationals (also a significant operation during the 1999 crisis) and stabilising the situation. How or whether humanitarian agencies and military contingents coordinated their interaction will be discussed in the next section.

While even during the 2006 crisis Timor-Leste was seen as a relatively benign operating environment, this did not mean that there were no security concerns for international agencies. In 2007 several incidents were reported in which UN and NGO buildings were torched in the districts of Baucau and Viqueque, and a UN convoy was ambushed in August while travelling to Baucau (UNMIT, 2007). However, there were no security provisions for national staff of aid agencies. An accreditation system that would have allowed staff and their families to seek refuge in other organisations' compounds in case of imminent threat was rejected by NGOs.

5.2 Coordination and the position of policing

Once underway, the humanitarian response was coordinated through the Inter-Agency Humanitarian Assistance Group, chaired by the Minister for Labour and Community Reinsertion (assisted by IOM) and attended by most aid agencies (although national organisations were vastly underrepresented). Meetings were held every other day and focused initially on establishing a robust camp management system. This proved challenging as some less experienced NGOs' management resulted in – as one interviewee put it – 'semi-feudal arrangements' which eventually compelled these NGOs to hand back this task to more experienced organisations.

The conduct of the Humanitarian Assistance Group reflected many of the recurrent inadequacies and shortfalls that had dogged national and international efforts in Timor-Leste since 1999. Discussions in groups were held almost entirely in English, excluding those Timorese who spoke Portuguese, Tetum or Bahasa Indonesia. Based on interviewees' accounts, at some point during the response an attempt was made to invite national NGOs, but international staff complained that the need to translate between Tetum and English slowed meetings down. UNPOL and ISF liaison officers as well as the PNTL were formally invited to these meetings although their participation was limited. Although the Humanitarian Assistance Group was chaired by the government, there was a disconnect between the international and the national

response, and there was an assumption on the side of the international community that the Timorese lacked the experience and expertise to lead the response.

While the UN had a Civil–Military Coordination Officer, no dedicated civil–military coordination (CIMIC) staff were initially deployed as part of the international military response. The ADF, as part of the ISF, had limited CIMIC capabilities, and worked with the humanitarian community on issues such as the development of IDP return programmes. As one interviewee noted, in order to facilitate decision-making a small (high-level) working group was established consisting of the MTRC, OCHA, UNHCR, the IOM and NGOs. Interviewees noted that a civil–military liaison officer from the ADF attended coordination meetings, usually to brief participants on the security situation; however, he would not generally attend the whole meeting. This was also the case for the representatives of international police contingents (as part of multilateral or bilateral agreements), who either left after their presentation or remained passive during meetings. Substantive discussions (for example on land issues) did not yield any results, with one source attributing this to a lack of familiarity with the topic and a 'cultural reluctance for police to start talking in forums where garrulous humanitarians tend to dominate'. In addition, concepts such as protection or security were understood differently by humanitarian and military/security actors, making a dialogue based on common understanding difficult.[16] Translating the term 'protection' into Tetum posed yet another set of challenges. Ageng'o et al. (2010: 17) note that 'not only does the word "protection" not have a direct translation, but facilitators were unable to adequately articulate the concept in terms of its component ideas encompassing safety, dignity and rights'. Lastly, sources commented on the large numbers of participants during some meetings.

No country-specific guidelines on civil–military relations were in use during the crisis. It was not until the end of 2006 that OCHA circulated a broad framework on coordination, including the roles and responsibilities of the F-FDTL and the PNTL. Sources mentioned that the process was limited to discussing the drafting of the framework. Civil–military interaction does not seem to have been a priority at this point. The fact that there were no guidelines is not surprising given that the situation was not generally viewed as hostile and thus requiring more structured and more rigorously defined interaction. In addition, Timor-Leste was not considered a context where humanitarian space was threatened or constrained (Lothe and Peake, 2010), a problem that guidelines in countries such as Afghanistan and Pakistan are often intended to address. Those consulted claimed that international troops were not generally seen as hostile let alone as belligerents, although there were isolated incidents of aggression against international police and military forces.

Despite different approaches to, and mechanisms for, coordination, channels of communication in the initial phase were kept open – especially regarding security information – although some NGOs felt that the ISF had a lot more information than it was prepared to share (the ISF had a similar impression of NGOs).[17] Humanitarian agencies were able to consult a telephone service manned by the ADF, which provided up-to-date security information. This was considered helpful in preparing for field trips outside Dili, or when moving in certain neighbourhoods of the capital. Personality, as is frequently the case, played an important role. The quality of contact was not only due to the personality of the liaison officer, the main interlocutor for those involved in the humanitarian response, but was also ascribed by interviewees to the ISF Force Commander, who supported such dialogue. In early 2007, a high-level monthly meeting was set up that included the UN, the ISF and the government. Humanitarian organisations were invited to attend when key issues relating to their work were discussed. One source mentioned the important effort made by the Humanitarian Coordinator/Deputy Representative of the Secretary-General (HC/DRSG) to foster dialogue and coordination.

According to several interviewees, contacts between humanitarian actors and the ADF were generally good, though the division between English- and Portuguese-speakers had significant operational implications. This was true for police contingents (the Portuguese National Republican Guard (GNR) sat apart from Australian and New Zealand police) as well as for civilians. Most meetings were held in English. The

16 This is not uncommon in situations where humanitarian and security actors meet. See for example http://www.odi.org.uk/publications/6736-civil-military-coordination-humanitarian-protection-civilians.

17 It is important to note that the ISF was under the command of the ADF, not the UN.

language divide permeated communities and was at times so pronounced that certain IDP camps did not allow access to the ADF, while others refused access to the GNR. This was not only based on language, but also reflected political interpretations of the role of Australia and Portugal during the crisis and indeed during the independence period more generally.[18]

There was also little discussion of protection issues with either the military or the police, and NGOs felt that international police lacked awareness or understanding of protection issues. At the same time, there was little appetite among NGOs to improve training on protection of civilians for the police. Some interviewees pointed out that international staff of aid agencies were poorly qualified for emergency work or camp management. On several occasions international police had to extract aid staff from camps when security deteriorated, which created a sense of frustration among international police and which did not help in fostering good relations between the two groups. The PNTL on the other hand was not properly operational during the early phase of the crisis, and a lack of trust among the local population in an institution that was generally associated with the Indonesian occupation meant that protection issues were not reported.

The fact that the PNTL was unable – some would argue unwilling – to control the escalating demonstrations in April prompted the government to request an international policing mission, and police personnel from Australia, New Zealand, Portugal and Malaysia were deployed. However, the extent of the international police's responsibility was a source of disagreement between the UN and the Timorese government. The latter felt that a 'heavy foreign presence would be politically contentious and hurt the Timorese police more than help it' (ICG, 2009: 4). An agreement was reached in August that foresaw a presence in Dili and the districts, but the fragmentation of the various international police deployments once again became apparent. The Portuguese GNR, for example, deployed as an FPU under UN command, although it retained its own vehicles and uniforms, while the Australian police's capacity-building programme was based on a bilateral agreement with the Timorese government. The failure to establish a single system of policing hampered the establishment of an effective police corps. It was also illustrative of the state of dialogue between the government and the international community more generally.

The crisis in 2006 brought the weakness of the PNTL and the security sector in Timor-Leste in general to the fore (ICG, 2009: 3). The F-FDTL military police was tasked with joint patrols with the PNTL, despite the fact that the army had been ordered to return to barracks, creating further confusion over their respective roles and responsibilities.[19] Ultimately, the UN Commission of Inquiry concluded that the cause of the crisis was 'the frailty of State institutions and the weakness of the rule of law' (quoted in ICG, 2009: 4).

18 In 2006, Australia was seen as supportive of FALINTIL, and Portugal of FRETILIN. It was argued that Australia did not see Alkatiri as friendly towards Australian interests, and would have liked to see him replaced.

19 The F-FDTL military police do not, unlike most units with a similar name, police the military's conduct but are a unit within the F-FDTL that has a policing role, a model based on the Brazilian system (IFP Security Sector Reform in Timor-Leste: 2009).

6 A diverging set of systems

In the aftermath of the 2006 crisis, when the Timorese people, their government and international actors were still dealing with the effects of those events, a UN report affirmed: 'It is essential that strategies for coping with the immediate situation are accompanied by strategies addressing deeper sources of tension through a process of political dialogue and community reconciliation that is agreed to and defined by key national players' (UN, 2006). Instead, the ensuing six years, like the seven that preceded them, were plagued by miscommunication between the government and the UN mission, alongside problems deriving from language and leadership issues and – especially clear in the case of policing – the inability to build effective institutions. In the same period, well after the 2006 events, the decision to introduce the Cluster System to Timor-Leste exacerbated a sense of disconnect between the UN and the Timorese government, as well as between civilian and military actors.

6.1 The introduction of the UN Cluster System, 2009

The UN Cluster System was introduced in Timor-Leste in March 2009, three years after the crisis, by which point most of the displacement camps had been closed (Medhurst, 2010). While the roll-out of the Cluster System was in line with the instructions of the Emergency Relief Coordinator that all countries with a Humanitarian Coordinator should implement it, it is unclear what led the UN to this decision at this point, rather than introducing the clusters during or shortly after the crisis (the system itself had come into use in 2005). By emphasising preparedness, the terms of reference (TORs) for the Inter-Cluster Coordination Group (ICCG) reflected the fact that the situation had moved on from the emergency phase, stating that 'the ICCG objective is to ensure sound coordination, information and communication on emergency preparedness, humanitarian and early response in Timor-Leste across all Clusters rolled out in the country'. The clusters' objective was to assist the government of Timor-Leste in implementing the National Recovery Strategy.[20]

Organisations present in 2009 did not share the UN's belief in the need to introduce the Cluster System and felt that coordination was being sufficiently addressed through other means (working groups, coordination meetings etc.). There were a number of objections. Firstly, the Cluster System was in many ways seen as adding an additional and unnecessary layer on top of or in parallel to existing mechanisms. The Early Recovery Cluster appears to have simply folded in with the Hamutuk Hari'i Konfiansa working group (a working group focused on trust-building and reconciliation) established as part of the government's National Recovery Strategy in 2007. Secondly, the rationale of the Cluster System is to coordinate humanitarian organisations during an emergency[21] – a description that clearly no longer fitted the situation in Timor-Leste in 2009, even if residual humanitarian concerns remained. Finally, for the government of Timor-Leste introducing the Cluster System meant an extra layer of bureaucracy. Complex applications for funding had to be submitted with limited time and technical knowledge available, and the government was unwilling to commit resources to co-chair the clusters.

Of the 11 clusters established in Timor-Leste, the Protection Cluster was the only one to mention military and policing actors in its constitutive documents. The cluster was led by the UN Office of the High Commissioner for Human Rights (OHCHR). In order to further enhance the UN's protection response specifically trained ProCap (Protection Standby Capacity) staff were deployed. Based on its TORs, it had the following role:

> *The objective of the PCTL [Protection Cluster in Timor-Leste] is to facilitate a process*

20 There were 11 clusters: Camp Coordination and Camp Management, Emergency Shelter, Early Recovery, Education, Emergency Telecommunications, Food Security, Health, Logistics, Nutrition, Protection and Water and Sanitation. See https://sites.google.com/site/clusterstimorleste/Home.

21 See http://www.unocha.org/what-we-do/coordination-tools/cluster-coordination.

that will ensure a coordinated, coherent and effective response by humanitarian, human rights and other actors addressing protection concerns in Timor-Leste [TL] … The PCTL aims to ensure that a protection dimension will be factored into all contingency plans developed in TL to meet humanitarian emergency situations.

PCTL aims to support organizations, agencies, working groups and networks addressing protection concerns as needed through information-management, capacity building and advocacy; to assist humanitarian agencies to develop or reach agreement on policies and procedures for responses and referral mechanisms; and to respond to requests for support on specific concerns.

The TORs recognised that protection issues identified in 2009 when the Cluster System was introduced predated the 2006 crisis, although they were clearly exacerbated by it.[22] Among other issues, the TORs mentioned complex land and housing questions, compensation for assets lost during the 2006 crisis, the closure of transitional shelters and durable solutions including livelihood and housing options for IDPs unwilling or unable to return to their original homes. In addition, the Protection Cluster planned to focus on addressing the high prevalence of violence against women and children, including sexual and gender-based violence, domestic violence, child abuse and neglect, corporal punishment and trafficking. However, when the Protection Cluster was introduced four government-led protection-related groups were already in place, on gender-based violence, child protection, people-trafficking and disability rights, raising concerns about duplication and confusion (Medhurst, 2010). Participation in the Protection Cluster was largely limited to UN agencies and international NGOs. Again, language played a part as there were no efforts to hold meetings in Tetum or provide translators for representatives of national NGOs. Although its TORs (like all TORs for the Timor-Leste Cluster System) declared that membership was to be 'as inclusive as possible, on a voluntary and self-nominated basis', the cluster did not effectively or consistently attract the participation of national NGOs or the government.

22 *Current Protection Situation in Timor-Leste (August 2009)*. This document and others referred to in this discussion are available online at https://sites.google.com/site/clusterstimorleste/the-cluster-system/protection.

The TORs for the Protection Cluster also stated that the cluster leads should invite representatives of UNPOL, the PNTL (including the Vulnerable Persons Unit (VPU)) and the ISF to attend cluster meetings. These issues had been debated during the drafting of the terms of reference, with the minutes of a meeting on 25 February 2009 noting an UNPOL representative's suggestion that 'the PNTL should be a member of the PCTL because, if one does not do this, one risks problems later, especially in a crisis'. Others had argued for the inclusion of police or military personnel on a 'needs' basis. Several other clusters and the ICCG featured military and police representatives amongst their contact lists, more often representatives of UNPOL than of other forces, and not always designated civil–military liaison officers. However, interviewees recalled little if any direct, working police or military involvement in the system. Police participation, particularly of the PNTL, was mostly very passive, for reasons of language, culture and priorities.

The Cluster System was introduced too late to make a substantial contribution and worked in parallel to, if not in competition with, existing mechanisms. As a whole, the system was not designed for early recovery and development situations and did not allow for discussions of wider human rights issues that went beyond those associated with the IDP crisis (Medhurst, 2010).

6.2 National and international policing and the military, 2008–2012

Like the duplication resulting from the introduction of the cluster system, there was also fragmentation among policing institutions. The impression overall is one of multiple overlapping architectures, which tended to keep different sectors speaking more to each other than with other disciplines or their national or international counterparts. Contacts were heavily dependent on personalities and incentives: for instance, the mandate of the Ministry of Social Solidarity, to promote security and foster participation, meant that it cooperated with both the PNTL and the UN Humanitarian Coordinator to a much greater degree than other ministries.

A series of incidents between 2008 and 2012 demonstrated the divide between UNPOL and the PNTL on an operational level. On 11 February 2008

armed men attacked President Horta and Prime Minister Gusmão. Both survived, although Horta had to be treated for gunshot wounds and one of his guards was killed. Later that day, following parliamentary authorisation, a state of siege was declared by the Acting President. On 17 February a resolution of the Council of Ministers approved the 'Joint Command', which placed the PNTL under the command of the F-FDTL. Although the PNTL was officially under UN control at the time, UNMIT was effectively shut out of this process. (In 2007, the UN was similarly caught unawares by the reactivation of the Dili Task Force, a rapid response unit authorised to use force, against UNMIT policy.) As the Joint Command contravened Resolution 1704, which gave UNPOL executive policing responsibility, it has been seen as a show of opposition to international control (Lemay-Hébert, 2009). The period of the Joint Command, which was initially meant to be of limited duration, thus saw a further deterioration of the relationship between national and international policing (Wilson, 2008). Conversely, the Joint Command has been credited with strengthening the relationship between the PNTL and the F-FDTL (Peake, 2009; ICG, 2009).

While the relationship between the PNTL and the F-FDTL drew closer, that between the PNTL and the UN police contingent diverged even further. For example, UNPOL was not allowed to advise on the Organic Law for the Timorese police, drafted in 2009. The first article of the Organic Law set the tone:

> *Whereas, with regard to its strategy and approach to policing, PNTL shall have the characteristics of a community police, its nature shall be identical to that of the military insofar as its organization, discipline, training and personal status are concerned without however constituting a force of a military nature* (PNTL, 2009: 1).

NGO staff working on policing issues indicated that the main influence upon the Organic Law came from the Portuguese advisor who drafted it; its model was therefore most heavily influenced by the GNR's style of military policing. Structures provided for under the law, notably the Special Police Unit (SPU) and its subcomponents, reflected this militarised model, provoking concern from Timorese civil society and international observers (see Security Sector Reform Monitor, 2010).

Poor relations between UNPOL and the government were especially evident in the process of 'transferring' executive and operational responsibility to the Timorese police. Interviewees indicated that a 2008 review undertaken by the UN found that the government was barely in communication with UNPOL, making the handover extremely problematic. An International Crisis Group (ICG) report in late 2009 contended that 'the mission is tangled in an overly bureaucratic and protracted process to formally give back responsibility for law enforcement to Timor-Leste's police. The reality has been that the Timorese police never really ceded control' (ICG, 2009: 1). Or, as another study put it: 'what exactly is being handed over?' (Wilson and Belo, 2009). One expert consulted described the situation as one of 'schizophrenia'. Some nominal handovers in February 2008 – that is, around the same time as the Joint Command – had been undertaken after pressure from the government, yet international police who later served in the districts in question were unaware that they had taken place (ICG, 2009). Others were unable to name the acting local commander or identify his office (*ibid.*). These examples indicate the degree to which policing was subject to two parallel systems in Timor-Leste, one national and the other international (further complicated by the existence of multilateral and bilateral contingents). As expatriate NGO staff recognised in interviews, many Timorese people adopted a pragmatic approach towards the PNTL based on the knowledge that it was the national police, not the international stand-ins, with which they would ultimately be dealing.

The handover officially began in May 2009, when executive authority was transferred to the PNTL in Lautem district. It continued with handovers in Manatuto and Oecusse and the transfer of responsibility for the police academy. While conditions varied depending on the districts, the idea of control moving from one actor to another was hardly ever applicable to the way that policing was being conducted. While there was still a material reliance on UN assets on the part of the PNTL, in many other ways there was a dual system in operation throughout the 'handover' period, which officially concluded in late 2012.

While the assertion of PNTL self-sufficiency against UNPOL oversight might seem at odds with criticism of the weakness of the Timorese police, they are not contradictory. In effect, it was the limitations

of the PNTL as an institution that aligned it more closely with both the F-FDTL and the government's political agenda, encouraging and facilitating the pushback against UN control. The fact that the government has sought bilateral programmes for the training of its police, notably in agreements with Australia, Portugal and Indonesia, shows that it has not resisted all international involvement (albeit these programmes have also perpetuated the proliferation of different models that has characterised international engagement in Timor since 1999). However, the inability of successive UN missions to secure the participation of Timorese leaders and society in security sector issues; to create a strong institutional foundation and democratic oversight for the PNTL; and to adequately support the development of the judicial system and the fight against impunity for a wide range of crimes and abuses has had deleterious effects. Despite the changes prompted by the UN's departure from Timor-Leste, these continue to play a role in the second decade of Timorese independence. The closure of UNMIT has left the PNTL with reduced material capacity and limited international advisory help focused around technical expertise such as bomb disposal. Budgetary allocations to the military remain substantial, while the PNTL suffers from a relative lack of prestige and the intrusion of the military upon policing responsibilities.

7 Conclusion

It is often pointed out how small in size and territory Timor-Leste is and how benign the environment was during the 13 years of UN missions in the country. In comparison with the geographical and demographic scale of other countries that have hosted UN peacekeeping missions, as well as the level of sustained violence that has been seen in other contexts, the risks and challenges associated with engagement in Timor-Leste have often been perceived as more manageable, and public statements have repeatedly portrayed missions in the country as a resounding success. This view is typified by the remarks of Jean-Christian Cady, Deputy Special Representative of the Secretary-General in 2000–2001, at the time of Timorese independence: 'In the rather chaotic history of UN peacekeeping operations, where results have not always matched the efforts of the international community, Timor-Leste stands as an undeniable success' (cited in Goldstone, 2004: 83; see also Myrttinen, 2009b).

In fact, UN missions in East Timor and Timor-Leste faced significant challenges, and their record is far from the unqualified success often claimed for them. From the beginning the UN's mandate was colossal and extremely challenging, and experience of international policing, though growing, was still ad hoc. More fundamentally, the international community failed to take into account historical realities when building the post-independence security sector. Key factors such as the prestige held by those who had fought for independence were insufficiently taken into account (Chopra, 2000; Wilson, 2010).

This paper has highlighted the fragmented approach to policing in Timor-Leste. The official fact sheet produced for UNMIT's closure noted the contribution of police personnel from 43 different countries over the course of the mission.[23] A total of 5,110 uniformed police have served in the country at one time or another since 2006 (UN, 2012). Police personnel were deployed under UN command or through bilateral agreements with the government, with differing policing models, institutional cultures and objectives. This was reflected in how policing was executed in the 2006 crisis, and in the inconsistency of the training the PNTL received from international police contingents.

The experience of Timor-Leste shows the importance of coordination between civilian and military actors, and the need for open channels of communication between them. Coordination mechanisms may be regular or ad hoc. Regardless of regularity and format, civilian and military leaders should support dialogue between the various actors involved, while respecting their particular roles and responsibilities, including limitations on what information can or cannot be shared. During the 2006 crisis there were some formalised structures/mechanisms in place, although the Clusters or guidelines on civil–military coordination were introduced later, after the crisis had largely passed. Interviewees concluded that coordination was generally positive, but was also limited to international actors with little Timorese involvement. Although fragmented, existing mechanisms functioned partly due to pragmatism, partly to the relatively small scale of operations, but is also attributed to the leadership of the military, the UN and a few major NGOs. On the other hand, the introduction of the Cluster System in 2009, when the crisis was already over, was seen as adding to existing structures; rather than facilitating coordination, it in fact hampered efforts already underway.

It seems obvious that familiarity with the context is crucial for humanitarian and military/security actors alike, yet much of the research conducted as part of this project shows that gaining such familiarity is still not routine practice. A small country is no less complex than a large one, and understanding the context is just as vital in Timor-Leste as it is elsewhere. The language divide had an impact on various levels. For example, meetings held in English

23 They were: Australia, Bangladesh, Brazil, Canada, China, Croatia, Egypt, El Salvador, Fiji, Gambia, India, Jamaica, Japan, Jordan, Kyrgyzstan, Malaysia, Namibia, Nepal, New Zealand, Nigeria, Pakistan, Palau, the Philippines, Portugal, Romania, Russia, Samoa, Senegal, Singapore, South Korea, Spain, Sri Lanka, Sweden, Thailand, Turkey, Uganda, Ukraine, the United States, Uruguay, Vanuatu, Yemen, Zambia and Zimbabwe.

excluded national staff who spoke Tetum, Portuguese or Bahasa Indonesia. Advisors unfamiliar with Portuguese were sent to advise ministries on a legal system written in Portuguese or Bahasa Indonesia. On the specific issue of protection of civilians, this paper highlights the need to involve national actors including affected people themselves, who perceive and understand protection threats differently from international actors.[24] Understanding what protection means to affected populations and how they address protection threats (including through negative coping mechanisms) is essential when designing protection activities. A pivotal role was played during the 2006 crisis by the MTRC, for example, even if national NGOs were often excluded.

24 See on this the Local to Global Protection Project: http://www.local2global.info.

Alongside issues particular to Timor-Leste, efforts in the country arguably reflected a widespread tendency on the part of international actors to undervalue local input and knowledge. Instead, interviewees who had been part of the international effort in Timor-Leste described a willingness to downplay domestic approaches or priorities. The changing attitude of the Timorese government, from an initial willingness to work with the international community to frustration and, ultimately, rejection reflects this tendency. While the country is unlikely to see a repeat of the violence of 2006, stability is fragile and will remain so unless the legacies of the past are tackled and the drivers of conflict, such as unemployment, land issues, impunity and social exclusion, are addressed. While these issues exceed the scope of this study, their importance must be signalled, as without greater willingness to anticipate, invest in and confront them, even the best coordination can only be a technical response and is destined to fall short.

References

Agengo, Y., N. dos Reis da Costa and L. Searle (2010) 'Community Perceptions of "Protection" in Kenya and Timor-Leste', *Humanitarian Exchange*, no. 46.

Brahimi, L. (2000) *Report of the Panel on United Nations Peace Operations*. Available at http://www.un.org/peace/reports/peace_operations.

Caritas Internationalis (2006) *Relations with the Military*.

CAVR (no date) *Conflict-related Deaths in Timor-Leste 1974–1999: The Findings of the CAVR Report* Chega!. Available at http://www.cavr-timorleste.org/updateFiles/english/CONFLICT-RELATED%20DEATHS.pdf.

CAVR (2005) *Chega! The Report of the Commission for Reception, Truth and Reconciliation in Timor-Leste (CAVR)*. Dili: CAVR. Available at http://www.cavr-timorleste.org.

Challenges Forum (2012) *Challenges Forum Report 2011: Peace Operations beyond the Horizon – Enabling Contributing Countries for the Future*. Stockholm: International Forum for the Challenges of Peace Operations.

Chopra, J. (2000) 'The UN's Kingdom of East Timor', *Survival*, vol. 42, no. 3.

Durch, W. and M. England (eds) (2010) *Enhancing United Nations Capacity To Support Post-Conflict Policing and Rule of Law*. Washington DC: The Stimson Center.

Engel, R. and L. Vieira (2011) *International Contributions to State-building in Timor-Leste: The Undermining of State Legitimacy?* NOREF Report, Norwegian Peacebuilding Resource Centre.

Fitzpatrick, D., A. McWilliam and S. Barnes (2012) *Property and Social Resilience in Times of Conflict: Land, Custom and Law in East Timor*. Farnham: Ashgate Publishers.

Goldstone, A. (2004) 'UNTAET with Hindsight: The Peculiarities of Politics in an Incomplete State', *Global Governance*, vol. 10, no. 1.

Greener, B. (2011) 'The Rise of Policing in Peace Operations', *International Peacekeeping*, vol. 18, no. 2.

Hood, L. (2006) 'Missed Opportunities: The United Nations, Police Service and Defence Force Development in Timor-Leste, 1999–2004', *Civil Wars*, vol. 8, no. 2.

HCT Mali (2013) *Humanitarian Country Team Position on the Interaction between the Humanitarian Community and Armed Forces Present in Mali*, Humanitarian Country Team Mali, 26 February.

HPG (2012) *The Police, Humanitarians and the Protection of Civilians: Coordinating 'Civilian' Contributions*. London: ODI. Available at http://www.odi.org.uk/events/2903-civil-military-cooperation-humanitarian-protection-police.

HPG (2012) *Protecting Civilians? The Interaction between International Military and Humanitarian Actors*. London: ODI. Available at http://www.odi.org.uk/publications/6736-civil-military-coordination-humanitarian-protection-civilians.

ICG (2009) *Handing Back Responsibility to Timor-Leste's Police*, Asia Report 180.

ICG (2010) *Managing Land Conflict in Timor-Leste*, Asia Briefing 110.

ICG (2011) *Timor-Leste's Veterans: An Unfinished Struggle?* Asia Briefing 129.

Initiative for Peacebuilding (2009) *Security Sector Reform in Timor-Leste*. Brussels: International Centre for Transitional Justice.

Institute de Seguretat Pública de Catalunya (2013) *Women in Police Services in the EU: Fact and Figures 2012*. Available at http://www20.gencat.cat

KCL (2000) *Independent Study on Security Force Options and Security Sector Reform for East Timor*. London: Centre for Defence Studies.

Kelly, M. J. et al. (2001) 'Legal Aspects of Australia's Involvement in the International Force for East Timor', *International Review of the Red Cross*, vol. 841.

Kiernan, B. (2003) 'The Demography of Genocide in Southeast Asia: The Death Tolls in Cambodia, 1975–79, and East Timor, 1975–80', *Critical Asian Studies*, vol. 35, no. 4.

Kurlantzick, J. (2006) 'Back Country: Timor's Hollow Success Story', *New Republic Online*, 6 July.

La'o Hamutuk (2002) 'An Assessment of the UN's Police Mission in East Timor', *La'o Hamutuk Bulletin*, vol. 3, no. 1.

Lemay-Hébert, N. (2009) 'UNPOL and Police Reform in Timor-Leste: Accomplishments and Setbacks', *International Peacekeeping*, vol. 16, no. 3.

Lothe, E. and G. Peake (2010) 'Addressing Symptoms but not Causes: Stabilisation and Humanitarian Action in Timor-Leste', *Disasters*, vol. 34, no. 3.

Margesson, R. and B. Vaughn (2009) *East Timor: Political Dynamics, Development, and International Involvement*. Washington DC: Congressional Research Service.

Medhurst, L. (2010) 'Protection and Early Recovery in Timor-Leste', *Humanitarian Exchange*, no. 46.

Mobekk, E. (2005) *Identifying Lessons in United Nations International Policing Missions*. Geneva: Geneva Centre for the Democratic Control of Armed Forces.

Molnar, A.K. (2010) *Timor-Leste: Politics, History, and Culture*. London and New York: Routledge.

Myrttinen, H. (2009a) *Poster Boys No More: Gender and Security Sector Reform in Timor-Leste*, Policy Paper 31. Geneva: DCAF.

Myrttinen, H. (2009b) 'Timor-Leste: A Relapsing "Success" Story', *Taiwan Journal of Democracy*, vol. 5, no. 1.

Nevins, J. (2002) 'The Making of "Ground Zero" in East Timor in 1999: An Analysis of International Complicity in Indonesia's Crimes', *Asian Survey*, vol. 42, no. 4.

OCHA (2007) *Guidelines on the Use of Foreign Military and Civil Defence Assets in Disaster Relief – 'Oslo Guidelines'*.

OCHA (2008) *Guidelines for Civil–Military Coordination for Sudan*.

OCHA (2011) *Guidelines for Civil–Military Coordination in Haiti*.

OCHA (2011) *Guidance on the Use of Military Air/Sea Craft To Support the Evacuation of Third Country Nationals in the Context of the Current Crisis in North Africa*, 3 March.

OIOS (2012) *Audit Report: The United Nations Police Operations in MINUSTAH*. Available at http://usun.state.gov/documents/organization/199303.pdf.

Oxfam International (2003) *Iraq: Humanitarian–Military Relations*, Oxfam Briefing Paper 41. Available at www.oxfam.org/sites/www.oxfam.org/files/iraq2.pdf.

Peake, G. (2009) 'A Lot of Talk But Not a Lot of Action: The Difficulty of Implementing SSR in Timor-Leste', in H. Born and A. Schnabel (eds), *Security Sector Reform in Challenging Environments*. Geneva: Geneva Centre for the Democratic Control of Armed Forces.

Perito, R. M. (2002) 'National Police Training within an Executive Police Operation', in R. Dwan (ed.), *Executive Policing: Enforcing the Law in Peace Operations*. Oxford: Oxford University Press.

PNTL (2009) PNTL Organic Law Decree-Law no. 9/2009 of 18 February.

Rausch, C. (2002) 'The Assumption of Authority in Kosovo and East Timor: Legal and Practical Implications', in Dwan (ed.), *Executive Policing*.

Rees, E. (2006) *Security Sector Reform (SSR) and Peace Operations: Improvisation and Confusion from the Field*. New York: DPKO.

Robinson, G. (2010) *'If You Leave Us Here, We Will Die': How Genocide Was Stopped in East Timor*. Princeton, NJ: Princeton University Press.

Ryan, S. (2009) 'The Invasion of Timor "In Our Interests"', *The Australian*, 1 January.

Savage, D. (2002) *Dancing with the Devil: A Personal Account of Policing the East Timor Vote for Independence*. Clayton: Monash Asia Institute.

Security Sector Reform Monitor: Timor-Leste, vol. 2., 2010.

Save the Children (2004) *Provincial Reconstruction Teams and Humanitarian–Military Relations in Afghanistan*, http://www.savethechildren.org.uk/sites/default/files/docs/Provincial_Reconstruction_Teams_and_Humanitarian-Military_Relations_in_Afghanistan_2004_09_1.pdf.

SIPRI (2008) *The Effectiveness of Foreign Military Assets in Natural Disaster Response*. Stockholm: SIPRI.

Smith, J., V. Holt and W. Durch (2007) *Enhancing United Nations Capacity to Support Post-Conflict Policing and Rule of Law*. Washington DC: Stimson Center.

Smith, M. G. and M. Dee (2003) *Peacekeeping in East Timor: The Path to Independence*. Boulder, CO: Lynne Rienner.

Strohmeyer, H. (2001) 'Collapse and Reconstruction of a Judicial System: The United Nations Missions in Kosovo and East Timor', *The American Journal of International Law*, vol. 95, no. 1, pp. 46-63.

Traub, J. (2000) 'Inventing East Timor', *Foreign Affairs*, July–August.

UN (2006) *Report of the Secretary-General on Timor-Leste Pursuant to Security Council Resolution 1690 (2006)*. 6 August, S/2006/628.

UN (2012) *Fact Sheet: United Nations Integrated Mission in Timor-Leste Completes Its Mandate*. http://www.un.org/en/peacekeeping/missions/past/unmit/documents/unmit_fact_sheet_11dec2012_2.pdf

UN DPKO/DFS (2012) *Civil Affairs Handbook*.

UN DPKO/DFS (2010) 'Formed Police Units in United Nations Peacekeeping Operations' Policy (Revised).

UNMIT (2007) 'Timor-Leste: The United Nations Strongly Condemns Attack on UN Convoy in Baucau', ReliefWeb, 11 August. Available at http://reliefweb.int/report/timor-leste/timor-leste-united-nations-strongly-condemns-attack-un-convoy-baucau.

Wilson, B. (2008) 'Joint Command for PNTL and F-FDTL Undermines Rule of Law and Security Sector Reform in Timor-Leste', *East Timor Law Journal*.

Wilson, B. (2009) *The Exception Becomes the Norm in Timor-Leste: The Draft National Security Laws and the Continuing Role of the Joint Command*, Issues Paper 11. Canberra: Australian National University.

Wilson, B. (2010) *Smoke and Mirrors: The Development of the East Timorese Police, 1999–2009*. PhD thesis, Australian National University.

Wilson, B. and N. Belo (2009) *The UNPOL to PNTL 'Handover' 2009: What Exactly Is Being Handed Over?* Canberra: SSRC Conflict Prevention and Peace Forum.

Yeo, P. (2012) '2012's Sleeper Story: Success in Timor-Leste', published online on *The Hill*, http://thehill.com/blogs/congress-blog/foreign-policy/274635-2012s-sleeper-story-success-in-timor-leste.

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