

*The United Nations and Security Sector  
Reform: Lessons from the Field*

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## **Abstract**

Security Sector Reform has the potential to enable the emergence of a sustainable peace and move a post conflict state into long term development, the UN has a unique position in post conflict environments but has yet to formulate a comprehensive approach to SSR. This paper seeks to analyse the security sector reform activities that the current UN peacekeeping mission in Timor-Leste is engaging in with a view to making recommendations for the future development of a comprehensive UN approach to SSR. The paper explores the debate around SSR as well as tracing the UN's previous engagements with the security sector. This will provide the context to use Timor-Leste as a case study in order to assess the strengths and weaknesses of the UN's role in SSR there. It will be argued that the UN mission has been constrained by a lack of prioritisation of SSR, a poor understanding of SSR theory within the UN family and mission leadership as well as the legacy of the UN's past mistakes. It is clear that these mistakes have the potential to be repeated in future missions and so it is vital that the lessons from the mission be learned and changes put into effect.

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## **LIST OF ACRONYMS**

CIMIC	Civil-military cooperation
CNS	Council of National Security
DDR	Disarmament, Demobilisation and Reintegration
DFID	Department for International Development (UK)
DPKO	Department of Peacekeeping Operations
DRC	Democratic Republic of Congo
DSRSG	Deputy Special Representative of the Secretary General
EU	European Union
F-FDTL	Falintil Timor-Leste Defence Force
ICG	International Crisis Group
ICTJ	International Centre for Transitional Justice
INTERFET	international Force for East Timor
IOM	International Organisation for Migration
ISF	International Stabilisation Force
ISSR	Internal Security Sector Review (Kosovo)
JOC	Joint Operations Committee
NATO	North Atlantic Treaty Organisation
OECD	Organisation for Economic Cooperation and Development
OECD DAC	OECD Development Assistance Committee
ONUSAL	United Nations Observer Mission in El Salvador
PNTL	National Police of Timor-Leste
SCR	Security Council Resolution
SoSD	Secretary of State for Defence
SoSS	Secretary of State for Security
SRSG	Special Representative of the Secretary General
SSR	Security Sector Reform
SSSU	Security Sector Support Unit
UNAMET	United Nations Mission in East Timor

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UNAMSIL	United Nations Mission in Sierra Leone
UNDP	United Nations Development Programme
UNIMSET	United Nations Mission of Support in east Timor
UN HQ	United Nations Headquarters, New York
UNMIK	United Nations Interim Administration in Kosovo
UNMIT	United Nations Integrated Mission to Timor-Leste
UNPOL	United Nations Police
UNTAC	United Nations Transitional Authority in Cambodia
UNTAET	United Nations Transitional Administration in East Timor
UPF	Timor-Leste Border Police
URP	Timor-Leste Police Reserve Unit

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## **AUTHOR'S DECLARATION**

I declare that this dissertation is my own, unaided work. It is being submitted for the degree of Master of Arts at the University of York. It has not been submitted for any degree or examination at any other university.

*Signature*

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## **INTRODUCTION**

*“From this vision of the role of the UN in the next century flow three priorities for the future: eradicating poverty, preventing conflict and promoting democracy.”*

*-Kofi Annan*

These are bold and long term objectives that thousands of organisations are committed to realising but nine years into the next century, they remain elusive. Security Sector Reform (SSR) theory offers the promise of directly preventing conflict and contributing to the eradication of poverty and promotion of democracy. At its core, SSR states that in order for development to be sustainable there must be an accountable and transparent security sector that complies with human rights norms and democratic government oversight. SSR is not a theory specifically designed for post conflict states, it is a process that is relevant in all nation states and is continual meaning there is no clear end point. Yet post conflict environments, by their very nature, offer the chance for a radical restructuring of the security sector as the entire society is in a state of flux. Despite this potential, the UN’s approach to security sectors has been ad hoc and lacks a clear understanding of the wider objectives.

The UN is becoming increasingly involved in SSR and there is a need for lessons to be learned from current UN missions engaging SSR. This paper seeks to analyse one UN mission which has a significant SSR mandate in order to draw out recommendations for the UN’s comprehensive SSR policy. The UN Integrated Mission to Timor-Leste (UNMIT) provides a strong case study because it currently has the largest SSR capacity of all the UN’s peacekeeping missions and it was the collapse of the security sector in 2006 which necessitated the deployment of a UN peacekeeping mission.

In order to examine UNMIT and SSR it is necessary to begin with a comprehensive discussion on the origins and aims of SSR and provide an overview of the various debates that exist within the theory. This will be followed by an overview of the increasing role of the UN in SSR activities by discussing several key missions in order to draw out some of the strong points and difficulties the UN has previously faced in engaging with the security sector. This will also include a more detailed discussion on the UN’s most recent activities, particularly a report by the Secretary General on SSR. The final section of Chapter 2 will combine the lessons from previous missions with a study by DCAF outlining the challenges for UN engagement in SSR which will provide the framework for an analysis of UNMIT. Prior to this analysis, chapter 3 will provide some context to the mission in Timor-Leste

which is crucial for understanding the SSR process. With an understanding of SSR theory, the UN's previous roles in SSR and the context of Timor-Leste, it will be possible to analyse the experience of UNMIT. This analysis is based on primary data gathered during eight weeks working within the UN mission through interviews and observations (see Appendix 1 for methodology), and where possible the data result will be strengthened by triangulating it with secondary data. From this point it will be possible to draw some conclusions and recommendations on what the UN can learn from UNMIT's experience in SSR and how this can enable the UN to formulate a comprehensive approach to security sector reform in post conflict environments.

## **CHAPTER 1: SECURITY SECTOR REFORM THEORY**

This chapter will provide an explanation of security sector reform, it will start with an exploration of the theories origins, which are crucial to understanding the gap between theory and practice and the difficulties faced in implementing the theory. This is followed by a discussion of SSR, examining the debates within the theory on issues such as defining the security sector, the objectives of SSR and what is generally involved. This is followed by a brief discussion on some of the key difficulties in implementing security sector reform which will be referred to in later chapters. The review of SSR in this chapter is central to creating an understanding of the UN's potential and actual role as an actor in security sector reform.

### **ORIGIN OF SSR THEORY**

Security sector reform theory can trace its parentage to two distinct academic fields; development studies and civil-military relations.<sup>1</sup> In the 1950's the world was still recovering from World War II and there was great interest in how to reconstruct post conflict states. In the 1960's there was greater study on the relationship between militaries and the state, particularly in developing countries and former colonies. There was a general belief that a military was a potential moderniser and nation builder due to the fact that it was usually the most modern institution in a state and was perceived to be efficient and well managed (Brzoska, 2000 6). This strand of thinking was left severely discredited by the wave of military dictatorships that swept across Africa and Latin American in the late 1960's and 1970's.

Another form of CIMIC theory centred on the adversarial struggle between civilian government and the military which gained popularity and credibility in the 1970's. Those interested in development issues also argued that the money spent on maintaining large militaries would be better spent developing the economy and state institutions such as education and healthcare. Viewing the military and political establishments as instinctively adversarial meant that military power had to be minimised in order for civilian governments to develop (Chuter, 2006:4). In many people's eyes, most crucially those involved in

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<sup>1</sup> It is also worth noting that Vanessa Farr established links between the development of SSR and feminism. She notes how women challenged the traditional notions of security as early as the 19<sup>th</sup> century and that by arguing for a holistic approach to SSR within the framework of peacebuilding, SSR scholars are echoing key arguments of feminist research (2004).

development studies, the increase in military governments served to prove that militaries had to be curtailed if development was to ever be realised.

Both theories of CIMIC suffered from two common problems, firstly, neither gave consideration to what the functional role of the security sector should actually be. Secondly, CIMIC saw the military as uniformly the same in terms of motives, culture and interests and so failed to take into account how much militaries and political cultures vary from state to state. Both of these issues are something which modern day SSR still struggles to resolve.

As the Cold War intensified aid became a foreign policy instrument and assistance to the security sector took the now traditional form of material support for the military. Military assistance was based on political logic rather than any wider concern of public welfare and the assistance focused on improving military capacity to maintain the political regime from outside threats and completely ignored oversight and governance concerns (Hendrickson, 1999:16). Whether a country had a democratic government or a military one was secondary to what side to the ideological divide they were on. This meant that the security sector was viewed as a no go area for development researchers and practitioners.

With the so called 'second wave' of democratisation in the late 1980's security issues returned to the development agenda, this was combined with several forced removals of military regimes by the international community (e.g. Haiti and Panama) which then required the restructuring of security institutions and therefore direct engagement (Chanaa, 2002:15). Attention began to turn to the professionalism of the military as well as the civilian control and oversight mechanisms. This in turn created a problematic dichotomy; professionalization of the military was strictly within the remit of bilateral donors defence departments whereas improvements to oversight mechanism was a governance issues and so dealt with by development agencies (Brzoska, 2000:7). This is a problem that has fed into present day SSR theory and is problematic for organisations, such as the UN, who want to take a holistic approach to SSR but have difficulty in providing direct assistance to a military.

The end of the Cold War allowed several conflicts to come to an end and development agencies became concerned on how to reintegrate former combatants in society; this process is usually termed 'DDR' (Demobilisation, Disarmament, and Reintegration). DDR is a security issue but is implicitly part of the wider post conflict reconstruction and military downsizing agenda and so this provided an entry point for development agencies into the security sector (Brzoska, 2000:7). DDR also had to include incorporating elements of armed

forces into the police and other security institutions which were usually extremely weak in post conflict states, this led to greater research into the various elements that make up the security sector. Yet some of the actors who engage in DDR do so from the traditional development view of militaries, the smaller they are the better, and so sought to downsize regardless of the actual needs of a military.

There was also an increased acceptance that downsizing militaries alone would not lead to economic development (Chanaa 2002:17). CIMIC scholars saw the cut in military spending have little impact on economic development, prompting a greater appreciation on how complex the relationship is between military and civilian state institutions really is. This was a crucial step in the development of SSR theory because it meant that thinking about the security sector was shifting away from traditional approaches and towards a more positive concept of what security institutions can bring to a post conflict state.

The 1990's witnessed a shift in international involvement in conflict zones from one of simple peacekeeping to active peacebuilding; the concept of 'human security' was a key part of this notion.<sup>2</sup> On the surface the concept of human security appears to conflict with that of traditional state security but with the correct structures they can complement each other since a responsive and responsible security sector will improve human security and also make security institutions better able to fulfil their traditional roles (Wulf, 2004:2). Although there was greater engagement in security issues it remained controversial and was pursued in a very ad hoc manner. Soldiers from the developed world were increasingly used as peace-builders in environments such as Cambodia, Bosnia and Somalia, but many military structures were not designed for this type of mission and so the successes were far outweighed by the failures.

At the same time many development workers were wary of having any involvement with security institutions which many were instinctively distrustful of (Chuter, 2006:5). This resulted in development agencies focusing on narrow sections of security sector reform, they engaged in what they felt was most relevant (for themselves as well as donors) and would have achievable and measurable outcomes, for example, working with child soldiers, limited

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<sup>2</sup> The early 1990's saw the development of concepts of human security; this marked a large shift away from the traditional state and territory view of security (Hendrickson, 1999: 17). The UN defines human security as the freedom from want and fear, achieving this is seen a crucial way of improving security within developing states. This concept also provides a framework for UN peacekeeping missions and so any SSR approach must be within this framework and provide a means of achieving human security.

police reforms and demobilisation. The problem was that none of the tasks undertaken by militaries or development agencies looked at the wider context and lacked a long term strategy connecting them (Hendickson, 1999:18). Another legacy of this distrust of the security sector is that there is often a lack of engagement in what the functional role of security institutions should be, again David Chuter notes that “before you can have oversight, you have to have something to oversee” (2006:21).

In the mid 1990’s development practitioners began to look at conflict reduction and prevention as a way to ensure sustainable development took place but within this context it was clear that security institutions had an important role to play. So it became increasingly apparent that security was a prerequisite for sustainable development, this therefore created a link between two sectors which had historically avoided each other. It also required the development sector to consider the possibility that the provision of security was in fact a developmental goal; a conclusion that most shied away from acknowledging (Brzoska, 2000:8).

It is clear that security sector reform has emerged from two previously distinct fields of study, each of which has its own problems which were then passed onto security sector reform theory. For example, SSR theory is unable to clearly define what civilian control really means and how it can actually be achieved, this is a legacy of CIMIC and its inability to do the same thing (Chuter, 2006:5). Another practical problem is that since the theory originates from fields that have avoided engagement in with security institutions, many practitioners and theorists have little practical knowledge of how they actually function. These problems all impact on the UN’s ability to engage in successful SSR as will be discussed in the following chapters.

The origins of SSR are vital for explaining some of the incoherence within the SSR debate and agenda, these inconsistencies lead Chuter to describe SSR as “the bastard child of civil-military relations and Development Studies” (2006:3). Yet this would suggest that SSR only inherited the negative aspects of these two fields, but as will be seen in the next section, SSR is a persuasive theory that has significant potential, and some of that is down to its parentage.

### **SSR Theory**

Defining the security sector is obviously crucial for any engagement with it, yet there is no clear agreement between scholars. Originally, the military were considered the security sector and it was development experts who added the police and so it is now widely accepted that the

traditional members of the security sector are these two institutions plus any intelligence agencies (Chuter, 2006:8). It is generally agreed that the security sector consists “of all those institutions whose primary role is the provision of internal and external security, together with bodies responsible for their administration, tasking and control” (Chunter, 2006:8). This definition would include the legislature, executive and judiciary, but there is a danger that the wider the definition the less comprehensive the process is and that it really just becomes a good governance and rule of law theory.

DFID breaks the security sector into four broad categories shown in figure 1 below, the OECD offers an almost identical list of actors (2007:21) but both lists include a wide array of actors which makes achieving security sector reform difficult. Some SSR experts advocate a narrower definition of SSR and believe that the judiciary should not be included because it is a different subject with a different set of criteria (Chuter, 2006:8).<sup>3</sup>

FIGURE 1

<b>Core Security Actors</b>	<b>Armed forces; police; paramilitary forces; gendarmeries; presidential guards, intelligence and security services (both civilian and military); coast guards; border guards; customs authorities; reserve or local security units (civil defence forces, national guards, militias)</b>
<b>Security management and oversight bodies</b>	The Executive; national security advisory bodies; legislature and legislative select committees; ministries of defence, internal affairs, foreign affairs; customary and traditional authorities; financial management bodies (finance ministries, budget offices, financial audit and planning units); and civil society organisations (civilian review boards and public complaints commissions).
<b>Justice and law enforcement institutions</b>	Judiciary; justice ministries; prisons; criminal investigation and prosecution services; human rights commissions and ombudsmen; customary and traditional justice systems.
<b>Non-statutory security forces</b>	Liberation armies; guerrilla armies; private body-guard units; private security companies; political party militias.

An alternative definition of the security sector is given by DCAF, which places emphasis on those institutions who have the right to use or order the use of force. But this is problematic

<sup>3</sup> This is not to say that the judiciary is not important to creating stability or that there shouldn't be linkages between reform of the security sector and that of the judiciary, but rather, the reform processes of each should be seen within the wider framework of human security and post war reconstruction.

since force is only one element of a security institutions functions and again leads to a tendency to emphasis downsizing and minimising the security sector. Jane Chaana offers a broad definition which leaves enough flexibility to be inclusive and useful;

*“The security sector of a state may be broadly defined as encompassing those elements that have been granted a legitimate and exclusive role in the exercise of coercive power in society to deal with external and internal threats to the security of the state and its citizens.”*

(2002:7)

This definition allows country specific context to be added to the reform process since different states have different security sectors and they interact in different ways, this is a crucial consideration for UN engagement in SSR.

### **SSR OBJECTIVES**

Security sector reform ultimately aims to reshape a state’s security sector so that it is capable of providing security to both the state and its citizens and respond to their needs. It goes far beyond traditional material assistance, although that does play a part, and looks to strengthen the norms in relation to the proper relationship between security institutions and the society at large (Chanaa, 2002:29). As discussed previously, security sector reform is also viewed as a means of reducing poverty and ensuring that development programmes are sustainable, it is thus a medium term strategy within the wider context of a post war recovery programme. To achieve this there has to be a reduction of crime and violent conflict, so it cannot just be structural change, it must also change how security institutions function and enhance their capacity to do so.

For donors engaging in security sector reform programmes, the OECD DAC has identified 3 objectives;<sup>4</sup>

- 1) Improve basic security and justice delivery
- 2) Establish effective governance, oversight and accountability systems
- 3) Develop local leadership and ownership

(2007:10)

It is also useful to include universal access to the security sector to this list; this means going beyond traditional views of security and recognising the need for institutions to respond to all

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<sup>4</sup> OECD publishing guidelines on SSR in 1997, as a key actor this “signalled a sea change in the thinking of donors with respect to conflict prevention” (Chanaa, 2002: 24). This publication, and subsequent publications by OECD DAC, provided donors with guidelines for engaging in SSR therefore opening the way for donor involvement in the process.

citizens' needs, to achieve this they must be accessible. This involves making recruitment open and transparent and ensuring that the police work with communities in solving disputes. Yet it is unclear how to measure these objectives and too often donors are only interested in one particular objective and don't look at the wider picture of the security sector reform process.

Due to the wide-ranging and flexible nature of SSR, it also forms a crucial part of an overall strategy for stabilisation and sustainable development. The link between this objective and SSR is perhaps the most crucial because it brings in major development donors. The UK, an early pioneer of SSR,<sup>5</sup> made this link with development objectives clear when the Minister of DFID stated;

*“to secure these goals (elimination of poverty) we clearly need to address one of the principal obstacles to progress in development and poverty reduction which is the existence of bloated, secretive, repressive, undemocratic and poorly structured security sectors in many developing countries.”*

(Clare Short, 1999)

It is clear that SSR has a number of objectives; Wulf suggests that it is the “visionary integration of a number of objectives under one intellectual roof” that gives SSR broad appeal; but also creates many of the difficulties with implementing SSR (2004:2). The GFN-SSR provides a clear and useful definition for the objective of the security sector reform process; “to create a secure environment that is conducive to development, poverty reduction, good governance and, in particular, the growth of democratic states and institutions based on the rule of law” (2007:1). With this objective in mind, the next section will discuss the actual SSR process and the various elements that are involved in achieving this objective.

## **THE SSR PROCESS**

A key pillar of security sector reform is that it must be holistic and all reforms must be seen in the wider context of human security and post war recovery. It is therefore difficult to establish a prescriptive set of reforms since they are likely to be so wide ranging and affected by other areas of the post war recovery programme but this need for an integrated approach also highlights just how much SSR is part of the peacebuilding process (Ehrhart & Schnabel,

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<sup>5</sup> The UK was one of the first donors to recognise the potential for SSR and became a pioneer in the field. In 1997, the British government created DFID; its mandate went beyond Britain's traditional economic aid assistance and sought to eliminate poverty through a more holistic engagement in development. Security Sector Reform formed part of this wider strategy as the British government acknowledged the strong link between security and development. It has also adopted a comprehensive approach by utilising its resources from several Ministries, such as Defence, Home Office, Foreign & Commonwealth Office and DFID

2005:9). Rather than outlining specific activities, Wulf offers four broad dimensions of the security sector reform process that will be used to give some idea of the range of activities required, these dimensions are political, economic, social and institutional (2004:5).

**Political:** this dimension deals with issues of civilian control and oversight. The OECD makes clear how important this element is in SSR when it states that “security sector reform and international assistance to support it are inherently political processes” and that the objective is for security and justice to be delivered in line with human rights and democratic norms (2007:28).

The political dimension is crucial because it determines the character of the management of the security sector (Chaana, 2002:28) but it is potentially the most difficult, especially in states where the military has been deeply involved in politics, because it requires the security sector to accept a loss of autonomy and power. It aims to establish strong legislative structures over the security institutions so that they do not act on their own interests and so that policies are made by elected officials in an open and transparent manner.<sup>6</sup> There is a danger that these legislative changes will just be paper, it has to be combined with a political culture that respects the rule of law.<sup>7</sup>

It is also in this dimension that SSR overlaps into wider reforms, particularly in good governance and so there is a need to recognise that a member of parliament must be effective at their broader job of legislating and holding to account before they can provide effective oversight of the security sector. In order to achieve this oversight, the legislature needs to have access to budgets and be in charge of authorisation, but to do so they must have a good understanding of the security sector and have certain expertise, previous experience can help but this may also result in strong loyalties to the military (Brzoska, 2000:10).

For donors, the political element of SSR is crucial but also extremely difficult to navigate because it risks treading on sensitive areas of sovereignty. There is also the inevitable result of creating winners and losers which cannot be avoided but must be planned for. In addition, it can be difficult for outsiders to fully understand and appreciate the complex networks of

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<sup>6</sup> Sometimes the actual structure of the political system makes this difficult, particularly for parliamentary oversight because if the party system is strong then there can be some reluctance to fully scrutinise the security sector if it is firmly under the control of the ruling party, instead the legislature acts as a rubber stamp for executive decisions (Caparini, 2004: 7).

<sup>7</sup> The idea of creating greater civilian control is based on the pessimistic view of security institutions, particularly the military, being inherently opposed to democracy and human rights, but this view is increasingly challenged. As David Chuter observed “civilians are not inherently nicer or more democratic than the military are” (2006: 19) and he also argues that many of the problems that result in oppressive or corrupt security institutions stem from poor day to day management and are internal rather than external.

relationships that exist between ruling elites as well as institutions, without this they are unable to fully influence decision-making.

A crucial element of realising the political agenda of security sector reform is having high level political commitment and understanding the motivations of SSR supporters (Greene, 2003:3). Parliamentarians will of course be interested in greater oversight mechanisms but this does not necessarily mean that they are in the best interests of the state and they may use that oversight for their own political needs.

The UN is able to play a considerable role in the political element of SSR provided it has a sufficient presence and political legitimacy amongst all the actors. With these two provisions, the UN will have considerable leverage to influence political actors and assist them in conducting an SSR process.

**Economic:** this dimension seeks to ensure that resources are used in an efficient manner and are appropriate for the size of security institutions relative to the economic capacity of the state. It concerns itself not with just what resources are allocated but also the rationale behind those allocations. There has to be a balance because if the security sector is over funded that money is taken from other departments and government functions, yet if it's underfunded there is the risk that the sector will be unable to provide security to the state and its citizens.

An underfunded security sector also increases the chance of corruption and dissatisfaction with a regime which in turn impacts on human security (Wulf, 2004:5). The UN can provide significant economic support to the security sector due to its ability to raise and mobilise funding. One area that provides more a challenge for the UN and most international donors, is the military because of a reluctance to be seen to be building a war machine. The UN is willing to provide training on issues such as gender or human rights but will not provide funding for weapons. The UN can, however, play an assistance role in overseeing military and other security institutions spending and offer advice on how to make it more efficient or appropriate; something which bilateral are unlikely to provide.

**Social:** this links directly with the issue of human security and therefore addresses the need to ensure citizens physical security; this includes their life, health and property. This goes beyond the role of the military ensuring the safety of the state; it involves more actors and requires very different skills and abilities. This dimension also requires the involvement of citizens and civil society, they must be consulted on their needs for security and they must themselves be vocal in engaging in the security debate (Chanaa, 2002:30).

Linked to this dimension is a recurring theme within security sector reform literature is the importance placed on local ownership, Wulf describes it as a “standard condition’ (2004:9) and a document published by DCAF states that “It is axiomatic that an SSR programme that is not shaped and driven by local actors is not sustainable” (Hanggi&Scherrer, 2007:14). There is strong evidence that an SSR process which is lead by external actors will not be sustainable because the internal actors have no ownership of it. This is undoubtedly correct but the entire concept of local ownership is problematic since it is often unclear just who must have ownership. Post-conflict societies are usually divided and stratified and since SSR will produce some losers, it is unrealistic to expect to win universal ownership of the process. There is also often a lack of expertise, capacity and resources within government and society to effectively implement SSR making foreign advisors essential, but these advisors must have mentoring skills in order to improve local capacity for SSR.

The UN, like any other actor in SSR, must tread a fine line between imposing SSR and assisting in it, it is crucial that a comprehensive UN approach reflect this.

**Institutional:** this dimension involves increasing the capacities and professionalism of security actors; this can involve downsizing, upsizing or reorientation of tasks and objectives (Chaana, 2002:29). A significant problem in tackling this dimension is that security institutions often have strong characteristics which may be entwined with the very nature of society and this then creates structural and behavioural barriers to the security sector reform process.

Changing the very behaviour of security institutions can be incredibly difficult, it is very common for police forces to be feared by the population because they seek to control rather than protect them. Switching this and winning citizens trust is a key part of the reform process. It is within this dimension that international donors can assist in making security institutions functionally effective, since without this accountability and oversight are irrelevant (Caparini, 2004:3). It is very likely that to improve the effectiveness of security institutions, particularly the police, they will have to be strengthened in terms of resources, structures and perhaps size. As discussed previously, this runs contrary to the intellectual parentage of SSR and makes many external actors uncomfortable which can in turn impact on the effectiveness of the reform process (Chuter, 2006:9). Once again, the UN does have the capacity to provide assistance in this dimension due to the wide range of resources and institutional knowledge that it has built up in the last 20 years, particularly in police reform.

SSR offers a means for ensuring that development can take place in a stable environment and that it is sustainable, it has the potential to be part of a wider transformation of institutions and society. It is in post conflict states that this need for sustainable development is most needed and because these societies are in a state of flux and reconstruction they also offer the potential for significant reform. Given this potential it is evident that the UN should have an understanding of SSR and an overarching policy in order to support SSR in post conflict states. The understanding of the definition, aims, objectives and difficulties of security sector reform gained in this chapter provide a good basis for the rest of this paper. The SSR concept is still developing and there are a range of actors who are involved directly and indirectly, the UN has a clear role to play if SSR is to be successful in a post conflict environment where UN peacekeeping missions have a large presence.

## **CHAPTER 2: UN ENGAGEMENT IN SECURITY SECTOR REFORM**

With a clear understanding of what the concept of SSR is and the main difficulties in implementing it, it is now necessary to turn attention towards the UN's previous engagements with the security sector and how its role in SSR has evolved. This chapter will provide a historical narrative of UN missions, drawing on four short case studies which illustrate how the UN has become increasingly involved in SSR activities in order to demonstrate some of the common problems the UN faces in creating a comprehensive approach to SSR. The chapter will then look at the last three years and what actions the UN has taken towards creating an overarching SSR framework; this includes a discussion on the recent report on SSR by the UN Secretary General. This will be followed by a discussion on specific problems the UN faces in developing a comprehensive approach; these points will provide the framework for an analysis of the UN and SSR in Timor-Leste in chapter 4.

### **THE EARLY 1990'S: A NEW ROLE FOR THE UNITED NATIONS**

The end of the Cold War allowed the international community to seek an end to previously 'frozen' conflicts and the UN played a key role in monitoring and even implementing various peace agreements. The UN mission to Namibia in 1988 is often cited as the first engagement between a security sector and the UN, but the UN's role was extremely limited making it difficult to draw any strong lessons from. The first case study is El Salvador because the UN played a much greater role in security issues, this is followed by a case study of the UN mission to Cambodia which has come to represent the short sightedness of the international community. A brief discussion on what occurred in these missions will allow several themes to be drawn out, such as the importance of long term approaches, appropriate resources as well as the need to engage directly with the security sector.

#### **El Salvador**

This case study has been chosen because several lessons were learned in the course of this mission, particularly on issues of DDR and policing, both of which are key parts in the SSR agenda in post conflict states. The end of the Cold War allowed this proxy conflict to be ended and the UN mission called ONSUL to be deployed in January 1992 with a mandate to verify the UN brokered peace agreement between the government and rebel forces. The peace agreement called for the downsizing and reform of the military, the creation of a new

police force and reform of the judiciary as well as free elections. The peace agreement had large elements of SSR but the UN did not have a clearly defined role in instigating and implementing these reforms rather that it was only to monitor these changes in the security sector.

The military had a long history of involvement in national politics and was extremely powerful, controlling the police as well as influencing all elements of the state. The rebel forces were also a strong group which were active in every part of the country and were well equipped. Disarmament and demobilization were crucial if the country was to transition to peace, for this reason the ONUSAL included over 5000 military observers who reported to the SRSG. These observers monitored and verified the inventory of weapons and personnel on both sides, as well as accompanying force movements and investigating complaints against each side. The main challenges for the security sector was downsizing, ensuring the military stayed out of politics and that the police were not used by the state as a tool for suppression; to achieve this, the US and Spain both played large roles while the UN provided advice and monitoring. Police and judicial reform encountered serious difficulties and ultimately the UN did not have the mandate or the time to achieve the necessary changes in the security sector but it was successful in overseeing the demobilization and reintegration of the warring factions (Dobbins, 2005:58).

ONUSAL was a crucial mission in the development of a UN policy towards the security sector because it set the benchmarks for future missions by pioneering UN led DDR which is the vital first step for SSR in post conflict environments (Dobbins, 2005:64). It also demonstrated the importance of having powerful bilateral support in order to put pressure on governments to accept and implement peace agreements, including reforms to the security sector. A final key lesson from ONUSAL was the need to deploy civilian police in order to reduce crime during the transitional phase and to help improve the effectiveness of national police; something which did not happen in the ONUSAL mission but which went on to become common in UN peacekeeping missions.

## **Cambodia**

At the same time as ONUSAL was being deployed the UN also deployed its largest and most ambitious peacekeeping mission at that time to Cambodia, where another Cold War conflict was being ended. Cambodia had been mired in conflict for several decades but the end of the Cold War lead to large international powers cajoling the warring factions into the Paris Peace

Accords which sought to disarm all factions and create a new polity in line with democratic and human rights norms. The UN did not take full administrative control but did have authority over public security, national defence and foreign policy; this meant it had to function alongside an existing government and exercise intrusive control without upsetting that government (Berdal&Leifer, 2007:32).

Cambodia was awash with weapons and soldiers, following the withdrawal of Vietnamese troops there was still an estimated 500,000 troops from the various factions throughout the country. The UN mission, UNTAC, was responsible for overseeing these factions' cantonment, disarmament and demobilisation; similar to what was being done in El Salvador but on a much greater scale. UNTAC was organised into 7 components one of which was for the military and another for the civilian police, this was supported by almost 16,000 peacekeeping troops and 3,400 civilian police. Although this can appear a large force it was only two peacekeepers for every 1000 soldiers and these peacekeepers were expected to oversee the DDR process, confiscate weapons and provide security for the national election and yet were constrained by narrow rules of engagement. This resulted in the military section of the mission being undermined by its restrictive mandate which stated that it could only use lethal force if under direct attack from any of the factions.<sup>8</sup>

The deployment of civilian police was in contrast to El Salvador but ran into considerable difficulties in Cambodia. Although the police were armed they had no right of arrest, nor could they compel local police forces to be obedient not lead by example; this meant that their objectives were not matched by their mandate (Dobbins, 2005:79). Many of the police officers were themselves poorly trained and unqualified to act as police in a post-conflict environment; this has been an ongoing problem for civilian police deployed in UN missions.

The Secretary General, Boutros Boutros-Ghali, acknowledged the weakness of UNTAC's mandate when he noted that UNTAC could only solve problems 'through dialogue, persuasion, negotiation and diplomacy' (Berdal&Leifer, 2005:43). This would prove difficult for any peacekeeping mission but even more so when the warring factions continue to fight and the mission only has a short term mandate, lasting just 18 months.

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<sup>8</sup> In fact the Khmer Rouge increased their control of territory from 5% of the country to 20% during UNTAC's period of operation because they effectively withdrew from the peace process and refused to comply with UNTAC's demands for them to disarm and demobilise (Richardson & Sainsbury, 2005: 287).

UNTAC's entire DDR process was ineffective; all sides still had sizeable military capabilities after UNTAC left and the UN also failed to effect any change to how the security sector was configured or governed. A free and fair election did take place in a surprisingly non-violent environment, the ruling party was able to gain international legitimacy and then reorganised its military into a national army and launched an attack on the now sidelined Khmer Rouge, successfully rendering them a spent force. It is generally argued that the UN's peacekeeping mission in Cambodia demonstrated that the UN was ill-equipped to initiate and sustain a long-term peacebuilding mission because of weaknesses in command, communication and logistics (Berdal&Leifer, 2005:43). For the UN's engagement in SSR, UNTAC demonstrated the difficulty of effecting change without a strong and clear mandate to back up the resources being invested into the mission as well as the risk of being sidelined by the government and other national actors.

### **ENTERING THE NEW MILLENNIUM: AN EXPANSION OF PEACEKEEPING**

Throughout the 1990's a greater willingness to use Chapter VII of the UN Charter to intervene on humanitarian grounds meant that there was a proliferation in the number of UN peacekeeping missions being deployed (Thomashaussen, 2002:112). Each mission had increasingly stronger mandates which meant that the UN was taking greater responsibilities in a wide range of areas, including the security sector. This went alongside an increase in research into peacebuilding and a greater understanding of what was required in the missions. In 1999 the UN engaged in three key missions that were significantly different from previous mission and in which SSR was necessary but not yet recognised, these are the missions to Kosovo, Sierra Leone and Timor-Leste. This section will give an overview of Sierra Leone and Kosovo before going into greater detail of the Timor-Leste context in the following chapter.

#### **Sierra Leone**

A complex combination of poor governance, inequitable distribution of resources, exclusion, poverty and ethnicity lead to a bloody and destructive civil war from 1991 until the Lome peace agreement was signed in 1999. In support of this peace agreement the Security Council created UNAMSIL and tasked it with overseeing the process of DDR in Sierra Leone as well as monitoring the ceasefire, ensuring the safe delivery of humanitarian aid and safeguarding future elections. The security sector had become progressively politicised, demoralised and poorly equipped ever since independence and it played a significant role in

weakening an already fragile state and exacerbating the conflict, it was evident to all that restructuring the security sector was vital to establishing a sustainable peace (Horn & Olonisakin, 2006:110).<sup>9</sup>

UNAMSIL quickly ran into trouble and within a year the mission was on the brink of collapse. Within the leadership there was bitter infighting which led the commander of the 15,000 peacekeeping troops to resign, taking with him the large contingent of Indian peacekeepers. The peacekeeping troops and civilian police officers were often poorly trained and ill-equipped; an issue which was becoming all too common in UN peacekeeping missions (Dobbins, 2005:147). The mission had failed to create a safe environment and had misjudged the rebels by relying on them to keep to the peace agreement; since they had reneged on two previous UN brokered peace agreements it was naïve at best and negligent at worst to base a large mission on the assumption that the rebels would keep to their word. The UN mission was saved only by the direct military intervention of the United Kingdom; this rescued the 500 UN hostages and repelled a rebel attack on the capital. This put the rebels on the back foot prompting another peace agreement which started with large scale demobilisation therefore creating a strong foundation to continue the transition to peace.

The British military involvement coincided with the UK's formation of an SSR policy and capability utilising expertise from key ministries and prompted a long period of British engagement with the security sector in its former colony. The SSR programme in Sierra Leone is often viewed as an example of successful SSR and it can therefore offer some important lessons of the UN's own engagement in SSR.

The first key to the relative success in Sierra Leone was that the government gave its full commitment to the SSR process and the assistance being offered by the UK. An initial assessment was made so as to establish what the basic security needs of the state and its citizens were. The government recognised that they needed strong security institutions in order to prevent a relapse into conflict; to achieve this, the security sector would have to be radically restructured to be inclusive, accountable and effective. Several relatively basic changes were made in order to improve the moral of the military such as constructing new housing and barracks and raising salaries, this was done with the aim of reducing corruption and increasing professionalism through a sense of loyalty and duty to both the institution of the military and the state (Gbla, 2007:71).

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<sup>9</sup> In fact the state military had become so ineffective that the government created unregulated militias to fight the rebels, these militias were guilty of shocking war crimes and further complicated the transition to peace.

DFID alone spent £21 million between 2000 and 2002 on SSR initiatives that sought to improve training, management structures and legal mechanisms. At the same time experts from the British Ministry of Defence and the Foreign Office and Home Office were deploying their own experts to work on these initiatives. They did not operate independently but within a wider and well understood SSR framework which had the support of the government- this is a crucial lesson for the UN. British involvement ran so deep that many British nationals were appointed to leadership positions within the police force in order to lead by example, this did cause considerable unrest in some sections of the government but it was designed so that Sierra Leone nationals would take over once they were ready, with the Inspector General finally being replaced in 2003 (Gbla, 2007:76).<sup>10</sup> The police were re-established from scratch with new structures of command, regulations, communication systems, transport and equipment and new skills training. In the restructuring of the police UNPOL did play an active role as mentors and trainers but the decision-making and leadership for this process was concentrated in the Commonwealth Safety and Security Projects which was funded by DFID, in consultation with government.

The relationship between the field and any HQ can be vital in maintaining a coherent strategy, for SSR or any other mission objective, and the UN is often criticised for being unable to provide adequate support to the field. The British government, particularly DFID, pushed forward and made considerable progress in developing SSR policies and frameworks during the operations in Sierra Leone, yet field officers reported that much of this did not make it to the field and that communication was often 'sporadic' (Horn&Olonisakin, 2006:118). Rather than a hindrance to the mission, it is suggested that this allowed the experts in the field to use their experience and knowledge in a flexible manner and that good informal methods of communication and coordination between the field officers allowed a coherent strategy to be maintained. This is, however, reliant on the calibre and experience of individuals and on there being good working and social relationships between them. Nonetheless the freedom provided by a lack of bureaucracy may be of important consideration for UN SSR programmes.

The British military intervention also prompted an overhaul of the UN mission, this combined with a less fragile environment to quickly transform UNAMSIL into an efficient and effective peacekeeping mission. Although the first phase of the mission demonstrates the

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<sup>10</sup> This was particularly useful for the police force who suffered similar problems to the military but also additional psychological effects of events in early 1999 when a rebel attack on Freetown targeted the police force leaving some 600 officers and their family members dead and the rest of the force severely traumatised (Horn & Olonisakin, 2006: 115).

pitfalls that lie ahead of any peacekeeping mission, the second phase undoubtedly shows what can be achieved when they are overcome. UNAMSIL went on to successfully oversee the DDR process as well as playing a role in training and offering advice to the new security sector that emerged after 2000 (Dobbins, 2005:147).

It is still too early to fully assess the success of the SSR process in Sierra Leone and there are still critical issues which may flare into crises in the future. There is still concern with civilian oversight mechanism since they are ultimately open to the corruption of a leading politician which can then filter down through the ministries, there is also concern that the UK took too much control over the process and that it lacks local ownership and finally, the costs involved mean that without continued bilateral donor support the process may not be sustainable (Horn&Olonisakin, 2006:120). Nonetheless, the SSR process in Sierra Leone demonstrated that direct and intrusive intervention can be necessary but will only work if the full support of the government is given. In many respects Sierra Leone, and the UN, were lucky that there was a bilateral partner with the expertise, capacity and willingness to support a thorough SSR process. This will not always be the case in UN missions and so the UN should learn from these examples with a view to replicating their best practices.

### **Kosovo**

At the same time as the intervention in Sierra Leone the UN launched an ambitious mission in Kosovo following the NATO led bombing campaign against Serbia. Kosovo represented a massive challenge for the UN because there was no clear end point; independence was not the envisaged goal, it was instead hoped that the NATO campaign would bring down Milosevic and restore autonomy to Kosovo within the Serbian state.

UNMIK was equipped with a strong mandate for administration, supported by a large NATO lead force but the lack of a clear end goal made long-term planning for a future administration and a security sector difficult (Economides, 2007:240). SSR issues were not at the forefront of the initial stages of the mission though DDR was, instead small ad hoc projects concerning the security sector were pursued (Heinenmann-Gruder & Brebenschikov, 2007:32). It is speculated that if a holistic and long term SSR process had been implemented from the outset then it could have been successful in creating a security sector with significant local ownership (Mello, 2006:1). Instead it was only following a recommendation by DFID for a security sector review that SSR issues had a place in UNMIK.

UNMIK was created as an integrated mission, meaning that all UN agencies and entities had an assigned role which worked towards a common goal or objective. By mid 2000 UNMIK ceased to function as truly integrated mission, this is demonstrated by how UNDP began undertaking specific activities funded by donors rather than as part of the overall mission (Hangii&Scherrer, 2007:178). After 2003 SSR activities began to occur but these had mixed results and were often outsourced from the peacekeeping mission and lacked a cohesive strategy. Hangii and Scherrer makes several key criticisms of UNMIK and SSR in Kosovo, first of which is the lack of expert SSR staff; this could be seen in every aspect of SSR activities undertaken, for example, UNPOL believed its responsibility was to build the institutional capacity of the Kosovar police force but in terms of SSR, capacity building is not an objective in itself but part of a wider programme of reforms (2007,184). Very little thought was given to governance issues and how the capacity was used or how effective it was.

UNDP took on the responsibility for the Internal Security Sector Review and raised the required funds from donors but it was a UNDP project and not part of a wider SSR policy from UNMIK. The ISSR was designed to analyse the security needs of Kosovo, it consisted of 8 components including a threat analysis, institutional analysis and a gap analysis.<sup>11</sup> It also included a public outreach programme in which town hall meetings were held in order to establish what the public viewed as their security needs as well as their perceptions of the current security apparatus. Despite this, the final report has been criticised for a lack of national ownership and that it risks being imposed on Kosovar authorities (Hangii&Scherrer, 2007:195).

This impression was also supported by a former team member of the ISSR who noted that the reason that at least 60% of the ISSR's findings were implemented was only because they were supported by NATO and the EU who were the ultimate decision makers in Kosovo at that time (personal communication, 30/04/09). This factor is unlikely to exist in future peacekeeping missions and so the UN must make greater efforts to work with governments in security sector reviews if they are to create sustainable reforms.

The UN mission in Kosovo produced mixed results, it successfully established a security and justice environment as well as the future parameters for its development, its failure was in actually developing them (Hangii&Scherrer, 2007:204). Kosovo therefore provides a lesson

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<sup>11</sup> The structure of the review was designed by the UK SSDAT team, this provides a good example of the benefit of contracting out some elements of a UN SSR process because SSDAT has considerable experience and a wide range of expertise which the UN could not match.

in the importance of national ownership, the need for a variety of SSR experts, the need for strategic planning for SSR from the outset of a mission and the need to have an integrated approach to SSR on the ground.

### **IN SEARCH OF A COMPREHENSIVE APPROACH**

As has been demonstrated, the UN has played a progressively larger role in security sector issues in post conflict environments through their peacekeeping missions, yet it was not until October 2004 that the term ‘security sector reform’ was actually used in a mission mandate (Security Council Resolution 1565). Considering that SSR was becoming a prominent development theory from the late 1990’s, with large organisations such as DFID and the OECD creating SSR policies, the UN lagged behind, especially given its unique position and role in post conflict states.

The United Nations has started to take actions to tackle the various problems it itself is all too aware of, this has largely come about due to pressure from Member States, and particularly the Security Council. In February 2007 the Security Council issued a Presidential Statement in which it recognised that SSR in post conflict environments is “critical to the consolidation of peace and stability, promoting poverty reduction, rule of law and good governance” and went on to make a clear link between accountable, accessible and impartial security sectors and sustainable peace and development as well as conflict prevention (S/PRST/2007/3). While accepting the importance of SSR and acknowledging the key pillars of SSR the statement also made clear that the Security Council required greater clarity in both definition of SSR and mechanisms for its implementation. For this reason the Security Council requested a report by the Secretary General outlining UN approaches to SSR and ways of implementing it in post conflict environments, it specifically requested “concrete recommendations on the identification, prioritisation and sequencing” of the SSR process.<sup>12</sup>

The subsequent report was published in January 2008 and reaffirmed the importance of SSR in creating a sustainable peace. The report states that a holistic and coherent UN approach is ‘vital’ for creating a framework for reform that is consistent with the UN Charter and human rights standards (Secretary General, 2007:2). The report identifies that the UN has an important role to play in an SSR process because of its unique position and that it is possible

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<sup>12</sup> The General Assembly later passed a similar resolution (61/291) also requesting a comprehensive report on the UN and SSR as part of a wider reassessment of UN peacekeeping operations.

for the UN to be involved because SSR goes beyond traditional approaches to security as discussed in the previous chapter.

There is a clear emphasis in the report on the importance of the UN supporting government and other actors in the SSR process rather than having a UN led approach. In doing so it acknowledges that there are many different systems of governance, legal frameworks and capacities in security sectors and therefore no single model for a security sector. Nonetheless there are common themes for reforming the security sector, such as human rights norms, democratic governance and oversight as well as transparency; it is with these themes that the UN can offer assistance through training, resources and advice to nationally lead SSR processes.

The report suggest that the UN is moving in the right direction on SSR issues but it failed to give an real definition or the concrete proposals that the Security Council was wanting as a way of guidance. It does not clearly define who or what the security sector is although it does link it into an overall framework of the rule of law which suggests that the UN perhaps views governance issues as a key area for it to act in even though missions to date have given little attention to the specific governance issues of the security sector. It also avoids designating a lead agency for SSR in post-conflict environments.

Instead it identifies a list of priorities for the UN in moving towards a comprehensive SSR approach. These include strengthening capacities in the field and at HQ, assessing gaps in resources and perhaps most importantly, the establishment of an inter-agency unit to deliver on the other seven priorities. The report passed on responsibility for creating an SSR definition and framework to this unit, this is understandable since it requires a pooling of SSR experts but represents another delay in the slow movement towards a comprehensive approach, every delay results in more problems in the field.

### **ANALYTICAL FRAMEWORK**

The Democratic Control of Armed Forces (DCAF) also undertook an extensive study of the development of a UN approach to SSR, using peacekeeping missions in Haiti, Burundi, Kosovo and the DRC. This study established 15 key requirements for the UN to consider in implementing SSR, eight of these are discussed below and will form the framework for the analysis of UNMIT in chapter four. A full list of these recommendations can be found in Appendix 2, numbers one and two have been omitted because they do not correspond directly with an individual case study such as UNMIT. Points 6, 7, 14 and 15 are also not discussed

due to a lack of data to authoritatively assess whether these recommendations are being implemented by UNMIT.

- 1) **Prioritise local ownership in SSR:** this is perhaps the most important point for international actors assisting in SSR yet in a post conflict environment it is also the most problematic. The environments in which the UN is most likely to engage in SSR activities are those with weak or absent governments in which existing capacity is low or it is difficult to establish who are the legitimate leaders. Yet it is vital that any UN engagement with SSR does involve national stakeholders and established local ownership over both the process and the outcomes. For this reason DCAF make clear the importance of public awareness campaigns and comprehensive needs assessments that is done with the involvement of national actors.
- 2) **Issue coherent and consistent mandates for SSR:** an analysis of Security Council Resolutions dealing with SSR reveals an inconsistency in what these activities are and how they are implemented. SSR is often put under different titles such as DDR or rule of law, revealing a lack of understanding on what SSR is which then filters down to implementation in the field. The Security Council is a political institution which lacks one clear leader which means that decisions are made by consensus, although resolutions can pass by a majority (in the absence of a veto from permanent members) it rarely does so. This is due to the nature of international politics in which consensus is preferable, this is perfectly understandable but it does impact on the clarity of peacekeeping mandates. The so called Brahimi Report, a report by the Panel on UN Peace Operations, highlighted this issue and warned of the serious consequences an unclear mandate can have on the mission in the field (2000:10).  
For this reason DCAF recommends mandates which apply a holistic notion of SSR but also tailors the mandate to specific contexts and defines the scope and priority of SSR within missions.
- 3) **Adopt integrated SSR support strategy on the ground:** SSR strategies in the field have often evolved in an ad hoc manner which has lead to deficiencies in the delivery of SSR assistance. An example is when UN entities work on the same thing, or something of similar theme, without integrating their distinct but related programmes; this is not just an inefficient use of resources but can result in those programmes failing or being unsustainable. For these reasons DCAF recommend that all peacekeeping missions develop a strategy that reflects the holistic and long-term nature of SSR. This involves assigning specific roles for all UN actors and guides the

planning and implementation of programmes, these should all take a long-term view beyond the end of the peacekeeping mission.

- 4) **Strengthen SSR support capacity in field missions:** some missions have lacked an SSR capacity or have one that is understaffed; this in turn inhibits the implementation of SSR mandates. As was discussed in the first chapter, SSR involves a wide array of activities and actors; this means that there are always components of missions involved in SSR activities but have no mission support or managerial oversight for them. DCAF therefore, recommend that the UN has a SSR support unit which can offer this advice and oversight to mission activities involving SSR and that it should be located within the SRSG's office to give it political and bureaucratic leverage. This unit would then serve as a hub and ensure coherence and provide coordination.
- 5) **Provide sufficient SSR experts with adequate skills sets:** because SSR is a relatively new concept, there is a lack of experts worldwide, this is compounded by the need to encourage local ownership and because it is a sensitive subject meaning that staff would ideally have good previous understanding of the society and polity within which they are working. While this is a problem for all actors in SSR, they UN does not help by failing to offer appropriate training, though this is not surprising since the UN lacks coherence and definition on the issue.
- 6) **Increase financial resources for SSR support programmes:** DPKO cannot fund tasks that are out with the assessed budget which creates difficulty in implementing SSR projects. UNDP often becomes involved because of their ability to raise and mobilise funding; though there can still be some difficulty due to some donors scepticism of SSR funding. This can all lead to significant delays which risk undermining both credibility and the momentum that is necessary in SSR. DCAF makes clear that there is a serious need to review funding mechanisms in order to create extra provisions for SSR.
- 7) **Promote an in country 'one UN' approach to SSR:** due to the large numbers of UN entities present in an integrated mission as well as the amount of bureaucracy, there can be a lack of coherence within missions as to their approach to SSR. There are perceptions that DPKO is only interested in the short-term vision compared to UNDP's longer term development vision. Peacekeeping missions can often be intrusive upon the existing UN presence in a country and can neglect the considerable political awareness and understanding of the context by UN staff already there. This is why

DCAF feels it is important to have a 'one UN' approach in which there is joint planning, programming, staffing policies and budgeting.

- 8) **Strengthen engagement with national SSR stakeholders:** the success of this will be context specific because it depends on the strength of the government and non-government actors. If there is a lack of information reaching civil society then negative perceptions can form about the UN and there can be a lack of understanding of its mandate and activities it is engaged in. To realise this goal, a coordination mechanism for all stakeholders, national and international, should be created from the very beginning.
- 9) **Facilitate coordination among international donors:** there are often many international donors in post conflict environments each willing support a range of activities and programmes. Unless there is some coordination between them the government and other national stakeholders are likely to play them off each other. Due to the UN's legitimacy and mandate on the ground it is often best placed to provide coordination for donors, this can involve mapping SSR activities, identifying gaps or signing memorandums of understanding.

It is evident that the UN has a legitimate and functional role in assisting an SSR process in a post conflict environment but that there are a large number of factors to be considered in doing so. The case studies suggest that a lack of clear SSR mandates, planning and capacity for SSR has previously prevented the UN realised its potential in SSR; these themes are also highlighted by the DCAF study which forms the analytical framework for this paper. As the discussion in chapter 1 highlighted, local context is crucial to any SSR project and so before analysing the UN mission in Timor-Leste it is first necessary to provide a comprehensive exploration of the Timor-Leste context.

## **CHAPTER 3: THE CONTEXT OF TIMOR-LESTE**

*“An incestuous snake-pit of intrigue and dirty dealings wrapped in hope, aspiration and ideology with a romantic dash of colonial decay and a smelly dose of international power politics.”*

(Nicol, 2002:3)

This quote was written to describe the complex and little understood events in Timor in the mid 1970's, as will be seen in this chapter, the legacies of the events of that time continue to impact on the modern day independent Timor-Leste, particularly the security sector. This chapter aims to provide context to the case study, an understanding of the context is crucial for successful SSR therefore for an examination of the reform process in Timor-Leste. Following a brief exploration of the nation's history, an analysis of the 2006 crisis will demonstrate how critical SSR is for Timor-Leste, this leads into an analysis of the current SSR process which draws on both primary and secondary data.

Present day Timor-Leste is a geographically small state consisting of the Eastern half of the island of Timor as well as two smaller islands and an enclave in west Timor. It has a population of just over 1.3 million, with an average age of 21.8 years and a literacy rate of just 58.6% (CIA World Fact Book, 2009). Despite large amounts of international aid being poured into the small nation, it remains the poorest country in the region and one of the poorest in the world. There are clear challenges ahead for Timor-Leste, but it does have considerable natural resources as well as the potential for other industries, such as tourism. For Timor-Leste's potential to be realised it requires a long period of stability which, as will be evident in this chapter, has to date always alluded this small nation.

Modern day Timor-Leste was colonized by the Portuguese for around 400 years, with a brief but brutal Japanese occupation during the Second World War. The Portuguese made little effort to develop the infrastructure or living standards of the population, in fact they actually had little control beyond the main towns of Dili and Baucau until the late 19<sup>th</sup> century.<sup>13</sup> Security and justice were left untouched by the Portuguese, traditional community justice continued as it always had throughout the Portuguese occupation and there was only a minimal military presence in Timor-Leste.<sup>14</sup> The Portuguese military did recruit Timorese

<sup>13</sup> It was only in the 1960's that Portugal began any development, with Dili finally receiving an electricity supply in 1962 but these developments rarely reached outside of the capital and main towns.

<sup>14</sup> This was exposed by the 1912 rebellion which required two battalions of Portuguese troops to be deployed from Africa to quell.

soldiers into the colonial army and it was many of these men who went on to play a crucial role in the subsequent civil war and the military resistance to Indonesian occupation.

The Carnation Revolution in Portugal in 1974 prompted decolonization, but unlike many of Portugal's other colonies, such as Mozambique or Angola, Timor-Leste did not have a strong history of anti-colonial sentiment. Various political parties emerged, with Fretilin being the strongest and advocating immediate independence. Tensions boiled over into a short civil war in which Fretilin came out as the clear winner and it moved quickly to declare independence on the 28<sup>th</sup> of November 1975. Independence was to be short lived as the dark clouds of Cold War *realpolitik* gathered around the world's newest nation.

Having previously shown little interest in Portuguese Timor, in 1975 Indonesia launched Operation Komodo; a covert operation designed to establish the conditions to justify incorporation of Timor-Leste into Indonesia. Internationally, very little was known about Timor-Leste other than it was a small Portuguese colony, this lack of knowledge created uncertainty as to what form of government would emerge in a region made up of western allies. With tacit approval from the US and Australia, Indonesia invaded Timor-Leste just nine days after Fretilin's declaration of independence.

The only state to officially recognise Timor-Leste as the 27<sup>th</sup> province of Indonesia was Australia, all other powers remained quiet on the issue but it was continuously raised in the United Nations by resolutions by both the General Assembly and the Security Council. A resolution was passed by the General Assembly just four days after the invasion that recognised Timor-Leste's right to self determination and condemned Indonesian military actions, this became an annual resolution but support was slowly eroded and the wording significantly weakened (South East Asia Publications at Cornell University, 1986:133). In Timor-Leste, the military wing of Fretilin, Falintil, fought against the Indonesian occupation and benefitted from widespread support from the general population.

It is estimated that the number killed in the first two years of the occupation ranged from between 50,000 and 100,000 with countless more dying in the subsequent years.<sup>15</sup> Through the 1990's international pressure began to build as more details of massacres emerged and the end of the Cold War meant that western powers could no longer justify the suppression of the right to self determination. Despite this, it took the overthrow of the Indonesian dictator,

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<sup>15</sup> Unlike the Portuguese, Indonesia invested in improving the infrastructure, health and education systems in an attempt to pacify the population; despite this Timor-Leste remained the poorest part of the Indonesian state throughout the occupation. This attempt to win hearts and minds failed because it ran alongside a brutal military occupation in which the population was terrorised and oppressed

Suharto, to create the political gap necessary to address the Timor-Leste issue. Following international pressure the Indonesian government agreed to hold a referendum in which the rejection of autonomy would be followed by independence. This agreement had one crucial condition, the Indonesian security forces would be responsible for security before and after the referendum, this was to have disastrous consequences.

The United Nations Mission in Timor-Leste (UNAMET) was established as a short five month mission consisting of 1000 staff to oversee the referendum. UNAMET was a notable success; it brought in experienced staff quickly and benefitted from a clear mandate which was clearly achieved when 98.6% of eligible voters cast their ballots on the 30<sup>th</sup> of August (Smith, 2003:18). In the popular consultation 78.5% of voters rejected the proposition that Timor-Leste be an autonomous part of Indonesia, thus signalling a clear desire for independence. In the following weeks pro integration militias, armed and supported by the Indonesian military, set about raping and murdering the population as well as pillaging and burning down entire villages and towns.

The ensuing violence displaced 70% of the population, over a thousand people were killed and around 200,000 people forcibly moved across the border to West Timor. The Indonesian military were unwilling to put an end to the violence and they themselves were playing an active role in taking everything out of Timor-Leste as part of a scorched earth policy. It quickly became clear that a peacekeeping force would have to be sent but it took several weeks to receive Indonesian approval for a multinational military force to be deployed in what Indonesia still considered its own territory.

The International Force for Timor-Leste (INTERFET) was mandate by Security Council Resolution 1264 and entered Timor-Leste on September 20<sup>th</sup>; it was an Australian lead force and at its height consisted of 11,000 troops. Under the leadership of Peter Cosgrove, INTERFET succeeded in working with the Indonesian military until they withdrew without incident as well as establishing a secure environment and maintaining the rule of law until the new UN mission arrived.

The United Nations Transitional Administration in Timor-Leste (UNTAET) was given a strong mandate to oversee Timor-Leste's transition to a functioning independent state. The Security Council gave it unprecedented powers to be the executive and legislative power and

to shape the new polity, as Simon Chesterman notes, this was “the most expansive assertion of sovereignty by the UN in its history” (2007:214).<sup>16</sup>

UNTAET also benefitted from several conditions which the UN rarely enjoyed elsewhere; the domestic political environment was relatively benign as all actors shared common desire for a democratic system and valued human rights meaning there was a distinct lack of political polarisation (Tansey, 2009:62). Peacekeeping missions commonly involve disarming and separating warring parties, this was a relatively straightforward task because the Indonesian military and the militias had left Timor-Leste, although the threat of militia’s crossing the border and conducting raids did remain. Also, the warring parties were mostly lightly armed and there was no proliferation of small arms amongst the general population because the Indonesian authorities did not allow it to happen (Smith, 2003:49). This meant that INTERFET was able to establish a relatively secure environment for when UNTAET arrived which was of considerable benefit in fulfilling the mandate. Nevertheless, Timor-Leste was without any functioning state apparatus and a Timorese state had never existed meaning that there was lack of qualified personnel to staff the new bureaucracy, this meant that UNTAET was effectively the “de jure government in a broken country” (Smith, 2003:59).

In terms of the security sector, UNTAET faced the dilemma of what to do with the Falintil soldiers who were in cantonment and living in extremely poor conditions. The restraint they displayed during the post referendum violence was a testament to their discipline and strong leadership and demonstrated that they were willing and capable of working with international forces (Smith, 2003:49).<sup>17</sup> Prior to the independence vote the Timor-Leste political elite had suggested that an independent Timor-Leste would not require its own standing army but rather an armed battalion within the police force to deal with internal security incidents. In reality the continued threat of the militias and the experiences of Indonesian occupation

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<sup>16</sup> There was initially an internal turf war between the Department of Political Affairs, which had the greatest experience in Timor-Leste having overseen the election through UNAMET, and the Department of Peacekeeping Operations (DPKO) which believed it should have overall control of UNTAET because it was in essence a peacekeeping mission. The struggle was eventually won by the DPKO because there was a large peacekeeping force and the DPKO had greater experience running missions, but this struggle is symptomatic of the constant competition for resources and influence that takes place throughout the UN and risks impeding the quick implementation of mandates.

<sup>17</sup> Under the orders of the still imprisoned commander Xanana Gusmao and the commander on the ground, Taur Matan Ruak, the soldiers remained in those cantonments during the violence following the referendum. The Falintil leadership were very aware that Indonesia was using the militias and their bloody violence to entice the Falintil soldiers into engaging them and so giving the impression to the outside world of a civil war. Indonesia would then have used this as a pretext for their continued occupation of the territory by saying that without them there would be continuous civil violence.

combined with the widespread deserved respect for the Falintil troops to lead most people to feel that Timor-Leste did require a permanent standing army. In fact the Special Representative of the Secretary General in UNAMET, Ian Martin, had advised before the end of his mission that total demobilisation would not be possible (Smith, 2003:81). The UN had experience in disarming and demobilising armies but not in creating them, the very concept made many people within the UN and the international development field uncomfortable. In late 1999 and early 2000 there were increasing incidents between the cantoned troops and the multinational forces which served to highlight the need to settle the future status of the military in Timor-Leste.

Following a commissioned report on Timor-Leste's security needs by King's College London, the decision was taken to create a defence force consisting of two battalions. In late 2000 UNTAET agreed with the Timor-Leste de facto leader, Xanana Gusmao, that Falintil would be responsible for recruiting the new defence force thereby excluding Fretilin from the process and meaning that the new defence force consisted of all former Falintil soldiers who were loyal to Xanana. This links to the actions of Gusmao in the mid 1980's when, as commander of Falintil, he removed the military from the political party of Fretilin in order to create a resistance army that all supporters of independence could support regardless of their feelings towards Fretilin. It was a crucial step in winning popular support but it upset a large number of Fretilin loyalists, many of whom still hold a grudge towards Gusmao to this day. Gusmao's actions succeeded in reinvigorating the resistance movement facilitated the creation of the 'clandestinas' which played a vital role in supporting the Falintil fighters. The flip side of the break with Fretilin was a deep rupture in the nationalist movement the reverberations of which still impact on Timorese politics and played a role in the 2006 crisis (Rees, 2004:42). An important consequence of this, especially for SSR, was that upon independence there was the potential for resistance fighters to be loyal to the independent state of Timor-Leste rather than a political party, as is common in post conflict states (Pinto, 2007:26).

A Council for National Security (CNS) was established, it included the SRSG, the Falintil commander and other national stakeholders, and it was tasked with creating a security framework. It also served as a mechanism for reporting and responding to security incidents; Michael Smith, who was the deputy force commander in UNTAET, highlighted the CNS as a sustainable way of demonstrating the subordination of the military to civilian authority long before independence. (2003:77). A total of 650 Falintil soldiers became the first soldiers in

the new defence force while the rest of the resistance fighters were demobilised and reintegrated in to civilian society by the IOM with funding from the World Bank. The soldiers making up the new military were handpicked by the leadership ensuring that only those loyal to Xanana Gusmao were picked, this left a large number of disaffected soldiers, most of whom found a home in Fretilin. The legacy of how the F-FDTL was created had a detrimental effect on it and “lies at the heart of its issues of legitimacy and lack of civilian oversight” (Rees, 2004:47).

UNTAET’s mandate prioritised the creation of a Timor-Leste police force and though it was slow to begin by September 2001 over 1000 recruits had graduated from the training centre. These graduates then went on to shadow CIVPOL officers, due to their language skills and cultural understandings; they helped improve the image and reputation of CIVPOL amongst the local population (Smith, 2003:80).<sup>18</sup> The recruiting process did draw considerable criticism from various sections of the Timorese political elite and general population; there was a strong perception that the new police’s leadership was made up of Timor-Leste who worked for the Indonesian police force during the occupation. There was truth behind these accusations, due to a lack of experienced candidates the decision was made to actively recruit people who had worked within the Indonesian police because they had some experience of policing. In addition to this many of the Falintil fighters who had not been chosen to be part of the new defence force joined the police force, bearing considerable resentment to the newly created military. This, together with the perceived lack of legitimacy in how the police force was created was to have serious implications for the new state. When Timor-Leste became an independent nation on May 20<sup>th</sup> 2002, it had a security sector that lacked clarity of purpose and was becoming increasingly polarised along political lines.

With the transition to independence complete, UNTAET became UNMISSET, a radically smaller mission that continued to downsize during its 3 year existence. Timor-Leste faced massive challenges upon gaining independence, as one Timor-Leste NGO official noted, many of these problems were a direct legacy of both Portuguese and Indonesian occupation that had “engendered a culture of dependency, corruption, non-cooperation and resistance”, the same official also notes that UNTAET had failed to address many of these problems due “systemic, cultural and human inefficiencies in the UN administration” (Rees, 2002:179).

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<sup>18</sup> UNPOL had suffered the same problems that had become common in all of its deployments; lack of suitably trained and professional police officers.

Between 2002 and 2006 there were mixed results in the use of the security sector to quell internal unrest. An outbreak of violence in late 2002 resulted in the burning down of the Prime Ministers house and an attack on several villages by men with automatic weapons, in response the UN gave its approval for the F-FDTL<sup>19</sup> to take temporary responsibility for security in those particular areas. The events of late 2002 were a success for several government officials seeking to politicise the PNTL and use it as their power base because it opened the door to the recruitment of the former Falintil soldiers who had been excluded from the F-FDTL. These men were therefore loyal to Fretilin and Minister Lobato not the Timorese state, this marked the beginning of the politicisation of the PNTL (Rees, 2004:54).

Another consequence was that the government asked for UN assistance in establishing paramilitary police units to be called the Police Reserve Unit (URP) and the Border Police (UPF). Their purpose was to deal with counter insurgency and militias crossing the border, the UN gave its approval despite considerable domestic opposition. As soon as the UN executive mandate ended elements within the government began to arm these paramilitary units with automatic weapons.

The outbreak of violence in 2006 shocked and surprised many in the international community but not those involved in Timor-Leste at the time. To observers on the ground in Timor-Leste, the problems in the security sector were becoming all too obvious and worrying, one observer noted in 2004 that Timor-Leste was “devoid of a sophisticated and publicly articulated defence policy” and that there was a ‘policy vacuum’ within the security sector (Rees, 2004:14&23). In early 2006 Timor-Leste security sector was the antithesis of everything SSR theory aims to achieve - an accountable, functional and democratic security sector.

As well as a lack of structure in the security sector there were also clear strains and tensions within the various state institutions prior to the crisis, some of which can be attributed to the legacy of UNTAET. The UN Secretary General Kofi Annan acknowledged this after the crisis by saying that “the sad events of recent weeks reflect the shortcomings not only on the part of the Timorese leadership but also on the part of the international community in inadequately sustaining Timor-Leste’s nation-building process” (Tansey, 2009:105). In order

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<sup>19</sup> the prefix of Falintil was added to the defence forces name to make it F-FDTL and to create a direct association between the new army and the one which had fought against Indonesian occupation for 24 years. This created more tension as many of those who had not be chosen to enter the new army did not feel that it had the right to assume Falintil’s mantle.

to understand the current UN mission in Timor-Leste and the priority given to reforming the security sector it is necessary to briefly discuss the events that occurred in 2006, this narrative of events is based upon the UN Inquiry into the violence.

On the 9<sup>th</sup> of January 2006 159 F-FDTL officers signed a petition claiming discrimination and mismanagement within the military, the petition was delivered to the president and the Chief of the F-FDTL two days later. A lack of response prompted the 'petitioners' to abandon their barracks and protest on the streets, with their numbers swelling to over 400. Eventually the president did respond by urging the petitioners to return to their barracks and a promise to create a commission to examine their allegations; this commission did take place but failed to resolve the issues. The petitioners issue highlighted the lack of capacity to deal with administration within the F-FDTL, some of the issues were basic such a leave, whilst others were more fundamental such as discrimination. The petitioners were granted leave but opted not to return, prompting the Chief of the F-FDTL to dismiss 594 soldiers on March 21<sup>st</sup>, the decision was supported by Prime Minister Alkitri but not by President Gusmao.

In late April large protests took place in Dili, they were mostly peaceful but sporadic violence began to appear throughout the city targeting 'eastern' market stallholders. The protesters were joined by many third parties who had other grievances, predominately the disillusioned youth. In the first confrontation of the crisis, the PNTL formed lines to prevent the protestors entering the government buildings. These lines quickly collapsed as many police officers fled the scene, a lack of appropriate equipment and poor communication lead to chaos, tear gas and shots were fired into the crowd. As the petitioners returned to their base outside of Dili they systematically attacked, looted and burned easterners houses. As a response the government decided to deploy the F-FDTL to assist the PNTL in restoring order late on April 28<sup>th</sup>, geographical areas of responsibility were drawn up. These orders were never put into writing and there was a discrepancy between the two forces in their interpretation of what they were tasked and permitted to do.

By May the situation was escalating as the PNTL began distributing weapons to civilians and at the same time its command structure disintegrated. As discussed previously, the PNTL had become factionalised along old loyalty lines prior to the crisis but they now came out into the open and played a crucial role in the total collapse of the police force. Throughout May there were repeated clashes between various factions throughout the crisis and the F-FDTL also began to arm civilians, mostly former Falintil soldiers and loyal PNTL officers. The most serious incident occurred on the 25<sup>th</sup> of May when F-FDTL soldiers fired upon PNTL

officers who were leaving their headquarters under the UN flag during an agreed ceasefire, 9 people were killed and 27 injured. Timor-Leste made a request for international assistance on the 25<sup>th</sup> of May and peacekeeping troops began to arrive two days later, this combined with the Prime Ministers resignation in late June eased tensions.

In total 38 people were killed, including 23 civilians, 12 PNTL officers and 3 F-FDTL soldiers, a further 69 were injured and over 150,000 people fled their homes into refugee camps and as the UN report highlights, the crisis “impeded men, women and children’s enjoyment of a number of their economic and social rights, including to food, education, employment and the highest attainable standard of health” (UN Report, 2006:52). The events of 2006 serve as an unfortunate example of the consequences of a poorly structured security sector in a developing country, thereby highlighting the importance of a security sector reform process in post conflict states.

The 2006 crisis has been characterised in a variety of ways, as an ethnic conflict between easterners and westerners, as a political conflict between those loyal to the Prime Minister and those to the President or as PNTL versus F-FDTL. There are elements of each of these in the conflict but what is clear is that there was a collapse in the rule of law and institutional structures, and at the heart of this was the security sector; the UN report on the violence makes this very clear:

*“Governance structures and existing chains of command broke or were bypassed. Roles and responsibilities became blurred. Solutions were sought outside the existing legal framework. Institutional weaknesses and divisions within and between institutions were brought to the fore”*

*(UN Report, 2006:52)*

The importance of reforming the institutional structures of the security sector was made clear by the Timor-Leste ambassador to the UN, who stated that the 2006 crisis was “an institutional crisis which has demonstrated that socio-economic problems are secondary to security challenges” (personal communication, 2/04/09).

Given the clear need to address institutional deficiencies, and in the case of the PNTL completely rebuild the force, it is unsurprising that the UN created the largest security sector support unit in a peacekeeping mission to date. On the 25<sup>th</sup> of August 2006 Security Council Resolution 1704 was passed, it established the UN Integrated Mission in Timor-Leste (UNMIT) which was mandated to provide support to the government in “consolidating stability, enhancing a culture of democratic governance, and facilitating political dialogue”

(4a). The UN was also to take control of public security through the deployment of UNPOL whilst also taking a lead role in rebuilding and retraining the PNTL. The resolution also created the Security Sector Support Unit in section 4f where it mandates UNMIT to assist the government in conducting a comprehensive review of the security sector (4e)

This concept of a security sector review was well intended but ill defined, UNMIT has faced numerous problems in fulfilling this section of the resolution and these will be discussed in the next chapter. The overall tone of the resolution was crucial, at all points the UN was to assist the government, UNMIT did not have anywhere near the powers of UNTAET; this was because the UN were there by invitation of a sovereign state and was not there under Chapter VII. This requires the mission to tread a fine line of effecting change without overstepping the mark and antagonising national actors; to do so runs the danger of simply being blocked out of the decision making process.

### **AN OVERVIEW OF CURRENT SSR IN TIMOR-LESTE**

The main focus of SSR in Timor-Leste has been on the F-FDTL and PNTL, with a majority of efforts being focused on training as well as some efforts at creating legislation to guide and oversee the institutions functions. There is a wide array of actors, particularly bilaterals, working on these SSR activities in Timor-Leste, all of these require government approval to occur. In police reforms the UN plays a lead role in training through UNPOL whilst bilaterals, particularly Australia, are providing additional training and advisors within the Ministry of Security who offer advice on legal reforms and structural changes.<sup>20</sup> There are a multitude of bilateral actors offering assistance to the military, this is in contrast to pre 2006 and is a direct result of the F-FDTL developing a clear plan and forward thinking strategy (Force 2020).<sup>21</sup>

For both institutions many of the reforms have been similar; improved living conditions, higher salaries, better defined roles and a clear mechanism for promotion through merit rather than politics or contacts; the Secretary of State for Security, Francisco Guterres, made the goals clear by saying that the government needed to “give them (police and military) a future,

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<sup>20</sup> In several interviews UNPOL was criticised for an inability to provide appropriate training. Several government representatives criticised the soft approach advocated by the SRSG because he felt the Timorese people had suffered enough violence, but the result was that UNPOL was unable to intervene in acts of violence. This resulted in a loss of credibility in the eyes of the citizenry, PNTL and the government; an all too common occurrence in UN missions involving the deployment of police.

<sup>21</sup> The contents of this document can at times seem over ambitious and many in the international community think it is unrealistic but all respect the fact that it was produced by the military and provides a clear plan and strategy for the future. Donors are therefore more willing to assist a military that has such a plan.

give them certainty and give them pride” (personal communication, 21/04/09). These reforms are notable because they are similar to those carried out in Sierra Leone, suggesting that there are common reforms for post conflict security sectors.

Given the events of 2006, de-politicisation of security institutions was vital, so the government appointed two academics as Secretary’s of State for Defence and Security and the Prime Minister made himself Minister of Defence and Security. There was also a structural change, the Ministry of Defence and the Ministry of Interior were merged into one so as to improve cooperation and coordination and prevent division. Both Secretary’s of State emphasised the need to create government oversight and do not appear to have political ambitions, this provides a good opportunity to create sustainable oversight mechanisms. Nonetheless, they are in political positions but due to their lack of experience in domestic politics they are politically weak which can impinge on their ability to bring about change (Funaki, 2009:3).<sup>22</sup>

A clear test of the government and the UN occurred on the 21<sup>st</sup> of February 2008 when rebel leader, Alfredo Reinado, entered the home of the President, who was severely wounded in an ensuing exchange of gunfire and Reinado was killed. Shortly after this the Prime Minister’s motorcade came under fire, giving the events the appearance of an attempted coup d’état. The government approached the UN, who were responsible for security at that time, and asked them for an appropriate response but the UN provided none (UN official, personal communication, 23/04/09).

The government decided to create a ‘Joint Command’ which was in principle to put the PNTL and F-FDTL together under the same command in order to respond to a declared ‘state of siege’. This would therefore take the PNTL out of the UN command structure, bypassing SCR 1704. In reality the PNTL were under F-FDTL command<sup>23</sup> meaning that the military was directly involved in internal security issues; this lasted several months as the end of which the rebels had surrendered and relative security had been restored in Timor-Leste. The initiative was undoubtedly successful; the rebels surrendered and many of the lingering issues from 2006 were resolved or began to be resolved (ICG, 2009:1).

The government response is now viewed as decisive and proportional, in a speech over a year later the SRSB stated that “the state reacted with maturity and vision.” Yet concerns have

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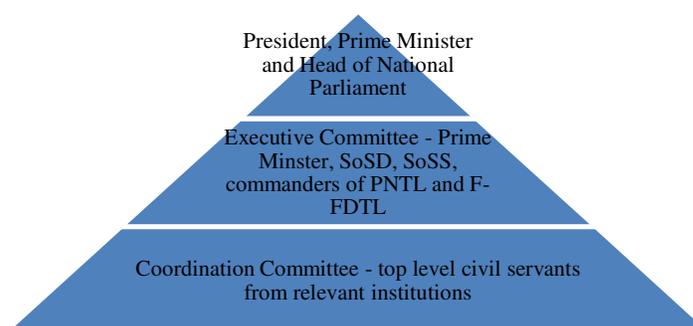
<sup>22</sup> An example of this has been the SoSD inability to prevent the growing business interests of veteran groups, (Edward Rees, personal communication 27/04/09).

<sup>23</sup> There were practical reasons for the F-FDTL taking a leading role; the PNTL still lacked strong leadership and were not yet ready to take responsibility for security from UNPOL.

been raised because of numerous human rights abuses that took place as well as an evident disdain for the rule of law and ill-discipline within the F-FDTL (ICG, 2009:5). The legacy of the Joint Command is therefore mixed; it did restore PNTL and F-FDTL confidence in themselves and the public's confidence in them but it also set a dangerous precedent for military involvement in domestic affairs and appears to bolstered the military's ambitions to be involved in domestic security.

The new government that was elected in 2007 has sought to pursue its own SSR initiatives, to oversee this it has established a tree tier committee mechanism (see figure 2) which has been seen by the international community as a sign of commitment and determination to control the SSR agenda (ICTJ, 2009:18). It includes opposition representatives in the aim of creating greater consensus on SSR issues and should also result in improved coordination in SSR. A special unit called the Group for the Reform and Development of the Security Sector has also been established to improve coordination and efficiency in SSR across government departments, it is notable for being completely staffed by Timorese nationals.

FIGURE 2



Despite the progress being made there are still many remaining challenges, such as human resources and sustainability of reforms, the SoSD suggested that preventing politicisation of the security sector remains a key challenge;

*“A big challenge is politicians, this is a developing country, sometimes politicians try to intervene to try to use the military or police to defend their power, and this is one of the main challenges we face.”*

(personal communication, 21/04/09)

As the government takes increasing control of the security sector and its reform the UN has become increasingly sidelined. An example of this is the drafting of the new National Security Law which the SSSU has been unable to offer constructive input because it has not

been given up-to-date copies; instead it has been working with a 6 month old draft. This suggests that the government is reluctant to involve the UN on matters as crucial as a national security law. This is in part due to the legacy of previous UN missions who some blame for leaving weak structures and that many of the problems that emerged in 2006 stemmed from poor decisions made by UNTAET.

All interview subjects broadly agreed that there had been positive developments within the security sector that have been instigated by the government, but some were sceptical of the long term sustainability of these reforms.<sup>24</sup> There is no doubt that SSR is occurring in Timor-Leste and that there have been many positive developments, but there has been an absence of a vocal neutral actor offering constructive criticism. The government is doing its best to improve control and effectiveness of the security sector but it is constrained by its own lack of resources and expertise. It is evident that the UN has a significant role to play in assisting the SSR process, yet it is failing to do so; the next session will analyse in greater detail both the successes and shortcomings of UNMIT by using the structure outlined in the second chapter.

Timor-Leste has a complicated history, the current ruling elite's attitudes to politics have been shaped by the last 35 years of struggle against occupation and many different factions exist which all impacts on the SSR process. Add to this various levels of ethnicity, tribal factions, linguistic divisions, and physical location during the Indonesian occupation and you discover an extremely complicated country in which to conduct a politically sensitive process such as SSR. Yet an SSR process is underway and it does have significant strengths, what is now needed is an analysis of the UN's role in this process.

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<sup>24</sup> In the case of the F-FDTL, many feel that although the initial plans for the training of a new intake of troops in 2009 are good, there is a lack of planning for anything beyond basic training and that the new soldiers may lack clearly defined roles thereby risking politicization and a repeat of the 2006 crisis (Bilateral defence representative, personal communication, 31/03/09). There are also problems with the PNTL and a general feeling that the UN has pushed on with training while ignoring structural deficiencies and institutional problems (Funaki, 2009: 5).

## **CHAPTER 4: ANALYSIS OF SSR AND THE UN IN TIMOR-LESTE**

This chapter will draw upon data gathered through observation and interviews and, where appropriate and possible, will triangulate it with secondary data. By analysing the various elements of the UN mission it will be possible to draw conclusions and assess what positive and negative lessons can be taken from the Timor-Leste example. The chapter begins with an overview of the role the UN has in the SSR process before going on to use the framework established in chapter 2 to analyse the UN mission.

### **THE UN AND SSR IN TIMOR-LESTE**

The UN has been present in Timor-Leste for almost 10 years in various peacekeeping and political missions; each of these missions leaves a legacy, positive and negative, meaning that the current mission must build upon these previous experiences.<sup>25</sup> An example of these negative perceptions is the attitude of the F-FDTL towards the UN who felt ignored by UNTAET; this has created an instinctive reluctance amongst the F-FDTL to work with the UN (bilateral defence representative, personal communication, 31/03/09). In an interview with David Ximenes, a prominent opposition MP, he also emphasised the lack of trust the military has in the international community, and particularly the UN, he notes that, among the military, “there are strong feelings that the international community ignored Timor-Leste’s struggle for 24 years then came here in 1999 and tried to ignore the people that had led the struggle” (personal communication, 6/04/09). These findings are also supported by Funaki’s recent findings in which he stated “UNMIT has had to deal with existing erosion in trust in the UN due to past reincarnations and past mistakes” (2009:8).

Another example of a these previous mistake impacting on current work by the UNMIT is UNMISSET’s approval for the creation of a paramilitary police unit which was not appropriate for Timor-Leste and became one of the protagonists in the ensuing crisis. The person in the UN leadership who gave approval to this is now the current UNMIT SRSG. This creates an

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<sup>25</sup> Previous experiences in a country can also be advantageous because many staff will have built up contacts within the ruling elite and have developed a strong understanding of the national and local contexts. UNMIT has a large number of people who either worked in previous UN missions in Timor-Leste or worked for other organisations in the country, these people now hold prominent positions within the mission which is a positive aspect of the mission. The flip side of this is that there can be people who have various contacts and use them for their own personal gains rather than for the UN mission, it was suggested by several people interviewed that the SSSU suffered from employing such people (two government representative, 29/04/09 and 30/04/09).

association between these past failures and the current UN mission (government official, personal communication, 30/04/09).

The SSSU Concept Paper acknowledges these feelings as well as the general confusion and lack of understanding among donors and the UN family as to what SSR is as well as its aims and objectives. Before the SSSU had even started functioning many in the government were raising concerns with any SSR process that relied on the UN. In a seminar on SSR in August 2007 Timorese leaders expressed scepticism over UN involvement because of it presided over the creation of the very institutions that needed reform (ICG, 2007:11). Given the numerous delays of the review and subsequent sidelining of the UN from the government's SSR process it appears that the SSSU and the UN more generally, were unsuccessful in overcoming these issues.

The Security Council Resolution that established UNMIT mandated the creation of a unit responsible for assisting the government in a review of the security sector. It was envisaged that this review would bring some objectivity to the security sector and be a catalyst for widespread debate on the nature of the security sector and their place in an independent and democratic Timor-Leste. The review will follow a similar structure to the ISSR in Kosovo by having a functional analysis, gap analysis, threat analysis and a strategic environment review. After numerous delays the project document was signed by the government and the UN in June 2008, almost two years after SCR 1704; the causes of this delay will be discussed later in this chapter.

Almost three years on from the SCR mandating the review and it is experiencing serious difficulties. The data gathered suggests that the government is moving on with its own reviews and is uninterested in what the UN is offering; when questioned about the UN's ability to assist in a review the SoSS, Francisco Gutterres, responded "what review? What kind of security review? We have already reviewed many things." His response made clear that he had little interest in the UN review, even though he sits on the UNDP Project Board; he did however express an interest in receiving a UNDP funded perceptions survey which does form part of the security sector review.<sup>26</sup> These findings triangulate with other literature on the issue; a recently published paper stated that "the likelihood of undertaking a successful review is minimal" and that the UN should abandon the review in order to channel resources into assisting the government's SSR process (Funaki, 2009: 13).

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<sup>2626</sup> It is unfortunate that this perception survey has, like the rest of the review, suffered a series of long delays since from the interview it appeared that the quick delivery of this element of the review could have improved the SSSU and UN's reputation and standing amongst the government.

It is clear that the review has run into serious difficulties which may fundamentally undermine any of its eventual findings, this is demonstrated by the SSSU Concept paper which envisaged having a 'living document' by November 2008, the SSSU is now looking at January 2010. This symbolises the many pitfalls that SSR can face in post conflict environments and so it is therefore vital for the UN to learn the lessons from this process. A government led SSR process is a positive step but there is the risk that it will be based upon short term rewards and it still lacks a clear blueprint for the roles and responsibilities of the security institutions, something that a comprehensive review would help create.

The UN and the SSSU in particular has had some success in providing assistance to the government in security sector reform. An example cited by an SSSU officer is the presentation to the government of a national security policy framework which includes DCAF and ISS principles (personal communication, 23/04/09). A national security policy is vital for creating a vision of what the roles and responsibilities of the security sector should be, providing a framework is therefore a positive example of the UN assisting the government.

Another positive example is of the government approaching the UN for assistance with a policy proposal, in this case the creation of a defence and security research institute which will provide advice to government policy makers. This represents a sign of leadership by the government and is a positive step because it is a Timorese proposal in which they have actively sought the assistance of the SSSU.

As established in the previous chapter, SSR in Timor-Leste is moving forward but faces many difficulties, the UN has had a limited role in these new successes and potential failures because it has become increasingly sidelined. The mandate to provide assistance has been problematic, this was recently acknowledge by the SoSD in an article in which he expressed scepticism of the UN review and the SSSU, but also felt that the problems the SSSU faced were because of the UN's mandate to only provide assistance (Pinto, 2009). With this context in mind a full analysis of UNMIT and SSR will be undertaken. This will be done by using the framework discussed in chapter 2 with the addition of two extra and vital, points.

## **ANALYSIS OF UNMIT AND SSR**

### ***1) Prioritise local ownership in SSR***

As discussed in the first chapter, local ownership is one of the most problematic elements of SSR and this has been true in Timor-Leste. The importance of this concept appeared to be widely understood by UN staff and considerable effort has been made to facilitate it in terms of the review; the project document was publicly signed by the government, several staff work within the Ministries of Defence and Security and the project board includes key national actors.<sup>27</sup>

Yet, as established in the previous chapter, the UN is by no means running the SSR process; it is in fact playing a relatively minor role considering its mandate and potential. The government taking a leading role in SSR necessarily is not a bad thing, it is after all the embodiment of local ownership, but there is a worry amongst observers that the government lacks an objective view of the security sector and that the dangers of divisions like those of 2006 could still arise (International government advisor, personal communication, 23/04/09). In addition to this, there are weaknesses in expertise, capacity and resources which results in the scope of SSR being narrowed and only manageable and immediate concerns being addressed (Funaki, 2009:3). Due to the small size of the ruling elite, decision-making is highly individualised, this can endanger the sustainability of the government SSR process but the presence of strong leaders such as Gusmao and Taur Matan Ruak, also creates the chance to implement reforms that can then be institutionalised (ICG, 2009:8).

For a government led SSR process to be successful it relies on the government acting in the best interests of the country and its citizens, but in Timor-Leste a culture of impunity has arisen in which top officials in the security sector appear to be rewarded for causing problems by being bought off (ICG, 2009 and bilateral representative, personal communication, 14/04/09). This endangers the long term sustainability of the SSR process in order to achieve short term security by undermining the principle of rule of law, which as discussed in chapter 1 is the foundation on which SSR is built (ICTJ, 2009:20).

This quandary between local ownership and objectivity is one of the most problematic dichotomies in SSR and is an issue that the UN must create a strategy for overcoming to prevent problems in future missions. As shown in Chapter 2, the SSR processes in Sierra

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<sup>27</sup> The Secretary of State for Security, the President's security advisor and a member of the Parliamentary Committee responsible for oversight of the security sector.

Leone and Kosovo have been criticised for a lack of local ownership but Timor-Leste appears to be an example of the opposite. Rather than demonstrating the dangers of imposing SSR, Timor-Leste may serve as an example for why the UN must take a more proactive role in influencing an SSR process; to ensure it is objective and fully resourced.

## ***2) Issue coherent and consistent mandates for SSR***

There have been three Security Council Resolutions concerning UNMIT; the first one established the mission and the following two have extended the mission. The first resolution, 1704, mandated UNMIT to carry out several security sector reform activities, although they were not necessarily described this way. UNMIT was tasked with restoring public security through the deployment of UN police who were then to provide “further training, institutional development and strengthening of the PNTL as well as the Ministry of Interior.” This part of the mandate was to be conducted along the same lines as previous missions deploying civilian police, in that it would receive support from UNPOL HQ and would report directly to the SRSO.

In addition to these key SSR activities, UNMIT was mandated with other tasks which overlap into the security sector, for example, 4g concerns strengthening institutional capacity for monitoring and promoting human rights and justice, the security sector has a crucial role to play in both of these. At no point in SCR 1704 is the term ‘security sector reform’ actually used, instead, as with other mission mandates, SSR activities are put under various headings with the exception of the review. This created some incoherence in the first mandate as to how SSR activities were to be carried out.

SCR 1802 was issued in February 2008 and added very little to the mandate for SSR. It reiterated many of the points made in 1704, stating the importance of the security sector to long-term stability and requesting the mission to ‘intensify’ efforts in working on a security sector review. The lack of additional information is not surprising considering that the SSSU had only been established for six months and only recently become fully staffed. Nonetheless, this mandate does provide consistency, relative to SCR 1704, on the requirements for SSR in Timor-Leste.

In February 2009 the UNMIT mission was again extended for one year by SCR 1867, this time the resolution uses the word reform and provides greater detail on what the priorities for reform should be. The mandate highlights the need to clearly “delineate between the roles

and responsibilities of the F-FDTL and the PNTL, to strengthen legal frameworks, and to enhance civilian oversight and accountability mechanism of both security institutions.” SCR 1867 is a more coherent mandate but still fails to give the mission a clear SSR framework, for example, the issue of PNTL training remains separate from that of delineating roles and responsibilities, despite the fact that they are linked.

The mandates emphasise the need to assist the government in the SSR process, yet this is a highly problematic task and the Security Council offers no assistance in how this should actually be carried out. One SSSU officer felt that they had been given an implementation brief which was unclear; instead they should have been given more of a monitoring and mentoring role (personal communication, 30/04/09). There has also been a lack of direction on the priority of SSR in Timor-Leste to the mission leadership, which, as will be discussed later, has had a negative impact on the UN’s standing on SSR in Timor-Leste. Overall, the Security Council has issued progressively clearer mandates for the mission but it is also obvious that they lack a clear understanding of what SSR is and how it can be best implemented, even one year after the Secretary General’s report on SSR.

***3&4) Adopt integrated SSR support strategy on the ground & strengthen SSR support capacity in field missions***

These two separate points have been combined because there is a significant overlap in the data and because the subsequent recommendation would resolve both of these issues. As noted above, the first resolution mandating UNMIT did not explicitly mention security sector reform but does imply that these activities will occur. This in turn meant that there was no integrated SSR support strategy on the ground, instead UN entities have continued to approach SSR activities in an ad hoc and individualised manner which has been detrimental to the overall process.

There is a need to strengthen SSR support capacity within the mission but this does not mean that the various SSR activities out with the SSSU do not work with the unit. An UNPOL training officer reported that there were good informal links between UNPOL and the SSSU and that regular situation reports are sent to the unit, the Justice Support Office also confirmed that it maintained good informal links with the SSSU (personal communications, 17/04/09 and 4/05/09). These informal links do rest on good personal relationships between individuals, and particularly unit chiefs, this is not always the case in peacekeeping missions

and an over reliance on informal links can be damaging if these relationships are not on good terms or if they break down, thereby reducing the support strategy.

In contrast to other missions with SSR components, UNMIT does have a dedicated unit that has been fully staffed for over a year and half. The SSSU has SSR experts with the skills to assist in military, police, and legal reforms but they do not have the political leverage to do so. This is a structural deficiency, the SSSU is within the remit of the DSRSG responsible for security issues, which is a positive development, but it is not placed to provide managerial oversight of SSR activities.

FIGURE 3



As figure 3 shows above, the SSSU is placed horizontally with other key security sector issues, notably the Police Commissioner (A more detailed chart can be found in Appendix 3). If the SSSU is only to provide assistance to the government in conducting a security sector review then this may be adequate, but the reality is that the SSSU has the potential to provide oversight to all elements of SSR within UNMIT. A real opportunity was missed to create an integrated and cohesive approach to SSR in the mission; the unit could have instead been placed within the DSRSG's office but this would have only created limited oversight since the other DSRSG office remit includes governance oversight. Interestingly, the new inter-agency task force on SSR, created following the Secretary General's report, has been organisationally placed in a position to provide the oversight in SSR at HQ that is necessary in the field (see appendix 4).

It is for these reasons that DCAF recommended that a security sector support office be placed directly in the SRSG's office, only then will it have the authority to oversee key SSR components such as UNPOL as well as the ability to ensure a comprehensive approach is taken by the entire mission. This is not to say that the entire SSSU should be placed within

the SRSO's office, instead it is suggested that the review and the staff required for it, should be completely under UNDP, with several experienced SSR experts based in the SRSO's office overseeing the review and all other SSR activities within the mission. This would allow SSR to become more of a cross cutting theme in which these experts could act as consultants on various programmes, ensuring coherence towards SSR.

UNMIT does have considerable SSR capacity but it has failed to utilise its resources in a manner conducive to a comprehensive approach to SSR in the field. A structural change would allow for a more integrated approach to SSR across the mission as well as provide SSR support capacity in the field. The mission reinforces the DCAF recommendation for an SSR unit within the SRSO's Office and serves as an example of the need to have more than just the human capacity but the structure to utilise the SSR experts it has employed.

#### ***5) Provide sufficient SSR experts with adequate skills sets***

Although SSR has become quite developed in academia it is still a relatively new concept in field missions and so there is a general shortage of SSR experts available for field work. Given the size of the SSSU, achieving full staffing levels was always going to be difficult and may have contributed to the delay in establishing the unit. The SSSU does have SSR experts, most of whom have experience in the security sector if not specifically SSR, in various Balkan missions.

The SSSU Concept Paper was written when only 6 of the 14 positions had been filled and it acknowledged that the recruitment had focused on people who had specific skills in policy implementation, creating a capacity for reform rather than review. The document suggests that the SSSU required a greater number of staff to assist on specific issues rather than institutions, such as gender, human rights or economics. As of the spring of 2009 it appears that the unit has had some success changing its recruitment focus and now has a team consisting of range of expertise, although it is unclear as to the extent to which staff had knowledge of SSR theory and practice prior to joining the unit. Given the general lack of SSR experts this is not surprising and is not a necessarily a problem as long as adequate training is provided. From observations in the unit, senior staff are sent to SSR related conferences, such as one organised by DCAF on local ownership. These are obviously positive steps provided that the knowledge gained from these is shared with the entire unit.

In Chapter 1 the importance of local context was discussed but within the SSSU there has been a short coming in the number of staff who started with a solid understanding of Timorese politics and the context within which the mission was operating. Timor-Leste has a small ruling elite and it is necessary to build up levels of trust and understanding, especially when tasked with an issue as politically sensitive as security sector reform. The delays in establishing the review process was in part because the government was unsure who these new people were and were wary of external reviews of the security sector and so relationships had to be built first (UN official, personal communication, 27/04/09).

Another issue for staffing of missions is language ability, the official languages of Timor-Leste are Portuguese and Tetum, this means that all laws are written in these languages, not English. Laws are extremely nuanced documents and to influence them you must engage with them in the language they are written, failure to do so is likely to result in any input being ignored (Advisor in the Ministry of Security, 29/04/09 and Lt Col. Paxao, MoD, 4/05/09). The SSSU, at the time of research, only had one permanent Portuguese speaker who did not start until the beginning of this year, though actions have been taken to rectify this, including employing a prominent Timorese national, it does highlight a problem in finding staff with suitable linguistics skills. This problem is common for all elements of UN peacekeeping missions and was highlighted by the Brahimi report which described the steep learning curve staff must undergo which results in a gap for various factions to exploit (2000:13). This appears to have happened in the initial 6 months following the SSSU's establishment and is something that future missions must be aware of and attempt to solve by recruiting as many staff with appropriate experience in the country of operation as well as linguistic skills.

These problems with staffing also stem from the UN's lack of a comprehensive approach to SSR, many of the SSR activities being undertaken, particularly in UNPOL, continue to emphasise training and so staff are sought who can provide and manage these training exercises. As discussed in chapter 1, SSR is a political exercise and requires staff with a broad range of skills and experience; UNMIT has a general absence of staff with these skills and knowledge. These findings are supported by Funaki who concluded that the lack of clear definition and understanding of SSR was creating a gap between the staff being sought and the staff actually being required (2009:8).

The SSSU has encountered various problems in recruitment; lack of Timorese nationals, lack of staff with experience in Timor-Leste, recruiting staff who expected to be implementing reforms rather than a review and monitoring role or staff with a lack of previous knowledge in SSR theory and practice. These problems have been overcome, staff now understand the context, they now realise the political nature of SSR and the skills necessary for achieving their mandate, and it has employed a prominent Timorese national as well as additional staff with considerable experience in the Timorese security sector. These improvements are to be welcomed, but they may come too late as the damage to the unit's credibility with the government has already been done; this is demonstrated by the government's disengagement with the review and the UN more generally on issues of SSR. It is therefore vital that these lessons be learned for future missions.

**6) *Increase financial resources for SSR support programmes***

The SSSU was created as part of the peacekeeping mission and so is funded by the DPKO through an assessed budget. This budget has allowed the SSSU to employ 14 full time staff making it the largest SSR support unit in any UN mission, and in this sense has provided significant financial resources for staffing.

A problem in funding did, however, quickly emerge with the review which requires activities such as conducting perception surveys; these are not included in the DPKO assessed budget (see figure 4). This meant that money had to be raised from international donors but because DPKO cannot raise and spend donor money UNDP had to be brought in to manage the budget. This has added a considerable amount of bureaucracy because a board of management had to be created to manage the money and they must give their approval for any spending.<sup>28</sup> The net result has been considerable delays because the Chief of the SSSU had to spend the first few months of deployment raising money from donors then putting it into the UNDP system, create a project board, create a plan and timetable for conducting the review while ensuring board approval at all stages. These delays have left the review over a year and a half behind schedule and have severely discredited the entire process and the UN as an actor in SSR in Timor-Leste.

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<sup>28</sup> This also means that the review comes under the control of the other DSRSG, creating further conflict and delays.

FIGURE 4

Activities	Spent*
SSR conference	53 000 USD
SSR Seminars	20 000 USD
Publication SSR conference results	20 000USD
Publication SSR Report	12 000 USD
Seguranca Civil Pilot Training	40 000 USD
Equipment	44 000 USD
Gender Advisor UNIFEM	8 000 USD
HQ Seconde DPKO	11 000 USD
Project Manager Salaries	90 000 USD
Radio Project	60 000 USD
Travel and Courses	5 000 USD
Proj Manager, Dep Proj Manager Salaries	76 000 USD
National SSR Advisors	180 000 USD
Public Perception Survey	320 000 USD
Publications	16 700 USD
Consultancies Risk Analysis/support Review	100 000 USD
Support for Capacity Development	90 000 USD
Other costs	104 300 USD
<b>Total Cost</b>	<b>\$1,250,000</b>

The funding experience in Timor-Leste should be instructive for the UN and should signal that a mechanism must be established that either provides funding or can decrease the bureaucracy involved in order to access donor funds. The more agencies and UN entities involved in the process the more difficult it becomes. The UNMIT experience therefore serves to reinforce the DCAF recommendation that some kind of inter-agency mechanism be developed for funding. This would be the best option for preventing these debilitating delays in future missions.

#### **7) Promote an in country 'one UN' approach to SSR**

SSR did not feature as a key component in the mission planning which has resulted in inconsistencies between various UN agencies and entities (SSSU Officer, personal communication, 22/04/09). Despite this there has been positive cooperation between DPKO and UNDP, two vital elements of UN missions which are often seen to be competing and

distrustful of each other. Since UNDP has considerable control over the review process it has employed several dedicated SSR experts to oversee it, the staff are based within the SSSU office rather than the UNDP section of the mission base. Having them physically working within the SSSU has been beneficial because it means that there is good communication between the two departments and that everyone is aware of what activities are being undertaken. It does seem that this can at times create tension with the UNDP leadership who feel that the review process should be entirely within their agency but overall it has facilitated greater cooperation and is an important lesson for future missions (SSSU officer, personal communication, 22/04/09).

This is the only concrete example that contributes to a 'one UN' approach and so there is considerable room for improvement on this issue. This links in with the previous discussion on SSR support, since a structural change would go a long way in creating a 'one UN' approach. In addition there is a need for greater explanation of SSR within the UN family, the SSSU makes regular presentations to the Joint Operations Committee and always starts with explaining what SSR is and what the SSSU is there to do. This is done because the unit is aware of a lack of understanding and the weekly JOC meetings are its only chance of explaining itself, and this is only to other department heads.

Given that SSR is a wide ranging and inclusive theory, it is apparent that greater education for UN workers is required; this is of course only possible after the UN has itself articulated a comprehensive SSR policy. Separate budgets and planning strategies and lack of an overall SSR framework continue to impede a 'one UN' approach being fully realised.

**8) *Strengthen engagement with national SSR stakeholders:***

There is a distinct lack of political buy in by the government, something which a review of the ISSR in Kosovo identified as 'vital' because support has to be more than just financial (Mellon, 2006:5). This lack of political commitment has been demonstrated by the government attitude to the UN review as well as its lack of communication on other SSR issues such as the National Security Law. The absence of this firm political support and commitment has created many delays and means that the review is in danger of being irrelevant.

It was suggested that part of the reason for this sidelining of the UN was because the government was unaware of the expertise the SSSU had at its disposal (military advisor to the government, personal communication, 30/04/09). The same advisor suggested that the SSSU needed to strengthen its engagement with national SSR stakeholders by presenting firm ideas and going to the government rather than waiting for the government to come to them. This was supported by the Chief Military Liaison Officer who recently created a two day training programme for the F-FDTL on border security and was told by the Prime Minister that it was the first time the UN had given anything of substance to the military (personal communication, 4/05/09). This is confirmed in the SoSD's recent article, in which he expressed disappointment that the UN had failed to provide the assistance he requested, claiming that instead they just talk about human rights and delineation of roles (Pinto, 2009).

Despite this the SSSU has succeeded in organising national seminars that bring together both national and international stakeholders.<sup>29</sup> The most recent of these was on border management, an important aspect of security which requires strong communication and cooperation between the military and police. This represents a success for the SSSU and the UN more generally, but is the only strong example of a strengthening of engagement with national SSR stakeholders.

There are clear links between the SSSU's difficulties in engaging with national SSR stakeholders and the UN's reputation among these stakeholders which was reinforced by the numerous delays in the review previously discussed. The SSSU does have the staff and expertise to effectively engage national stakeholders but once again it has come too late and so the SSSU is now playing catch up with the government. These findings triangulate with Funaki, who stated that the UN had failed to develop a clear strategy for engagement which have resulted in ineffective and unsustainable support to the security sector (2009:8). It can therefore be concluded that there has been a lack of engagement with national stakeholders but that this has not been intentional, it instead stems from other problems out with the SSSU's control.

#### ***9) Facilitate coordination among international donors***

As has been previously discussed, due to SSR's inclusive nature, the reform process requires a wide range of activities which in turn means that there is a wide range of SSR actors in Timor-Leste. Governments naturally favour bilateral donors because they bring more to the

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<sup>29</sup> The topic of these seminars is agreed in advance with the government and approved by the UNDP board which provides funding for them.

table than the UN; they can commit to a longer programme of assistance and are less likely to ask awkward questions, especially in relation to military assistance (Edward Rees, personal communication 27/04/09). The two main bilaterals in Timor-Leste are Portugal and Australia, both are vying for influence and the result is that the government is able to play them off each other in order to get what it wants from them.

A key problem is that bilaterals involved in SSR are often only interested in specific aspects of SSR meaning that there can be a lack of coordination or the risk of numerous inconsistencies emerging in the SSR process. A recent study by Funaki reached the conclusion that the lack of bilateral cooperation in SSR stems from a lack of a shared strategic framework (2009: 7). A comprehensive review could provide this framework and provide an entry point for UN coordination of donors, but this would have to have been achieved early on in the recovery process.

One of the most difficult areas of SSR is the military and donor coordination, influencing change can be highly problematic due to its secretive and politically sensitive nature. Traditionally, militaries have received assistance from bilateral partners based on those partners own defence interests.<sup>30</sup> This means that assistance is from bilateral Ministries of Defence and based on geopolitical considerations and so these donors are particularly reluctant to reveal what they are even supplying let alone be coordinated.

Although some members of the government see having several donors and playing them off each other as advantageous, some national actors recognise the danger that this poses. David Ximenes, a prominent opposition Member of Parliament who sits on the security sector oversight committee highlighted the F-FDTL structure as the main challenge faced by the military and felt that it was being exacerbated by the plurality of donors because they all have different structures, ideas and traditions (personal communication, 6/04/09). The fact that this is occurring was further verified by a senior commander in the ISF, who stated that “national interests are sometimes overshadowing the best interests of the F-FDTL” (personal communication, 16/04/09). It should also be noted, however, that the Secretary of State for Defence responded to a question on this issue by insisting that these differences are minimal; “strategically we maybe have differences with Australia and Portugal but in values we are the same” (personal communication, 21/04/09).

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<sup>30</sup> this was most clearly displayed during the Cold War and to Timor-Leste’s disadvantage when western states eagerly sold anti communist Indonesia weapons which were then used against ‘socialist’ Falintil fighters

Due to the UN's presence and legitimacy, it has the potential to act as a coordinator for the various actors. It has begun to do this for bilateral defence assistance by inviting all the donors to a regular meeting to discuss what role each donor is playing, what progress is being made and to identify gaps to generally improve communication. Several of these meetings have taken place and were widely welcomed by the donors, though many of them did voice their concern that it had taken the UN so long to actually initiate such a meeting. In the May meeting the bilateral representatives raised concerns about the lack of donor strategy from the government or of force structure for the upcoming recruitment process for the F-FDTL. To help resolve this issue they asked the UN to communicate these concerns with the government and to urge it to communicate its plans with the bilateral so as to improve their programme delivery. This demonstrates willingness on the part of bilaterals to use the UN and its position in order to facilitate cooperation and communication. It is too early to examine just how useful these meetings will be in terms of coordinating SSR because the donors are instinctively secretive and there is mutual suspicion amongst many of the biggest donors, particularly China, Australia and Portugal.

With the above exception, the research suggests that there continues to be a lack of effective coordination on SSR, what coordination there is tends to be informal and is better described as information sharing. This is also supported by a recently published report which describes this lack of coordination as "one of the greatest shortcomings of SSR in Timor-Leste" (ICTJ, 2009:16). It appears that all actors are aware of this, as demonstrated by the discussion at the bilateral defence donors meeting; it appears that there is a desire for greater coordination which provides the UN with an opportunity to take a lead role. The main gap in coordination has been with support to the F-FDTL and so the UN has taken a positive step in improving this, the experience and lessons from this element of the SSSU's work should be reported to HQ to ensure that they inform future missions of the potential difficulties and best practices.

In addition to these points two other themes emerged from the research which do not fall under the recommendations by DCAF but nonetheless provide important lessons for future UN engagements in SSR.

### ***Leadership***

As was highlighted in the first chapter, SSR is a political process and it requires engagement with high level political actors, this in turn requires action by politically credible leaders who

have leverage in order to negotiate, cajole and motivate government leaders. The Brahimi Report attached considerable importance for the success of a mission to the leadership, stating:

*“Effective, dynamic leadership can make the difference between a cohesive mission with high morale and effectiveness despite adverse circumstances, and one that struggles to maintain any of those attributes.”*

(2000:16)

In a UN integrated mission the SRSG is the most senior, and in theory most influential, foreigner in a post conflict state and must therefore be committed to any SSR process. Several interview subjects voiced criticism of the SRSG and his understanding of SSR, but the Australian ambassador described the current SRSG, Atul Khare, as ‘cautious’ towards security sector issues but equally noted that he does talk frequently on the issue to government leaders (personal communication, 28/04/09). It can be speculated that this is in part caused by a lack of understanding of what SSR theory aims to achieve and perhaps stems from the common instinctive wariness that many in the development sector hold towards security issues, as was discussed in the first chapter. This caution is also symptomatic of a wider risk aversion that exists in many areas of the UN but especially in senior leadership, it comes from the organisational culture that means people know that if they sit tight and do not ‘rock the boat’, they will ultimately receive a promotion. This has impacted on UNMIT’s ability to influence and assist the government in the review and reform process, a point that was voiced by several UN staff as well as government representatives and bilateral.

The flip side of this argument is that SSR cannot be imposed and that the SRSG has to ensure that the UN is not accused of doing so, the SSSU has in the past been criticised for being too forthright and of even demonstrated neo-colonial like attitudes (UN officer, personal communication). This again highlights the biggest challenge in providing SSR assistance; the fine and treacherous line between local ownership and imposition.

Integrated missions also have two DSRSG’s who are responsible for more specific areas of the mission, in UNMIT’s case one DSRSG is responsible for Governance Support, Development and Humanitarian Coordination, with the second DSRSG leading the Security Sector and Rule of Law division. The importance of the DSRSG was highlighted in an ICG report in October 2006, just as UNMIT was establishing itself. Just as the SSSU was establishing itself the DSRSG left UNMIT and the position was vacant for a full year, this

had a considerable detrimental effect on the unit because it was deprived of the support of a member of the senior leadership. This absence played a role in the subsequent sidelining of the unit by the government because there was nobody to voice the concerns of the unit with the government (SSSU officer, personal communication, 23/04/09). This provides a crucial lesson for future missions on the importance of having a DSRSG present and who has a full understanding of SSR.

The overall impression that was gained from interviews was that the UN had considerable potential to provide constructive criticism and be a neutral observer on issues pertaining to the security sector, something that no bilateral will do.<sup>31</sup>

### *Timing*

UNMIT began operations in September 2006 yet it took a full year before the first staff of the SSSU arrived. This was in part due to what was seen as priorities during the first year, for example establishing rule of law and organizing national elections. The SSSU, and the review it was mandated to assist with, was not viewed as a priority by the mission leadership in part because the Security Council Resolution did not make it a clear priority.

This represents a crucial mistake by the leadership because SSR is a politically sensitive issue and often requires political space in order to lead to real change; this is why post conflict environments can often provide the greatest opportunity for whole-scale reforms. Instead the opportunity was missed and momentum was lost, as the SSSU did become functional a new government had been elected which had its own ideas of what needed to happen to the security sector and was wary of UN involvement due to their failures in previous missions and lack of input in the aftermath of the crisis.<sup>32</sup> The new government came in aware of the apparent lack of progress made by the UN on reforming and restructuring the security sector which compounded the already existing negative perceptions of the UN's abilities in SSR. It was also suggested by a government advisor that the government remains unaware of what skills and expertise the UN actually has and this results in them not being consulted (personal communication, 30/04/09).

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<sup>31</sup> It should be noted that the SRSG was not available for interview during the research period; DSRSG Kawakami did give a short interview but was, unsurprisingly, evasive of all questions on issues of leadership. In fact the interview was most notable for the DSRGS's general inability to engage in a discussion on SSR and demonstrate a firm understanding of its wider implications.

<sup>32</sup> Although the government was new, many of the key actors in it had held prominent positions in the previous government, such as the new president, Ramos Horta

The SRSG in UNAMET was sent to Timor-Leste during the 2006 crisis and reported back to the Secretary General with recommendations for UNMIT's mandate. This report makes clear that there were deep divisions within and between security institutions and that SSR should be a priority. An ICG report also identified the security sector review as 'a matter of urgency' (2006:21) because any progress in reforming the security sector had to be based upon a thorough investigation into the nature and needs of the security sector. Instead UNMIT neglected the review until the elections had been organised a year after the mission's deployment, a reckless mistake which has had negative consequences to Timor-Leste's long term stability.

This chapter has sought to analyse the role of the UNMIT, and the SSSU in particular, in security sector reform in Timor-Leste, the findings are best described as mixed. The mission demonstrates some improvements and successes; such as the SSR seminars, progress in donor coordination and improved recruitment. Yet it is also evident that the very project the SSSU was created for, a security review has been beset with problems and is unlikely to produce the 'living document' envisaged in the units concept paper. This is quite shocking considering that it was mandated by a Security Council Resolution, it is a particular loss to the Timorese security sector, government and citizens since the 2006 crisis demonstrated the need for an objective evaluation of the security sector and the fundamental structures and purpose that underpins it. The data collected triangulates with other recent research into the same area in that bureaucracy, the UN's legacy with SSR in Timor-Leste, the UN mission architecture as well as a lack of prioritisation of SSR by the mission leadership have collectively discredited the review and the UN leaving SSR in Timor-Leste without a strong, objective and neutral voice.

## **CONCLUSION AND RECOMMENDATIONS**

Given the previous chapters findings it is possible to draw out some recommendations for future UN missions that are mandated to engage in SSR, this is crucial because, as demonstrated in chapter 2, there has been a steady increase in missions with SSR. Although there are serious problems in the UN's engagement in SSR in Timor-Leste, it is striking how many of these were actually out with the control of the SSSU. The negative legacy of previous missions was clearly voiced prior to the arrival of its first staff, the initial recruitment of policy implementers rather than people with experience of reviewing security sectors was the fault of poorly thought out job specifications and the delay in establishing the unit was due to misjudged prioritisation by the senior leadership. Add to these issues the lack of funding and the result is costly and discrediting delays. Given this, UNMIT is an ideal mission to learn from, meaning that the recommendations discussed below should carry considerable weight.

### **Recommendations**

- 1) **Field Support Strategy and Capacity:** The experience of SSR in UNMIT supports the recommendation by DCAF for a small unit to be established in the SRSG's office to be staffed by SSR experts in order to provide managerial oversight to agencies engaged in SSR activities and ensure that they are part of a wider SSR strategy.
- 2) **Coordination:** The UN has the potential to act as a hub of information on SSR, in terms of coordination and knowledge gathering. By doing this the UN would be demonstrating tangible inputs into an SSR process, this would raise perceptions of the UN and in turn allow the UN to provide more coordination and assistance. The SSSU is making progress in achieving this by organising seminars and regular military bilateral donors meetings. To achieve this, the mission leadership must have a strong understanding of SSR and its aims and objectives and be willing and capable of lobbying the government on these issues without being sidelined.
- 3) **Staffing:** Difficulties in staffing have also been problematic for UNMIT, a general lack of SSR experts in the field combined with the slow recruiting systems of the UN meant that it was a year and a half after the original Security Council Resolution before the SSSU was at full strength, and even then it lacked a DSRSG. The findings support the DCAF proposal for a roster of SSR experts to be kept. In addition to this the UN has to begin looking at SSR as more than a technical exercise if it is to recruit personnel who have the necessary experiences and linguistic skills to implement SSR

mandates. Staffing also applies to the leadership, the absence of a DSRSR had a detrimental effect on the SSSU's work, but there has also been a general lack of understanding and appreciation for the political dimensions of SSR amongst the mission leadership; it is vital that this is not repeated in future missions.

- 4) **Prioritisation:** Timor-Leste has demonstrated the importance of momentum and timing; they are crucial for instigating SSR and performing a review of the security sector. By delaying the creation of the SSSU by a year the mission leadership left it with the impossible task of catching up before it even got going. There are always numerous activities going on in post conflict states and they can be used as excuses for delaying other activities, but SSR is a continual process and can proceed simultaneously with other events, such as elections. This, in part, stemmed from a lack of clarity in the mission mandate, something which the Security Council must be clearer on in issue future resolutions with SSR elements. In future the UN should consider either contracting out an initial review to organisations that have the personnel and skills ready at short notice or utilise the knowledge and skills of those all ready present in country.
- 5) **Funding Mechanism:** Funding of SSR activities remains problematic, as demonstrated with the problems faced by the Security Council mandated review. It is clear that the current system, or lack of one, is not appropriate for the SSSU to conduct a review. The findings support the DCAF recommendation for the establishment of an inter-agency funding mechanism to prevent delays and arguments over funding.

A prerequisite for these recommendations is a clear UN definition on what SSR is for the UN and an understanding of the role the UN believes it can play. If these recommendations are implemented and institutionalised alongside a clear definition, the United Nations could realise its potential as an actor in SSR; as an actor with the financial and expert capacities to be a neutral, objective and respected voice thereby contributing towards the eradication of poverty, prevention of conflict and the promotion of democracy.

## **APPENDIX 1: METHODOLOGY**

### **Context**

The primary data for this paper was gathered during a seven week work placement with the SSSU in UNMIT through observation, 30 formal interviews and numerous informal discussions. The placement was selected because of the importance of SSR in Timor-Leste and it is currently undergoing a large scale SSR process with international assistance. The particular topic for this paper had not been set, beyond issues involving SSR, before going on the placement, although there was an initial literature review covering both SSR and the Timor-Leste context.

Not having a set topic or theory before arriving in Timor-Leste allowed the author to explore numerous issues and assess their feasibility, for example, Timor-Leste provides a good environment to research the transformation of a guerrilla army into a professional military force but due to a lack of contacts with the F-FDTL it was not possible to effectively pursue this line of research. As anticipated, a clear issue began to emerge during observations and conversations with various SSR actors; that of the UN's developing role in SSR.

A case study approach was adopted because it enables the collection of more empirically reliable data (Berg, 2007:285). Due to the nature of the topic only qualitative data was collected; a survey to measure perceptions of the UN and SSR was considered but it was not felt feasible and the qualitative data already contained a significant amount of relevant and persuasive information.

Although the data was collected alongside a working internship, considerable time was made available for conducting the research; many of the initial contacts were established during various meetings involving the SSSU in which subjects agreed to assist in my private research.

### **General Biases and Limitations**

**Spatial:** All the data was collected within the Timorese capital, Dili. The research was focusing on elite level interviews with prominent people working on SSR and these people are almost all concentrated in Dili. Spatial bias was therefore minimal, although it would have been beneficial to gather data from community leaders as well as regional leaders of the security institutions.

**Language Bias** – all interviews were conducted in English; there was no access to a translator so any potential interview subject who could not speak English was not approached. It is not felt that this impacted on the research with international SSR actors and stakeholders, but it certainly did with Timorese Nationals.

**Project Bias** – many of the contacts established during the research were gained through the assistance of members of the SSSU meaning there is the potential that these interview subjects had positive view of the unit. In reality there was very limited project bias, the chief of the SSSU was very supportive of the research and extremely eager for the author to hear all sides of the debate. This is reflected in the wide range of people who were interviewed, many of whom were less than impressed with UNMIT.

Linked to this issue is that the majority of interview subjects were foreigners, though towards the end of the research the author did gain greater access to Timorese nationals, including the Secretary of State for Security, Secretary of State for Defence and several representatives of the Ministry of Defence. Nonetheless, there is a general bias in the data towards international actors.

**Time Limitations** – although seven weeks was a reasonable amount of time it was not until the last 3 weeks that the research topic settled on the UN and SSR. As always, more time is desirable, but the amount and quality of the research gathered is sufficient to support the finding and recommendations.

### **Interviews**

The research is largely based on formal or semi-formal interviews with high level officials involved in SSR activities and policies. Formal interviews refer to those organised with a specific person at a specific time, these include government officials, bilateral representatives and UN officials. Each interview was prepared for by researching the subject person in terms of their job and, where relevant, any of their written work. Several basic questions were formulated before going into the interview but generally the interviews were allowed to flow in flexible manner so that interesting points could be followed up. To ensure that there was no confusion on the purpose of the scheduled interviews the UN and the SSSU were not mentioned in arranging interviews and interviews began with an explanation of what the research was for and who it would be read by.

Informal interviews were those that took place without schedule or structure and were predominately with members of the SSSU team. A drawback of these interviews was that it

was at times unclear if the person was aware that what they were saying could contribute to this paper; to combat this all the primary data used has been approved by the respective people. Some of these informal interviews resulted in important issues being mentioned in which case a more formal interview was arranged to allow greater discussion of these points.

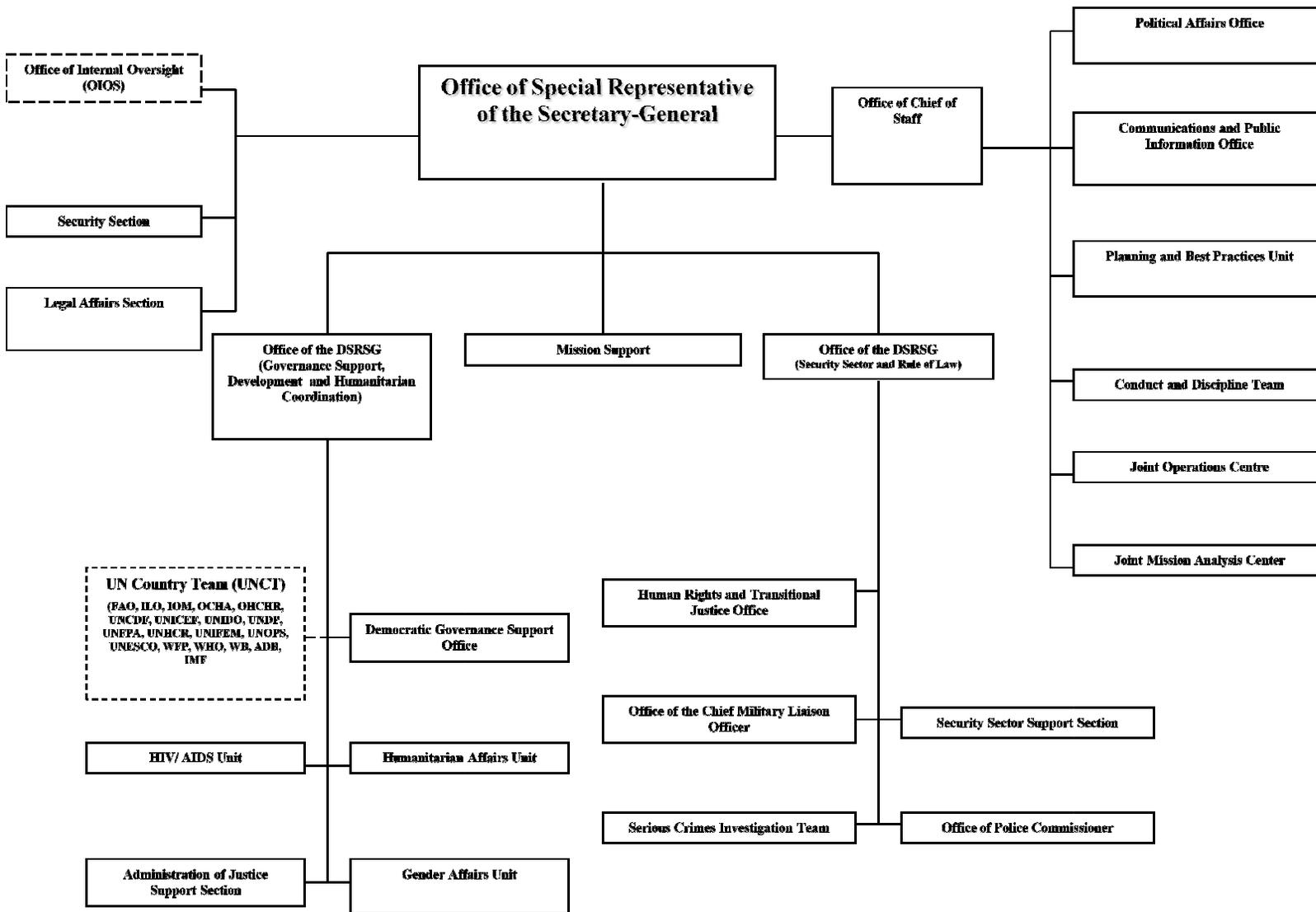
### **Observation**

This was an important part of the methodology because the author was working within the SSSU, meaning he was able to observe the day to day interactions of the unit and witness various discussions in team meetings. Little of the data gathered from observation has been used directly but it has shaped the tone of the paper as well as provided points that were then raised in interviews. An example of observation was the SSSU retreat held over two days, this allowed the team to discuss the various activities they were engaging in, in an open and honest manner; many of the discussions at this retreat were relevant to this topic and so were followed up in subsequent interviews.

## **APPENDIX 2: DCAF RECOMMENDATIONS**

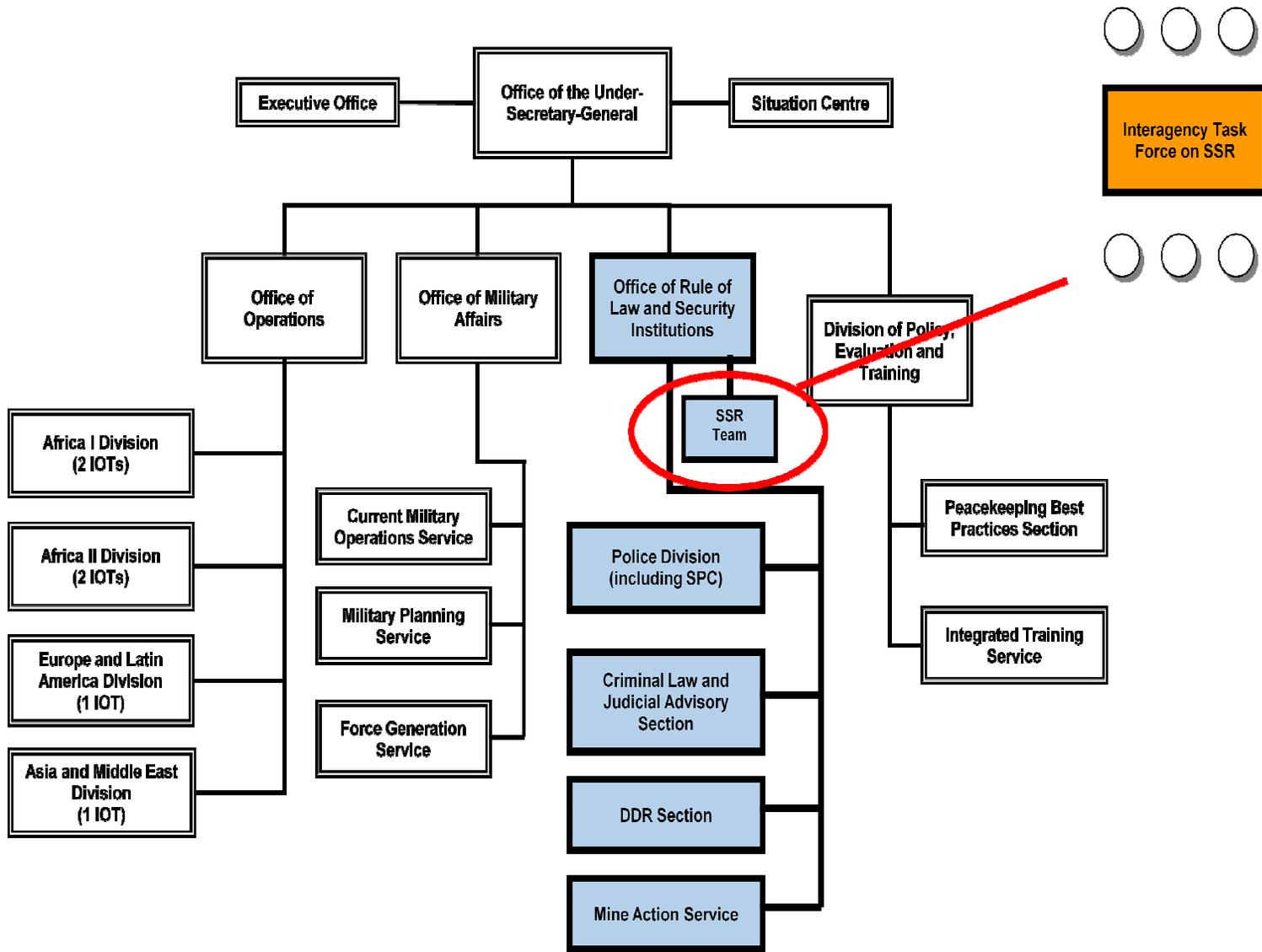
Below is the full list of recommendations for improved SSR activities by the UN by DCAF. Details of each point can be found in *Recent Experience of UN Integrated Missions in SSR: Review and Recommendations*, by Hanggi and Scherrer and can be accessed through the DCAF website.

- 1) Develop a Common UN Approach to SSR
- 2) Address SSR in a Holistic Way
- 3) Prioritise Local Ownership in SSR
- 4) Issue Coherent and Consistent Mandates for SSR
- 5) Adopt an integrated SST support strategy on the ground
- 6) Establish SSR as a core priority in mission planning
- 7) Strengthen UN HQ SSR capacity to support field missions
- 8) Strengthen SSR support capacity in field missions
- 9) Provide sufficient SSR experts with an adequate skill-sets
- 10) Increase financial resources for SSR support programmes
- 11) Promote an in-country “one UN” approach to SSR
- 12) Strengthen engagement with national SSR stakeholders
- 13) Facilitate coordination among international donors
- 14) Emphasise service delivery in SSR programming
- 15) Measure performance of SSR support activities



**APPENDIX 3: UNMIT ORGANISATION CHART**

APPENDIX 4: LOCATION OF INTERAGENCY TASK FORCE



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