

**Challenge of Constructing Legitimacy in Peacebuilding:  
Case of Timor-Leste**

**Final Report**

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From 1993 to 2004, he worked as a TV program director specializing in political analysis of international conflicts and produced numerous documentaries on international affairs, such as the Vietnam War, the Middle East peace negotiations, the North Korean nuclear crisis, and nation building in Iraq. The documentary that he directed titled “Rebuilding Iraq: Challenge of the United Nations” received the silver medal from the UN Correspondents Association in 2004, acknowledging it as the second-best report on the UN in the world.

He has also published several books, which have been used in many Japanese universities as references.

As a fellow of the Toyota Foundation and a recipient of the Killam Award, he has been conducting research on peacebuilding at the UN Headquarters and in post-conflict regions since 2006.

## **Preface and Acknowledgments**

Legitimacy in world politics has been the focus of both global attention and scholarly study in recent years, yet its role in peacebuilding has not been well studied. It is often remarked in both public and scholarly discourse that legitimacy is critical for success in creating sustainable peace in war-torn states; Larry Diamond, a political scientist who worked as a political advisor to the Coalition Provisional Authority in Iraq, asserts, “the first lesson of America’s experience in Iraq is that... any effort at administration and reconstruction of the post-conflict state must mobilize *legitimacy, both internally in the post-conflict country as well as internationally.*”<sup>1</sup>

It appears to be a widely shared understanding that it is imperative for peacebuilders to obtain or construct legitimacy in the eyes of local people and leaders. Surprisingly, however, the concrete methods or policies to obtain this “local legitimacy” in the host states have not been fully examined. The objective of this report is to address this critical question by examining key policies regarding legitimacy construction in the specific context of Timor-Leste peacebuilding. I have already conducted research with the same question in Afghanistan and completed my report titled, “*Challenge of Constructing Legitimacy in Peacebuilding: Case of Afghanistan*”, which has been posted on the website of the Best Practices Section in the Department of Peacekeeping Operations at the UN Headquarters, and was widely shared by UN officials, government officials (in both the Afghan government and donor states), and academic scholars. I believe that accumulated case studies will demonstrate policy implications for both ongoing and future peacebuilding efforts.

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<sup>1</sup> Diamond 2006, 34. Emphasis added.

I wish to thank Carolyn McAskie, former Assistant Secretary-General for Peacebuilding Support, who introduced me and my research proposal to numerous UN peacebuilders and key officials in UN missions. In her letter, she endorsed my project as research “which will shed much-needed light on an issue which perhaps more than any other affects the success or failure of international peacebuilding efforts.”

Yukio Takasu, the Permanent Representative of the Japanese Mission at the UN, and Kenzou Oshima, the former Permanent Representative of the Japanese Mission at the UN, also supported my research with written endorsements. Nelson Santos, Timor-Leste Ambassador to the United Nations also gave me great cooperation to realize my field research. The United Nations Integration Mission in Timor-Leste (UNMIT) gave me special cooperation to accomplish this research. I also appreciate the cooperation of the Japan embassy in Timor-Leste, including Iwao Kitahara, the Japanese ambassador in Timor-Leste. I am sincerely thankful for the precious advice I received from Fatemeh Ziai, the former acting director of the best practices unit at the Department of Peacekeeping Operations (DPKO) and current director of the integrated training section at DPKO.

I am also extremely grateful to Dr. Richard Price, Dr. Katharina Coleman, and Dr. Brian Job for their academic support and advice at UBC.

Financially, I deeply appreciate the Toyota Foundation, which funded my field research in Afghanistan and Timor-Leste.

I also would like to send my many thanks to all UN officials, officials in ISF (International Stabilization Forces), and all Timorese who cooperated with my interviews. Thanks to their cooperation, I conducted individual interviews with over 20 international officials, several cabinet members of the Timor-Leste government, more than 10 central government officials, several top leaders from FRETILIN, currently the largest opposition party, leaders in F-FDTL (Timor-Leste National Army), and leaders in PNTL (Timor-Leste National Police), as well as 319 ordinary Timorese citizens who responded to my opinion survey.

*This paper reflects the views of the author and does not represent the policies of the Department of Peacekeeping Operations or of the United Nations or the Government of Japan.*

I hope that my research and report can make a contribution to ongoing efforts for peacebuilding in Timor-Leste as well as future peacebuilding efforts in the world.

# Table of Contents

Preface and Acknowledgments .....	i
Introduction .....	1
• Hypothesis and Methods	
• Key Recommendations	
I. Enhancing the Dialogue in Local Areas to Address Gap among People with Regard to the Legitimacy of the Government and Elections.....	3
• Background	
• Embedded Divide in Legitimacy of the Government and Elections	
• Policy Recommendations	
II. Setting up a Joint Field Monitoring Committee that Will Monitor the “Security Sector Reform” to assess the Timing of UN Police Withdrawal.....	6
• Background	
• Security Situation, Expectation, and Reality	
• Challenge of Reforming PNTL (1) Capacity Building	
• Challenge of Reforming PNTL (2) Avoid Politicization	
• Policy Recommendations	
III. Initiating Community-Based Development Projects to Create Job Opportunities for Timorese People across the Country by Using the Sustainable Petroleum Fund .....	10
• Background	
• Challenge: How to Satisfy the Young Labors in Timor-Leste	
• Policy Recommendations	
IV. Lesson from the Past on Timor-Leste Peacebuilding .....	14
• Substantial Support for “Timorization efforts” by UNTAET and Sergio de Mello	
• Outcomes of Cheap Exits: Automatic Transfer from Constitutional Assembly to Parliament	
• Role of the UN: Comparative Advantage of UN Peacekeepers and Multinational Forces	
Conclusion.....	17
Appendix 1: Results of Opinion Survey in Timor-Leste in November 2008 .....	19
Appendix 2: Graphs: Hypothesis on Constructing Domestic Legitimacy in Peacebuilding ..	30
Appendix 3: Acronyms .....	31
Bibliography.....	32

## Introduction

### Hypothesis and Methods

The purpose of this research is to address the question, “What are effective policies for international and domestic peacebuilders to construct domestic legitimacy in the process of peacebuilding?” In other words, the research seeks effective policies for peacebuilders to create “legitimate governments,” under which a majority of people comply with the rules of government in voluntary mode. As for the definition of legitimacy, Thomas Frank argues “legitimacy exerts a pull to compliance which is powered by the quality of the rule or of the rule-making institution and not by coercive authority. **It exerts a claim to compliance in the voluntarist mode.**”<sup>2</sup>

In order to examine the question of how the legitimacy is constructed in peacebuilding process, **I hypothesize five key factors that might have critical impacts on constructing the legitimacy of newly created governments** in war-torn states; those five factors can be largely influenced by international actors who are involved in peacebuilding activities (see Appendix 2).

- (1) Role of the UN
- (2) Inclusiveness (Reconciliation)
- (3) Local ownership
- (4) Resource distribution (Peace dividend)
- (5) Use of force

The hypothesis of my research is that these five factors influence the compliance or noncompliance with key political developments, such as elections, constitutions, and disarmament of military factions, which are key components in the peacebuilding process. And repeated compliance with these political developments will enhance the creation of legitimate governments; on the other hand, repeated noncompliance will erode the legitimacy of governments.

In my hypothesis, there is one intermediate factor between these five factors and compliance behaviors: the **“credibility as impartial,” which peacebuilders should create and enhance.** For example, when domestic factions perceive that peacebuilders are credible, fair, and impartial, it is more likely that domestic factions will participate in elections and accept their results, as they can perceive that their political rights will be protected even after they lose elections, and their participation in subsequent elections will be also treated impartially. International actors might be able to play a central role in creating this credibility in war-torn states.<sup>3</sup>

Based on this hypothesis, I conducted field research in February, May, and June, 2008 in Afghanistan (Refer to my report “Challenge of Constructing Legitimacy in Peacebuilding: Case of Afghanistan), and in October and November in Timor-Leste. In Timor-Leste, I interviewed **key international peacebuilders**, such as Atul Khare, the UN Special Representative of the Secretary-General (SRSG)

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<sup>2</sup> Frank 1990, 26. Emphasis was added by the author.

<sup>3</sup> To know the detail of definitions and theoretical hypothesis for this research, see the chapter I “How to Assess Legitimacy Construction in Peacebuilding” in the report “Challenge of Constructing Legitimacy in Peacebuilding: Case of Afghanistan” written by author. The report is available from <http://www.un.org/Depts/dpko/lessons/>

for Timor-Leste; Finn Reske-Nielsen, Deputy SRSG for Timor-Leste; Takahisa Kawakami, Deputy SRSG for Timor-Leste; Louis James Gentile, Representative of UN High Commissioner for Human Rights in Timor-Leste; Juan Carlos Arevalo Linares, Acting UN Policy Commissioner; Murray McCullough, Chief in Security Sector Support Unit in UN Integrated Mission in Timor-Leste (UNMIT); and numerous UN political and electoral officers. I also interviewed Brigadier Mark Holmes, Commander of International Stabilization Force, as well as officials of the World Bank and International Monetary Fund in Timor-Leste.

I also conducted individual interviews with **key domestic peacebuilders**, including Zacarias Albano da Costa, Minister of Foreign Affairs in Timor-Leste; Joao Mendes Goncalves, Minister of Economy and Development; Agio Pereira, Secretary of State for the Council of Ministers; Rui Manuel Hanjam, Vice Minister of Finance; Mario Nicolau dos Reis, Secretary of State for Ministry of Social Solidarity; Francisco da Costa Guterres, Secretary of State for Security; Henrique da Costa, Deputy Administrator for PNTL (Timor National Police), Julio Tomas Pinto, Secretary of State for Defense; Lere Anan Timur, Colonel in F-FDTL (No.2 in Timor National Army), Sabika, Literal Colonel in F-FDTL (No.3 in Timor National Army). I also interviewed top opposition leaders, such as Mari Alkatiri, Secretary-General in FRETILIN and a former Prime Minister in Timor-Leste; Estanislau da Silva, a former Prime Minister in Timor-Leste and a Parliament Member in FRETILIN; and Ana Pessoa, a Parliament Member in FRETILIN.

I also conducted **an opinion survey of 319 ordinary people** in Timor-Leste. One hundred and five opinion surveys were collected in the Liquica District, the western part of Timor-Leste (Men: 53, Women: 52); 112 surveys were collected in the Dili District, the capital of Timor-Leste (Men: 50, Women: 62), 103 surveys were collected in the Lautem District, the eastern part of Timor-Leste (Men: 53, Women: 49). The results of these surveys are shown in Appendix I.

### **Key Recommendations**

Based on the investigation of key political programs and the perceptions of people, I recommend the policies below as critical to strengthen the legitimacy of the Timor-Leste government. The key recommendations relate to

- (1) Enhancing political dialogue in local areas to address gaps among local people with respect to the legitimacy of the government and elections.**
- (2) Setting up a “joint field monitoring commission” by the UNMIT and the Timor-Leste government that will monitor the security sector reform, especially the Timorese Police (PNTL), to recommend the correct timing of UN police withdrawal.**
- (3) Initiating community-based development projects across the country and sustaining these projects by utilizing substantial parts of the petroleum fund, which are forecasted to provide the Timor-Leste government with 400 million USD annually.**

I will provide details of my recommendations as well as the reasons for these recommendations below.

## **I. Enhancing the Dialogue in Local Areas to Address Gaps among Local People with Regard to the Legitimacy of the Government and Elections**

### **Background**

After the devastating 2006 political crisis in Timor-Leste, which triggered the creation of more than 100,000 Internally Displaced People (IDP), both presidential and parliamentary elections were held in 2007 to restore confidence in and the legitimacy of the Timor-Leste government.

There was a positive side and a negative side to the outcomes of these elections. **The positive side was that every political party in Timor-Leste accepted the outcomes of the elections as fair and free, including FRETILIN**, the largest opposition party.

The negative side was that **FRETILIN**, which obtained the most votes (29% in national) and seats (21 among 65 seats) in the 2007 election, **keeps asserting that the formation of the coalition government without FRETILIN is “unconstitutional.”** Mari Alkatiri, the Secretary- General of **FRETILIN** asserts that **“the current coalition government has no legitimacy.”**<sup>4</sup>

On the other hand, the current coalition government led by Xanana Gusmao (the current prime minister), who led the CNRT party in the election, argues that the coalition government is fully constitutional; Zacarias Albano da Costa, the Minister of Foreign Affairs claims that **the current government has been constitutional from the beginning and has been increasing its legitimacy by solving the social problems caused by the 2006 crisis.**<sup>5</sup> He asserts that the government assisted the IDP to return to their villages by providing recovery package, initiated a pension system for former guerrilla soldiers fighting for independence, and reconciled with 600 petitioners in the Timor army whose petitions and appeals to the government were an initial trigger of the 2006 crisis; and all of them created “social stability that Timor-Leste desperately needs.”<sup>6</sup>

### **Embedded Divide in Legitimacy of the Government and Elections**

**One of the major findings of this research is that this partisan divide with regard to the legitimacy of the current government is deeply embedded in the “hearts and minds” of local people** in Timor-Leste, depending on their affiliation with different parties.

The results of the opinion survey I conducted in November, 2008 suggest that in the areas where FRETILIN maintains dominant support from local people, the majority of people are convinced that the current government is unconstitutional and “not legitimate.” On the other hand, in the areas where CNRT, the party led by Prime Minister Xanana Gusmao, obtained larger support, the assertion by FRETILIN does not prevail and has gained marginal support.

For example, **in Lautem district** (the eastern part of Timor-Leste, where FRETILIN obtained 45.5% of the votes and CNRT obtained 14.6% of the votes in the 2007 parliamentary election), **75.5 % of**

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<sup>4</sup> Author’s interview with Mari Alkatiri, the former Prime Minister and the Secretary- General of FRETILIN on 11 November 2008.

<sup>5</sup> Author’s interview with Zacarias Albano da Costa, Minister of Foreign Affairs in Timor-Leste on 25 October 2008.

<sup>6</sup> Ibid.

**local people we interviewed (102 citizens) responded that the current Xanana government is not legitimate;** only 24.5% answered that the current government is legitimate (See Appendix 1, Q29).

On the other hand, **in Liquica district** (the western part of Timor-Leste, where FRETILIN obtained 12% of the votes and CNRT obtained 40% of the votes), **73.3% of the local people we interviewed (105 citizens) answered that the current Xanana government is legitimate**, while only 25.7% answered that the current government is not legitimate. Likewise, **in Dili District** (the capital of Timor-Leste, where FRETILIN gained 22.4% of the votes and CNRT gained 45.2% of the votes), **80.4% of the local people we interviewed (112 citizens) answered that the current government is legitimate;** only 18.8 % answered that the current government is not legitimate.

**It clearly shows that there is a huge divide on the legitimacy of the current government, not only among political leaders, but also among ordinary citizens and people.**

The more serious phenomenon is that even if FRETILIN accepted the 2007 elections (both presidential and parliament elections) as free and fair due to the huge commitment of the UN and other international organizations, **local people who are supporting FRETILIN appear to judge that the elections themselves were not free and fair, and thus not legitimate.**

My survey revealed that **61.8% of people surveyed in Lautem District (FRETILIN stronghold) answered that the 2007 parliamentary election was “not” free and fair, while 86.7% in Liquica (CNRT stronghold) and 83% in Dili (CNRT stronghold) answered that the 2007 election was free and fair (See Appendix 1, Q25).** About half of the people surveyed in Lautem District argued that there were “buying votes” and “cheating in the vote count” (Appendix 1, Q27).

This dramatic result suggests that a substantial portion of people who define the current government as illegitimate judge that the process of elections (one of the key components of democratic rule) in Timor-Leste were not free and fair, thus not legitimate.

### **Policy Recommendations**

I assert that it is critically important for both the Timor-Leste government and UNMIT to address this perception of local people together with political leaders of FRETILIN. The creation of “democratic culture”, which must be embedded in the long-term process of peacebuilding, requires the belief of local people that at least the process of democracy (such as elections) is fair and impartial, even if they might disagree with the specific policies of different parties. The more concrete recommendations to address this issue are as follows:

- a) UNMIT will initiate long-term campaigns in holding a series of political conferences with representatives of all parties, including government parties and FRETILIN in all 13 local districts by the next parliamentary election in 2012.
- b) These conferences will give the political parties the opportunity to express their policies to local people; at the same time, **each party will be encouraged to express that democratic**

**rule, including elections, is the only way to create long-term government in Timor-Leste, as well as their assessment that the past elections were basically free and fair.**

- c) These conferences will also function to allow local Timorese people to express their concerns and requests to the government and political parties; giving many local people chances to be more involved in the political process is critical to establish “democratic culture.”

It is positive news that FRETILIN admits the legitimacy of the Congress (as accepting the results of elections) and FRETILIN members tend to be very serious in participating in legislative debate in the Congress by asserting that FRETILIN believes that “democratic rule is the only way to achieve peace and stability in Timor-Leste.”<sup>7</sup> Atul Khare, the Special Representative of the Secretary General (SRSG) for Timor-Leste, argues that “FRETILIN is now playing a very responsible role as the opposition party in the democratic congress in Timor-Leste.”<sup>8</sup>

It is also encouraging that both Xanana Gusmao, the prime minister, and Jose Ramos-Horta, the president, welcome the dialogue with opposition parties, including FRETILIN. And it is significant that **the government leaders, the president, and FRETILIN leaders are unanimously convinced that Khare, SRSG for Timor-Leste is doing a very fair and important job in creating continuous political dialogues between both ruling parties and opposition parties.**<sup>9</sup>

UNMIT can capitalize on this credibility of the SRSG and UNMIT as a whole to start political dialogue campaigns with local people at district and subdistrict levels, so that **it can persuade not only political leaders but also local people that their political parties are willing to establish impartial democratic rule.** UNMIT can also enhance the political participation of local people on a daily basis (not only in election times) and help people to understand the limit and difficulty of the government as well as express their hopes to the political parties.

It is clear that the process until the next national election, which is planned to be held in 2012, is very critical to increase the trust of local people in democratic rule. And my survey indicates that **the Timorese people seem ready to welcome such a role of UNMIT to expand the political participation of local people**; 52.4% of people surveyed in Liquica, 58.0% in Dili, and 47.1 % in Lautem responded that the next election should be conducted by both “Timor-Leste government and the UN” (Appendix 1, Q28).

As I will explain the section “Lesson from the Past,” the overwhelming support by the local Timorese people for the governance of UNTAET (UN Transitional Authority in East Timor) in 1999-2002, led by Sergio de Mello, was largely created by de Mello’s frequent visits and dialogues during his service as the SRSG. It would be very effective in maturing “democratic culture” in the hearts and minds of local people if UNMIT, ruling parties, and FRETILIN could involve local people by holding a series of meetings in every district across the country.

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<sup>7</sup> Author’s interview with Mari Alkatiri, the Secretary - General of FRETILIN on 11 November 2008.

<sup>8</sup> Author’s interview with Atul Khare, the Special Representative of the Secretary General for Timor-Leste on 27 October 2008.

<sup>9</sup> According to author’s interviews with Mari Alkatiri on 11 November 2008, Estanislau Da Silva, a former prime minister and current parliament member in FRETILIN on 28 October 2008, as well as Zacarias Albano da Costa, Minister of Foreign Affairs in Timor-Leste on 25 October 2008.

## **II. Setting up a Joint Field Monitoring Committee that will Monitor the “Security Sector Reform” to Recommend the Timing of UN Police Withdrawal.**

### **Background**

There is no doubt that one of the major causes of the 2006 political crisis was the “malfunctioning security sector” in Timor-Leste. About 600 “petitioners” in F-FDTL (National Army) left their barracks in February, 2006, after petitioning the government that the western soldiers in F-FDTL were discriminated against. The commanders of F-FDTL dismissed these petitioners, authorized by Alkatiri, the Prime Minister at that time. These “petitioners” started demonstrations against government authorities, including the PNTL (National Police), and attacked some PNTL officers of eastern origin, which exacerbated the harsh tension between easterners and westerners within the PNTL; and some officials of the PNTL started firing at the F-FDTL headquarters, collaborating with the petitioners. In the following days, several military engagements between F-FDTL and the PNTL were also triggered. In short, the government totally lost control of the security sector. Observing these clashes among officials and a “security vacuum” in Dili, allegedly about 1000 young gang members and frustrated youth started torching houses and buildings, burned more than 10,000 accommodations, and expelled about 100,000 citizens who escaped to IDP camps.

At the request of the Timor-Leste government, the UN mandated multinational forces led by Australia to intervene to restore order. After the situation calmed down, the new UN mission (UNMIT) was established in August, 2006, and one of its mandates was to support strengthening of the PNTL as well as to maintain security with about 1500 UN police officials.

On the other hand, the multinational forces led by Australia, the International Stabilization Forces (ISF), were not transferred to the UN peacekeeping operation, largely because of opposition by the Australian government. In 1999, the multinational forces led by Australia were transferred to the UN peacekeeping forces commanded by Sergio de Mello, SRSG in East Timor at that time. Thus, the UN police has been mainly in charge of training the PNTL, and the ISF has been in charge of training the F-FDTL since August, 2006.

### **Security Situation, Expectation, and Reality**

As the UN police were deployed and the ISF was stationed, the security condition in East Timor in 2008 was quite good; there were only two incidents of serious crimes such as murder, abduction, and rape per month, on average, across the country.<sup>10</sup> Although there were armed attacks in February, 2008 against the President (Ramos-Horta) and the Prime Minister (Xanana Gusmao) by Alfredo Reinado, the former Military Police Commander of F-FDTL, both the President and the Prime Minister survived the attacks and Reinado was killed during an event. The subordinates of Reinado surrendered to the government.

The Timorese people also show some degree of confidence and trust in both the PNTL and F-FDTL. My survey demonstrates that when people face serious crimes such as robbery and kidnapping, more

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<sup>10</sup> Report of Secretary General on the United Nations Integrated Mission in Timor-Leste on 4 February 2009.

than 90% of people in three districts, Lautem, Dili, and Liquica, ask the PNTL for solutions, while about 60% of them also ask community leaders as well (Appendix 1, Q4). The survey by the International Republican Institute (IRI), which interviewed 1500 residents in all districts in Timor-Leste from November 10 to December 16, 2008, also showed that 80% in Timor Lest as a whole answered that the job done by the PNTL is “very good (21%)” or “good (59%).”<sup>11</sup> The IRI survey also indicated that 78% of people answered that the job done by F-FDTL was “very good (23%)” or “good (55%)”; those results are consistent with the results of my survey (Appendix 1, Q 20).

In spite of these achievements in improving the daily security conditions in Timor-Leste, however, **this research argues that “national security institutions,” such as PNTL, Justice Courts, and F-FDTL, are facing a huge challenge, difficulty, and vulnerability in maintaining order by its own hands; thus, it is very dangerous for the UN police to withdraw from Timor-Leste without sufficient verification of the real capability of these institutions on the ground.**

### **Challenge of Reforming PNTL (1) Capacity Building**

Reforming the PNTL is crucial, as the PNTL is the biggest armed institution in Timor-Leste (about 3000 officers, compared with F-FDTL with about 700 soldiers, the UN police with 1500 policemen, and ISF with about 700 officers). The PNTL proved to be very vulnerable to politicization during the 2006 crisis. Thus, one of the major tasks of UNMIT and UN police has been to reform and professionalize the PNTL by screening them, training them, and doing operations with them.<sup>12</sup>

**It is stunning, though, that local Timorese police officers are not well equipped and do not have independent functions in policing.** Because of the cooperation between the UN police and the PNTL, the author was able to visit several police stations, including one of the major police stations in Dili, Mercado Lama Police Station, on 12 November, 2008.

As of November, 2008, the Mercado Lama Police Station has 18 PNTL officers and 6 UN police officers. Although all UN police officers have their own weapons, **only one PNTL officer has a weapon (gun);** other PNTL officers do not have any firing weapons.

More seriously, the **PNTL does not have any police cars in this police station;** thus, the PNTL officers in this station always need to ask the UN police, who have two cars in this station, to go to sites of incidents. Likewise, there was **only one old used radio set** available to the PNTL officers in this station, while all UN police officers have their own radio sets.

The PNTL officers in this station had asked the PNTL headquarters for many months to provide them with the cars and radio sets, as well as a computer with printer, a photocopy machine, and raincoats; however, the only equipment provided was “one table and three chairs.”<sup>13</sup>

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<sup>11</sup> International Republican Institute, “Timor-Leste National Survey Results, November-December 16, 2008” Available from <http://www.iri.org/asia/easttimor.asp>”

<sup>12</sup> Author’s interview with Juan Carlos Arevalo Linares, Acting UN Policy Commissioner on 30 October 2008.

<sup>13</sup> Author’s interview with a UN police officer in charge of Mercado Lama Police Station on 12 November 2008.

Francisco Guterres, Secretary of State for Security, who is virtually the No 1 official in charge of the PNTL (as the Minister for Security now is the Prime Minister), admits this problem, claiming “there is no equipment, there is no house for PNTL policemen, and the salaries are very low...and offices of the PNTL are so bad and there are no cars – or limited numbers of cars – no radio communications, all of which created huge problems.”<sup>14</sup>

Guterres, who completed his Ph.D. in Australia, was appointed Secretary of State for Security in 2007 and has been making efforts to restore the public confidence in and legitimacy of the PNTL in the eyes of local people by changing the mentality of the PNTL officers, reforming its promotion codes, and creating task forces that contributed to the reduction of crime rates, so that “people start calling PNTL again to solve their problems.”<sup>15</sup>

It appears, though, that it will require several years (or longer) to fix the equipment problems and improve the policing capacity in general, as a major reason for the lack of equipment is the lack of PNTL institutional capability in planning and procuring; and the lack of capacity in planning and procuring is a ubiquitous phenomenon across government institutions in Timor-Leste. It is very understandable that Timorese institutions lack planning and procuring functions after almost 400 years’ occupation or colonization by foreign countries. **But it is vital for the international community to recognize that it takes time to discipline the institutional capabilities of Timor-Leste.**

### **Challenge of Reforming PNTL (2) Avoid Politicization**

Many experts also see that the PNTL is very vulnerable to politicization; Guterres assesses that “in the past, there was highly politicization in the PNTL and some political parties want to influence the PNTL for their political reasons...and many PNTL officials also had the mentality that they would be promoted not because of their work but because of their connections with high-ranked officials or politicians; thus, they were very vulnerable to politicization.”<sup>16</sup>

Guterres emphasizes that this type of politicization is very dangerous for the country. Thus, he is now trying to introduce a “new promotion code,” which will send a clear message to the PNTL officials that “they will be promoted by their work, not by their connections with political leaders.”<sup>17</sup> This new promotion code, he argues, will change the mentality of PNTL officers and institutional culture.

I argue that these efforts by Guterres should be assisted by every actor, including UNMIT and the Timor government, to create a new PNTL culture in which they are loyal to the democratic institutions, not to specific political figures. **But again, changing the mentality of police officers will take time, and the UN police should stay in Timor-Leste until these institutional cultures become mature and embedded.**

It seems that both PNTL officers and Timor-Leste citizens welcome a longer stay by the UN police;

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<sup>14</sup> Author’s interview with Francisco Guterres, Secretary of State for Security on 7 November 2008.

<sup>15</sup> Ibid.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

Henrique da Costa, Deputy Administrator for the PNTL and No. 2 uniform official in the PNTL, asserts that “PNTL will accept the UN police as long as they wish to stay...we (PNTL) could not satisfy the expectation by Timorese people in the 2006 crisis; we lost the confidence of people.”<sup>18</sup> With regard to the expectation by ordinary Timor citizens, 90.5% of respondents in Liquica, 82.1% of respondents in Dili, and 43.1% of respondents in Lautem argue that the UN police should stay in Timor-Leste; and **the majority of respondents in Dili and Liquica think that the UN police should stay for more than 3 years** (Appendix 1, Q12 and Q13).

### **Policy Recommendations**

There is positive development in reforming the PNTL. The screening process of every PNTL officer has been almost completed; thus, at least officers who committed crimes in the past or in the 2006 crisis will not serve in the PNTL in the future. The people’s confidence in the PNTL has been restored to the extent that they at least report to the PNTL when observing serious crimes. But the reform of the PNTL, especially in providing enough equipment and training, changing the mentality, and creating new institutional cultures with a new promotion code, will take long years and needs to be monitored carefully by **a specialized body that will not only see the reports of the government but monitor actual operations on the ground in every district**. The more concrete recommendations are as follows:

- a) UNMIT and the Timor-Leste government jointly create a new “Field Monitoring Committee,” chaired by the Deputy SRSG for Security Sector Support and Rule of Law, with the participation of UN and Timorese experts on security, including some human right officers.
- b) The first objective of this “field monitoring committee” would be to make continuous visits to PNTL stations across the country and assessment of its operation on the ground, as well as assessing the local people’s perception of the operation of the PNTL.
- c) The second objective of the committee would be to enhance “confidence” between the committee and the PNTL so that PNTL officers can also show their grievance and requests to the Timor-Leste government and the UN police to the committee members.
- d) The final objective of the committee would be to build confidence between the PNTL and F-FDTL in each district by creating continuous dialogue, as well as to enhance the confidence between the PNTL and justice courts in each district.
- e) This committee will stay in Timor-Leste and play a role in monitoring and enhancing confidence even after UN police withdraw in the future, so that it can function as a stabilization mechanism to monitor and assess the vulnerability of security sectors in Timor-Leste.

In short, the new committee can function in assessing the institutional capacity of the PNTL; enhancing confidence between the PNTL and people; and building the cooperation between the PNTL and other security sectors, such as F-FDTL and justice courts.

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<sup>18</sup> Author’s interview with Henrique da Costa, Deputy Administrator for the PNTL on 30 October 2008.

With regard to F-FDTL, although the UN is not mandated to reform F-FDTL (National Army), it would be important for the new committee to promote better understanding, communication, and confidence between the PNTL and F-FDTL, especially in local areas.

While many experts observe that F-FDTL seems to have more coherency and resistance to politicization due to some charismatic leaders in F-FDTL who were heroes fighting for independence, F-FDTL was not free from the politicization during the 2006 crisis. Sabika, No. 3 in F-FDTL, claimed that “many politicians kept calling F-FDTL officials to act for political reasons during the 2006 crisis, although these politicians did not call me as they knew that I would resist their requests.”<sup>19</sup>

With regard to justice courts in Timor-Leste, the malfunctioning of the ordinary court system is very explicit; there are 5,400 cases that are pending for criminal procedures nationwide as of February, 2009, because of lack of court staff (such as judges, prosecutors, defence lawyers).<sup>20</sup> My research revealed that **49.5% of the respondents in Liquica, 52.7% in Dili, and 75.5% in Lautem answered that “the criminals who commit crimes in Timor-Leste today will not be properly prosecuted and punished”** (Appendix 1, Q18).

Although it may be difficult to fix this problem quickly, the committee can at least keep improving coordination and collaboration between the PNTL and justice courts; the assessment of the court system is also critical for the committee to make a judgment about the withdrawal of the UN police.

Notwithstanding the huge challenges ahead, there is substantial progress in general security conditions in Timor-Leste. The serious crime rate is extremely low; there is almost no organized crime or terrorist attacks. This safety enables the Timor-Leste government, the UN, and the NGO to implement massive political, social, and economic projects. The crucial issue is to make careful assessment about the capacity of the national security sectors and careful judgments about the substantial withdrawal of the UN; seeking a cheap exit without verification is very risky and dangerous for the Timorese people, the UN, and the international community.

### **III. Initiating Community-Based Development Projects to Create Job Opportunities for Timorese People across the Country by Using the Sustainable Petroleum Fund**

#### **Background**

There is a shared consensus that one of the biggest root causes of the 2006 crisis was the frustration of a large number of Timorese young people who do not have any job opportunities. The UN and other international agencies estimate there are 15,000 new young people entering the labor market every year, while there are only 400 recruitments for formal employment in Timor-Leste.

According to the Timor-Leste Demographic and Health Survey, “women in Timor-Leste were bearing children at a rate of 7.77 children per woman...the country’s birth rate is amongst the highest

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<sup>19</sup> Author’s interview with Sabika, No3 uniform official in F-FDTL (Timor National Army) on 10 November 2008.

<sup>20</sup> Report of Secretary General on the United Nations Integrated Mission in Timor-Leste on 4 February 2009.

in the world.”<sup>21</sup> As more Timorese people start having access to schools and medical care, the creation of job opportunities is one of the biggest challenges in stabilizing the country.

My survey found that 33.3% of the respondents in Liquica, 33.9% in Dili, and 39.2% in Lautem responded that **“their employment condition has gotten worse, compared with three years ago”** (Appendix 1, Q2-F). The results certainly suggest the urgent need to address this issue.

## **Use of Oil Revenue**

The oil revenue that Timor-Leste obtains from its sea is certainly a big hope and chance for developing the economy in Timor-Leste. The International Monetary Fund (IMF), which is assisting with the management of the “Petroleum Fund” in Timor-Leste, estimates that the Timor-Leste government can stockpile about 14 billion USD revenue into its “Petroleum Fund” from the oil reserve that has already been identified (it may increase in the future, depending on the amount of reserve).

**Assuming 3% sustainable interest from the Petroleum Fund, the government can expect 396 million USD per year as the constant government revenue from the Petroleum Fund forever.**

The government revenue from non-oil sectors is said to be approximately 50 million USD, so the constant government revenue of 400 million dollars is critical for Timorese development. Finn Reske-Nielsen, Deputy SRSG for Governance Support, Development, and Humanitarian Coordination, asserts, “At a macro level, the challenge is to translate oil wealth into sustainable growth in the non-oil economy, in other words, creating jobs for people which oil revenue does not do... Thus, the challenge is to invest oil money in a way that could yield a tangible benefit for people in this country and make the economy grow.”<sup>22</sup>

For the last two years, the Timorese government has focused on making direct cash distribution to different categories of the Timorese people to create social stability. For example, the Timorese government implemented a recovery package for the internally displaced people (IDP) by providing them with a maximum of 4500 USD per family; the government also provided approximately 600 petitioners who were fired from the F-FDTL in the 2006 crisis with allegedly 8000 USD per petitioner. The government also launched a pension program for the veterans fighting for independence by paying between 120 to 550 dollars per month, depending on rank and length of service. The government also started a pension of 20 USD per month for persons over 65 years old as well as for handicapped people.

Those compensation and pension programs certainly contributed to enhancing social stability. The return of internally displaced people accelerated dramatically; as of January, 2009, 54 out of 63 IDP camps had been closed and 11,345 families received the benefit of the recovery package.<sup>23</sup> The petitioners also returned to their villages after they received their payments. **Joao Goncalves, Minister of Economy and Development, strongly asserts that “it was totally necessary to**

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<sup>21</sup> The World Bank Group. 2 August 2005, “DHS survey says Timor-Leste has highest birth rate and child mortality has declined 50%.” Available from <http://www.reliefweb.int/rw/rwb.nsf/db900sid/KHII-6EW4FC?OpenDocument>

<sup>22</sup> Author’s interview with Finn Reske-Nielsen, Deputy SRSG for Timor-Leste on 4 November 2008.

<sup>23</sup> Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste on 4 February 2008.

provide these compensations to solve short-term social problems.”<sup>24</sup> Rui Hanjam, Vice Minister of Finance, is also convinced that “the direct provision of benefits to these petitioners and veterans was inevitable for stabilizing this country first.”<sup>25</sup>

While the pensions for elderly people and veterans are said to consume about 60 million USD every year, the provision for the petitioners and IDP is basically a one-time payroll. Thus, **it must be the time to start massive development projects that would be very labor intensive and induce the participation of local people in both identifying and implementing development projects.**

### **Policy Recommendations**

I argue that the community-based development projects that have been implemented by the initiatives of the World Bank in several Asian developing countries, such as Indonesia and Afghanistan, would be an effective policy tool in Timor-Leste. Although the general trend of Afghan peacebuilding has been deteriorating, the community development projects that established the Community Development Councils (CDC) in each village and asked villagers to identify development projects and implement them with their own labor have been extremely popular; an overwhelming majority of Afghan people are very satisfied with the CDC projects.<sup>26</sup>

This type of community development project can be very sustainable and beneficial in Timor-Leste because (1) the **Timorese government can allocate a certain part of oil revenue for this program in very sustainable ways** (virtually forever), (2) development projects identified by villagers tend to be **more labor intensive** and suited for the level of economy in their community, and (3) implementing development projects in every district would play a significant role in **easing some of the frustration among people in certain areas** who feel that they are not benefited by oil revenue. The concrete policy recommendations are as follows:

- a) UNMIT, the World Bank, UNDP, and the Timor-Leste government start formulating the mechanisms of implementing community-based development projects that are aimed to reach every village in Timor-Leste.
- b) In principle, every village can apply for development projects they identify after villagers create community development councils in their community. The budget ceiling of one project will be clearly explained to the councils in advance.
- c) In practice, many villages might need the help of other agencies to create applications for projects. The “implementation partners” should be identified by the joint committee for this program (attended by UNMIT, World Bank, UNDP, and the government). The implementation partners are mainly domestic and international NGOs who can assist community projects.
- d) It will be critical for this Timorese program to enable villages to apply for subsequent projects once they successfully complete the implementation of the first project, which can be

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<sup>24</sup> Author’s interview with Joao Mendes Goncalves, Minister of Economy and Development on 13 November 2008.

<sup>25</sup> Author’s interview with Rui Manuel Hanjam, Deputy Minister of Finance on 31 October 2008.

<sup>26</sup> Higashi 2008, 43-48.

monitored by government agencies (assisted by the UN). Accumulation of different but related community development projects would give villagers continuous job opportunities, more expertise, and better living conditions.

In Afghanistan, which has a population of 23 million, 800 million USD for 7 years was estimated to be sufficient for implementing projects in every village across the country. As Timor-Leste has only one million people, with very high security in all parts of the country, an annual budget of 10% of 400 million USD revenue from the Petroleum Fund would have great impact on giving Timorese people substantial job opportunities from continuous implementation of the development projects that villagers themselves identify based on their needs.

Actually, the same kind of community development project has already been implemented in Oecusse, one of the thirteen districts in Timor-Leste. The European Commission and UNDP launched the “Oecusse Community Activation Project (OCAP)” in May, 2004. The project has a total budget of 4 million USD for five years (it is planned to be completed in May, 2009). This project assisted “poor communities in Oecusse to organize themselves into dynamic groups, so-called Self-Help-Groups, which will be able to prioritize their needs, plan their development activities, and implement them.”<sup>27</sup>

As the UNDP emphasizes, the Oecusse Community Activation Project certainly made good progress by developing 198 Self-Help Groups; 96 of them participated in savings and credit. In addition, 25 Community Development Fund projects have been approved, and 7 of them have been completed.<sup>28</sup> This experience in Oecusse district demonstrates that creating new organizations at the village level and conducting community-based development projects can be implemented in other districts in Timor-Leste.

Launching massive community development projects with the same budget ceiling across the country would also play a significant role in easing the frustration that some people perceive concerning the use of oil revenue. According to my survey, **while 51.8% of the respondents in Dili answered that the current government is doing a good job in using oil revenue, 53.3% in Liquica and 74.5% in Lautem responded that the current government is doing a bad job in using oil revenue** (Appendix 1, Q30). The survey and my interviews with many villagers indicate that there is substantial perception in some local areas that they are excluded from the development process.

**The proposed community-based development projects can demonstrate that the government is serious about empowering people and their communities, implementing the projects identified by every village, and creating job opportunities in every part of the country by using oil revenue that every Timorese should have the right to access and enjoy.**

It is fortunate that the Timorese people seem to accept very slow progress and improvement of their life. The importance of the government and the international peacebuilders is to create a mechanism

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<sup>27</sup> UNDP “Project Fact Sheet. Oecusse Community Activation Project (OCAP)” Available from [http://www.tl.undp.org/undp/Envrmnt/OCAP\\_fact%20sheet.pdf](http://www.tl.undp.org/undp/Envrmnt/OCAP_fact%20sheet.pdf). Accessed on 2 March 2009.

<sup>28</sup> Ibid.

in which people can participate in planning, identifying, and implementing projects by their own initiative and labor. It would also become a sustainable mechanism for developing the skills of Timorese people by participating in various projects, which might create other business enterprises and opportunities in the future.

#### **IV. Lessons from the Past on Timor-Leste Peacebuilding**

##### **(1) Substantial Support for “Timorization Efforts” by UNTAET and Sergio De Mello**

From 1999 to 2001, the UN Transitional Authority in East Timor (UNTAET), led by the SRSG, Sergio de Mello, was given the biggest authority by the UN Security Council to govern a country in the history of the UN. Facing the frustration and grievance from local Timorese leaders on this extreme authority of the UN, de Mello advanced so-called “Timorization efforts,” which would gradually hand more authority over to Timorese leaders.

Only two weeks after de Mello took office as SRSG in East Timor and Transitional Administrator on 17 November, 1999, he established the National Consultative Council (NCC), a political body consisting of 11 Timorese and four UNTAET members (15 in total), which was in charge of overseeing the decision-making process. Although it was a consultative body with no legal authority, de Mello did his best to issue regulations only when they were supported by NCC members.<sup>29</sup> In July, 2000, de Mello and NCC agreed to establish a “Transitional Cabinet” comprised of four East Timorese and four UNTAET. In October, 2000, the “National Council” composed of all 36 East Timorese was established, and the NC had the power to recommend draft regulations or to amend regulations, although the final authority was still given to the Transitional Administrator.<sup>30</sup>

Collaborating with these interim institutions, de Mello proceeded in important steps to hand over sovereignty to the Timorese. In August, 2001, the election of the Constituent Assembly was conducted; the Constituent Assembly was charged with producing a new Constitution, which was adopted in March, 2002. In April, Xanana Gusmao was elected as the first president. Timor-Leste became an independent country in May, 2002.

**These “Timorization efforts” by de Mello had both strong support and weak grievance from leaders in Timor-Leste.** Silva, who was a minister for agriculture, forest, and fishery in the second interim cabinet during UNTAET, asserts that “Sergio de Mello made his best effort to consult with Timorese people and leadership. . . . He avoided making decisions without hearing the voices of Timorese.”<sup>31</sup> On the other hand, Milena Pires, the Deputy Speaker in NC, argues that while de Mello made good efforts to consult with Timorese people, there was a substantial limit; when NC tried to create a “women quota” for the election of the Constituent Assembly, although de Mello was sympathetic to the idea, the opposition from NY Headquarters pushed the final decision to exclude the quota. “It disappointed us, realizing that we do not have a final voice.”<sup>32</sup>

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<sup>29</sup> Power 2008. 307.

<sup>30</sup> UNTAET/Regulation NO. 2004/24. On the Establishment of a National Council.

<sup>31</sup> Author’s interview with Estanislau Da Silva, a former prime minister and current parliament member in FRETILIN on 28 October 2008

<sup>32</sup> Author’s interview with Milena Pires, Deputy Speaker in the National Council under UNTAET on 30 October 2008.

At the same time, this research identified that local people in Timor-Leste have overwhelming support for the governance by UNTAET and de Mello. According to my survey conducted in 2008, **93.3% of respondents in Liquica, 98.2% in Dili, and 81.4% in Lautem answered that they support UNTAET and Sergio de Mello** (Appendix 1, Q 15). One of the major reasons is “**because the UN respects the voices of Timorese people,**” having almost the same level with the reason “because East Timor needed the UN to create a constitution and new state” (Appendix 1, Q16). It is appealing that even in Lautem district, which tends to have a more negative perception of both the current government and the UN operations, more than 80% of the respondents answered that they supported UNTAET and de Mello.

One village leader in Lautem district emphasized to me that “Sergio de Mello came to our district so often and did excellent meetings with local people to hear their voices and make people understand the policies of UNTAET. His attitude to the Timorese was largely respected by people here.” One woman in a small village in Liquica district told me that “Sergio came to such a small village to have dialogue with us; I still remembered that I was very excited and had hope for our future when we encountered him...I hope the current government has the same attitude.”

**I argue that this perception of local people about de Mello’s efforts to reach people even in local areas resonates with my first proposal of initiating continuous dialogue between political leaders and local people in each district.** The sustained efforts to have dialogue with local people by political leaders belonging to different parties will increase the support and the legitimacy of the political institutions in the long run.

## **(2) Outcomes of Cheap Exits**

The UN operations in Timor-Leste, however, were not impeccable. Agio Pereira, Secretary of State for the Council of Ministers, asserts that the UN (and the UN member states) made three fatal mistakes in the course of peacebuilding in Timor-Leste: the first was to conduct the 1999 popular consultation (the national referendum) to choose independence “without sufficient security instruments to protect Timorese people”; the second was to transfer the members of the Constituent Assembly who were elected in 2001 to create the constitution into “interim National Parliament members” until the 2007 election; the third was to pull the UN peacekeepers and police in 2005, when the Timorese government institutions were not mature enough to govern people by solely their own hands.<sup>33</sup>

With regard to transferring the Constituent Assembly to the interim National Parliament, Pereira asserts “it was almost cheating, because people thought that they would elect members who would create a constitution. Why could these members obtain the legitimacy as congress members?” He asked the UN and one international agency to conduct a specific election for the newly created National Parliament after the independence in 2002, but the international agency responded that “we do not have the money to conduct another election here so soon after the 2002 presidential election.”<sup>34</sup>

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<sup>33</sup> Author’s interview with Agio Pereira, Secretary of State for the Council of Ministers on 31 October 2008.

<sup>34</sup> Ibid.

It seems that there is a shared view by many UN top officials who experienced UNTAET that it was a mistake to transform the Constituent Assembly automatically to the interim Parliament. In addition, many experts also assert that the UN withdrawal in 2005 was proved to be too early by the consequence of the 2006 crisis.

Pereira strongly asserts that “it really takes long time to mature democracy in such a new country. If the UN made a withdrawal again quickly, Timor-Leste would become ‘another Haiti’ which continued to have crisis after crisis...”<sup>35</sup> In order to avoid this, a long-term commitment by the UN to ensure embedded democratic governance of Timor-Leste is critical for the success of both Timorese people and the UN.

This research concludes that while there are many positive developments and progress, especially in daily life security conditions, **the withdrawal of the UN police and the strong UN mission could trigger another political crisis or internal conflict if it was decided without verifying the legitimacy of the government, well-functioning security sectors, and at least a mechanism for creating job opportunities for Timorese people and youth in sustainable ways.** The past experiences in Timor-Leste give us precious lessons about the cost and consequence of making “cheap exits” without verifying sufficient conditions.

### **(3) Role of the UN: Comparative Advantage of UN Peacekeepers and Multinational Forces**

Timor-Leste is a unique case in experiencing both UN peacekeepers and multinational forces in peacebuilding periods. In 1999, the multinational force led by Australia (INTERFET) intervened in East Timor to stop the genocidal attacks conducted in Timor-Leste after the popular consultation, and there is no question that INTERFET made great achievement to restore order in East Timor. At the same time, INTERFET also agreed to transfer it to UN peacekeepers in 2000 to be commanded by the SRSF.

When the multinational force led by Australia (ISF) intervened in Timor-Leste in 2006, it also made a crucial contribution to restore order. At this time, the UN Security Council had harsh debate on whether the ISF should be transferred to UN peacekeepers as it was before. The Howard conservative government in Australia decided to refuse the transfer to the UN peacekeepers.

This research tried to identify which forces – UN peacekeepers or multinational forces – have or do not have the advantage in support from local people. Responding to the question, “From 1999 to 2005, there were UN peacekeeping forces in Timor-Leste. Now it is the International Stabilization Forces (ISF) led by Australia that is deployed in Timor-Leste. Which force do you like better?” **83.8% of the respondents in Liquica, 77.7% in Dili, and 93.1% in Lautem responded that they like the UN peacekeepers better** (Appendix 1, Q6). Many Timorese prefer UN peacekeepers “because the UN peacekeepers are not serving the interest of one foreign state,” “because the UN peacekeeping forces comes from many different regions,” and “UN peacekeepers are neutral to every political group in Timor-Leste” (Appendix 1, Q7).

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<sup>35</sup> Ibid.

**The previous research in Afghanistan indicates exactly the same trend:** 70% of the respondents in Kandahar province (South Pashtun region), 98% in Wardak province (Central Pashtun region), and 98% in Kapisa province (Central Tajik region) responded that “the UN should play a central role in commanding foreign military operations, not the NATO or US.”<sup>36</sup>

The result of the Timor-Leste research on this particular question is very informative as Timorese experienced both UN peacekeeping operations and ISF operations (Afghan people experienced only operations by NATO and the US after 2001). The staff who asked the question of Timorese people also have no affiliation with the UN (they were university students who explained to villagers that they were conducting research for a Japanese Ph.D. student).

**These results in both Timor-Leste and Afghanistan strongly suggest that the UN peacekeeping operations at least have a significant comparative advantage with regard to legitimacy in the eyes of local people.** One of the top political leaders in Timor-Leste emphasizes that “we appreciated the intervention by Australia and its multinational forces to stop the atrocities, but the peacekeeping operation should be conducted by the UN because people start thinking that the intervening country will colonize us if they stay in our country for too long.”<sup>37</sup>

My previous research indicates that Afghan peacebuilding experienced serious challenges and difficulties in sharing consensus and objectives between the multinational forces (such as ISAF and US-led forces in charge of the Operation for Enduring Freedom) and the UN or the Afghan government, especially on very sensitive political programs such as reconciliation with insurgency.<sup>38</sup> But the Timor-Leste peacebuilding seems to have avoided this problem, especially because there is no serious criminal organization or political insurgency in Timor-Leste. It is very informative, though, that Timorese people still would choose the UN peacekeepers if they were able to make a decision.

There is a prevailing assumption among the Western states that UN peacekeeping operations are less capable and malfunction because of the commanding problem, compared with multinational forces. This argument might be applicable to “peace enforcement operations,” which require strong military capabilities with accustomed commanding system; **however, for peacebuilding or peacekeeping operations, which require a much longer stay and commitment with local people, the comparative advantage in legitimacy that the UN peacekeepers appears to have in the eyes of local people and political leaders should be correctly recognized and utilized in conducting successful peacebuilding in the future.**

## V. Conclusion

There are many positive developments that give hope to the Timorese people. Very stable security conditions enable the Timorese government, the UN, other aid agencies, and NGOs to implement a large number of political, social, and economic projects. The implementation of these projects, if

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<sup>36</sup> Higashi 2008, p65 (Appendix 1, Q13).

<sup>37</sup> Author’s interview with one of parliament members who has experienced several ministers since 1999 with a condition of anonymity because of the sensitivity of the issues.

<sup>38</sup> Higashi 2008. 33-42.

done correctly, can assist in maturing democratic culture, empowering the security sector, and creating a mechanism to invest oil revenues in development and employment opportunities.

However, there are pitfalls of the Timorese peacebuilding. The most significant one seems to be the willingness of the international community to make another “cheap exit.” As this research suggests from different perspectives – many challenges in current conditions as well as past experiences –the cheap exit induced by superficial improvement of security conditions is a very risky decision.

**In order to avoid misjudgment in identifying the proper role of the UN, including the timing of the withdrawal, it would be very helpful for UN missions in the world to create a new officer who is specifically responsible for assessing the legitimacy and credibility of governments, their rules, and other international actors involved in peacebuilding efforts.** The cost of the entire research by this author in Timor-Leste for one month did not exceed 10,000 USD, including the accommodation of the author, food, hiring one translator for one month, and hiring 5 university students for 9 days to conduct this survey in three different districts. Notwithstanding this minimum cost, understanding (1) policies by both domestic governments and international peacebuilders, (2) aims of these policies, and (3) perception of ordinary people concerning these policies and domestic governments and international peacebuilders is critical for the UN to correctly understand the dynamic creation of legitimacy of domestic governments and identify the evolving roles of the UN missions and other international agencies in different stages.

There is no doubt that Timorese peacebuilding was led by the UN from the beginning and was often cited as “one of the most successful cases in the history of the UN” until the 2006 crisis. The crisis, however, substantially damaged the credibility of the Timorese government and the UN.

It is critical for us to recognize that the success of Timorese peacebuilding will enable Timor-Leste to have legitimate governments which Timorese people desperately need for peace and stability; it will also enhance the legitimacy of the UN in the eyes of the international community, which would enable the UN to keep assisting other suffering war-torn states in the world.

# Appendix 1

## Results of Opinion Survey in Timor-Leste in November 2008

(Place, Time, and Methodology of Survey)

### Total Survey in Timor-Leste: 319

Nov 2 –Nov 3: In Lospalos Subdistrict in Lautem District (**Eastern Part of Timor-Leste**):

The number of survey was 102 (Men: 53, Women: 49)

Nov 5- Nov 6: Capital Dili (**Capital of Timor-Leste**):

The number of survey was 112 (Men: 50, Women: 62)

Nov 7- Nov 8: Maubara & Liquica Sub-district in Liquica District (**Western Part of Timor-Leste**)

The number of survey was 105 (Men: 53, Women: 52)

The survey in Lospalos was conducted by 7 staff dispatched by the Japanese NGO named “Afmet” as well as me and my translator.

The survey in Dili and Liquica was conducted by five university students, me and my translator.

Every staff for the survey obtained the training before conducting interviews. In the meeting with villagers and citizens, these staff explained the objective of research, emphasizing that the research was conducted by an independent Japanese Ph.D. student. If the staff obtained the agreement from respondents, they read all questions and options of answers from the same questionnaire, and marked the answers that respondents chose. Each staff went to several villages in each district to collect data randomly.

### (Key Results)

#### Living Conditions, Resource Distribution, Government Service

1. If you think about your family, do you think that today’s living conditions of your family become better, worse, or same, compared with three years ago?

	Liquica (West)	Dili (Capital)	Lautem (East)
Better	28.6%	27.7%	5.9%
Same	57.1%	56.3%	57.8%
Worse	14.3%	16.1%	35.3%
Invalid			1.0%

**2. Compared to three years ago, would you say that the situation for your household has gotten better, remained the same, or gotten worse with respect to the following?**

A. Availability of medical clinic (1 Better 2 Same 3 Worse)

	Liquica	Dili	Lautem
Better	54.3%	43.8%	19.6%
Same	30.5%	46.4%	71.6%
Worse	14.3%	8.9%	7.8%
Invalid	1.0%	0.9%	1.0%

B. Availability of clean water (1 Better 2 Same 3 Worse)

	Liquica	Dili	Lautem
Better	22.9%	26.8%	2.0%
Same	34.3%	36.6%	34.3%
Worse	42.9%	36.6%	59.8%
Invalid			3.9%

C. Electricity supply (1 Better 2 Same 3 Worse)

	Liquica	Dili	Lautem
Better	5.7%	9.8%	1.0%
Same	26.7%	28.6%	47.1%
Worse	66.7%	61.6%	47.1%
Invalid	1.0%		4.9%

D. Financial well-being of your household (1 Better 2 Same 3 Worse)

	Liquica	Dili	Lautem
Better	20.0%	14.3%	1.0%
Same	53.3%	57.1%	51.0%
Worse	25.7%	26.8%	42.2%
Invalid	1.0%	1.8%	5.9%

E. Quality of your diet (1 Better 2 Same 3 Worse)

	Liquica	Dili	Lautem
Better	6.7%	16.1%	2.0%

Same	71.4%	67.9%	68.6%
Worse	21.0%	16.1%	28.4%
Invalid	1.0%		1.0%

F. Employment (1 Better 2 Same 3 Worse)

	Liquica	Dili	Lautem
Better	16.2%	20.5%	2.9%
Same	49.5%	45.5%	47.1%
Worse	33.3%	33.9%	39.2%
Invalid	1.0%		10.8%

G. Availability of school for girls (1 Better 2 Same 3 Worse)

	Liquica	Dili	Lautem
Better	41.9%	40.2%	18.6%
Same	52.4%	46.4%	69.6%
Worse	5.7%	11.6%	10.8%
Invalid		1.8%	1.0%

H. Availability of school for boys (1 Better 2 Same 3 Worse )

	Liquica	Dili	Lautem
Better	48.6%	33.0%	16.7%
Same	43.8%	58.0%	72.5%
Worse	6.7%	8.0%	9.8%
Invalid	1.0%	0.9%	2.0%

**3. If you have some conflicts with other people on personal issues, such as your land, water, and house, with whom you meet and discuss to solve these problems? (Multiple Answers are possible.)**

	Liquica	Dili	Lautem
Timor Police (PNTL)	79.0%	88.4%	82.4%
Timor Defense Forces (F-FDTL)	1.0%	0.9%	2.9%
UN Police (UNPOL)	7.6%	6.3%	1.0%
International Stabilization Forces (ISF)	0%	0%	0%
Community Leaders	88.6%	79.5%	93.1%
Government Officials	14.3%	8.0%	20.6%
Parliament Members	1.9%	5.4%	1.0%
Invalid			

**4. If you face serious crimes, such as robbery and kidnap, with whom you meet and ask the solution? (Multiple answers are possible.)**

	Liquica	Dili	Lautem
Timor Police (PNTL)	93.3%	98.2%	98.0%
Timor Defense Forces (F-FDTL)	1.0%	2.7%	5.9%
UN Police (UNPOL)	8.6%	8.9%	5.9%
International Stabilization Forces (ISF)	0%	0.9%	0%
Community Leaders	60.0%	58.9%	80.4%
Government Officials	38.1%	17.0%	20.6%
Parliament Members	10.5%	11.6%	0%
Invalid			

### Local Ownership

**5. Do you think that the creation of new government in Timor-Leste is currently led by Timor people?**

	Liquica	Dili	Lautem
Yes	90.5%	88.4%	63.7%
No	9.5%	11.6%	36.3%

**6. If No, who is leading the creation of new government? (One Choice)**  
(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Australia	2.9%	2.7%	11.8%
The United States	0.0%	1.8%	0.0%
China	0.0%	0.0%	0.0%
The United Nations	2.9%	2.7%	5.9%
Others	3.8%	3.6%	20.6%

### Use of Force by Foreigners

**7. From 1999 to 2005, there were UN peacekeeping forces in Timor-Leste. Now it is the International Stabilization Forces (ISF) led by Australia that are deployed in Timor-Leste. Which forces would you like better?**

	Liquica	Dili	Lautem
United Nations	83.8%	77.7%	93.1%
International Stabilization Forces	15.2%	20.5%	5.9%
Invalid	1.0%	1.8%	1.0%

**8. If you would like UN peacekeeping forces better, why? (Multiple Answers are possible.)**  
(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because the UN peacekeeping forces are not serving the interest of one foreign state.	32.4%	78.6%	33.3%
Because the UN peacekeeping forces come from many different regions in the world.	49.5%	41.4%	35.3%
Because the UN peacekeeping forces are neutral to every political group in Timor-Leste	49.5%	33.9%	59.8%
Because the UN peacekeeping forces would care more about Timorese people than ISF.	26.7%	33.0%	47.1%

**9. If you prefer ISF, why? (Multiple Answers are possible.)**  
(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because the ISF is more effective and strong than UN peacekeeping force	9.5%	5.4%	4.9%
Because the ISF is more helpful for Timor-Leste than UN peacekeeping force.	3.8%	10.7%	2.9%
Because the ISF is serving the Timor-Leste people.	10.5%	11.6%	2.9%

**10. Now there is International Stabilization Forces (ISF) led by Australia in Timor-Leste. What do you hope about ISF?**

	Liquica	Dili	Lautem
The ISF should leave Timor-Leste now.	34.3%	35.7%	83.3%
The ISF should stay in Timor-Leste for one year.	38.1%	33.0%	7.8%
The ISF should stay in Timor-Leste for more three years.	11.4%	17.9%	3.9%
The ISF should stay in Timor-Leste for more five years.	10.5%	6.3%	2.9%
The ISF should stay in Timor-Leste for more 10 years.	5.7%	6.3%	2.0%

**11. If your answers is “The ISF should leave Timor-Leste now”, why? (Multiple answers are possible.)**

(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because the ISF is staying to get the interest of foreign states, such as Australia.	23.8%	19.6%	49.0%
Because the ISF is not protecting the life of Timor-Leste people.	11.4%	8.9%	40.2%
Because the Timor Defense Force can protect life of the Timor-Leste people.	18.1%	19.6%	48.0%

**12. Now there is UN “police” (UNPOL) in Timor-Leste. Do you want the UN police (UNPOL) to stay in Timor-Leste?**

	Liquica	Dili	Lautem
Yes, UN Police should stay in Timor-Leste	90.5%	82.1%	43.1%
No, UN Police should leave Timor-Leste now.	9.5%	17.0%	54.9%
Invalid		0.9%	1.0%

**13. If you want the UN police (UNPOL) to stay, how long the UN police (UNPOL) should stay in Timor-Leste?**

(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
UN Police should stay in Timor-Leste for one year.	16.2%	28.6%	23.5%
UN Police should stay in Timor-Leste for more three years.	42.9%	28.6%	3.9%
UN Police should stay in Timor-Leste for more five years.	24.8%	15.2%	10.8%
UN Police should stay in Timor-Leste for more 10 years.	6.7%	9.8%	3.9%
Invalid			1.0%

**14. If you want the UN police (UNPOL) to leave Timor-Leste now, why? (Multiple Answers are possible.)**

(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because the “Timor Polices” can protect lives of Timorese people.	5.7%	12.5%	48.0%
Because the UN Polices is not effective to protect Timorese people.	3.8%	6.3%	18.6%
Because we do not want the UN police to be here in Timor-Leste.	4.8%	4.5%	14.7%

**Role of UN in UNTAET Age**

**15. From 1999 to 2002, there was UNTAET led by Sergio de Mello. Do you support UNTAET and Sergio de Mello?**

	Liquica	Dili	Lautem
Yes	93.3%	98.2%	81.4%
No	6.7%	1.8%	18.6%

**16. If you supported UNTAET, why? (Multiple Answers are possible.)**

(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because East Timor needed the UN to create a constitution and a new state.	58.1%	67.0%	62.7%
Because the UN gave Timorese people good service and assistance.	43.8%	41.1%	17.6%
Because the UN respect the voices of Timorese people.	64.8%	54.5%	37.3%

**17. If you do not support UNTAET, why? (Multiple answers are possible.)**

(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because the UN made every decision without consulting with Timorese people.	1.0%	1.8%	16.7%
Because the UN did not give Timorese people good service and assistance.	5.7%	0.9%	6.9%
Because the UN ignore the voices of Timorese people.	3.8%	0.9%	17.6%

## Justice System

**18. Do you think that the criminals who commit crimes in Timor-Leste today will be properly prosecuted and punished?**

	Liquica	Dili	Lautem
Yes	49.5%	47.3%	23.5%
No	49.5%	52.7%	75.5%
Invalid	1.0%		1.0%

**19. If you answered No, why? (Multiple Answers are possible.)**

(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because the courts of justice are not functioning in Timor-Leste so that the courts cannot punish them.	48.6%	46.4%	62.7%
Because the Timor-Leste Police (PNTL) cannot arrest the criminals.	7.6%	8.0%	16.7%
Because the UN Police (UNPOL) cannot arrest the criminals.	1.0%	5.4%	8.8%
Because both Timor-Leste and UN Police (UNPOL) cannot arrest the criminals.	27.6%	20.5%	21.6%

**20. Do you think that the Timor Defense Force (F-FDTL) is protecting the life of Timorese people?**

	Liquica	Dili	Lautem
Yes	69.5%	82.1%	84.3%
No	30.5%	16.1%	10.8%
Invalid		1.8%	4.9%

**21. If you answered No (F-FDTL is NOT protecting the life of Timorese people), why? (Multiple Answers are possible.)**

(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because the Timor Defense Force (F-FDTL) is just hiring former guerrilla fighters.	12.4%	9.8%	1.0%
Because the Timor Defense Force (F-FDTL) might not follow the government orders in the future	17.1%	6.3%	8.8%
Because the Timor Defense Force (F-FDTL) might control the government in the future.	12.4%	4.5%	1.0%
Because the Timor Defense Force (F-FDTL) soldiers commit crimes.	19.0%	7.1%	5.9%

## Security

**22. Compared with your daily life under the Indonesian occupation, do you think your daily life has become more dangerous under the current Timor-Leste Government?**

	Liquica	Dili	Lautem
Yes, my daily life has become more dangerous under the current Timor-Leste government.	7.6%	13.4%	40.2%
No, my daily life has become safer under the current Timor-Leste government.	47.6%	44.6%	36.3%
I feel as safe under the current Timor-Leste government.	44.8%	40.2%	23.5%
Invalid		1.8%	

**23. Do you think that there is discrimination between Eastern Timorese people and Western Timorese people in terms of employment and government service such as provision of water, clinic, and electricity?**

	Liquica	Dili	Lautem
Yes	27.6%	33.0%	45.1%
No	71.4%	67.0%	54.9%
Invalid	1.0%		

**24. If you think there is discrimination between Eastern and Western Timorese people, what should the government do? (Multiple answers are possible.)**

(Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Government should hire more people from Western people.	10.5%	6.3%	1.0%
Government should have more service to Western people.	3.8%	16.1%	2.9%
Government should advocate that there is no such discrimination between East and West.	25.7%	15.2%	41.2%

## Election

**25. Do you think that the national Parliament election in 2007 was free and fair?**

	Liquica	Dili	Lautem
Yes	86.7%	83.0%	38.2%
No	13.3%	17.0%	61.8%
Invalid			

**26. If you think it was *free and fair*, why? (Multiple answers are possible.)**  
 (Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
Because I trusted the Timor-Leste government.	57.1%	41.4%	33.3%
Because the UN was involved in the election.	30.5%	37.5%	5.9%
Others	1.0%	1.8%	0.0%

**27. If you think it was not free and fair, why? (Multiple answers are possible.)**  
 (Percentage of All Respondents in Each District)

	Liquica	Dili	Lautem
People were afraid to vote for the person of their choice.	9.5%	10.7%	25.5%
People were afraid to run for office.	6.7%	2.7%	5.9%
People were buying votes.	5.7%	3.6%	47.1%
There was cheating in the vote count	1.0%	11.6%	47.1%
Women were not able to vote because their husbands did not allow them to go.	0.0%	0.0%	1.0%

**28. Who should mainly conduct the next election in Timor-Leste?**

	Liquica	Dili	Lautem
Only the Timor-Leste government.	33.3%	25.9%	52.0%
Timor-Leste government and the UN.	52.4%	58.0%	47.1%
Timor-Leste government and the International Stabilization Forces.	14.3%	15.2%	0.0%
Invalid		0.9%	1.0%

## Legitimacy of the Current Government

29. After election 2007, Fretilin argues that the current Xanana government is not legitimated, because Fretilin got the biggest votes. What do you think?

	Liquica	Dili	Lautem
The current Xanana government is legitimated and should be accepted. .	73.3%	80.4%	24.5%
The current Xanana government is not legitimated.	25.7%	18.8%	75.5%
Invalid	1.0%	0.9%	0.0%

30. Do you think that the current government is doing a good job in terms of using oil revenue?

	Liquica	Dili	Lautem
Yes, the current government is doing a good job in using oil revenues. .	45.7%	51.8%	22.5%
No, the current government is doing a bad job in using oil revenues.	53.3%	48.2%	74.5%
Invalid	1.0%		3.0%

31. What is the biggest need for your life now? **(One Choice)**

	Liquica	Dili	Lautem
Having jobs.	54.3%	67.0%	36.3%
Having more schools.	22.9%	19.6%	19.6%
Having access to electricity.	10.5%	4.5%	8.8%
Having access to clean waters.	2.9%	2.7%	13.7%
Having houses.	9.5%	6.3%	18.6%
Invalid			2.9%

## Appendix 2

### Hypothesis on Constructing Domestic Legitimacy in Peacebuilding

Hypothetical Factors that might have impacts on creating legitimate government

1. Role of the UN
2. Inclusiveness
3. Local Ownership
4. Resource Distribution
5. Use of Force

*Credibility as Impartial*

Compliance

Noncompliance

(with Election, Constitution, Demobilization)

*Repeated Compliance*

*Repeated Noncompliance*

(Change of Interest & Identities)

Legitimate Government

Erosion of Government

## Appendix 3

### Acronyms

CDC	Community Development Council
CNRT	Congresso Nacional da Reconstrucao de Timor (CNRT)
DDR	Demobilization, Disarmament, and Reintegration
DPKO	Department of Peacekeeping Operations
DSRSG	Deputy Special Representative of the Secretary General
F-FDTL	Falintil-Forcas de Defesa de Timor-Leste (Timor-Leste National Army)
FRETILIN	Frente Revolucionaria do Timor-Leste Independente
ISAF	International Security Assistance Forces
NATO	North Atlantic Treaty Organization
NGO	Non-governmental Organization
OCAP	Oecussi Community Activation Project
PKO	Peacekeeping Operations
PNTL	Police Nacional de Timor-Leste (Timor-Leste National Police)
SRSG	Special Representative of the Secretary General
UNAMA	United Nations Assistance Mission in Afghanistan
UNDP	United Nations Development Programme
UNHCR	United Nations High Commission for Refuges
UNMIT	United Nations Integrated Mission in Timor-Leste
WFP	World Food Programs

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