

Timor-Leste **A Relapsing “Success” Story**

Henri Myrntinen

Abstract

Between the beginning of the external intervention in Timor-Leste in September 1999 and the national crisis of 2006, the country was considered one of the most successful cases of external promotion of democracy and nation-state building. The conditions were about as ideal as they could be: there had been a general consensus over the future between external and internal actors, an almost complete lack of spoilers, and a high degree of international interest. Nonetheless, the result to date has been an imperfect democracy, illustrated by a lack of socio-economic progress, a politicization of the security forces, corruption, and a poorly functioning judiciary. While some have blamed external actors for imposing their “kingdom” in Timor-Leste and others see the main problems in the East Timorese political culture, this essay will argue that the situation is a more complex mix of internal and external factors. Building a democratic nation-state is a challenging exercise, even given the most ideal of circumstances.

Key words: Timor-Leste, democratization, democracy promotion, international administration, peace-building, state-building, institution-building, postwar reconstruction, external intrusiveness, Southeast Asia, official development aid.

The independent Democratic Republic of Timor-Leste (RDTL), which emerged as Asia’s newest and poorest nation¹ on May 20, 2002, is, in and of itself, a completely new political entity. It emerged from 450 years of Portuguese, three years of Japanese, and twenty-four years of Indonesian occupation as well as two-and-a-half years of interim United Nations (UN) administration.²

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¹ United Nations Development Programme (UNDP), *Timor-Leste National Human Development Report 2006* (Dili, Timor-Leste: UNDP, 2006).

² The respective UN missions were the United Nations Mission in East Timor (UNAMET) in

The new state that emerged after the end of the conflict and the end of the UN Transitional Administration in East Timor (UNTAET) was initially hailed as a success story of internationally supported nation-building and external promotion of democracy in a post-conflict environment. However, in April-May 2006, Timor-Leste descended into a major, violent, political crisis. The following two years were marked by instability, culminating in the events of February 11, 2008, when renegade soldier Alfredo Reinado and his men arrived at the house of President Jose Ramos-Horta, leading to a fire fight which left Major Reinado and one of his men dead, and President Ramos-Horta severely wounded.³

Democracy in Timor-Leste

In spite of the severity of the political crisis of 2006 and subsequent security challenges, the structure of the political regime in the Democratic Republic of Timor-Leste has remained true to the 2002 constitution. The political system is a semi-presidential republic with a one-chamber parliament. Both president and parliament are elected directly. While the independent nation-state is a new construct, on the subnational level, many of the administrative structures of the Indonesian administration have been retained (which, in turn, were in part based on Portuguese and Japanese administrative structures).

A “Work in Progress”

Democracy in Timor-Leste is a “work in progress.” Freedom House has listed the country consistently as “partly free” (see table 1), while the Economist Intelligence Unit has listed Timor-Leste as a “flawed democracy,” on par with Indonesia, rather than as a “hybrid regime.”⁴

Table 1. Freedom House Ratings for Timor-Leste, 2002-2008

	2002	2003	2004	2005	2006	2007	2008
Political rights	5	3	3	3	3	3	3
Civil liberties	3	3	3	3	3	4	4

Source: Freedom House, *Freedom in The World Report*, <http://www.freedomhouse.org> (accessed April 16, 2009).

1999; the United Nations Transitional Administration in East Timor (UNTAET) from 1999-2002; the United Nations Mission of Support in East Timor (UNMISSET) from 2002-2004; the United Nations Office in Timor-Leste (UNOTIL) from 2004-2006; and the United Nations Integrated Mission in Timor-Leste (UNMIT) from 2006 onward. See also table 2 below.

³ At the time of writing, the precise course of events and the motivation for Alfredo Reinado’s actions on February 11, 2008, remain unclear.

⁴ Economist Intelligence Unit, *Index of Democracy 2006* (London: Economist Intelligence Unit, 2007).

The fluctuations in the Freedom House ratings reflect the built-in bias against international oversight, with the political rights rating going up two points as soon as the UNTAET mission came to an end. The worsening of civil liberties in the 2007 and 2008 ratings reflects the impacts of the 2006 crisis.

The classification of Timor-Leste as being “partly free” and a “flawed democracy” indicates rather accurately the current state of democratization in the country. Among the local elite, democracy is seen as “the only game in town,” but many of the players have at times bent or tweaked the rules of the game for the benefit of their own group. This has been facilitated by unclear provisions in the constitution and the laws as well as by a lack of general public knowledge about the legal system.

Currently, Timor-Leste is at a stage where all key elite players and the vast majority of the population accept the ground rules set by the current legal and constitutional order. A key problem, however, is a lack of common understanding about what exactly this order means in practice. The only potential credible “spoiler,” Major Alfredo Reinado, was killed in the violent events of February 11, 2008. However, other potential spoilers may arise in the future if socio-economic frustrations of large segments of the population are not addressed.

A key reason for why the older members of the elite embrace democracy can be found in the history of the political parties and the personal histories of the leaders. Most embraced Western-imported ideals (be it socialist, social-democratic, or Christian-democratic ideals) and Western-imported models of political organization (e.g., parties, trade unions, NGOs) during their political socialization in 1974 and 1975. Regardless of their political outlook, they eventually came to share a vision of Timor-Leste’s becoming a self-governing republic. Generally speaking, those leaders who had different visions were only marginal actors; this included the pro-Indonesian Apodeti party and the even more marginalized monarchists.

There are no clear ethnic or religious cleavages within the elite. With the exception of a few minor, regionally rooted parties, all political parties are ethnically mixed and, in the aftermath of the “east-west” split, have sought to highlight their commitment to national unity and diversity. Of the generation who became politicized during 1974 and 1975, many, including President Ramos-Horta and Prime Minister Gusmão, were what the Portuguese classified as *mestiços*, and, thus, had the opportunity to get a higher formal education in the racially stratified colonial system than most of their “native” compatriots.

The very limited democratization process which happened in Timor-Leste between 1998 and 1999 following the fall of Suharto, was mostly due to events in the urban centers of Indonesia. Timor-Leste had become a *cause célèbre* for Indonesian democracy activists struggling against the Suharto dictatorship. East Timorese students in Indonesia, due to their personal experiences, were far more likely to come in contact with progressive, prodemocracy activists in

the cities than students from other islands in the peripheral region of Eastern Indonesia.

Younger members of the elite consequently were socialized in the underground pro-independence and prodemocracy movements during the time of the Indonesian occupation. Many young elite also maintained active links to the student-led Indonesian prodemocracy movement. For many members of these groups, both Indonesians and East Timorese alike, the demands for a “Free East Timor” and “*Demokrasi*” went hand-in-hand. Returning elites, on the other hand, had spent much of their lives in more or less functioning democracies such as Australia, Portugal, and New Zealand.

Interestingly, the returnees from Mozambique (such as former Prime Minister Alkatiri) have been repeatedly suspected of antidemocratic sentiments and have had their time in Mozambique held against them. While in our overall study Mozambique is seen almost as a shining example of the success of external democratization processes, in Timor-Leste it is used as a by-word for creeping autocratic tendencies.

Given the centralized nature of the RDTL, political power is concentrated in Dili, leading to a marginalization of rural elites who do not participate in the national political process in the capital. Some of the national-level political leaders and their respective parties, however, draw heavily on regional power bases, which often are rooted in the traditional leadership status of the leader in question.⁵

Among the broader population, there is often a great lack of information regarding democratic processes and the various functions of the state, and local-level elites can and often do manipulate (though at times unwittingly) processes for their own or their group’s benefit. Nonetheless, there is a strong will to participate in democratic processes and voter turnout remains high. Increasingly, however, there is disillusionment with the perceived political games played by, and the corruption of, the dominant political elites in Dili. Lack of “justice” (e.g., impunity for high-level political figures) and slow socio-economic progress contribute to this sense of disillusionment, regardless of political affiliation.⁶

Since the 1999 independence referendum with its somewhat spectacular voter turnout (especially given the circumstances) of 98.6 percent, Timor-Leste has had two presidential and two national parliamentary elections, as well as local elections. Electoral participation has been consistently high

⁵ Judith Bovensiepen, “Beobachtungen in einem osttimoresischen Bergdorf während der Präsidentschafts- und Parlamentswahlen 2007,” in *Osttimor am Scheideweg: Chaos oder Neuanfang?* ed. Andre Bergerhoff, Manuel Schmitz, Focus Asien 3 (Essen, Germany: Asienhaus, 2008), 31-35, and Tanja Hohe, “Totem Polls: Indigenous Concepts and ‘Free and Fair Elections’ in East Timor,” *International Peacekeeping* (London) 9, no. 4 (2002): 76-78.

⁶ See also, International Crisis Group (ICG), *Timor-Leste: No Time for Complacency, Asia Briefing No. 87* (Brussels: International Crisis Group, 2009).

(above 80 percent of the registered electorate), and the electorate has shown its independence in spite of manipulative tactics employed by practically all political parties. There have been cases of post-election violence, for example in August 2007, but these tend to be linked to localized conflicts.⁷

Participation in policy dialogues and civil society organizations, however, is very much restricted to the educated elites in the urban areas, mainly in the capital, Dili. Though lively political debate is very much a part of everyday life (especially for men), very few East Timorese are willing to express their views outside of a “safe” sphere of friends, neighbors, or relatives, due to a widespread, deep, yet diffuse fear of possible (though highly unlikely) repercussions.

Especially in the countryside, relations between the *ema boot* (“big people,” i.e., the political, traditional, social, or economic elite) and the “commoners” tend to be characterized by patron-client relationships. These can be (and often are) used for political patronage. Some minor political parties are based almost exclusively on localized networks in support of a particular leader.⁸

Women’s participation in politics remains limited, although Timor-Leste’s two elected parliaments have had among the highest percentages of female parliamentarians in the Asia-Pacific region. Often, women parliamentarians are expected to submit to party discipline rather than advance issues which are of importance to women. At the local level and in traditional power structures, women tend to be even more marginalized.⁹

Some observers¹⁰ have been highly critical of the way in which the international community has assumed that the mere act of participating in elections is proof of the existence of a democratic system in Timor-Leste. According to this strand of argumentation, elections have been used to sustain and legitimize the power of existing elites through voting processes which have been manipulated by undemocratic means and have involved a populace unaware of democratic procedures. While there is an element of truth to this (e.g., awareness of the mechanics of the state apparatus and the functions of its various components is low, especially in rural areas), people do tend to have rather clear political views and have proven to vote accordingly at the polls.

⁷ Henri Myrntinen, *Timor-Leste: A Kaleidoscope of Conflicts*, Watch Indonesia!—Information & Analysis (Berlin: Watch Indonesia! 2008).

⁸ Bovensiepen, “Beobachtungen in einem osttimoresischen Bergdorf während der Präsidentschafts- und Parlamentswahlen 2007,” 33.

⁹ Irene Cristalis, and Catherine Scott, *Independent Women: The Story of Women’s Activism in East Timor* (London: CIIR, 2005), and Shukuko Koyama and Henri Myrntinen, “Unintended Effects of Peace Operations on Timor-Leste from a Gender Perspective,” in *Unintended Consequences of Peacekeeping Operations*, ed. Chiyuki Aoi, Cedric de Coning, and Rameesh Thakur (Tokyo: United Nations University Press, 2007).

¹⁰ Hohe, “Totem Polls: Indigenous Concepts and ‘Free and Fair Elections’ in East Timor,” 69-88.

East Timorese media tend to be independent but not free of political bias. A further problem has been the willful or accidental spreading of rumors by the media, which at times has inflamed tensions. The reach of the media, however, is quite limited. Newspapers seldom have a readership beyond the main urban centers, and the reception of radio and TV broadcasts is often limited by frequent power outages.

Among the educated elite, foreign media, especially Australian and to a lesser extent Portuguese media, also play an important role as an outlet for political debate. For this group as well as for the influential expatriate community in Timor-Leste (and crucially for those making Timor-relevant decisions in Brussels, Canberra, or Lisbon), Internet mailing lists and blogs have also become influential debate forums.

Rumor, often transmitted via mobile phone text messaging, plays a central role in everyday East Timorese political discourse. Often it is immaterial whether a particular rumor or conspiracy theory has any objective truth to it, as people will act as if it were true, thus often turning the rumor into a self-fulfilling prophecy.

Thus, while the freedoms of expression and forming or joining organizations exist, they are rarely put to use in the public arena, except by members of the educated elite. The current phenomenon of youth gangs could possibly be interpreted as an exception, though these groups are also very much linked to existent or emerging elites.¹¹

A Troubled Security Sector

While the period between April and May 2006 was marked by widespread and continual low-level violence best described as gang warfare, the violent incident of February 11, 2008, was the first time that there seemed to be a direct and open armed challenge to the established political order. Whether this actually was a challenge is a matter of much debate and the source for multiple conspiracy theories.¹²

Paradoxically, the events of February 11, 2008, led to an improvement in the overall security situation when the country was placed under a state of siege/emergency until the end of April 2008. The increased presence of security forces, a buying-off of disaffected groups by the government, and a general

¹¹ The groups of disaffected youths can be divided into martial arts and ritual arts groups as well as local gangs. In addition, there are several political pressure groups consisting mainly of disaffected veterans of the independence struggle. See Timor-Leste Armed Violence Assessment, *Groups, Gangs and Armed Violence in Timor-Leste*, Issue Brief Number 2 (Dili, Timor-Leste: Timor-Leste Armed Violence Assessment, 2009).

¹² No official report on the events of February 11, 2008, has been published, though an internal UNMIT report has been leaked to the public (UNMIT Internal Review Panel, *Report on the UN Actions in Response to the Attacks on the President and the Prime Minister on 11 February 2008* (Dili, Timor-Leste: UNMIT, 2008)).

societal sense of having been too close to the precipice led to an improvement in the security situation. The fissures and pressures which led to the outbreak of the crisis in 2006 remain unresolved, however, with the exception of the deceased Major Reinado. Thus, violent instability may reappear.¹³

The security sector has been a major source of insecurity in East Timorese politics. As part of the disarmament, demobilization, and reintegration (DDR) efforts of UNTAET, a new police force, *Policia Nacional de Timor-Leste* (PNTL), and army, *FALINTIL-Forças de Defesa de Timor-Leste* (F-FDTL), were established. Relations between the PNTL and F-FDTL have been strained at the best of times due to mutual distrust and jealousy. Relations were stressed further by political manipulation, especially by the former Interior Minister, Rogerio Lobato.¹⁴ It was a complete breakdown within the armed forces in combination with fighting between various fractions of the PNTL and F-FDTL that triggered the 2006 crisis.

The half-hearted DDR process also left in its wake groups of disenfranchised, economically, socially, and politically marginalized young men. This included those who had not been accepted into the new security forces, those who did not qualify for veterans' status and those who—in spite of DDR-support projects—did not find civilian employment. Many of these young men joined various “veterans organizations” (which also included disaffected members of society who were not ex-combatants) or became active in “martial arts groups” (MAGs) and “ritual arts groups” (RAGs), which have only tenuous links to martial arts and tend to be more involved in criminal activities. On the whole, similarly marginalized female ex-combatants tended to have found more productive outlets in the post-conflict situation, whether in the private or public spheres.

Currently, the judiciary in Timor-Leste could be described as fairly independent but extremely weak, though political interference seems to be increasing.¹⁵ A key problem continuing to hamper the judiciary is the fact that court proceedings are to take place in the official language, Portuguese, which only a small minority of the population speaks. Given the language problem, poor communications infrastructure, and high levels of illiteracy, public knowledge of formal laws (as opposed to “traditional laws”) is low, especially in the rural areas.

Many outlying areas are effectively cut off from the formal judicial system due to the long distances to, and understaffing of, the rural police stations and

¹³ See, for example, ICG, *Timor-Leste: No Time for Complacency*, and Pedro Rosa Mendes, “Timor-Leste: A ilha insustentável,” *O Público*, November 25, 2008, http://jornal.publico.clix.pt/default.asp?url=/main.asp_%3Fc%3DA%26dt%3D20081125%26id%3D15157955 (accessed April 16, 2009).

¹⁴ UN Commission of Inquiry, 2006.

¹⁵ ICG, *Timor-Leste: No Time for Complacency*.

courts. Owing to the lack of formal judicial infrastructure, many cases are settled out of court through “traditional” methods.¹⁶ Though this has proven successful in many cases, including in smoothing the reintegration of former combatants who needed to be reconciled with the community for actions taken during the conflict, it tends to be highly problematic in cases involving gender-based violence or accusations of sorcery and witchcraft (which are also often directed against women). However, even when cases of gender-based violence are brought into the formal system, the male-dominated judiciary often tends to discriminate against the women bringing charges.

International efforts have aimed at training a local judiciary from scratch as well as teaching judges, lawyers, and other judicial officers to work in Portuguese. At times, court proceedings have been run by Portuguese-speaking judges from Portuguese-speaking countries in lieu of local judges. Also, it is not uncommon for laws to be drafted in their final Portuguese version by outside consultants, as the Portuguese skills of civil servants and lawmakers are not at a sufficiently high level.

A particular problem in Timor-Leste is impunity and amnesty for high-profile cases. This includes war crimes and crimes against humanity on the international level, which were committed against the East Timorese during the Indonesian occupation and national-level crimes committed by high-level East Timorese who were involved in the April-May 2006 crisis and its aftermath. There is a sense among many in the public that high-profile cases, such as those who played central roles in the 2006 crisis, are not addressed and only “the small fish” are caught.¹⁷

The state which has evolved from the externally-supported democratization process in Timor-Leste is an imperfect democracy. The state apparatus tends to be highly centralized both in terms of a concentration of decision-making power in the capital and in terms of a very hierarchical approach to decision making within the bureaucratic apparatus. There tends to be a lack of delegation of power to lower levels. This leads to situations where even minor requests¹⁸ need to be dealt with on a ministerial or cabinet level, resulting in very slow implementation of decisions.

Allegations of favoritism, corruption, collusion, and nepotism abound in Timor-Leste. While many of these allegations are undoubtedly politically motivated or reflect the public’s jaded and cynical view of the elite’s dealings,

¹⁶ Traditional conflict resolution methods are often based on verbal reconciliation between the affected individuals or communities, with a traditional leader playing a facilitating role. Usually the conflict resolution process involves a public ceremony of reconciliation and a payment of compensation.

¹⁷ See also ICG, *Timor-Leste: No Time for Complacency*.

¹⁸ For example, the request for access to the—theoretically—publicly-available data on developmental aid received by Timor-Leste for the purposes of this particular essay required an official letter to the Minister of Finance.

there does seem to be some degree of truth to the allegations. There have been few actual official inquiries into these allegations, but several watchdog organizations—both nationally and internationally—have raised a number of specific cases surrounding corruption in several ministries. Recent media reports on alleged corruption in the Ministry of Justice, however, have led to libel charges being pressed against the *Tempo Semanal* newspaper, in what might be a worrying precedence case.¹⁹

Informal cliental networks of loyalty and patronage continue to play an important role in East Timorese society, especially in areas where state presence is limited to nonexistent. These networks have become increasingly problematic in the security sector, as allegiance to political parties, gangs, veterans' groups, or the like, takes precedence over loyalty to state institutions and disinterested provision of services to the population.

The 2006 crisis and its aftermath clearly demonstrated, in multiple ways, the various interlinkages among democracy, security, and the capacity of the state apparatus in Timor-Leste. The most obvious example in this respect is the security sector itself, which lacked, and to a degree still lacks, democratic control.²⁰ Although the nation has found a certain modicum of stability, the nation state-building process is far from over.

Conflict Dynamics

Indonesian Invasion and Occupation, 1975-1999

The Indonesian occupation campaign was marked by brutality from the outset, with hundreds, if not thousands, reported dead in Dili after the initial days of fighting in December 1975. Heavy fighting continued for several years against the eastern Mt. Matebian range, which increasingly became the focal point of the fighting. By 1979, much of the population had been forcibly displaced. The number of victims of this initial stage of the war is estimated at around 100,000-200,000, mostly civilians, many of whom died of starvation and disease. The East Timorese Commission for Reception, Truth and Reconciliation (CAVR) makes the conservative estimate of 102,800 East Timorese deaths, of which 18,600 were considered to be “direct killings” and the other 84,200 due to disease and starvation.

Combat casualties for the invading Indonesian armed forces for this stage are estimated at around one thousand, while there are no separate figures available for Falintil fighters. Lower-intensity fighting, which continued for the next twenty years, combined with the Indonesian occupation force's routine use of rape, torture, and disappearances, resulted in thousands more East Timorese

¹⁹ Lao Hamutuk Bulletin, *The Defamation Case against Tempo Semanal*, March 4, 2009, Dili, Timor-Leste.

²⁰ ICG, *Timor-Leste: No Time for Complacency*.

civilian deaths, as well as one thousand Indonesian combat deaths.²¹

During the first years of the independence struggle, much of the East Timorese population remained in areas controlled by the Revolutionary Front for an Independent East Timor/Armed Forces for the National Liberation of East Timor (Fretilin/Falintil). In the territories under its control, Fretilin carried out, as much as possible, political and social reforms aimed at reforming the old feudalist and patriarchal models of society; this included improving the position of women in society. The initial period also saw several purges within the Fretilin movement, including the ouster of the first president, Francisco Xavier do Amaral, who had been seeking cease-fire negotiations with the Indonesian government.²²

After the back of Falintil's military resistance had been broken in 1979, a majority of the population was resettled in "strategic hamlets" under Indonesian military control and only gradually allowed to return home. Control of the population by the Indonesian occupation forces remained at a high level until the downfall of Suharto, and until the 1990s, the territory was more or less closed off to foreigners.

Internationally, the almost-forgotten conflict in East Timor gained unexpected prominence, when on November 12, 1991, Indonesian military forces opened fire on a funeral procession in the Santa Cruz cemetery in Dili, killing an estimated twenty-five to four hundred civilians. Unlike previous massacres, this one was caught on film by international journalists and led to an international outcry from the solidarity movement, if not among General Suharto's Western backers.

Indonesian occupation, after brutally pacifying most of the territory by the early 1980s, brought with it a degree of economic and social development. This development eventually brought East Timor roughly on par with the neighboring Indonesian provinces.

Officially, Indonesia was a corporatist-free market economy; however, many of the companies in Suharto's Indonesia, and especially in conflict zones such as Aceh, East Timor, and West Papua, were owned by high-ranking military officials or military-linked foundations. Military and police involvement in illegal economic activities, ranging from illegal logging to prostitution and gambling rackets, was also routine.²³

²¹ Commission for Reception, Truth and Reconciliation (CAVR), *Chega! Relatório da Comissão de Acolhimento, Verdade e Reconciliação de Timor-Leste* (Dili, Timor-Leste: CAVR, 2006), 17-20.

²² Helen Hill, *Stirrings of Nationalism, Fretilin 1974-1978: The Origins, Ideologies and Strategies of a Nationalist Movement* (Sydney: Otford Press, 2002), xviii.

²³ Leslie McCulloch, "Trifungsi: The Role of the Indonesian Military in Business," in *Military as an Economic Actor: Soldiers in Business*, ed. Jörn Brömmelhörster and Wolf-Christian Paes (London: Palgrave Macmillan, 2003), 104.

Referendum, Militia Violence, International Intervention, 1999-2002

The end of the Suharto dictatorship brought new possibilities for settling the conflict between the independence movement in East Timor and the central government in Jakarta. The new president, BJ Habibie, offered the East Timorese the chance to vote on the future status of their territory in a UN-organized referendum in August 1999. Close to 80 percent of the population voted for independence, but this came at a high price. Indonesian security forces and their militia proxies unleashed a campaign of retributive violence, killing 1,500-2,000 civilians, raping hundreds, forcibly deporting a third of the population, and destroying up to 80 percent of the territory's infrastructure.²⁴

The international outcry over the violence forced Indonesia to accept an international peacekeeping force, International Force for East Timor (INTERFET), effectively leading to an end of the conflict on September 20, 1999. Administrative control over the territory was transferred to UNTAET, which was tasked with preparing the country for independence during the next two-and-a-half years until May 20, 2002. The Indonesian security forces and their militia proxies pulled out to Indonesian West Timor, along with several hundred thousand civilians, most of them forced by the militias to go to West Timor.

There were minor clashes between INTERFET and militias during the deployment as well as a handful of cross-border incursions from West Timor by militia groups, which led to casualties among both the peacekeepers and the militias. On the whole, however, these were isolated incidents rather than part of a concerted military campaign by the militias to regain control of East Timor. One of the militia incursions precipitated a tragic incident in Atambua, West Timor, in September 2000, in which three expatriate United Nations High Commissioner for Refugees (UNHCR) staff members were killed by a militia-led mob. The last, very small-scale incursion linked to the militias was in early 2006.

No formal peace agreement was signed between the Timorese resistance and Indonesia, since the territory was technically under Portuguese and then under UN administration until 2002. Upon gaining independence, Timor-Leste was officially recognized by Indonesia, and normal diplomatic relations were established between the two countries. Several outstanding issues remained, such as the demarcation of the border and the payment of pensions to former Timorese members of the Indonesian state bureaucracy. These issues, however, were considered by both parties to be more of a technical nature rather than a major source of potential conflict.

²⁴ UNMISSET Serious Crimes Unit, *Brief in Support of the Application for the Issuance of an Arrest Warrant for Wiranto—Case No. #5/2003 Deputy General Prosecutor vs. Wiranto and Others* (Dili, Timor-Leste: UNMISSET Serious Crimes Unit, 2003).

Persecution of militia members and their backers in the Indonesian security apparatus by Indonesian authorities has been half-hearted at best. Only one militia commander, Eurico Guterres, was convicted for crimes against humanity, but he was released in 2008 after completing only two years of his ten-year sentence. Both the Indonesian and East Timorese governments have shown a clear interest in “drawing a line under the past” rather than actively seeking to prosecute human rights offenders.

Crisis, 2006-2008

In early 2006, divisions within the political elite as well as within, and between, the army and police intensified. The event which triggered the crisis was the firing of around six hundred soldiers (“the petitioners”), who had complained of discrimination based on their regional background. Violent protests erupted, and the security forces divided into numerous factions, fighting pitched battles. Weapons were distributed to civilians and found their way into the hands of gangs.²⁵ Security was restored only slowly after international peacekeeping forces (the Australian-New Zealand International Stabilisation Force [ISF] and paramilitary UN Police) were deployed, and responsibility for internal security was taken out of the hands of the Timorese security forces.²⁶

The 2006 crisis also brought a “regional” fault line to the fore, a pitting of “easterners” against “westerners.” These categories are ill-defined and cannot be considered ethnic *per se*, but they proved to be potent rallying points for communal identities which previously had not been defined in such a way, at least not publicly. The speed with which these categorizations were mobilized points to pre-existing categories.²⁷ Interestingly, they were also “demobilized” very quickly, and within months of their appearance on the political stage, the categorizations had disappeared as quickly as they had appeared.

Gangs, often with backers in the economic and political elite, have greatly expanded their influence since the outbreak of the 2006 crisis. They control many of the capital’s neighborhoods and have infiltrated both the state security forces and private security companies.²⁸

A key role in the events of April-May 2006 was played by Major Alfredo Reinado, former commander of the military police. After being arrested by

²⁵ For lack of a better term, I use the word “gangs” to denote neighborhood-based gangs, martial arts groups (MAGs), and ritual arts groups (RAGs).

²⁶ For the most comprehensive overview of the events surrounding the crisis of 2006, see United Nations Commission of Inquiry, *Report of the United Nations Independent Special Commission of Inquiry for Timor-Leste* (Geneva: United Nations, 2006).

²⁷ Vanessa Prüller, *The 2006 Crisis in East Timor: An Ethnic Conflict?* (Passau, Germany: University of Passau, 2008).

²⁸ James Scambary, Hipolito Da Gama, and João Barreto, *A Survey of Gangs and Youth Groups in Dili, Timor-Leste* (Canberra: AusAid, 2006).

international forces in July 2006, Major Reinado was able to escape from Becora prison less than a month later, retreating into the mountains with his supporters. Major Reinado quickly became a youth idol, especially among gang members. On the morning of February 11, 2008, Major Reinado and his followers started a series of violent events by arriving armed at the house of President Ramos-Horta. The exact details and sequence of the events remain unclear at the time of writing, but by the end of the stand-off, Major Reinado and one of his followers, Leopoldino Exposto, had been shot dead. President Jose Ramos-Horta was critically wounded and had to be medically evacuated to Australia. The rest of the attackers managed to escape. They surrendered on April 27, 2008, bringing an end to the stand-off between the government and “petitioners,” which had triggered the crisis more than two years earlier.

External Interventions

The international community has been heavily involved in Timor-Leste since UNAMET was established to organize the independence referendum in 1999. Since then, there have been four more UN missions, accompanied by a range of other international agencies such as international NGOs, bilateral development agencies, and international financial institutions (IFIs).

Table 2. Overview of UN Missions in Timor-Leste 1999-2008

Mission	Dates	Robust mandate (Y/N)	PKF	MLO/ MO	UNPOL	Int'l. civilian staff (incl. UNV)	Local civilian staff	Main TCCs
UNAMET	June 11- Sept. 30, 1999	N	-	50	271	667	668 (plus 3,600 for voting day)	N.A.
INTERFET	Sept. 20, 1999 - Feb. 28, 2000(*)	Y	N.A. as force set-up included air force squadrons and naval forces not permanently stationed in Timor-Leste	N.A.	-	-	-	Australia, France, Germany, Malaysia, New Zealand, Thailand, Philippines, Republic of Korea, Singapore, UK, USA

Mission	Dates	Robust mandate (Y/N)	PKF	MLO/ MO	UNPOL	Int'l. civilian staff (incl. UNV)	Local civilian staff	Main TCCs
UNTAET	Oct. 25, 1999 - May 20, 2002	Y	6,281	118	1,288	737	1,745	Australia, Fiji, Japan, New Zealand, Portugal, Singapore, South Korea, Thailand, United Kingdom
UNMISSET	May 20, 2002 - May 20, 2005	Y	4,656	120	771	465	856	Australia, Brazil, India, Japan, New Zealand, Pakistan, Portugal
UNOTIL	May 20, 2005 - Aug. 25, 2006	N	-	15	56	171	241	N.A.
UNMIT	Aug. 25, 2006 - present	Y	-	33	1,546	464	794	Bangladesh, Malaysia, Pakistan, Portugal (FPUs)
ISF	May 25, 2006 - present	Y	Approx. 920	-	-	-	-	Australia, New Zealand

Source: UN DPKO, 2009, <http://www.un.org/peace> (accessed April 16, 2009).

Deployment strengths are given as follows:

UNAMET: August 9, 1999

UNTAET: March 31, 2002

UNMISSET: August 31, 2002

UNOTIL: March 31, 2006

UNMIT/ISF: March 31, 2008

(* INTERFET troops subsequently became UN PKF under UNTAET

MLO: Military Liaison Officer

MO: Military Observer

PKF: Peacekeeping Forces

TCC: Troop-Contributing Countries

UNV: United Nations Volunteers

Parameters of the Interventions

Of the UN missions, the United Nations Mission in East Timor (UNAMET) and UNTAET had the clearest missions—one to run the referendum and the other to prepare for the transfer of sovereignty to the new East Timorese nation-state. The United Nations Mission of Support in East Timor (UNMISSET), the United Nations Office in Timor-Leste (UNOTIL), and the United Nations Integrated Mission in Timor-Leste (UNMIT) missions tended to be more vague in their mission statements.

UNAMET, UNTAET, and UNMIT were deployed into what were essentially combat zones. UNAMET, due to the political constraints of the May 5, 1999 security agreement for the independence referendum, had only minimal capabilities to react to militia violence after the pro-independence vote. For example, remaining (unarmed) UNAMET staff in Dili managed to save the lives of East Timorese civilians huddling in the mission headquarters for several weeks in September 1999 by refusing to evacuate the UN mission.

Both UNTAET and UNMISSET were robust, and both missions saw several brushes with cross-border incursions by militias. UNMISSET had to confront violent anti-UN protests by East Timorese in Dili in December 2002. UNOTIL found itself underequipped in the midst of the 2006 crisis and suffered casualties (wounded, not dead). UNMIT and ISF have been attacked regularly by, and moved against by, various disaffected groups in the country.

Given the reluctance of Australia's government to place Australian troops under UN control, the ISF peacekeeping forces do not operate under the UNMIT mandate, but work jointly with the UN mission. Australian Federal Police (AFP) officers have also become active in Timor-Leste, outside the UNMIT mandate.

The main actors in the interventions have been the neighboring ASEAN states, Australia, New Zealand, as well as the former colonial power, Portugal. They have not always acted in unison, with Australia under the Howard administration often having pushed agendas opposed by other outside intervening powers, especially Portugal, as well as by many in the East Timorese political elite and civil society.

The missions all had the general aim of supporting the East Timorese nation in first achieving, through an act of self-determination, the kind of political settlement the East Timorese people wanted after the *de jure* end of Portuguese colonial rule (twenty-four years after it had happened *de facto*); subsequently, this was followed by supporting the democratic development of Timor-Leste as a stable and prospering member of the international community, and, when it “stumbled” in 2006, in helping it get back on its feet.

The initial international military intervention following the post-referendum violence in 1999 was led mostly by Australian, British, and New Zealand troops. In an effort to make the deployment more acceptable to Indonesia, the INTERFET operation was given a more “Asian face.” Filipino, Korean, Malaysian, and Thai troops therefore also played a prominent role. At a later

stage of UNTAET and during UNMISSET, Portuguese-speaking peacekeeping forces, mainly from Brazil and Portugal, were deployed as well.

During the years of the UNTAET administration, policing and border control were carried out by peacekeeping forces (PKF) and the United Nations Police (UNPOL). During this time, the new East Timorese security forces were, at least in theory, trained “on the job” by UN staff to take care of both internal and external security upon gaining independence.²⁹ The international community, as mentioned above, played a key role in both the DDR and security sector reform (SSR) processes, however, both were carried out rather suboptimally, as many ex-combatants felt disaffected and marginalized.³⁰ In the immediate aftermath of the 2006 crisis, both the PNTL and F-FDTL were effectively stripped of their responsibility for internal and external security. Responsibility for security, at the time of writing, still is being transferred back to the East Timorese national institutions.

The most intrusive of the UN missions in Timor-Leste was UNTAET, which was in charge of administering the territory during its mandated period from October 1999 to May 2002. UNTAET was tasked with providing internal and external security, setting up the necessary state structures, and facilitating the transfer of state authority to the nascent Democratic Republic of Timor-Leste. It was also tasked with setting up the national institutions of the nascent RDTL, in conjunction with Timorese elites, through the East Timor Transitional Administration (ETTA). Ultimate authority, however, rested with the Special Representative of the Secretary-General (SRSG), Sergio Vieira de Mello.

The UNTAET administration drew up legislation, which in part is still in place, and also assisted Timorese decision makers in drafting legislation. To a lesser degree, the UN’s follow-up missions as well as other international actors have continued to assist the Timorese government in drafting legislation. Much of the Timorese legal code continues to be based on Indonesian laws, however, which, in turn, partially go back to Dutch colonial times. The current constitution was drafted by a Constitutional Assembly, which was elected by the East Timorese population on August 30, 2001.

The transfer of powers to East Timorese actors took place in gradual steps. The ETTA headed by the UNTAET SRSG was formed in August 2000 to integrate East Timorese decision makers into the running of the territory. Of ETTA’s nine portfolios, five (foreign affairs, internal administration,

²⁹ Eirin Mobekk, *Law-Enforcement: Creating and Maintaining a Police Service in a Post-Conflict Society—Problems and Pitfalls*, DCAF Working Paper 127 (Geneva: Centre for the Democratic Control of Armed Forces, 2003), 9-11, and Edward Rees, *Under Pressure—Three Decades of Defence Force Development in Timor-Leste 1975-2004* (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2004), 47.

³⁰ See Mobekk, *Law-Enforcement: Creating and Maintaining a Police Service in a Post-Conflict Society—Problems and Pitfalls*, 9-11, and Rees, *Under Pressure—Three Decades of Defence Force Development in Timor-Leste 1975-2004*, 32.

infrastructure, economic affairs, and social affairs) were held by East Timorese. The transfer of full sovereignty was completed at midnight, May 20, 2002, by Secretary General Kofi Annan in a formal independence ceremony.

During the transfer process, outside players performed varying roles. In some cases, the approach was intrusive, in others more hands-off, in some fields there was an imposition of one view, and in others cooperation between international and East Timorese actors. Many of the key processes, such as the drafting of the constitution, were run by East Timorese elites themselves, albeit with input from outside advisors. Some legislation, however, was promulgated by UNTAET, with little or no local input, and has since passed into East Timorese legislation.

Starting with the 1999 independence referendum, all elections in Timor-Leste have been monitored by a range of outside observers. These have included other states (e.g., Indonesia and Portugal, but also Japan), international organizations (e.g., the Community of Portuguese Language Countries [CPLP], the EU, and the UN), as well as local and international civil-society organizations. Many of these actors also provided electoral assistance and training to the National Electoral Commission. All major observer missions have made their respective findings public. At times, especially during the presidential election in 2007, some of the reports have been quite critical about the way elections have been conducted, but this criticism in most cases has been dealt with constructively by the East Timorese authorities.

Modes of Interaction between Internal and External Actors

Internal and external actor engagement in Timor-Leste has undergone several phases of varying levels of cooperation and control. External actors had complete executive control in the first phase. This shifted to a mentoring position during the interim handover period, as provided for in the ETTA framework. Finally, this was followed by full East Timorese sovereignty, under which the external actors had an “advisory” role, albeit with the presence of international advisors, in the post-independence period. Following the 2006 crisis, UN Police and international peacekeepers assumed responsibility again for internal security, pending a thorough reform of the police force. The intervening external actors in Timor-Leste have quite clearly pursued a policy of promoting both a democratic political system and economic liberalization, goals which have been broadly supported by the key East Timorese actors.

Given this general consensus, there has been little need for outside pressure and persuasion to promote political democratization. Economic liberalization, however, has been met with a far greater degree of scepticism by the local elites, who have a clear preference for state intervention. Negotiations between the government and Australia over Timor Gap oil and gas development, for example, illustrated how the government had diverging views on the development and use of its economic resources from those of the mainstream

international community.³¹

The second area where outside pressure is being increasingly resisted is the security sector, where UNMIT's efforts to become involved have effectively been resisted by the local security sector elites, and, consequently, the SSR process has come to a standstill.³²

Although local power elites by and large also have followed a program of political democratization, there have been divergent views among the local elite as to what this means in practice. Group or personal interests often have been placed before a more communal set of interests. External actors have underestimated local complexities and have been too quick to label the democratization and nation-state-building process a success (pre-2006 crisis) or a failure (post-2006 crisis) without a more nuanced evaluation of the situation.

At times there have been tensions between the outside interveners and the population at large. General anti-UN sentiment, caused in part by real and perceived UN misconduct³³ as well as the immense discrepancy between the lifestyles of the foreigners and the local population, led to violent anti-UN protests in December 2002. The more offensive postures of UNMIT, FPU, and the ISF also have led to protests against and attacks on peacekeepers and civilian UN staff. Further, promoting gender equality has created tension between interveners and segments of the local population. Both external and national actors have agreed, in theory, to gender equality, but results have been marginal. In spite of the rather limited advances in this respect, there tends to be a misperception in East Timorese society, especially among men, that women have been gaining more from the outside intervention than men, leading to resentment in some quarters.³⁴

Official Development Aid

Socio-economic development has been minimal. At independence in 2002, the United Nations Development Programme (UNDP) ranked Timor-Leste as the Asia-Pacific region's poorest country. And on the eve of the crisis of 2006, the UNDP reported little progress on most indicators; some even deteriorated

³¹ Paul Cleary, *Shakedown: Australia's Grab for Timor Oil* (Melbourne: Allen & Unwin, 2007).

³² ICG, *Timor-Leste: No Time for Complacency*, and Bu Wilson, "Timor-Leste: The Curious Case of the Fake Policemen," *East Timor Law Journal* (February 2009): http://www.eastimorlawjournal.org/ARTICLES/2009/Timor_Leste_the_curious_case_of_the_fake_policemen_bu_wilson_2009.html (accessed April 16, 2009).

³³ See, for example, Koyama and Myrntinen, "Unintended Effects of Peace Operations on Timor-Leste from a Gender Perspective," 37-39.

³⁴ Cristalis and Scott, *Independent Women: The Story of Women's Activism in East Timor*, 82, and Koyama and Myrntinen, "Unintended Effects of Peace Operations on Timor-Leste from a Gender Perspective," 40-41.

during the independence period.³⁵ The lack of socio-economic progress is a reflection of the state's consistently low capacity to deliver services. Successive governments have had difficulties in spending their allocated budgets, in part due to the political crises which have hampered any progress in the country since 2006.³⁶ With the improvement of the security situation and income from the Petroleum Fund flowing, economic growth started to pick up in 2008 and is set to continue at a predicted 10 percent in 2009.³⁷ It needs to be kept in mind, however, that the starting point for the economy is extremely low and that much of the growth is restricted to the “bubble economy” of the capital, Dili.

Since 1999, Timor-Leste has received over U.S.\$4 billion in external assistance. The figures, however, should be seen only as an estimate, as different donors use different reporting mechanisms and figures for some years are incomplete. From 1999 to 2006, Timor-Leste received U.S. \$3.65 billion in assistance, of which \$1.75 billion was used for the combined budget of UNTAET and UNMISSET.³⁸

Overall, the main donors have been, in descending order, Portugal, Australia, Japan, the European Commission, and the United States. In terms of assistance to the “government and civil society” sector, Australia is clearly the largest donor, followed by Portugal, the European Commission, and the United States. A new emerging player is China, which is the second largest donor (after Australia) in terms of on-going projects in the government and civil society sector in Timor-Leste (as of March 25, 2008).

According to the Ministry of Finance of the RDTL, as of March 25, 2008, the “government and civil society,” “NGO support,” and “gender equity” sectors had received: \$340,588,022 for completed projects, \$846,067,503 for on-going projects, and a further \$21,253,924 pledged for approved projects.

Due to the “scorched earth” policy of the withdrawing Indonesian forces and their militia proxies in 1999 and the massive displacement of a majority of the East Timorese population, much of the initial help was humanitarian assistance. As the situation normalized, an increasing amount of aid began flowing into reconstruction, supporting the establishment of various state structures, and supporting the UN missions. The 2006 crisis and its aftermath—

³⁵ UNDP, *Timor-Leste National Human Development Report 2006*.

³⁶ From 2002 to 2007, the governing party in Timor-Leste was Fretilin; from 2007 onward, the country has been governed by the Aliança com Maioria Parlamentar (AMP) coalition.

³⁷ The Petroleum Fund, managed by the Timor-Leste Banking and Payments Authority (BPA), was established to sustainably manage royalties and income from the Timor Sea oil and gas fields. It provides the RDTL government with the bulk of its budget income, and currently stands at approximately U.S. \$4.75 billion. See BPA, *Quarterly Press Release*, March 31, 2009. On economic growth, see Daniel Bases, “E.Timor Sees Double-digit GDP Growth,” Reuters, February 19, 2009.

³⁸ Data from Ministry of Finance of RDTL, *Report to International Donor Meeting on National Development Plan* (Dili, Timor-Leste: Ministry of Finance, March 25, 2008).

during which around 10 percent of the population remained in Internally Displaced People (IDP) camps for the duration of two years—saw a reversal back to increased humanitarian aid. While the initial period could be described as a “donor frenzy,” the 2006 crisis, in turn, has led to a degree of “Timor fatigue.”³⁹

There are no clear data available, unfortunately, for external aid flowing into Timor-Leste previous to the arrival of UNTAET in 1999. These funds were managed via various ministries and foundations in Jakarta, and there was a large degree of obfuscation in the figures on purpose in order to cover up corruption, embezzlement, and mismanagement by the central government.⁴⁰ Though reliable figures are not available, it is safe to say that external post-conflict funding was far greater than external assistance that had flowed into the territory during the Indonesian occupation.

The external support given to Timor-Leste since 1999 has been mostly bilateral assistance. According to one assessment,⁴¹ approximately 82 percent of the aid was bilateral and around 16 percent went through multilateral institutions such as the three Multi-Donor Trust Fund modalities (TFET—Trust Fund for East Timor; TSP—Transitional Support Programme; and CSP—Consolidated Support Programme) under the trusteeship of the World Bank. The latter are meant as budget support measures. Since 2002, external aid is, at least in theory, geared toward helping the RDTL government meet its National Development Programme (NDP) goals.

Timor-Leste has been highly dependent on external aid, with 66 percent of the country’s nonoil GDP stemming from external aid. Given the increase in income from its gas and petroleum fund, the RDTL government, in theory, by now should be far less dependent on external aid than it is, at least financially. Given the problems faced by both the previous Fretilin and the current Aliança com Maioria Parlamentar (Parliamentary Majority Alliance, or AMP) government not only in meeting its NDP goals but even in executing its own annual budget, donors and outside organizations (e.g., UN agencies and INGOs) still perform many of the tasks which nominally are state responsibilities. The most obvious example of this is the security sector, where UNPOL and ISF still play a major role at the time of writing.

Democratization has not been an explicit conditionality but rather an “understood,” implicit one for Organisation for Economic Co-operation and Development (OECD)-donors. This includes an occasional “concern” being voiced by donors when lack of transparency, bad governance, or heavy-handed security force crackdowns have occurred.

³⁹ Scanteam, *Review of Development Co-Operation in Timor-Leste* (Oslo: Scanteam, 2007).

⁴⁰ Simon Andrewartha, “The Myth of Indonesia’s Development of East Timor,” *Green Left Weekly*, no. 337, October 14, 1998, <http://www.greenleft.org.au/1998/337/20112> (accessed April 16, 2009).

⁴¹ Scanteam, *Review of Development Co-Operation in Timor-Leste*.

Conclusion

The international intervention in Timor-Leste has received mixed reviews. While it has been hailed repeatedly as a success by the interveners (e.g., by UNMIT SRSR Atul Khare in his 2009 report to the UN Security Council),⁴² others have been highly critical. These include Chopra, Gunn and Huang, Hohe, and Rees,⁴³ all of whom have been involved with the external intervention processes in Timor-Leste.

Criticism of “UNTAET’s kingdom” (Chopra) does have its legitimacy, and certainly many East Timorese have felt disempowered and embittered by international actors who are perceived as making decisions on their behalf. The UN often has been surprisingly oblivious to this, literally not seeing the writing on the wall (e.g., in the form of anti-UN graffiti). The interplay between local players and international players is far more complex, with positions being renegotiated often literally on a daily basis in a number of interrelated arenas, be it in the formal confines of the office or the more informal arenas of everyday life. Mistakes have been made on both sides, often boiling down to seemingly mundane issues such as incompatible personalities or misunderstandings. These then become multiplied and amplified through the duration of the process. Support for external intervention can and does fluctuate; a recent poll by the International Republican Institute gives the UN mission even higher approval ratings than the national government.⁴⁴

Ten years after the independence referendum in 1999, Timor-Leste remains an imperfect democracy and nation-state under construction, which faces a host of socio-economic and political challenges. Though there has been a general consensus between external interveners and local elites on establishing a democratic nation-state, the process has been problematic. Tensions within East Timorese society, exacerbated by divisions within the political elite and security sector and coupled with a lack of outside understanding of these dynamics, led to a major violent crisis in 2006. The immediate after-effects of this crisis lasted for another two years. It was only the death of one of the main potential threats to democratization and the near-death of one of the key political figures in the country, which, paradoxically, have brought enough internal security to the country for the democratization process to continue.

⁴² UN Department of Public Information, “Timor-Leste at Peace, President Tells Security Council a Year after Surviving Attempts on His, Prime Minister’s Lives,” February 19, 2009, <http://www.un.org/News/Press/docs/2009/sc9598.doc.htm> (accessed April 16, 2009).

⁴³ Jarat Chopra, “The UN’s Kingdom in East Timor,” *Survival* 42, no.3 (Autumn 2000): 28; Geoffrey Gunn and Reyko Huang, *New Nation: United Nations Peacebuilding in East Timor* (Macao: Tipografia Hung Heng, 2006); Hohe, “Totem Polls: Indigenous Concepts and ‘Free and Fair Elections’ in East Timor,” 69-88; and Rees, *Under Pressure – Three Decades of Defence Force Development in Timor-Leste 1975-2004*, 6-10.

⁴⁴ International Republican Institute, *Survey of Timorese Public Opinion, November 10-December 16, 2008* (Dili, Timor-Leste: International Republican Institute, 2009).

