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KING'S COLLEGE LONDON
School of Social Science and Public Policy
War Studies Department
MA Conflict, Security and Development

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A critical assessment of how the choices made in the build up of Timor-Leste's Security Sector contributed to the country's political crisis in 2006

Rodrigo Peixoto Moreira Penna
L18129

Supervisor: Dr. Domitilla Sagramoso

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Photo by Rodrigo Penna

There is never a vacuum of power on the ground. Even when there is the complete absence of an identifiable state government or any semblance of governing institutions (…) traditional structures evolve, social organization is redefined, and people continue to survive, filling the space.

Jarat Chopra and Tanja Hohe

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ABSTRACT

(English Version)

This dissertation assesses policies and studies behind the Security Sector Reform (SSR) undertaken during the United Nations Transitional Administration in East Timor from 1999 to 2002. It concludes that the choices adopted for the reform of East Timor's security sector – inspired by suggestions from a study commissioned from King's College London – underestimated the challenges surrounding the creation of a regular defence force; failed to comply with local ownership standards; and misjudged political and institutional aspects that would later become crucial in the governance of the country's security sector. These factors contributed to the creation of unstable security institutions in Timor-Leste, which eventually led to a security meltdown in 2006. Based on literature review regarding Security Sector Reform and on a set of exclusive interviews with senior international and East Timorese officials, this dissertation shows that: (a) the scope of reform in Timor-Leste should have been broader and more inclusive, especially concerning non-statutory armed forces in the island; (b) the models adopted for Timor-Leste's defence force had no clear definitions of its own functions and the national cultural value attributed to liberation fighters; and (c) deliberations of the future of Timor-Leste's defence force gave a too limited attention to the local decision-making and ownership of security sector reform. By understanding misjudgements in SSR in the past, this dissertation has the implicit ambition to shade light on the challenges faced by contemporary SSR policies in Timor-Leste with the assistance of the international community.

Key-words: Security Sector Reform, SSR, Timor-Leste / East Timor, UNTAET, King's College London, F-FDTL, Falintil, ownership, non-statutory armed forces.

RESUMO
(VERSÃO PORTUGUESA)

Esta dissertação analisa as políticas e estudos por trás da Reforma do Sector de Segurança (SSR) levadas a cabo durante os primeiros anos da Administração Trasitória das Nações Unidas no Timor-Leste entre 1999 e 2002. Conclui-se que as escolhas adoptadas para a reforma do sector de segurança do Timor-Leste – inspiradas por sugestões de um estudo comissionado à King's College London – subestimou os desafios relacionados à criação de um força de defesa regular; falhou em cumprir com a apropriação política local dessa reforma; e julgou mal os aspectos políticos e institucionais que tornar-se-iam cruciais para a governança do setor de segurança do país. Tais fatores contribuiram para a crianção de instituições de segurança instáveis no Timor-Leste, consequentemente a levar à ruptura securitária em 2006. Baseada em revisão literária sobre Reforma do Sector de Segurança e numa séries de entrevistas exclusivas com oficiais internacionais e Timorenses, esta dissertação demonstra que: (a) o escopo da reforma no Timor-Leste deveria ser mais abrangente e inclusiva, especialmente quanto à forças armadas não-estatutárias na ilha; (b) os modelos adoptados para a força de defesa do Timor-Leste não tinham definições claras sobre suas funções e sobre o valor da cultura nacional atribuída aos combatentes pela libertação do país; e (c) as deliberações sobre o futuro da força de defesa do Timor-Leste deu atenção limitada ao processo decisório local e à apropriação política da reforma do setor de segurança. Ao entender os mal julgamentos de SSR no passado, esta dissertação tem a ambição implícita de elucidar os desafios face às políticas contemporâneas de SSR implementadas no Timor-Leste com a assistência da comunidade internacional.

Palavras-chave: Reforma do Setor de Segurança, SSR, Timor-Leste / East Timor. UNTAET, King's College London, F-FDTL, Falintil, apropriação política, forças armadas não-estatutárias.

RESUMÉ

(Version Française)

Cette dissertation fait l'analyse des politiques et des études sur la Réforme du Secteur de Sécurité (SSR) réalisés pendant la mission des Nations Unies pour l'Administration de Transition du Timor-Leste de 1999 à 2002. Elle conclue que les choix adoptés pour la réforme du secteur de sécurité de Timor-Leste – inspirés par une étude commissionné au King's College London – ont sous-estimé les défis concernant la création d'une force de défense régulière ; ont raté l'appropriation politique locale du procès de réforme ; et ont jugé mal les aspects politiques et institutionnelles qui sont devenus fondamentaux vis-à-vis la gouvernance du secteur de sécurité à ce pays. Ces facteurs ont contribué envers la création des institutions de sécurité instables, en conséquence apportant à une rupture sécuritaire en 2006. Basée sur la révision littéraire sur la Réforme du Secteur de Sécurité et sur des interviews exclusifs avec des officiers internationaux et Timorais, cette dissertation démontre que : (a) l'angle de la réforme en Timor-Leste devrait être plus élargi et plus inclusif, particulièrement en ce qui concernent les forces non-régulières sur l'île ; (b) les modèles adoptés pour la force de défense de Timor-Leste n'avaient pas des définitions claires sur ses propres fonctions et sur le valeur culturel attribué aux combattants de libération du pays ; et (c) les délibérations sur l'avenir de la force de défense de Timor-Leste ont prêté une attention limitée au procès de prise de décision locale et à l'appropriation politique de la réforme du secteur de sécurité. En comprenant les jugements en SSR dans le passé, cette dissertation a l'ambition implicite d'éclairer quelques défis auprès les politiques de réforme d'aujourd'hui au Timor-Leste accomplies avec la assistance de la communauté internationale.

Mots clés: Réforme du Secteur de Sécurité, SSR, Timor-Leste / East Timor, UNTAET, King's College London, F-FDTL, Falintil, appropriation politique, forces armées non-régulières.

ACCRONYMS AND ABREVIATIONS

1. **CNRM –** National Council of Maubere Resistance (in the original, *Conselho Nacional da Resistência Maubere*)

2. **CNRT –** National Council of Timorese Resistance (in the original, *Conselho Nacional de Resistencia Timorense*).

3. **DDR –** Disarmament, Demobilization and Reintegration of former combatants.

4. **FALINTIL –** (in the original, *Forças de Libertação National do Timor-Leste*)

5. **F-FDTL –** FALINTIL – Força de Defesa do Timor-Leste (or, *East Timor National Defence Force*).

6. **FRETILIN –** Revolutionary Front of Independent East Timor (in the original, *Frente Revolucionária de Timor-Leste Independente*).

7. **INTERFET –** International Force for East Timor

8. **KCL –** King's College London, University of London.

9. **OECD –** Organization for Economic Co-operation and Development.

10. **PNTL –** East Timor National Police (in the original, *Polícia Nacional do Timor-Leste*).

11. **SSR –** Security Sector Reform.

12. **TNI –** Indonesian National Military (in the original, *Tentera Nasional Indonesia*).

13. **UDT –** Timorese Democratic Union (in the original, *União Democrática Timorense*).

14. **UN –** United Nations Organization.

15. **UN/OCHR –** United Nations Office of the High Commissioner for Human Rights.

16. **UNMIT –** United Nations Integrated Mission in Timor-Leste.

17. **UNTAET –** United Nations Transitional Administration in East Timor (1999-2002).

TERMINOLOGY DISCLAIMER

For the purposes of the present work, several terminologies must be clarified.

Although in the English language most literature sources make reference to *East Timor*, this work adopts the official country name as *Democratic Republic of Timor-Leste* or its conventional short-form *Timor-Leste*. The chosen terminology coincides with what has been used by most recent works on the country.

References to Timor-Leste's National Defence Force are standardized as *F-FDTL*, which is its current form. However, it is recognized that the name and acronym changed over the first years of existence. The institution was created in February 2001 as the East Timorese Defence Force or simply FDTL in the original Portuguese version. In 2002, the prefix *FALINTIL* was added to its original name, thus becoming *FALINTIL-FDTL* or *F-FDTL* for short. This form still persists and is an acceptable form of reference, independently of what period of F-FDTL's history is referred to.

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1. INTRODUCTION

As the international community approaches the 10th anniversary of the withdrawal of Indonesian troops from Timor-Leste, this moment is a meaningful milestone from which to look back at the successes and mistakes in building up such new country. Despite its short history of independence – already tainted with recent institutional crises, political ruptures and violence – Timor-Leste offers valuable lessons on the art of state-building out from the wreckage of a post-conflict society. More fundamentally still, it offers lessons on Security Sector Reform. As it has become clearer in later years, the Timorese security sector has been the centrepiece of (in)stability. It has mirrored the limitations of international paradigms to understand its underlying political and social realities; the extent to which local ownership of reform is indeed essential; and how vital it is to design an accurate security architecture – with the right size, over solid foundations and since the very start. These are the issues explored by the present dissertation.

The concept of Security Sector Reform (or SSR) has become increasingly present in the international agenda, as demonstrated by higher levels of investment and number of dedicated cooperation programmes over the last decade.[1] SSR entails the reform towards a framework where security institutions – such as military forces, police and intelligence services – are organized efficiently to provide not only security to the state, but also security that is 'people-centred'. That means that such institutions must be bound to modern democratic standards, be under the rule of law, and abide to transparency, oversight and human rights. In Alan Bryden's words, 'from a governance perspective, the security sector covers the elements of the public sector responsible for the exercise of the state monopoly of coercive power and has traditionally been a key feature of the modern nation-state'.[2] Nonetheless, as David Law and Charles Call argue, the reconstruction or reform of the security sector now reflects broadened concepts of *development* and the notion that it is interdependent to *security* for the maintenance of sustainable peace.[3]

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[1] Muggah (2009),p.11.
[2] Bryden & Hangii (2004),p.6.
[3] Law (2006),p.1; Call (2007),p.5.

However, SSR is *not* a theoretical model and is far from being able to classify a set of empirical phenomena happening in the security sector. At worse, it is a mere technical guideline; at best it is a doctrine, otherwise codifying principles and policy prescriptions. As such, its scope and reliability are still limited. Its knowledge-base is built case upon case, over a long period of time, and thus – as Brozska highlights – there is still little knowledge on the practicalities and sequencing of security sector policies, though suggestions for SSR instruments abound.[4] Moreover, SSR as a concept and as a holistic policy is relatively new, no more than a decade-old. Therefore, to some extent, a case can be made that it is still maturing, struggling to close the gap between concept and practice. In line with Peake and Scheye, this dissertation thus recognizes that 'a conceptual-contextual divide exists between SSR's stated goals and actual implementation, a fissure that suggests the need to re-evaluate its tenets as currently conceived and practiced'.[5] As such, it needs to rely on the evaluation of as many case-studies as possible in order to improve its knowledge-base and to create a more robust set of policies, in tune with local realities and demands.

Despite its shortcomings, the SSR framework has shaped new security policies from former Soviet Republics to Mozambique; from Angola to Latin America. The case of Timor-Leste adds to this context 'as situations with strong international influence are particularly useful in accumulating knowledge about the application of instruments and policies of security sector reconstruction and reform'.[6] Therefore, the contribution of this work is to give one more angle of analysis onto the fragile process of SSR in Timor-Leste. It builds upon existing literature on the theme, former assessments about the country, and exclusive interviews conducted on behalf of this work. The central objective is to understand *if* and *how* the initial decisions on the construction of the East Timorese security sector contributed to the crises that culminated in 2006 in the country. On the background, this research also shades light on whether the Timorese example illustrates how the distortion of the binary *security-development* eventually leads to renewed instability and political violence.

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[4] Brzoska (2006),p.2.
[5] Scheye & Peake (2005),p.295.
[6] Brzoska (2006),p.2.

This dissertation maintains and concludes that the choices adopted for Timor-Leste's Security Sector Reform failed to comply with local ownership standards, underestimated the challenges surrounding the reintegration of former combatants, and misjudged political aspects that would later become crucial in the governance of the country's security institutions. In that sense, these decisions can be mostly accounted for the vulnerability and collapse of security institutions and public order in 2006. Nevertheless, important intervening variables were also identified and recognized as playing an additional role in the political instability of Timor-Leste, such as: old political scores among top government officials; personal political agendas; the impact of a variety of international programmes; besides socioeconomic grievances faced by the general population, particularly the youth.

Although this work touches on the many components and institutions prescribed in the SSR *palette*, it chooses to concentrate on the country's army or the East Timorese National Defence Force, otherwise known as the F-FDTL.[7] This is because this work recognises that the military component in the local security sector is the hinge of Timor-Leste's political discourse, status, cultural identity and stability.[8] Agreeing with Rees' arguments, 'a state's defence force is a mirror of the historical experiences of its society (…) F-FDTL is an expression of a society that has experienced a series of traumatic and disenfranchising events'.[9] Taking this observation into account, this dissertation sees F-FDTL as the centrepiece to understand the limits and the consequences of SSR conducted in Timor-Leste, particularly from its initial stages.

In order to address the leading questions of this work, two objects are analysed. First, the research looks back to the early days of UNTAET – United Nations Transition Administration of East Timor – which took place from 1999 to 2002. Seen as one of the most ambitious UN peace operations to date, UNTAET was responsible for preparing the grounds for an independent East Timorese state. For that, it took full executive, legislative and judicial powers. It was not assisting a local government but *being* the government.[10] Due to its overwhelming powers and

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[7] In the original Portuguese, 'Falintil – Forças de Defesa do Timor-Leste'.
[8] See also Schnabel & Ehrhart (2005),p.6-7.
[9] Rees (2004),p.5.
[10] Traub (2000),p.74.

responsibility, it is not surprising to state that UNTAET's early decisions on the institutions and structure of the new Timorese state had a definite impact onto the country's present reality. Therefore, the objective here is to trace back the share of responsibility of the decisions undertaken at the time of the Transitional Administration in light of the tensions and breakdown of the Timorese security sector, which eventually culminated in 2006.

The second object under scrutiny is the political, institutional and security context surrounding the commissioning of the King's College London's report known as '*Independent Study on Security Force Options and Security Sector Reform for East Timor*', funded by the UK Department of International Development (DFID). In 2000, UNTAET commissioned this study during a troublesome time. The United Nations was pressed to decide what to do with former Timorese liberation fighters composing FALINTIL – Armed Forces for the National Liberation of Timor-Leste. In this conundrum, the King's College study had a particular function. It aimed to 'address the future of Falintil fighters; to examine the feasibility and make propositions for a future East Timorese defence force; [and to] analyse governance aspects in relation to security and civil-military relations'.[11] The study presented three options for the structure of a new defence force. Based on its *Option 3*, decisions were made on what would eventually become the East Timorese National Defence Force F-FDTL, born in 2001. As detailed further ahead, this study became intriguingly controversial. As often cited in interviews, reports and even official government documents, the KCL study became the icon of insensitive international models or even the 'vehicle for the introduction of so-called externally imposed strategic concepts'.[12] In other words, the KCL study is perceived as something near to an "*original sin*" of the East Timorese SSR process, at least when the its military axis is concerned.[13]

Hyperboles apart, this research identified that the KCL study had fundamental problems, misjudgements, logistical pressures and conceptual fragilities. Its flaws cannot be underestimated, and neither can be its contribution to UNTAET's decisions

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[11] KCL (2000),p.2.
[12] Ministry of Defence of Timor-Leste (2006),p.8.
[13] Interviews with *A4* and *A5*, 26 June 2009.

that eventually shaped F-FDTL from its very inception. However, the report cannot be analysed and judged in isolation. It was only a study and not the actual policy or the decision-making process itself. Furthermore, as detailed ahead, there were particular contexts of the time and intervening variables that hindered the Timorese SSR process as a whole. Therefore, the KCL study cannot be detached from the responsibility of UNTAET and from other multilateral programmes; neither can it be detached from the responsibility of national authorities before or after the country's independence; nor from the army and police officers themselves; nor from the pressing socioeconomic grievances suffered by other groups in the East Timorese society. Therefore, thinking the study as something close to an 'original sin' of F-FDTL is farfetched. Yet, one cannot devalue the rationale behind the strong symbolism of the study in the eyes of East Timorese officials. For that reason, the endeavour of this dissertation is to offer a balanced analysis of the contribution of the KCL study – especially in light of UNTAET's policy decisions – to the political crisis leading up to 2006. By doing that, it is possible to understand some of the long-term impact of subsequent SSR policies on Timor-Leste itself.

Concerning the analysis of this study, several issues must be made clear at this stage. This dissertation will use the King's College study as a departure point to understand the SSR *context* and *decision-making* taken by UNTAET when the defence force and police service were building up. As such, this work is *not* a 'project evaluation' or 'desk review' of the KCL study. In fact, it is a critical evaluation of the context surrounding a report that was significant to the SSR evolution in Timor-Leste. The assessment of such context will be done in light of the existing literature on SSR, especially regarding issues such as ownership, security governance, civil-military relations and security sector structure. Therefore, this research sees the KCL study as only one among many elements behind the construction of an unstable Timorese security sector. Nevertheless, the controversies surrounding the study only help to *map* what lessons can be learned from the East Timorese SSR process as a whole. The study will be the anchor of analysis, but it does not limit the analysis. It serves as a reference to distinguish the elements that contributed for or undermined the stability of security institutions in Timor-Leste.

The build-up and evolution of Security Sector Reform in the country are explored here, though the emphasis is on the conceptualization and birth of the F-FDTL. The critical analysis of these issues is divided according to the following structure. Together with the present introduction, the dissertation is divided into seven parts. The next chapter (Chapter Two) details the methodological foundations underlining the research element of this work, as well as justifying the dissertation in light of its relevance to SSR knowledge. Chapter Three dedicates to a brief, but much-needed historical context behind Timor-Leste's security sector, besides the tensions and crises in its recent history, UNTAET and the King's College study. Chapters Four, Five and Six comprise the core of analysis, arguments and literature review put forth in the present dissertation. They focus on different aspects of the critical assessment regarding Timor-Leste's security sector options and decisions. The first aspect is related to *Security Sector Scope* (Chapter Four), otherwise detailing the consequences of a narrow approach used in SSR policies in Timor-Leste. The second aspect is related to *Security Sector Architecture* (Chapter Five), which discusses issues such as models for the East Timorese national defence, civil-military interface, reintegration of former combatants, among other relevant questions. The third aspect discussed is *Security Sector Ownership* (Chapter Six), offering an analysis and discussion on the decision-making process concerning the reform of Falintil and the creation of F-FDTL. Finally, Chapter Seven closes this work by offering conclusions on lessons learned.

The present work points out to flaws in policies and studies as they were dully identified, but it does not hesitate to recognize when other variables are to be taken into account. This dissertation envisages an independent, balanced and critical assessment of how defining and implementing sensible SSR policies from the very start is crucial for determining the democratic stability of security – otherwise, a core element in the prosperous relationship between any state and society.

2. METHODOLOGY AND JUSTIFICATION

There is no definite yardstick to evaluate and compare SSR policies around the world. Each case is unique as much as each country is defined by the weight of its own political history, cultural identities, as well as internal and external threats. As Karkoszka highlights, 'there is no single model of a democratic security sector, just as there is no single method of its reform'.[14] However, in spite of the uniqueness in security sector realities, challenges, and demands, there are always similar issues linking each particular SSR experience. Countries such as Kosovo, Haiti, El Salvador and Timor-Leste are clearly distant in many aspects, but they face some similar security challenges. These countries had sudden disruptions of law and order; all underwent international interventions, though some more comprehensive than others; and finally, their post-conflict reality posed a demanding level of state-building, sometimes from scratch.

In light of these common challenges, the case of Timor-Leste is significant to build-up the knowledge on particular SSR issues faced in war-torn societies. Not surprisingly, many assessments and academic literature have turned their focus onto that country.[15] This dissertation adds to them in the particular way it revisits SSR policy decisions during the initial phases of the complex transitional administration led by the United Nations in Timor-Leste. More importantly, it analyses that time in contrast to relatively recent events. The shattering of the security sector in 2006 and the continuing instability until mid-2008 created an open wound which revealed structural flaws of old policies and decision-making. These recent political crises changed the perception of Timor-Leste 'from the UN's nation-building success to a failed state in the making'.[16] As such, this dissertation explores the contribution of SSR policies to the metamorphosis of what used to be portrayed as a success story.

In face of these challenges, the most recent peace operation – UNMIT or the UN Integrated Mission in Timor-Leste – has given considerable priority to a new SSR

[14] Karkoszka in Bryden & Fluri (2003),p.319.
[15] Just to name a few examples: the latest report from the IFP Security Cluster; the series of analysis on SSR from the International Crisis Group; besides the works by Kingsbury & Leach (2008), Hood (2006), Peake in Muggah (2009), among others.
[16] ICG (2008),p.1; See also Cotton (2007),p.456.

review.[17] The East Timorese government, on the other hand, is allegedly resistant against further international "intervention" in security sector affairs, especially concerning F-FDTL.[18] The intriguing issue here is that allegedly there is 'fear of another King's College study'.[19] The aim to avoid "flawed" and "external" policy prescriptions has also become explicit in government policy papers, such as the *Force 2020* defence programme. Although many other reports have equally shaped the East Timorese security sector over the last decade, the King's College study is believed to be the 'prototypical report or study that resulted in things going wrong'.[20] This work identified that this *image* – either fair or unfair – is still strong in the points of view of several East Timorese and international officials. In a time when the international community – through UNMIT – gives priority to a renewed SSR agenda and prescriptions in Timor-Leste, it is of particular value to fully understand the misjudgements of the past. By figuring out what are the possible lessons learned from the initial reform process, this dissertation has the implicit ambition to shade light onto possible recurring challenges occurring in contemporary SSR approaches. Hence, the dissertation also justifies itself in understanding the flaws of old policies while looking ahead at continuing security sector challenges in Timor-Leste.

The objective of the present work posed specific methodological challenges. As it deals with the subtleties of the social and political "engineering" undertaken over the years, this dissertation inevitably had to plunge itself into the perceptions and knowledge of East Timorese on the ground. Therefore, a field mission was done in order to conduct a series of interviews with senior experts and characters who have witnessed the history and the evolution of the East Timorese security sector reform. The author of the present work has been in Indonesia between 18 and 20 June, and in Timor-Leste (Dili) between 21 June and 2 July. Few other interviews had been conducted in London and Geneva beforehand.

A total of twenty-six interviews have been conducted with key characters and senior officials from a variety of local and international institutions. All these sources have given their voluntary consent to offer their valuable insights and to take part in

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[17] Interview with *A2*, 22 June 2009.
[18] Interviews with *D1*, 19 June 2009; *A2*, 22 June 2009; *E1*, 1 July 2009.
[19] Interview with *A4*, 26 June 2009.
[20] Ibidem.

the research. To comply with data protection standards and legislation,[21] the names, institutions or any identification detail are kept in anonymity. As noted throughout the present dissertation, any reference to interviews is codified and the key is kept in possession of the author only. Most contributions were collected personally using a semi-structured set of questions. In all cases, the interview was conducted with one person at a time. When a personal visit was not possible – as in very few cases – the interview was alternatively conducted by phone or e-mail after the express consent of the interviewee.

This dissertation's value is linked to the quality of such personal contributions, but it recognizes the inherent limitations of personal accounts and oral history. To raise accuracy standards, oral information was crosschecked with recognized literature whenever possible. Concerning the latter, this work anchors itself to literature review, especially on Security Sector Reform, on Timor-Leste's pre and post-independence history, as well as on comparative SSR policies in other countries. Such literature review is explored in more detail in the chapters ahead. The King's College report from 2000 is also thoroughly analysed as it is a reference point from which to analyse the SSR context in the first years of the international intervention in the island.

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[21] United Kingdom Data Protection Act 1998 (DPA).

3. TIMOR-LESTE'S SECURITY SECTOR AND ITS CONTEXT

The present chapter demarcates the contextual boundaries of this dissertation's research. As such, the background of Security Sector Reform in Timor-Leste is explored with reference to the country's history of foreign occupation from 1975 to 1999. Moreover, references are made to the interim administration conducted by the United Nations, as well to its post-independence history. A particular focus is drawn onto the '2006 crisis', when the instability of security institutions became the fulcrum of wider political and social violence throughout the country. In this context, this chapter also offers an overview of the relevance and controversies behind the King's College study vis-à-vis the East Timorese National Defence Force.

3.1 TIMOR-LESTE: HISTORICAL BACKGROUND

Timor-Leste is the youngest state recognized by the United Nations and was already born amid the poorest countries in the world and as the least developed in Asia according to its Human Development Index.[22] In contrast to its apparent lack of attraction to international interest, this small island – at the eastern end of the Indonesian archipelago and on the northern maritime border with Australia – has already been the stage to one of the most comprehensive peace operations in the history of the UN. From 1999 to 2002, the United Nations Transitional Administration of East Timor became responsible for restoring order after the breakout of violent clashes in mid-1999. More substantially, such operation was also responsible for preparing the country for full independence and for an autonomous state apparatus it never had before during its entire colonial history. The challenges behind state-building and nation-building projects at independence can only be analyzed if Timor-Leste's historical background is taken into account.

The country faced a long history of colonial administration. It was one of the first territories colonized by the Portuguese, already in the 16th century.[23] The western part of the island – West Timor – was later handed to the Dutch Empire, thus

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[22] UNDP (2007),p.231.
[23] CSDG (2003),p.221.

becoming a province of the Republic of Indonesia after its independence from the Netherlands.[24] For more than four hundred years, colonial power in the eastern portion of the island – Timor-Leste or East Timor– had been exercised by a superposition of the Portuguese authority over local kings.[25] In spite of its small territory and population – of a little more than one-million people[26] – Timor-Leste's dramatic topography led to sparse and virtually disconnected villages from each other. Besides the emergence of a variety of different dialects and cultural affiliations,[27] this disconnection was a challenge to centralize political power in Dili, the capital. More importantly, this disconnection challenged the perception of a unified and homogenous Timorese nation. Nevertheless, the nation-building project of Timor-Leste would gradually forge itself in the late 20th century, especially through political and armed resistance against foreign occupation.[28]

The 'Carnation Revolution' in Portugal in 1974 led to the collapse of Salazar's authoritarian regime, the dissolution of the Portuguese empire and to the recognition of the right of colonial territories to self-determination.[29] In the same wave of independence enjoyed by Mozambique and Angola, Timor-Leste started preparing for independence as soon as its independence movement coagulated into local parties.[30] According to Taylor, the changes in Lisbon had little practical influence on the daily life of Timor-Leste, except for the Portuguese-speaking urban elites in Dili[31] – precisely those playing a central role in the political events stretching up until nowadays. In the midst of change, elections in Timor-Leste were first scheduled for 1976 and a complete hand over for 1979. Before those dates, however, the prevailing parties of Timor-Leste – UDT and Fretilin[32] – clashed in a bloody civil war. As a result, the Portuguese colonial administration decided to withdraw. And as UDT fighters retreated into neighbouring West Timor, Fretilin declared unilateral independence in 28 November 1975.

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[24] Taylor (1999),p.5.
[25] Hohe (2002),p.574.
[26] UN (2009),p.5
[27] Da Silva (2004),p.13.
[28] Id.,p.31.
[29] CSDG (2003),p.221.
[30] Interview with *D1*, 19 June 2009; See Maley (2005),p.301.
[31] Taylor,op.cit.,p.26; See also Carey & Bentley (1995),p.5.
[32] *Timorese Democratic Union* (conservative) and *Revolutionary Front of Independent East Timor* (Marxist).

Independence, however, was short-lived. Less than ten days later, Indonesian troops landed on Timor-Leste and eventually annexed it into the Republic of Indonesia. Much has been speculated over the motives of Indonesians regarding Timor-Leste, but literature seems to converge around some of the arguments put forth by Elizabeth Traube and John Taylor. In that sense, there were fears among Indonesian senior military regarding the leftist and separatist coup in Timor-Leste and how it could contaminate the whole region – especially in light of earlier communist victories in Indochina.[33] It was the beginning a 24-year long occupation which led to the emergence of a nationwide armed resistance, backed by local communities and exiled Timorese leaders. It was a period when new political structures evolved and when a national identity started to emerge in the shadow of a shared foreign enemy.[34] Violence was widespread, especially in the aftermath of the Indonesian troop landing and consolidation of power. Based on Paulino Gama's study, Carey and Bentley points out how the Indonesian rule was devastating for the Timorese society, 'involving the deaths of perhaps as much as 40 per cent of the pre-invasion population'.[35] In this same line, Traub reminds that approximately 200,000 people died from violence, hunger or disease.[36] Considering the population of no more than one-million at the time, the Indonesian invasion could even be considered a massacre of genocidal proportions. Not surprisingly, this had a profound effect on the political, social and cultural construction of the new Timorese nation-state.

With the exception of Australia, the international community never recognized Indonesian rule over Timor-Leste. The United Nations General Assembly and Security Council continuously approved resolutions on the matter and promoted talks between Indonesia and Portugal over the status of the territory.[37] With the change of Suharto's authoritarian regime in Jakarta and the inevitable changes in foreign policies, the Indonesian government accepted to hold a referendum in Timor-Leste in 1999. The choice was to remain associated to Jakarta with greater autonomy or rather to become fully independent. With the United Nations as broker in the dispute,

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[33] Traube in Carey & Bentley (1995),p.62.
[34] Da Silva (2004),p.13.
[35] Carey & Bentley,op.cit.,p.7.
[36] Traub (2000),p.76; CAVR (2005),p.169.
[37] Argued by CSDG (2003),p.222; Suhrke (2001),p.3; Additionally, refer to UNSC Resolutions 384 (1975), 389 (1976); besides eight UNGA Resolutions approved between 1975 and 1982.

the consultation revealed that 78.5% of the Timorese population chose the independence card.[38]

As soon as results were announced, however, violence erupted led by pro-integration militias. With the implicit support of Indonesian forces, they launched a violent 'scorched earth campaign'. According to Shoesmith, estimates claim a brutal aftermath of 70% of destroyed infrastructure, private homes and public buildings that were literally burned down; moreover, 75% of the entire Timorese population was displaced.[39] In this context, the UN Security Council approved the deployment of an Australian-led multinational force to secure the territory (INTERFET)[40]. By the end of 1999, a full-scale UN peacebuilding operation was approved. It was the beginning of UNTAET, one of the key objects of study in the present dissertation. Comparable to the peace operation in Kosovo – approved just few months earlier – UNTAET became the 'interim regime' of Timor-Leste. Its broad mandate conferred absolute powers to exercise legislative, executive and judicial authority in order to structure the institutions necessary for independence.[41] At the time, the UN Secretary-General determined the establishment of an indigenous police service; however, there was no specific reference to the creation of a defence force or to a broader SSR. Although UNTAET had full powers on the ground and was permitted to take all necessary measures to fulfil its mandate, there was nothing explicit on how to deal with resistance fighters from the Falintil guerrilla. As detailed in the chapters ahead, this was a fundamental error which undermined outcomes in SSR in years to come.

3.2   ARMED RESISTANCE: THE ROLE OF FALINTIL

In order to understand the birth and the challenges of the East Timorese National Defence Force after 2000, it is vital to take into account the process of armed resistance against Indonesian occupation and how this became central to contemporary political discourse, national identity, and ultimately, to the reform of the East Timorese security sector. The protagonist in this context was FALINTIL, otherwise known as the *Armed Forces for the National Liberation of Timor-Leste*.

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[38] Suhrke (2001),p.5; Martin & Mayer-Rieckh, (2005),p.131.
[39] Shoesmith (2003),p.233.
[40] UNSC Res.1264 (1999).
[41] UNSC Res.1272 (1999), Article 1.

Falintil was born in 1975 in the midst of clashes between the two major political parties that had been preparing the country for independence from Portugal. Initially, Falintil used to be FRETILIN's armed militia, adding pressure to the party's desires for an immediate hand over. After the violent clashes with UDT and the withdrawal of Portuguese authorities from the island, part of the Portuguese Army associated with Falintil.[42] As Indonesia landed its troops in the end of 1975, Falintil became Fretilin's partisan wing of armed resistance against foreign occupation. Some sources reveal that Falintil's strength comprised approximately 20,000 men – out of whom 2,500 were full-time troops from the Portuguese army, 7,000 were part-time militia and 10,000 were reservists with some military training.[43] In spite of the relative size of Falintil's original army, the Indonesian army (TNI) managed to chase, capture or kill most of its force. As Peake notes, Falintil held a significant portion of the country but, 'as Indonesian control strengthened in the late 1970s, the fighters were eventually pushed east, and the activities underground'.[44] After more than two decades of irregular warfare, Falintil found itself as fragmented cells mounting up to approximately 2,000 men[45] – precisely those who would later become a challenge to reintegration schemes during the process of independence during UNTAET.

By 1979, the blows on Falintil made the Indonesian military remain confident that the Timorese resistance had finished.[46] However, the new strategic configuration led Falintil to change. From a regular force, Falintil was forced to adapt its structure into a guerrilla counting with civilian assistance from East Timorese villages.[47] Eventually, its military tactics changed to 'hit and run' operations.[48] In the political sphere, new leaders emerged – among them the renowned Xanana Gusmao, who eventually became Falintil's uncontested leader, Timor-Leste's first president and now its current prime minister. By the late 1980s, Gusmao skilfully protracted a fundamental change in Falintil's political associations. From the original partisan links to the leftist party Fretilin, Falintil became the armed front under a broader political umbrella, which also covered of a variety of political groups and tendencies. This

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[42] Taylor (1999),p.57.
[43] 'History of East Timor', Solidamor. Retrieved on 29 July 2009; Taylor (1999),p.70.
[44] Peake in Muggah (2009),p.172.
[45] Interview with *A3*, 26 June 2009; KCL (2000),p.3.
[46] Taylor (1999),p.115.
[47] Rees (2004),p.2.
[48] Muggah,loc.cit.

umbrella was the CNRM or the *National Council of Maubere Resistance*, later becoming the CNRT or *National Council of Timorese Resistance*. It can be argued that the Council successfully accommodated domestic political tendencies into a common line of resistance, besides channelling diplomatic dialogue and recognition vis-à-vis the international community and the United Nations. Through it, Falintil became a symbol of national unity, not acting independently but *ideally* acting on behalf of all East Timorese people.[49] In line with Rees, this change proved to be a successful strategy in the search for a political solution for the Indonesian occupation, especially considering that guerrilla resistance alone would not suffice.[50]

In spite of its inherent military limitations in face of the overwhelming TNI capacity, Falintil won on other grounds. In fact, it managed to capture the imagination of the Timorese. The 'David-against-Goliath' image was and is still strong, becoming the quintessential symbol of resistance. It underpins Timor-Leste's nation-building project despite regional differences existing throughout the country. More importantly regarding the present dissertation, Falintil's history is a fountain of political prestige and legitimacy to current leaderships. Furthermore, Falintil's transformation in 2001 into the F-FDTL regular defence force was a centre of controversy, creating lines of division across the Timorese political spectrum and inside the Timorese society.

It is true that this dissertation's research found counterarguments playing down Falintil's renowned acceptance, stating for instance that 'it is a myth to say that Falintil enjoyed and enjoys that much prestige in the eyes of the population'.[51] However, most interviews and literature sources concur that Falintil's resistance at the very least managed to build a *mystique* or a symbolic value which cannot be underestimated.[52] As argued further ahead, the problem was precisely that UNTAET understated Falintil's symbolic importance to the country's security sector, thus also understating its importance to the future stability of the Timorese state and society.

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[49]See also La'o Hamutuk (2005), p.1.
[50] Rees (2004),p.2.
[51] Interview with *D1*, 19 June 2009.
[52] Interviews with *B4*, 25 June 2009; *A4*, 26 June 2009; *A5*, 27 June 2009; inter alia.

3.3   KCL STUDY: BRIDGING A GUERRILLA TO A REGULAR DEFENCE FORCE

The transformation of Falintil into a regular defence force confounds itself with the historiography of security sector policies initially undertaken by UNTAET. And – as this research eventually confirmed – nothing is more emblematic in this context as the study conducted by King's College London. Being commissioned by the UN transitional administration, the study entitled '*Independent Study on Security Force Options and Security Sector Reform for East Timor*' was the first to propel the series of decisions regarding the structure of Timorese defence. Among its stated objectives, the report essentially examined the feasibility of building up a national defence force in the country. From the start, it assumed that Falintil combatants would form the core of the new force[53], thus automatically considering what would be Falintil's future in an independent and democratic Timor-Leste from 2002 onwards.

KCL's study debated three options on the structure of a force capable to address an identifiable set of needs for the external protection of the country:[54]

– **Option 1**: to compose a force of 3,000 – 5,000 military by integrating Falintil former combatants, and the balance being made up of conscripts. There would be specialised troops for civil-disturbance control and a small naval and air defence body. Furthermore, its functions would be that of a *gendarmerie* or national guard operating alongside the police. As pointed out by the study's team, this option would be nearer to the renowned model adopted in Costa Rica. This was seen as the closest option to Falintil's expectations, but the heaviest financial burden to the government budget at the time.

– **Option 2**: to compose a force of 1,500 core troops, added by another 1,500 coming from annual conscript drafts. No air or naval arm would be expected, as much as the option for a *gendarmerie*.

– **Option 3**: to compose a force of 1,500 core troops, added by another 1,500 volunteer reservists embodied only for training periods. As recognized by the study, the part-time volunteer model is similar to the system used in the UK, US

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[53] KCL (2000),p.2.
[54] Id.,p.8.

and Australia. However, the reserve force could be trained for irregular warfare, which would build upon Falintil's experiences. No air or naval arm would be expected *initially*, but could be an aspiration. Finally, its economic calculations indicate that it would be the best cost-benefit option due to its lower defence burden on the East Timorese revenue.

The report's team weighted these options and explicitly favoured *Option 3*,[55] which was immediately followed by UNTAET officials. According to one source, Sergio Vieira de Mello – the UN Special Representative of the Secretary-General – saw the report as a 'kick-start to legitimize a regular force in the country and to solve Falintil's issue'.[56] There had been no mandate for UNTAET to deal with Falintil openly and properly. Therefore, the KCL study was allegedly '*used* to push a new UNTAET regulation agreeing on what exactly to do with Falintil former combatants'.[57] It was believed that the strength of an international study from a reputable university would be a professional instrument and a legitimizing base upon which to decide Falintil's future. This was maintained by a series of other interviews.[58]

As explored in the chapters ahead, the KCL study has received a number of criticisms concerning its options, its scope, its surrounding decision-making process, and the timeframe to conduct the research on the ground. However, this dissertation also maintains that the study was immersed in peculiar circumstances which influenced its implementation and its future perception in the eyes of East Timorese officials. Moreover, it is difficult to disentangle such study from a variety of other variables and actors which contributed to the unfolding of events revealing flaws in the SSR process in Timor-Leste. The study, besides these other actors, will be analysed ahead in more detail.

3.4   THE '2006' CRISIS IN TIMOR-LESTE: SSR AT TEST.

A particular moment in the recent history of Timor-Leste is relevant to understand the long-term impact of policies undertaken during the transitional

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[55] KCL (2000),p.6.
[56] Interview with *D2*, 22 June 2009; refer to UNTAET Regulation REG/2001/1.
[57] Ibidem (my italics).
[58] To say a few: Interviews with *A4*, 26 June 2009; *D1*, 19 June 2009; *C2*, 30 June 2009; inter alia.

administration period. It also revealed old political scores and social wounds which were buried since pre-independence times. It has put UN claims of success in Timor-Leste under check[59] and humbled the political 'engineering' led by international actors. It has finally put previous SSR studies and policies under the microscope and posed new challenges to what should be done regarding the security sector of the country. This moment is what became known as the '2006 Crisis'.

By April and May 2006, the escalation of tensions inside the Timorese security sector culminated in the form of widespread violence throughout the country, especially in the capital Dili. As argued by several researchers such Kingsbury and Leach, the Timorese political system seemed to be stable until 2006, in spite of its nascent stage and the existence of disruptive anti-system groups.[60] Yet, protests by dissatisfied military in F-FDTL – so-called 'petitioners' – was a catalyst prompting street riots and chaos which were not restricted to the military alone. Their public protests became 'a lightning rod for a range of disaffected groups with grievances over the high level of unemployment and other concerns about the level of democratic responsiveness of the Alkatiri administration'.[61] Tensions in both East Timorese defence force and police service were also the platform of political battles among top government leaders.[62] Though open to debate, some sources claim that the incidents of 2006 and the assassination attempt of President Jose Ramos-Horta in 2008 are clearly linked as coup attempt using both security forces (F-FDTL and PNTL) as key bases of support and political manoeuvre.[63] Whether or not a deliberate coup attempt was behind the 2006 Crisis, literature and interviewed sources in general converge on the claim that politicization of security forces was definitely a catalyst to the outburst of violence. The aftermath of the crisis saw half of F-FDTL soldiers dismissed, the PNTL completely disbanded, confidence on political institutions shattered, at least 37 people dead, 150,000 internally displaced people and the resignation of Prime-Minister Alkatiri.[64]

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[59] ICG (2008),p.1.
[60] Kingsbury & Leach (2007),p.4.
[61] Id.,p.6.
[62] Interviews with *B3*, 24 June 2009; *B4*, 25 June 2009;
[63] Interview with *B2*, 24 June 2009.
[64] ABC in Kingsbury & Leach,op.cit., p.97.

The crisis also prompted a renewed UN peace operation from August 2006 to 2010 – the UNMIT (UN Integrated Mission in Timor-Leste). This time, the mission carries a specific mandate on SSR[65] – which recognizes that the security sector is a centrepiece in the country's stability after all. However, the mission has not been exempted from critiques and faces resistance from Timorese officials[66] – a symptom known as 'beneficiary fatigue'. Although encompassing a broader SSR approach than before, there is still lack of attention by UNMIT on F-FDTL.[67] This is still a matter of concern and it could show that some lessons on SSR have not been learned in spite of past misfortunes faced by UNTAET.

As argued by a recent International Crisis Group report, 'the roots of the 2006 violence are in the decisions taken on the security sector in the years before and after independence in 2002'.[68] This dissertation agrees entirely. The chapters ahead base on such historical background to analyse past studies and policies in light of SSR literature and past experiences. By doing so, this work aims to know *what went wrong* in the SSR process leading up to the 2006 Crisis in Timor-Leste.

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[65] See UNSC Resolution 1704 (2006), Articles C, E and F.
[66] Interview with *A5*, 27 June 2009.
[67] Interviews with *A2*, 22 June 2009; *A6*, 1 July 2009; *E1*, 1 July 2009.
[68] ICG (2008),p.4.

4. SECURITY SECTOR SCOPE: The costs of being narrow

This chapter assesses some of the policies, studies and decisions behind the reform of the security sector in Timor-Leste. The F-FDTL is the main security body under analysis. The chapter builds up to the conclusion that the political crisis faced by Timor-Leste in 2006 can be in great part attributed to fragile security institutions. These were shaped precisely by policy decisions during UNTAET and during the early post-independence history of the country. As West elegantly put it, there was a challenge to 'grapple with structural defects caused by faulty building blocks laid during UNTAET period'.[69] Along this line, this chapter concentrates on how little was thought in terms of a more comprehensive SSR agenda at the time, and what effects it had. These issues are discussed while first detailing the approach of the SSR agenda and its shortcomings.

4.1 UNDERSTADING SSR IDEALS AND FALLACIES

Security Sector Reform is a recognition that security and development walk hand-in-hand to avoid unstable states, thus reducing their propensity to internal conflict. As maintained by authors such as Law, Bellamy and Duffield, development cannot be promoted without security; and 'without development, neither can social peace, democratisation and justice'.[70] As such, the importance of SSR to state-building derives from the need for an efficient and effective operation of the rule of law, which in turn would be a fertile ground for sustainable development policies to flourish.

At least according to classical Western political thought, the provision of security is in the very heart of the nation-state. In line with that argument, Laurie Nathan argues how SSR is profoundly political. As such, SSR focuses 'the most sensitive sector of the state; it challenges power relations, vested interests and dominant paradigms; it can provoke significant contestation with the state and between the state and other actors'.[71] With this in mind, the political enterprise of

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[69] West in Call (2007),p.342.
[70] Quote by Law (2006),p.1; See also, Bellamy (2003),p.102; Duffield (2006),p12-13.
[71] Nathan (2007),p.8.

SSR turns itself into a complex set of policies. So complex that – not rarely – it falls short of precise analysis of local contexts, eventually leading to flawed visions and prescriptions. On the other hand, however, 'an unreformed security sector is barely able to prevent violent conflicts, or may even contribute to their flaring up and escalating'.[72] Furthermore, 'without reform scarce funds will continue to be misdirected, post-conflict reconstruction will be constrained, and the gates will be flung open to corruption'.[73] As Nicole Ball also argues, it has become increasingly clear 'that neither people nor the states they live in could achieve democratic consolidation, poverty reduction or sustainable development without adequate security'.[74] Therefore, in spite of the practical shortcomings and criticisms faced by SSR policies, a case can be made that their basic ideals cannot be played down, particularly in post-conflict societies such as Timor-Leste.

As David Law notes, there are at least three facets or tenets sustaining SSR policies.[75] First, that any reform must be comprehensive in nature – that is, multisectoral and bringing institutions under a holistic understanding of security and of the role each one plays. Second, that all actors comprised in the security sector scope must operate cost-effectively. Third, that an element of democratic control or democratic governance should be present in the provision of security in a country. However, an important 'facet' of SSR that is probably missed by Law at this point is that SSR policies must also be 'people-centred', something which is stressed by OECD guidelines and by the vast literature on the theme.[76] In other words, the security sector should not only provide security to one country's regime, borders and institutions, but predominantly to individuals according to human rights standards. This is a significant paradigm shift taken place over the last decade, where the concept of *human security* has taken a leading role. Although still controversial in international decision-making forums, the *human security* agenda has guided policies in domains such as development, humanitarian relief, good governance promotion and, not least, security sector reform. The concept challenges the supremacy of *national* security and concentrates on the security of individuals and social groups

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[72] Deutsche GTZ (2000),p.14.
[73] Ibidem.
[74] Ball (2004),p.511.
[75] Law (2006),p.1.
[76] See OECD (2004),p.21; Chanaa (2002),p.37.

against threats to their well-being and human rights. According to the traditional definition put forth by Amartya Sen and Sadako Ogata, the human security paradigm envisages the protection of 'the vital core of all human lives in ways that enhance human freedoms and human fulfilment'.[77] It does not replace state security, but complements it, enhancing human rights and development. Sabina Alkiri also highlights that the *human security* approach 'urges institutions to offer protection which is institutionalised, not episodic; responsive, not rigid; preventive, not reactive'.[78] If one agrees with such parameters, it could be said that a stable and efficient security sector is key for promoting *human security*. If the contrary is true, then 'unprofessional and poorly regulated security forces compound rather than mitigate security problems'.[79]

Although SSR ideals *per se* are defensible to great extent, its understanding and practicalities are still open to debate. Bellamy, for instance, highlights the limits of the democratic peace thesis which underlines SSR thought. For him, its premises are disputable as much as the assumption that '*only* democratic armed forces create the degree of legitimate security needed to foster long-term development and democratization'.[80] The examples of Turkey and Pakistan are naturally evoked, where non-democratic military regimes have nonetheless fostered development and basic levels of political and civil rights. Other critiques point to how little is known about how the maturity level in democratization affects the reform of a country's security sector. Moreover, Scheye and Peake stress how reform is not solely a 'question of laws, regulations, and formal institutional arrangements, but a thorough transformation of minds and patterns of behaviour.'[81]Brzoska also notes several shortcomings in SSR such as doubts on what principles should guide transfer strategies to local ownership, especially considering the fundamental democratic shortcoming of external intervention. [82] These points are particularly relevant in the case of UNTAET as discussed in the chapters ahead.

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[77] 'Promoting Human Security still key goal', Hans van Ginkel. UNU Update, Issue 28, Nov-Dec 2003.
[78] Alkiri (2003),p.2.
[79] Hendrickson (1999),p.9.
[80] Id.,p.111. (my italics)
[81] Scheye & Peake (2005),p.307.
[82] Brzoska (2006),p.6-8.

4.2   SCOPE OF SSR IN TIMOR-LESTE

As in other post-conflict societies, conditions in Timor-Leste posed great obstacles to state-building projects led by international organizations. Apart from social challenges emerging from a dramatic period of violence, that country also found itself without institutions to address the population's basic needs. The lack of an indigenous state apparatus in Timor-Leste and the short time available to prepare the country for independence made UNTAET struggle to build a functioning public administration.[83] A centrepiece of this challenge was precisely how to define the architecture of what would become the East Timorese security sector. In two years and half – from October 1999 to May 2002 – UNTAET had the ambitious mandate to build a country that could be minimally functional, and thus, capable of providing basic security as an independent nation-state. The main challenge at this stage was to build a security sector capable of meeting the most immediate security threats. In this context, the narrow scope of SSR policies was identified as having long-term detrimental effects on the stability of Timor-Leste's security sector.

In terms of scope, there is still a debate on whether SSR policies should be either *comprehensive* (i.e. involving a variety of state and civil society institutions under a holistic vision of security) or rather *narrow* (i.e. having an exclusive state-centric approach on security forces).[84] A comprehensive approach is believed to satisfy broader governance standards, thus enjoying greater legitimacy and long-term prospects of stability. As argued by Bryden and Hanggi, the notion of a democratic SSR has transcended the state-centric approach to include the legislative sphere, civil society groups, non-governmental organizations, the media and the private sector.[85] By involving more actors, they maintain that accountability and transparency are more likely ensured and so would be the promotion of human rights and the idea of 'people-centred' security. On the other hand, a broader SSR policy is in risk from being inefficient and unable to deliver tangible immediate results. This is in line with Brzoska as he argues that 'the major disadvantage of the holistic approach is that it is

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[83] CSDG (2004),p.216-217.
[84] Different SSR scopes are discussed by Bryden & Hanggi (2004),p.6.
[85] Bryden & Hanggi (2004),p.7.

not very helpful for making decisions about policy priorities and sequencing'.[86] Smith reaches similar conclusions when recognizing that the weakness of a holistic SSR policy lies in falling short of its wider goals.[87]

In the post-conflict reality of Timor-Leste, this was precisely the challenge faced by UNTAET. According to several interviews, UNTAET was allegedly pressed to deliver results, even if partial.[88] Hence, a narrower approach of SSR was adopted. In that sense, the focus was dedicated in great part to structure the police service PNTL and – to a lesser extent – to build the national defence force F-FDTL.[89] Lesser still was done to strengthen other actors in a broader security sector framework.[90] Agreeing with Burton's arguments, 'the security sector was not included in this early work in a cohesive or systematic way'.[91] Moreover, as highlighted by one report, 'UNTAET left the institutions traditionally responsible for oversight of the security sector (...) *underdeveloped* and *incomplete*'.[92] Ronald West reaches similar conclusions when stating that 'the reconstruction and initial batch of post-reconstruction reforms in Timor-Leste have done little beyond assembling a justice bureaucracy'.[93] Martin and Mayer-Rieckh join the chorus by listing a number of areas left neglected, including the establishment of a regulatory framework, organization configurations, institutional safeguards to protect human rights, infrastructure, funding and equipment.[94] As such, the first deficiency of SSR policies led by UNTAET was that their scope was too narrow. In practice, they understated the role of other actors in channelling demands back-and-forth between core security sector institutions (PNTL and F-FDTL) and the rest of the East Timorese government and society.

Nevertheless, two possible reasons could explain UNTAET's narrow approach concerning the East Timorese security sector. First, there is the issue regarding the evolution of the SSR concept itself. SSR as a broad guideline of *do's* and *don'ts* was still in its infancy back in 2000. Although the development community and DFID had

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[86] Brzoska (2006),p.2.
[87] Smith (2001),p.13.
[88] Interviews with *D1*, 19 June 2009; *B8*, 29 June 2009; *C2*, 30 June 2009.
[89] Interview with *D2*, 22 June 2009.
[90] Interview with *A1*, 15 June 2009.
[91] Burton in Kingsbury & Leach (2007),p.98; Backed by Law (2006),p.9.
[92] CSDG (2004),p.216 (my italics); Backed by Interview with *B2*, 24 June 2009.
[93] West in Call (2007),p.313.
[94] Martin & Mayer-Rieckh (2005),p.135.

already put forth some of the basic tenets of SSR some years beforehand, most of the literature, case-studies, thorough guidelines and critiques would come years later. This could partly explain the low importance given by UNTAET to a broader SSR framework from the start. Secondly – and probably most relevant – there is a circumstantial issue arising from the transitional administration period. A case can be made that the low level of formal democratization in Timor-Leste was a challenge to a broader SSR scope. That would mean that a narrow SSR agenda was adopted by UNTAET simply because that was the most feasible approach to adopt in a territory lacking basic state infrastructure and formal civil society organizations. For instance, one senior international officer has argued that 'SSR in a post-liberation society such as Timor-Leste faces fundamental flaws concerning civilian oversight over the army; most who are in power are not *fully* civilians as most used to be fighters themselves'.[95] Furthermore, considering urgent priorities at the time – such as building up a police service and solving Falintil's future – there was an extra strain on UNTAET's capacity to manage a broader SSR framework involving more actors. Therefore, this agrees with Brzoska's views that 'the propagation of a holistic approach to security sector reform, with the full range of objectives and covering all security sector institutions is sound in theory but *problematic in practice*'.[96] As such, adopting a holistic approach could even be more problematic in post-conflict societies where the UN involvement is constantly challenged.

The King's College study of 2000 was commissioned in the midst of such dilemmas and would eventually mirror the same approach that had been adopted by the transitional administration.[97] Considering the context and priorities of the time, it seems that UNTAET's narrow SSR focus influenced the scope of the study itself. As much as UNTAET, the study had no ambition whatsoever to analyse the East Timorese security sector in detail and to put forth options for a holistic reform.[98] This is because it was *not* a study about SSR as whole, but a study on Falintil and on what would eventually become of it. Nevertheless, it is self-evident that by focusing on the defence force of Timor-Leste, the study inevitably holds a share of contribution

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[95] Interview with *A2*, 22 June 2009.
[96] Brzoska (2006),p.2 (my italics); See also Scheye & Peake (2005),p.306.
[97] Interview with *B9*, 30 June 2009; C2, 30 June 2009.
[98] Interviews with *D5*, 11 June 2009; *B5*, 22 June 2009.

to the structure and stability of the rest of the country's security sector. As several sources highlighted, that was precisely one weakness of the study.[99] In other words, its scope was narrow whereas the consequences of its analysis and proposals would reach a much wider context. Therefore, as the KCL study was a cornerstone in building up the East Timorese defence force, it was automatically a building block in a wider security sector reconstruction.

In practical terms, the narrow scope of the study – though not isolated from the priorities and policies undertaken at the time – translated into deficient analysis and prescriptions. For instance, the study did not give much detail on civil-military relationship vis-à-vis officers and civilian commanders – which eventually proved to be a key issue in the 2006 Crisis. Moreover, according to a senior official, the KCL study and security sector policies at the time 'should have had a broader focus, including issues such as the rule of law, access to justice, legislative demands and how to really implement civilian oversight regarding the defence force'.[100] Another source revealed that the study lacked attention to the 'governance' part of the equation, considering that an army was born without creating a proper and functional civilian government at first – which would happen *de facto* only around 2007.[101]

Curiously, some sources agree with the arguments presented by Smith and Brzoska regarding the efficiency of narrower SSR policies. One source revealed that what made possible the implementation of policies using the KCL study as a reference was – ironically – its narrow focus on F-FDTL. [102] Although recognizing that its analytical perspective could and should have been broader, the source has commented that the study would run the risk of losing its practicality if trying to grasp the entire East Timorese security sector. Due to fact that the SSR agenda now comprises so many dimensions – political, institutional, economic and societal[103] – there are fears over its lack of clarity and focus.[104] As in present times numerous international policies are squeezed to fit under a broad SSR umbrella, it is not surprising to hear that a narrower scope could enjoy better efficiency after all.

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[99] Interviews with *B4*, 25 June 2009; *A4*, 26 June 2009; *inter alia*.
[100] Interview with *A1*, 15 June 2009.
[101] Interview with *D1*, 19 June 2009.
[102] Id. *A1*.
[103] Chaana (2002),p.33.
[104] Hanggi & Scherrer in Jennings & Kaspersen (2008),p.488.

However, in spite of these valuable and true counterarguments, UNTAET's policies and the KCL study concerning F-FDTL are still perceived to be piecemeal approaches to SSR in Timor-Leste. In line with Hanggi and Scherrer, it is true that security sector programmes and studies do not have to encompass all actors and dimensions of the security sector at a single time. However, what they do need is to be 'designed and implemented in full awareness of the complex interdependencies that characterize such process'.[105] Based on this argument, this dissertation understands that the KCL study was not entirely mistaken to concentrate on a smaller section of the East Timorese security sector for the sake of clarity and analysis. What is perceived to be mistaken though is that the study did not thoroughly considered the interface of a new defence force with other institutions in the security sector and – most importantly – the interface with the country's cultural and political subtleties.[106] Nonetheless, a case can be made that UNTAET was in greater part responsible for not coordinating the options in the KCL study in tune with the broader political reform of Timor-Leste. As one source argued, such study 'was commissioned in the midst of a failed birth of the whole process of structuring the army and the rest of the security sector'.[107] It can be argued that such *failed birth* has been derived from a narrow SSR strategy, leading to a fragile security sector that would later tumble, as it did in 2006. As Hanggi and Scherrer argue, 'SSR is thus best approached in an integrated way'.[108] If it is true that studies and policies are only small building blocks themselves, then bringing them together coherently – and looking to a the full SSR picture – becomes fundamental to build up a sound, stable and 'people-centred' security sector.

4.3   UN'S TABOO CONCERNING NON-STATUTORY FORCES

Falintil became a guerrilla, conducting irregular warfare for the liberation of Timor-Leste from Indonesian military occupation. As mentioned before, its twenty-four years of struggle captured the imagination of the East Timorese and became a prominent symbol of indigenous struggle against a foreign enemy. Although it did not

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[105] Hanggi & Scherrer in Jennings & Kaspersen (2008),p.490.
[106] Interview with *B9*, 30 June 2009;
[107] Interview with *D1*, 19 June 2009.
[108] Id,p.490; See also Schnabel & Ehrhart (2005),p.7.

receive unanimous support from the population, its symbolic capital helped to forge a national identity among most. A large part of the national leaders of today used to be linked to Falintil in some way or another. Although it began as a partisan armed wing linked to Fretilin, it was absorbed into a wider non-partisan political sphere – that is, the CNRT. Therefore, already from the late 1980s Falintil represented the armed front of a nationwide liberation struggle, involving a plurality of political tendencies and parties.

Although it cannot be said that Falintil became entirely apolitical, it became portrayed as a legitimate actor in a multiparty context. Yet, its *irregular* or *non-statutory* status as a guerrilla force proved to be problematic during the transitional administration led by UNTAET. The initial mandate of such peace operation did not contain any specific mandate on what should have been done with Falintil. Besides, it was far from clear whether a defence force in Timor-Leste would be eventually structured or not.[109] As a result, Falintil was excluded from receiving any type of aid during its cantonment in Aileu.[110] According to Peake, 'the fighters were ignored because there was no real strategic thinking among UN and Timorese politicians as to what to do with them'.[111] As Rees notes, this was allegedly because of its 'illegitimate' status, and thus Falintil became increasingly marginalised.[112] Its combatants waited in anguish for a definition of their future whilst expecting to be introduced into a formal defence force. This lack of recognition by the United Nations led to a long time of neglect between the end of the Indonesian occupation and the reintegration of part of Falintil combatants – approximately 18 months. Whilst PNTL was receiving most international assistance to become the main security institution in the country, Falintil was on the hills feeling marginalized for long.[113]

Two questions spring to mind. First, why this neglect did happen? Second, what have been the consequences of such neglect in building up the F-FDTL and the East Timorese security sector? As one senior source has commented, the lack of a specific mandate regarding Falintil was not an involuntary mistake, but a reflection of

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[109] See UNSC Res.1272 (1999) ;
[110] Rees (2002), p.151; CSDG (2004),p.231.
[111] Peake in Muggah (2009),p.174.
[112] Rees,loc.cit.
[113] Interview with *A4*, 26 June 2009.

UN's inability and dogmatic vision in not dealing with non-statutory armed forces.[114] It is understandable that the UN is traditionally cautious when intervening in post-conflict societies due to their highly politicized atmosphere. Logistically, it is normal that time is spent understanding the reality on the ground and seeking to identify legitimate actors, particularly when security is at stake. However, in spite of such natural caution, UN's inability to recognize quickly Falintil's legitimacy capital eventually proved damaging. According to SSR literature, Nicole Ball notes how important it is to consider non-state security bodies while strengthening security sector governance.[115] These bodies include liberation armies, guerrilla fighters, traditional and political party militias. In line with Ball's arguments, such bodies can either play a positive or negative role in the reform process, and thus should be duly considered in SSR policies from the very start. The case of Timor-Leste presents an unusual example as it had never been an independent state before UNTAET and, thus, the territory had never counted with formal local institutions. Therefore, as much as lacking a public administration apparatus, Timor-Leste had no previous statutory security services that UNTAET could work with. However, the fact that the territory did not have any indigenous bureaucratized institutions beforehand does not mean it had no actors to consider by international organizations. There was no political *vacuum* on the ground as much as it is imprecise to believe in Strohmeyers' renowned comment that Timor-Leste was an *empty shell*.[116] In that sense, any sensible SSR strategy would unavoidably need to bridge non-statutory forces to formal and professional security services in an independent East Timorese state.

The lack of a mandate, aid and definition of Falintil's status mirrored a lack of awareness and insight of its value within Timor-Leste's community and the potential problems it could pose in the long-term. In practice, such lack of attention translated into several outcomes. First, time was of essence. The long deferral to define Falintil's future allegedly damaged the confidence of Falintil fighters and of East Timorese politicians on the international support to the defence force.[117] A senior East Timorese parliamentarian reminded that security is an area of great sensitivity

[114] Interview with *C2,* 30 June 2009.
[115] Ball (2004),p.513.
[116] Strohmeyer in Traub (2000),p.83.
[117] Interview with *D2,* 22 June 2009;

and, as a result, 'any reform must be done right from the beginning to minimize discontent both inside and outside, thus downsizing the chances of being opportunistically manipulated by political figures'.[118] This is in line with Karkoszka's arguments that the *point of entry* of SSR may be decisive for its success, ensuring local ownership and acceptance of change.[119] Delays in UNTAET's decision-making eventually affected policies regarding F-FDTL.[120] As a result, it was reported that the KCL study touched base too late precisely because of these late policies.[121] Nevertheless, such setbacks should not be entirely seen as the responsibility of UNTAET or even the KCL study itself. The fact is that there were no concrete set of proposals before the first Falintil Study Group in March 2000, when finally some proposals were seen in the paper entitled *Reorganization of the Armed Forces for the National Liberation of East Timor.*[122] As put by the KCL study itself, the conceptualization of Timor-Leste's defence had been slow and Falintil's proposals happened to be incomplete, otherwise lacking a threat assessment and a strategic rationale of a force.[123]

As Falintil was in the brink of revolt after so many months cantoned in poor conditions,[124] the KCL study was commissioned in an environment of emergency. Gusmao and De Mello were concerned that 'if their dissatisfaction boiled over, the scene in Timor-Leste would radically change and everything should be done to keep that from happening'.[125] It was precisely this context that the KCL study had to deal with. As a result, several interviews revealed that the study had a very tight deadline to perform its research in Timor-Leste and to deliver the report. This could have affected its level of analysis, particularly concerning the subtleties of Falintil's internal structure, expectations, and political capital within the East Timorese society. As UNTAET waited to base its decisions on the study regarding the future of Falintil, then the time taken to implement KCL options would take further time, straining even

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[118] Interview with *B2*, 24 June 2009.
[119] Korkoszka in Bryden & Fluri (2003),p.318.
[120] Martin & Mayer-Rieckh (2005),p.134.
[121] Interview with *A4*, 26 June 2009.
[122] KCL (2000),p.14.
[123] Ibidem.
[124] UN Press Release SC/6882, 4165th Meeting; KCL (2000),
[125] Ibidem. Note: the warning over 'dissatisfaction boiling' over is an ironic vision on what would eventually occur in 2006 due other escalating issues.

more the conditions faced by Falintil combatants in Aileu. Indeed, the creation of F-FDTL based on KCL *Option 3* would take place only a half year later.[126]

Other issues should be noted here. UNTAET's attention deficit to F-FDTL also translated into short financial investments in the defence infrastructure. It was reported that physical conditions in military centres continued to be poor, as much as the army's *materiel* such as weapons, vehicles etc. Ludovic Hood, for instance, assessed that 'once the size of the army was agreed upon [based on the King's College study], UNTAET formally distanced itself from its development, leaving an *ad hoc* group of bilateral donors to second military officers to oversee training'.[127] The priority given to PNTL in the provision of such infrastructure created a deeper sense by F-FDTL of inequality, marginalization and asymmetry in the security sector.[128] As several sources wisely noted, there is no point to spend too much time defining the model of the security sector if there is no investment in basic infrastructure after all.[129] Although this statement could have its controversies, it is true that the defence infrastructure should not be undermined for the fulfilment of its own functions. Not surprisingly, the East Timorese 'Force 2020' defence programme released in 2007 – even if farfetched[130] – demonstrated a sharp desire to boost military infrastructure in the country to acceptable levels according to national political circles.

It is understandable that the SSR concept has the ideal to create professional forces able to provide security in a stable and cost-efficient manner. Yet, what is doubtful is whether a post-conflict country such as Timor-Leste could witness a quantum leap from an irregular guerrilla to a full Westernized professional army as soon as an international intervention was in place. It can be argued that UN's *taboo* in dealing with non-statutory forces should be replaced by a more realistic, insightful and inclusive approach in order to foster a transition that is slow but sure. This becomes paramount in war-torn societies and in post-conflict peacebuilding.[131] Although the 'do no harm' principle underpins international relations with local actors, Timor-Leste's case-study shows that engagement and aid vis-à-vis non-statutory

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[126] While the report dates from August 2000, the East Timorese Defence Force was created in February 2001.
[127] Hood (2006),p.61; See also ICG (2009),p.11.
[128] Based on Interviews with *B7*, 28 June 2009; *A5*, 27 June 2009.
[129] Interview with *D2*, 22 June 2009;
[130] ICG,op.cit,p.8.
[131] See also Brzoska (2006),p.9

armed groups should be performed soon and coherently to their share in the local political framework. Furthermore, as Maley maintains, Timor-Leste shows that no 'one-size-fits-all' approach to the promotion of security sector reform as part of UN peace operations, and the same could be stated for the way the UN deals with local actors.[132] The lack of a sensible strategy to deal with non-statutory forces has affected UNTAET's agility to deal with Falintil's issue, and thus, to raise the chances of success of its SSR policies. Concerning the KCL study in this context, it allegedly fell short of providing details concerning the internal structure of a regular defence force and – mainly – on how to deal with the transfer of guerrilla fighters into a professional army.[133] The lack of agility opened the window to resentment from former combatants, political manipulation and, eventually, to the fragility of Timor-Leste's security sector. Therefore, it can be maintained that the scope of SSR policies and studies must take into account the subtleties of non-statutory forces, including their legitimacy capital, expectations, individual realities and challenges.

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[132] Maley (2005),p.309.
[133] Interview with *B8*, 29 June 2009.

5. SSR ARCHITECTURE: Defining Shape and Functions

This chapter groups together several elements making up the *institutional architecture* of the security sector in Timor-Leste, especially concerning its national defence force. In other words, the chapter concentrates on how SSR studies and policies contributed to the definition of the shape and functions of F-FDTL. By doing so, three questions are explored: what purpose a Timorese defence force was thought to have? How was it structured? And most importantly, what impact had these decisions in the long-term stability of the East Timorese security sector? It is argued that F-FDTL's functions kept unclear vis-à-vis external threats to Timor-Leste; attention and investment in F-FDTL's infrastructure was negligible compared to other security institutions; reintegration of former FALINTIL combatants was slow and not satisfactorily inclusive; and finally, the civil-military interface between F-FDTL and PNTL was poorly managed from the start, leading to a violent escalation of tensions. These issues are analysed taking into account the contributions of SSR literature and an assessment on the implementation of proposals contained in the KCL study by UNTAET and East Timorese administrations. By doing so, this chapter analyses how misguided decisions concerning the shape, functions and composition of F-FDTL have a share of contribution to the events leading up to the 2006 Crisis in Timor-Leste.

5.1 DEFINING SHAPE AND FUNCTIONS OF F-FDTL

One of the main *ethos* of the SSR agenda is the concept of cost-efficiency. As one policy paper recognizes, the expenditure on the security sector (particularly on its military axis) remains problematic from an economic perspective, depriving sustainable development of scarce resources.[134] Expenditures in large troops, besides the purchase of weapons and maintenance and military logistics, are unavoidably a burden to a country's revenue. If the level of real threats to a country is relatively small, such a burden can become unjustifiable and running away from its cost-efficiency equilibrium. Not surprisingly, Chanaa reminds that security sector

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[134] Deutsche GTZ (2000),p.20.

policies are rooted in the search for solutions in the aftermath of the Cold War.[135] Large mass armies and security apparatus tailored to the strategic context of the Cold War eventually needed to change according to new security threats and political realities after 1990. Post-authoritarian settings of Central and Eastern Europe states paved way to rethink security policies in terms of defence modernization, democratic control of armed forces and, eventually, to security sector governance in general.[136] A redefinition of the exact size, functions and substance of these outdated armies became paramount, especially in the context of policies promoted by OECD countries and within the European Union. Besides – and in parallel to the reform of post-authoritarian states in Europe – the international community became more involved in complex peacekeeping activities in post-conflict societies. Different challenges were faced in the security sector reconstruction of these war-torn states due to their weak institutions, fragile political environment and the existence of influential non-statutory security forces.[137] Additionally, poor economic conditions in post-conflict states posed an extra challenge to reform or create security sector institutions. If made too small, security forces would be unable to respond to real threats; if made too big, they turn costly and inefficient, drawing precious resources from development strategies. This challenge was precisely what was behind UNTAET's policies and the KCL study concerning the reform of Falintil and the creation of F-FDTL.

Timor-Leste's economy in 2000 was in shatters. Priority was given to reconstruction efforts through humanitarian relief resources; inflation was estimated to reach above 20%; unemployment and poverty was widespread; and national budget barely passed USD 17 million.[138] Oil revenues would start flowing many years later, and thus, the economy had low self-sufficiency at the time. In this context, East Timorese officials, UNTAET and the KCL study had to take into account the primacy of cost-efficiency when deciding which best force-structure could fit local conditions. Despite blames that they relied too much on a technical approach,[139] the crude mathematical reality of economics imposed a small, professional and efficient

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[135] Chanaa (2002),p.13.
[136] Bryden & Hangii (2004),p.12.
[137] Id.,p13; See also Law (2006),p.3 and Call (2007),p.16.
[138] KCL (2000),p.33-36.
[139] Interviews with *B5*, 25 June 2009; *B9*, 30 June 2009; *C2*, 30 June 2009; *inter alia.*

defence force for Timor-Leste. Although local leaderships and Falintil fighters initially favoured KCL's *Option 1* – which suggested the biggest force – they eventually revised their concepts and accepted *Option 2* – otherwise, an intermediate-sized force of 3,000 troops.[140] However, as the latter option included the use of conscription, the KCL study explicitly unadvised it on the grounds of low efficiency from discarded pools of troops once annual conscript terms ended.[141]

In spite of Falintil's formal expectations, UNTAET eventually decided for *Option 3* as the best cost-efficient model for F-FDTL. The interviews conducted in Timor-Leste revealed that there are still controversies on whether this was the best model. According to one senior official, there are many opinions and versions regarding the definition of Timor-Leste's security architecture. There were economic visions which favoured a small-sized military force adapted to the country's meagre budget. Other visions favoured a bigger army where all Falintil combatants could be integrated, thus valuing its history of resistance and national identity.[142] Nonetheless, this dissertation argues that the central problem in the definition of the military model for Timor-Leste was not related to its proper size; but to its exact functions.

In spite of recurring militia activities inside Timor-Leste and incursions from West Timor, the frequency of activities led by F-FDTL has been relatively small in the island. External threats are sporadic and internal security is a prime function of PNTL. However, regardless of the classical 'external-internal' division of labour between police and armed forces, ambiguous security threats blurred the boundaries of their engagements. Both forces have also faced low and unbalanced infrastructure capacity to deal with each threat, which adds extra confusion.[143] For instance, this had dramatic consequences in 2006 as to what force should and could have dealt with Dili riots and major security disruptions. Furthermore, legislation is also an issue. Although the East Timorese constitution has always made clear the basic functions of both forces, it was only in 2006 that organic laws were passed to close legislative gaps concerning the security sector. Due to such factors, there were escalating tensions and occasional violence between both forces when engaging against

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[140] KCL (2000),p.8; La'o Hamutuk (2005),p.3.
[141] Id.,p.28-30.
[142] Interview with *B5*, 25 June 2009.
[143] ICG (2008),p.14.

particular security threats.[144] One clear example is border patrol where there is – as Alice Hills put it – the psychological and professional boundary between military and police duties, often resulting in rivalries.[145] Although border issues and rules of engagement were eventually clarified after 2008, it was reported the existence of a continuous perception within F-FDTL that their role is not as prominent compared to PNTL. As one source defends, there is a 'sense of latent frustration that there will be never a *real* and *frequent* function in F-FDTL regarding external defence'.[146]

Recent decisions to engage part of F-FDTL in disaster relief and international peacekeeping can help to foster a role and to minimize discontent. However, it is unclear to this dissertation whether the number of East Timorese soldiers in peace operations shall be representative enough despite the obvious symbolic contribution it may have. Furthermore, a naval component has recently been structured, which can become a relevant functional focus for part of F-FDTL in the long-term. Although initially left out by KCL's *Option 3* – expectations for a naval component in the Force 2020 plan[147] has already translated into a controversial purchase of patrolling ships from China in order to counter criminal incursions in territorial waters. According to a senior East Timorese official, the lack of focus by UNTAET and KCL on a naval component was based on straightforward costs of a naval apparatus, but did not take into account the loss in economic resources due to an inexistent naval patrol.[148] As such, their initial judgement did not take into account the national interests of Timor-Leste regarding the preservation of its own economic resources. Besides, symbolic value must be stressed again here since the country wants to feel minimally in charge of its own resources through a naval arm.[149]

In conclusion, the definition of shape might have been a problem, though the definition of palpable functions could have a greater correlation to dissatisfactions concerning the general architecture of the East Timorese security sector and of F-FDTL. In terms of shape, it was reported that initial SSR policies and studies in the

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[144] Interview with *B3*, 24 June 2009.

[145] Hills (2002),p.7.

[146] Interview with *B7*, 28 June 2009; backed by *B4*, 25 June 2009; and *B5*, 25 June 2009,

[147] Ministry of Defence of Timor-Leste (2006),p.32

[148] Interview with *C2* , 30 June 2009.

[149] The symbolic value and national pride attributed to the preservation of Timor-Leste's resources can also been seen in recent disputes with Australia over oil extraction in the Timor Sea.

country offered options which were in fact closed packages, thus reducing their flexibility and applicability in the country.[150] In terms of F-FDTL's functions, this dissertation concurs with the arguments defended by several sources: that what should have been kept in mind by UNTAET's SSR policies and by the KCL study itself was the challenge of dealing with small armies in small countries, particularly when placed between two regional *hegemons* (i.e. Indonesia and Australia).[151] The challenge is that a defence force orientated to counter external threats in this context has little to do in practice. Nevertheless, Timor-Leste's social norms demanded the existence of an army despite an inevitable deficit regarding its 'functional imperatives'.[152] In that sense, a case can be made that early SSR policies could hardly run away from the creation of an army, but they could define more alternatives to strengthen a sense of function within F-FDTL vis-à-vis the security of Timor-Leste. The examples listed before show that some alternatives have been thought of more recently and pushed by the East Timorese government itself. But this is still evolving and arguably decided too late, only in the last couple of years. The lack of attention to promote a better infrastructure could also played a role and, as Brzoska highlights, 'by raising expectations without sufficient capacities, frustration, blame and deflecting responsibilities to internationals are the customary repercussions'[153]. If History has made anything poignantly clear is that cantoned military without functions can turn from a source of security to a source of unrest. And, as demonstrated before, this was precisely one of the many variables contributing to the escalation of dissatisfaction, tensions and vulnerabilities leading up to the breakdown of the security sector in 2006.

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[150] Interview with *B8*, 29 June 2009.

[151] Interview with *A3*, 26 June 2009.

[152] For a discussion on the 'societal' and 'functional' imperatives of armed forces, see Huntington's *Soldier and the State*. Contemporary references of these imperatives linked to SSR are made by Christopher Dandeker in Bryden & Fluri (2003),p.319-320.

[153] Brzoska (2006),p.11.

6. SECURITY SECTOR OWNERSHIP: Cliché or Key?

This chapter presents a final facet explored by the current dissertation, which is the question of 'local ownership' in determining the long-term success of SSR policies and studies vis-à-vis the East Timorese security sector. Based on interviews and literature review, it is argued that UNTAET's absolute powers in Timor-Leste hampered the process of local ownership of its policies. This neglect intensified resentment among local political actors who were left out from the decision-making process, thus paving the way to tense politicization of F-FDTL and former Falintil combatants after independence. Paraphrasing Nathan, it can be maintained that a democratic security sector cannot take root other by democratic means.[154] Following this line, UNTAET's *top-down* deliberations gave no room to accommodate local political divergences regarding F-FDTL. It is argued that the lack of democratic accommodation around such important element to the East Timorese security sector led to fierce attacks from a variety of political figures and parties after Timor-Leste's formal independence. The KCL study was also caught in this approach, thus enhancing its symbolic image as a 'vehicle for the introduction of so-called externally imposed strategic concepts'.[155]

6.1   UNTAET AND THE FAILURE OF LOCAL OWNERSHIP

In the development community, omnipresent references to *local ownership* have portrayed it as vital to the success of peacebuilding programmes. As Timothy Donais argues, the discourse around *ownership* touches on fundamental questions such as who decides, who controls, who implements, who evaluates.[156] As the institutional 'engineering' envisaged by SSR touches on the very heart of the state, it is not surprising that it demands a direct engagement with the actors who will be precisely the ones responsible for managing the security sector after the international intervention ends. However, such engagement can be either *top-down,* where there is a general imposition of policies and models from leading figures; or *bottom-up*, where there is room for an active, broader and democratic participation by local

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[154] See Nathan (2007),p.3.
[155] Ministry of Defence of Timor-Leste (2006),p.8.
[156] Donais (2008),p.3.

actors. Although the latter approach is usually desirable, the imperative to foster democratic participation in post-conflict countries faces inherent dilemmas concerning its practical implementation.[157] The decision-making process behind programmes led by international actors has lacked clarity of who are the legitimate actors in war-torn societies. This links, for instance, to the issues discussed in previous chapters concerning UNTAET's challenge to deal with non-statutory forces or with local leaders who did not enjoy electoral recognition so far. Due to challenges such as these, it could be said that the *ownership* 'mantra' has in fact turned into a fashionable *cliché*, which is broadly defensible but little is known about its practical implementation.[158]

On the other hand, Laurie Nathan argues how *local ownership* is not only a matter of respect, but mainly a pragmatic necessity. It is maintained that 'the bottom line is that reforms that are not shaped or driven by local actors are unlikely to be implemented properly and sustained; in the absence of local ownership, SSR is bound to fail'.[159] Therefore – in spite of the natural challenges in dealing with local actors in post-conflict societies – peacebuilding operations need to approach local ownership as a proper *target*, rather than as just an element of SSR. In light of OECD guidelines, SSR is more than just an institutional reform of security, but mainly a democratic project *per se*.[160]

In the case of Timor-Leste, Laurie Nathan and Hansen include it in the list of examples of countries where a lack of ownership of the SSR process led to dysfunctional or no sustained reform. As such, the country appears side-by-side to other cases such as Bosnia-Herzegovina, Sierra Leone, Liberia, Ethiopia, among others.[161] These renowned cases have shown how post-conflict realities pose obstacles to foster democratic *bottom-up* approaches. Martin and Wilson are arguably correct when stating that 'countries that are the current focus of SSR do not possess well-functioning democracies which can channel and balance the interests

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[157] See Schnabel & Ehrhart (2005),p.6-7.
[158] See also Chanaa (2002),p.9.
[159] Nathan (2007),p.3.
[160] See OECD (2004), Sections 2.2 and 2.3.
[161] Nathan,op.cit,p.4; See also Hansen in Donais (2008),p.39.

of majorities and minorities'.[162] This was certainly a case in Timor-Leste during UNTAET's interim administration of the country. There were no democratically elected leaders and no acclaimed parliament or legislative body of any sort. Therefore, as Nathan notes, donor officials 'tend to justify the absence of local ownership of SSR in post-conflict countries on the ground that local actors lack capacity, legitimacy or both.'

In spite of the possible truth in this justification, it can be argued that Timor-Leste's case presented identifiable actors below the CNRT umbrella who could be more actively involved in the decision-making process surrounding Falintil's demobilization and creation of F-FDTL. However, the dilemma was that 'the CNRT was not a sovereign entity, [being] relegated to the conceptual category of a faction'.[163] Nevertheless, Suhrke maintains the CNRT was not a party or mere faction, but a 'distinctive creature, requiring a different approach'.[164] Instead, UNTAET decided to concentrate all powers around it with restricted consultation with local political figures. Not surprisingly, it has become a commonplace to describe UNTAET's attitudes as the opposite pole of local ownership standards. As Sergio Vieira de Mello himself later admitted, UN's transitional administration in East Timor was more alike benevolent despotism.[165] Jarat Chopra critically called UNTAET the 'UN's Kingdom of East Timor', while others compared De Mello's powers as 'those of a Roman provincial governor'.[166]

However, as Chopra highlighted, 'while De Mello has tried to avoid politicizing the environment, a transitional administration cannot afford to be above politics'.[167] As one source suggested, one thing could explain this behaviour by De Mello. He used to be a UN/OHCR man, used to work under pressure and to deliver immediate stabilization results. Among all parties and interlocutors he could choose, he opted to get things done with Xanana Gusmao because he was the uncontested leader of the CNRT.[168] However, although Gusmao was allegedly efficient in the articulation of

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[162] Martins & Wilson (2008),p.84.
[163] Suhrke (2001), p. 8.
[164] Ibidem.
[165] De Mello in Chopra (2000), p. 35.
[166] Fairlie (2002), p. 1068.
[167] Chopra (2000), p.33.
[168] Interview with *D1*, 19 June 2009.

demands and needs, it does not mean that he really channelled the expectations of the main Timorese political elites.[169] As these elites were left excluded from top decision-making, they later established their own place by politicizing the environment at the social grassroots. UNTAET, by not consulting with them, widened the gap and tensions between security institutions as soon as political figures had to shout louder and louder to be heard. Key actors in Fretilin – which proved to become the largest party – were left aside. Also the creation of "rogue" political groups such as CPD-RDTL and COLIMAU 2000 can be attributed to a low level of democratic accommodation of divergent political actors. Curiously, Colimau's reference to the year 2000 is precisely due to the year when F-FDTL was born after a controversial reintegration programme of former Falintil fighters.[170] These groups eventually played with internal and external frustrations in F-FDTL and in other security forces by pressing manifestations which fermented unrest in the 2006 violence.

The KCL study in turn was caught in this decision-making environment. It had a problem concerning dissemination and local ownership. It was shared with very few people before and after the decision on the creation of F-FDTL – allegedly, less than 15 people had actually read the paper beforehand.[171] Very few people made the decision around it – in fact, it gravitated around De Mello with consultation to a *troika* by Gusmao and by the Nobel laureates Ramos-Horta and Bishop Belo.[172] Furthermore, the interviewees were unanimous to say that the report was extremely difficult to find over the Internet or from other sources at the time. About ten years later, this still seems to be true to the extent verified by this dissertation. Ironically, it was informed that there are plans for the publication of the KCL study soon (i.e. in 2009) and only as part of a collection of other documents.

These examples illustrate how SSR policies and studies in Timor-Leste had little attention to promote local ownership. The lack of democratic accommodation at the start of F-FDTL's creation was an important layer in the build-up of tensions within the East Timorese society and security sector institutions, thus showing that *local ownership* is far from being an overused recommendation, but a key to SSR.

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[169] Interview with *D1*, 19 June 2009; Backed by*C2*, 30 June; *C3*, 30 June; *inter alia.*
[170] More on Falintil's reintegration challenges is discussed by Peake in Muggah (2009),p.165-189.
[171] Interview with *D1*, 19 June 2009.
[172] Interviews with *B2*, 24 June 2009; C2, 30 June 2009.

7. CONCLUSIONS

In the beginning, it was stated that the central objective of the present work was to understand *if* and *how* the initial decisions on the construction of the East Timorese security sector contributed to the crises that culminated in 2006. It was maintained that SSR policies undertaken during the transitional administration of Timor-Leste had an important share in designing local security institutions which proved to be plagued with dissatisfaction, tensions, unclear functions and weak oversight from a broader framework of participating actors. Due to the fragility of these security institutions, they would eventually become vulnerable to politicization and the lightning rod of social unrest.

This dissertation concentrated on the military component of SSR by analysing some of the policies and studies related to F-FDTL during its initial stages. However, when trying to trace the possible impact of such policies and studies onto the security meltdown of 2006, this work came across several other variables which played complementary roles in such event. For instance, a complete different work would have to focus the role of the East Timorese police force PNTL to the 2006 crisis, especially considering it is the other axis of SSR in the country. Other intervening variables should be equally cited. For instance, the direct role of dysfunctional DDR programmes, as extensively explored by Gordon Peake in his most recent work.[173] There is also the thorny issue of reconciliation of pro-Indonesian with pro-independence East Timorese – not only within society in general, but mainly *inside* security forces themselves. There is equally the use of both PNTL and F-FDTL as political platforms to top government officials at the time, either to settle pre-independence scores or to foster individual political agendas. Finally, there is inevitably a circumstantial issue related to development. This links to the intense poverty and unemployment underpinning popular dissatisfaction against the government administration at the time, as well as underpinning endemic gang rivalries responsible for the bulk of destruction in Dili in 2006.[174]

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[173] Peake in Muggah (2009),p.165-189.
[174] For analysis on organized street gangs and their role in the 2006 crisis, see Scambary (2006),p.1-44.

By acknowledging the existence of these issues behind the outburst of violence in 2006, this dissertation understands that matters related to F-FDTL are only one layer explaining the political volatility of Timor-Leste at the time. Nevertheless, due to the centrality of F-FDTL in the East Timorese state, political discourse and contemporary culture, its outlook shows how important are sound SSR policies to peacebuilding. The long-term consequences and perceptions regarding UNTAET's policy decisions and the KCL study stand as hallmark lessons to contemporary SSR knowledge and policies. They provide evidence that local ownership of SSR is indeed important to accommodate major divergent actors democratically, who otherwise would tend to politicize and spoil the reform process. Such policies and studies also reveal how important is to consider a broader scope, involving not only civil society organizations, but also non-statutory armed forces from the very start. In the end, as one senior East Timorese source observed,[175] the mistakes of SSR in Timor-Leste was a crisis not of its ultimate ends, but a crisis of its process.

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[175] Interview with *B9*, 30 June 2009.

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