

The UN's Kingdom of East Timor

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With its transitional administration in East Timor, the UN is exercising sovereign authority within a fledgling nation for the first time in its history. This development is consistent with the trend towards increasing social and territorial control in interventions to remedy the breakdown of failed states, combat warring factions and topple abusive warlords. But the result will be merely another form of authoritarianism unless the transitional administrators themselves submit to a judicious separation of powers and to genuine accountability to the local people whom they serve. Peace-maintenance will win legitimacy only if global governors lead by example.¹ Thus far, the UN has not done so in East Timor.

Scorched earth

The punitive destruction of East Timor in September 1999 invites comparison with classical antecedents, such as the razing and salting of ancient Carthage or the sacking of Troy. In a three-week campaign, so-called *Operation Clean Sweep*, Indonesian armed forces and locally organised militia executed hundreds, possibly thousands, of East Timorese; the final figure remains to be determined. In the chilling language of the orders they received, they began with killing 'those 15 years and older, including both males and females, without exception'.² More than three-quarters of the country's population of 890,000 were displaced. Indonesians fled the area, and the remaining Timorese either escaped into the hills of the interior, or were forcibly removed in ships and trucks to West Timor or neighbouring islands. Main cities as well as remote towns and villages were laid waste, and 70% of the physical infrastructure was gutted. Some areas were 95%-destroyed in street-by-street burnings more precise than smart-bombing. Worse still was the removal of the human-skills base; these resources will be impossible to 'reconstruct' for a generation.³ No international military force was available to halt the violence; there were only contingency plans for the evacuation of foreign nationals.⁴

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The violence was triggered by a UN-sponsored 'popular consultation' on 30 August, in which 78.5% of East Timorese voters, in a 98% turnout, rejected an autonomy arrangement within Indonesia in favour of independence. In the event of a vote for independence, the UN had originally planned a three-stage process. Following the ballot, which was organised and conducted by the UN Mission in East Timor (UNAMET), there was to have been a precarious two-to-three month period until the Indonesian People's Consultative Assembly announced in November whether it accepted or rejected the results. During this time, a small follow-on mission, UNAMET II, would prepare for a longer-term UN presence. Composed of civilians, however, it would be unable to prevent any attempt by pro-integrationist forces to reassert themselves violently, or any effort by pro-independence supporters to exact reprisals for the 25 years of terror and intimidation that had cost some 200,000 East Timorese lives.⁵ Finally, in the new year and throughout the spring, UNAMET III was to have been established as a full-scale transitional authority to oversee the gradual withdrawal of Indonesia's military units and administrative apparatus, and assume control itself.

Unfortunately, the devastation that followed the August ballot precluded an orderly transfer of power to the UN. Instead, an entirely new mission had to be hastily devised.⁶ On 20 September, the Australian-led International Force in East Timor (INTERFET) began to deploy and, on 25 October, the UN Security Council approved the UN Transitional Administration in East Timor (UNTAET)'s mandate in Resolution 1272. UNTAET replaced all pre-existing authorities in the territory. The UNAMET phases had been orchestrated by the Department of Political Affairs, whose staff had followed, and kept public attention focused on, East Timor since Indonesia's invasion in 1975. The deployment of INTERFET, whose strength ultimately reached 11,500 troops, entailed the transfer of responsibility to the Department of Peace-Keeping Operations (DPKO). As a consequence, there was a significant loss of continuity in planning and leadership, in communication between New York and Dili, and in the transmission of in-theatre knowledge and experience from UNAMET to UNTAET. Subsequent planners failed to draft a political-military campaign plan, and instead only produced an organisational diagram and staffing table.⁷

Nevertheless, by the time UNTAET began to deploy in November, there were conditions for success that are rarely available to peace missions. The belligerent power had completely withdrawn, and an effective multinational force could credibly guarantee internal and external security. Despite charges that UNAMET had failed to anticipate and prevent September's inferno, the local population openly welcomed the UN.⁸ There was a single interlocutor with which to negotiate – the National Council of Timorese Resistance (CNRT) – rather than a myriad of unstable factions. The CNRT overwhelmingly represented pro-independence political perspectives. Although fragile, there was still local cooperation with the humanitarian enterprise, which was firmly in the hands of the UN's Office for the Coordination of Humanitarian Affairs.

More encouraging still was the unprecedented degree of integration into the mission of the World Bank and International Monetary Fund (IMF).⁹ This in turn led to the unusually early involvement of UN and national development agencies. Even if slow to arrive, considerable funds were earmarked by donor governments for the reconstruction of the country. Above all, UNTAET had the administrative authority to harmonise international efforts, and the legal authority to govern the population and the territory. In short, public attention, popular sympathy and political will appeared to coalesce, finally enabling the UN to get it right. But it still went wrong.

UN sovereignty

The organisational and juridical status of the UN in East Timor is comparable with that of a pre-constitutional monarch in a sovereign kingdom. UNTAET is in all aspects the formal government of the country. Both legislative and executive powers are in the hands of a single individual, the Special Representative of the Secretary-General and Transitional Administrator, Sergio Vieira de Mello, who is also the head of the UN's Office for the Coordination of Humanitarian Affairs. The international staff of the mission, in accordance with international convention, are given immunity from prosecution; an individual guilty of misdemeanours may be reassigned, repatriated or, in the exceptional circumstances of grave breaches of human rights, prosecuted at the voluntary initiative of his or her home nation. There is no common disciplinary procedure for UN operations because member-states have always resisted it on jurisdictional grounds. Yet the local population is considered fully subject to the rule of law, and can be tried and punished accordingly.

UNTAET's full legislative and executive powers make it unique among experiments in transitional administration, since it is the first time sovereignty has passed to the UN independently of any competing authority. In both Eastern Slavonia in 1996–98 and Kosovo since 1999, Croatia and Serbia respectively constituted the recognised sovereigns.¹⁰ During the planning of UNTAET, the question of sovereignty was avoided. Portugal, the former colonial power, was treated as the lawful administering authority throughout Indonesia's occupation; only Australia recognised Jakarta's claim to East Timor. On 20 October, Lisbon's representative at the UN, Antonio Monteiro, told officials that Portugal would relinquish its legal ties to East Timor and consider UNTAET its successor with the passage of the Security Council mandate.

Resolution 1272 therefore became the instrument for bestowing sovereignty over East Timor to the UN, even though it did not explicitly use the word. When a delegation of Indonesian representatives met the same UN officials later the same day to deliver their acceptance of the August election results, the Secretary-General's Personal Representative for East Timor, Jamsheed Marker, informed them that no such formality was required since the UN had never recognised the Indonesian occupation as legitimate. UNTAET, with full treaty-making powers, would be the successor to Indonesia in the Timor Gap Treaty

with Australia. In the meantime, East Timor remained on the UN's list of non-self-governing territories.

If there were any doubts that sovereignty had been delegated to an international body, and that the UN had achieved a form of statehood in East Timor, agreements with financial institutions removed them. The World Bank's International Development Association (IDA) was designated as the trustee of the reconstruction Trust Fund for East Timor. According to its Articles of Agreement, the IDA can provide funds to sovereign governments or public international organisations. But the trust fund's terms of reference specifically treat UNTAET as a separate government, rather than part of the UN as an international organisation. During the negotiations between UNTAET and the World Bank regarding the Community Empowerment and Local Governance Project (CEP), their first joint project, the UN tried to circumvent the issue by reducing the status of the grant agreement to a memorandum of understanding between the two institutions. The Bank refused and demanded that the agreement be accorded the stature of an international treaty between the IDA and a sovereign government. The CEP Grant Agreement defined the 'Recipient' as East Timor and UNTAET. It had to be signed by the Transitional Administrator as the head of state, and not merely as a representative of the UN.¹¹ The CEP Grant Agreement is thus nothing less than the first ever act of UN sovereignty.¹² As *Time* magazine noted on 20 March 2000, 'the UN is legally the holder of East Timor's sovereignty, the first time in its history the world body has played such a role'.¹³

Authoritarian UNTAET

The negotiations between UNTAET and the World Bank over the CEP also revealed the tension created by UNTAET's preoccupation with control at the expense of the local community's involvement in government. The CEP, which was co-sponsored by the Asian Development Bank, was intended to facilitate the establishment of elected village and sub-district councils. Block grants were to be provided directly to each sub-district, which would then decide development priorities based on proposals submitted by the villages.

The programme was designed to be an introduction to local democracy, as well as a functioning form of self-determination in the reconstruction process. Each layer of administration would be accountable to a popular constituency, rather than, as under Portuguese and Indonesian rule, receiving instructions from higher authorities. Although ambitious, structurally the CEP fitted neatly with the essentially decentralised scheme of district administration. However, UNTAET bitterly opposed the CEP, rejecting it twice and spurning the front-loaded \$35 million available (at a time when no other funds from the international community had arrived). UN officials realised that the logic of the project dictated that they would control neither how these funds were spent, nor the councils themselves. Accordingly, they made obstructive arguments to the Bank and the CNRT: that the UN would not accept gender equality (since the elected village and sub-district councils were to be composed of equal

numbers of men and women); that international staff had to dictate community empowerment; that the Timorese would confuse the election of local officials with national elections; and that community empowerment had to be conducted in a legal vacuum, since UNTAET feared that any national legislation governing local administration would amount to a form of official recognition of these local authorities.¹⁴ The Bank rejected each argument and, in back-to-back visits by UN Secretary-General Kofi Annan and World Bank President James D. Wolfensohn, UNTAET was cornered into accepting the plan. Although an accommodation was reached whereby the Bank would conduct local elections and present them to the population as such; in fashioning an enabling regulation UNTAET refused to use the word 'elections', referring instead to 'democratic selection'.¹⁵

To observers long familiar with the region, UNTAET's centralising tendency seemed to be replicating the Indonesian system of administration. Ironically, even Indonesia's authoritarian government had previously permitted the World Bank's CEP in other parts of the archipelago. UN officials held separate meetings with the various factions, promising each support or recognition of its political structure. The Timorese were understandably alarmed about such a divide-and-rule tactic, when they had expected the UN to provide basic services, while they put their political house in order. Their 1975 civil war had been exploited by Indonesia to justify its invasion. This history underlay CNRT President Xanana Gusmão's difficult decision to order his Armed Forces for the National Liberation of East Timor (FALINTIL) not to intervene in the violence of September 1999, so as to ensure that Jakarta had no real excuse to maintain a military presence in East Timor. Some Timorese felt that UNTAET would inadvertently create new conditions for internal conflict, and they hardened their demands for power-sharing during the transitional period.

Failed 'Timorisation'

Rather than trying to render itself obsolete as swiftly as possible, which should be the objective of transitional administrations, UNTAET resisted Timorese participation in order to safeguard the UN's influence. The CEP dispute confirmed the worst suspicions of the East Timorese: that the UN had no inclination to share power with them during the transition, or to include them in any decision-making beyond perfunctory consultation. Yet widespread unemployment, intermittent food distribution and the absence of reconstruction also indicated that the UN had no operational plan; there were no timetables or milestones of achievement that might have driven a transfer of power. UNTAET's implicit agenda bore the ominous hallmarks of a typical UN 'exit strategy' by avoiding committed engagement in problem-solving; holding a face-saving election after a reasonable period; and withdrawing without having built adequate local capacity. Overall, the fraught UN effort did not appear to justify an annual operating budget of \$750m for salaries and logistics, nor did it appear to be a responsible means of disbursing the additional \$500m committed by donors for East Timor's development.

The problem was rooted in the circumstances of UNTAET's inception. The planning phase in New York involved no genuine contact with, or participation by, East Timorese representatives. On 19 October 1999, Gusmão forwarded to the UN proposals for a transitional administration, outlining a Timorese role in the form of a Transitional Council. In retrospect, the CNRT's model for Timorese involvement was relatively modest, but the UN ignored it altogether. Although the organisational structure of UNTAET was shown to the CNRT, the staffing table was not, since embarrassingly it included no Timorese. Gusmão and the CNRT publicly expressed their frustration with the lack of communication from UNTAET. With the abandonment of the UNAMET II preparatory phase preceding full UN control, and the loss of an opportunity for several months of negotiations with the CNRT, such communication was vital to ensuring that the Timorese clearly understood the terms of the transitional administration, and had the chance either to accept them, or to adjust them. Since the CNRT effectively controlled towns and the countryside, Gusmão was willing to accept international authority only on condition that it appeared quickly, and started having a concrete impact on prevailing conditions. It did not make sense to him to submit his assets to an absent power.

By the end of October 1999, only the remnants of UNAMET were still deployed, but no new UNTAET staff had arrived, despite desperate pleas from Ian Martin, the Acting Special Representative in Dili. A gap therefore developed between the UN's *de jure* authority on paper, and the CNRT's *de facto* control in the field. Capitalising on statements made by Gusmão on 29 and 30 October about the need for the Timorese to reorganise themselves, the Internal Political Front, the CNRT's pervasive clandestine apparatus, began unilaterally to reconstitute its structures through village elections.

De Mello, the Transitional Administrator, arrived in mid-November to great expectations. The DPKO had delegated to him wide powers of discretion, and his mandate from the Security Council was sweeping. Yet de Mello had been appointed only a few weeks earlier, and had not visited East Timor before he took office. Complex missions should be managed by an administrator who has led the technical mission which devised the plan, and who is then charged with implementing it. Although de Mello immediately opened a direct dialogue with Gusmão, he has relied on this personal relationship almost exclusively to guide the mission. This has, however, proved inadequate for the scale and complexity of the task. Gusmão has become increasingly disillusioned and dissatisfied with de Mello's performance.¹⁶ A National Consultative Council of Timorese was established by December, but its opinion is accepted at de Mello's sufferance, whose will is the source of law in the form of regulations.

Days after de Mello's arrival, UNTAET decided not to integrate Timorese into its transitional structure, but rather to recruit locally a separate civil service. Any vocational-skills gaps were to be filled by international personnel. One reason for this was the astronomical salary differential between international and local staff; local wages were fixed at between \$3 and \$4 per day. There was also an attempt to avoid the design for transitional

administration dictating the shape of a permanent government in advance of a constitutional debate.¹⁷ The anticipated time-frame for accomplishing this task had been of the order of weeks. Six months later, the Public Service Commission was still not functional, a national skills audit had not been conducted and no meaningful employment campaign had started. With the exception of a handful of individuals with short-term contracts, there were no Timorese in the rapidly growing UN government bureaucracy.¹⁸

The defensive brand of bureaucratic 'force protection' employed by UNTAET was not an effective approach to establishing a credible new government or preparing the Timorese for full independence. Indeed, comparisons with colonial administrations were unavoidable, and affirmed by various forms of segregation between expatriates and the Timorese. Two economies emerged, just as they did in Cambodia and other peacekeeping locales. Timorese were turned into the servants of foreigners in their own land, since they could apply only for menial jobs. Physically, the UN's hermetic office world was increasingly disconnected from life on the streets. Floating container hotels in Dili restricted the access of Timorese, except to serve drinks and food.¹⁹

In April 2000, de Mello was forced to react, and announced his intention to accelerate 'Timorisation' by appointing Timorese deputies in central departments and district offices, though doing so in a matter of weeks, as promised, proved unrealistic. The 13 UN district administrators unanimously objected 'that policy [was] now being made in crisis mode' outside any broader integration strategy, and suggested that staffing decisions verged on tokenism. 'There is a strong risk', they added, 'that we will miss the golden opportunity of carrying out a hands-on democracy building process at local level if there is no local participation in a transparent system.'²⁰ During a meeting in May with Annan, Timorese Nobel peace laureate José Ramos-Horta demanded the removal of all district administrators by August and their replacement with local leaders, as well as a fixed date for the UN's departure.²¹ In June, de Mello reacted again, proposing the expansion of the National Consultative Council and a plan for co-governance in which East Timorese would hold cabinet posts for all portfolios other than foreign affairs, defence, justice and finance.²² This does not include executive power-sharing.²³ And this new dispensation does not appear to be fostering a democracy.²⁴ Since December, UNTAET has rebuffed attempts by the UN's Electoral Assistance Division in New York to dispatch a preparatory team for future elections.

Misguided leadership

While de Mello has tried to avoid 'politicising the environment', a transitional administration cannot afford to be above politics. Having initiated the transitional administration in Kosovo, de Mello brought with him an inner circle from the Balkans, whose members projected a blunt, bullying style, when both the veterans of UNAMET and the traumatised Timorese would have responded better to modesty and genuine concern. Mark Dodd of the *Sydney*

Morning Herald has named 'UN czars' who carved out bureaucratic fiefdoms while sacrificing the mission's effectiveness.²⁵ The internal fragmentation of the mission's Office of Governance and Public Administration in its earliest days prevented the development of UNTAET's capacity to begin meaningful reconstruction, provide basic services or establish a functioning bureaucracy. De Mello leaned instead on the mission's humanitarian pillar in times of need, even for quick-impact projects and unemployment programmes. This paralysing pattern began in the last two weeks of November 1999, when it was still possible to tackle the bulk of the country's governance problems. By January, these challenges had grown out of control, just as the mission was increasingly unable to respond to them.²⁶ Reopening the window of opportunity then required a dramatic event, such as fixing a date for independence or holding early elections, to focus the attention of a restless population and drifting UN staff.²⁷

Generally, the actual configuration of a peace operation crystallises in the open and undefined political space created by its deployment. This is the optimal moment to bridge the gap between high expectations and attainable results. Once set, the pattern follows a trajectory that does not shift until the mission withdraws, or is replaced by a stronger successor. UNTAET's inability to deliver basic services or tangible reconstruction and its failure to reduce unemployment (exceeding 80%) cost it the confidence of the people – perhaps the critical ingredient in any transitional administration.

De Mello himself was insulated from the daily workings of the mission and the increasingly obvious problems outside, notably large crowds gathering to seek work. The Timorese rarely saw him in public, and the UN staff had little access to him. He met with his staff as a whole only twice: once during the hand-over from UNAMET in November and again in February, during Annan's visit. There was a sense among Timorese and UN personnel that the Transitional Administrator was not leading them, and that he was not sufficiently concerned about the long-term difficulties facing East Timor.

Temporary government should either make a positive difference in the daily lives of the population, or it should go home. Half a year after UNTAET's mandate was passed, Timorese were still questioning when the transitional period would *begin*. Within the CNRT, there were calls for civil disobedience against the UN, and talk of declaring unilateral independence from another group of 'invaders'.²⁸ The vulnerability resulting from divisions between the UN and the CNRT was particularly serious since, within days of INTERFET's withdrawal on 23 February, units of pro-integrationist militia with Indonesian armed intelligence forces had crossed the western border, and began killing and burning deep inside East Timor, eventually penetrating Dili.

Nevertheless, the CNRT appreciates that some degree of UN involvement is advisable in the medium term for the sake of East Timor's security, as well as its humanitarian well-being. It would prefer, however, that UNTAET's sovereign status be downgraded to that of an assistance mission. This will require unity in the CNRT, which was to be consolidated at its August 2000

Congress. CNRT solidarity, in turn, could prompt a change in the UN's mandate, such that UN military protection and some food distribution could be retained, but final say over governance and public administration would shift to the Timorese. Additional humanitarian assistance need not be part of UNTAET, and could be accomplished by non-governmental organisations and international agencies. Since UNTAET's peacekeeping force is incapable of sealing the border and checking incursions, multinational military assistance could be called for again. Although this is unlikely, if it did happen Australia would probably have to reassume its leadership role. The World Bank is paying for consultants to perform tasks which, while within the UN's mandate, UNTAET cannot accomplish. It would make more sense for the Bank to provide technical assistance directly to the Timorese. Although dividing responsibility along these lines may not be as elegant as the UN's more unified transitional administration, it is more likely to permit the efficient expenditure of donor funds and, moreover, to afford the Timorese genuine ownership in the transition process that will eventually lead to sustainable self-government.

The UN's sovereign government in East Timor has mimicked monarchical power. But even if conducted under the banner of peace, humanitarianism and human rights, and with all the accompanying good intentions, the international assumption of domestic rule requires built-in restraint. De Mello admits that he had no clear conception of how to 'exercise fair governance with absolute powers', other than seeking a model for 'benevolent despotism'.²⁹ But this has rarely led to good and fair governance, or to self-determination. Unless transitional administration guarantees self-determination, it will be unwelcome.

Conclusion

The unavoidable conclusion may be that the UN, despite its ability to monopolise the image of legitimacy, is ill-suited to administering territories in transition. Just as it became evident in the 1990s that the UN could not command and control high-intensity military-enforcement operations, so the same may be true of civilian governance. Integral to the repeated political failures of peace missions is a hierarchical system that cannot adapt to the novel mandates and the unique conditions of each deployment.

The UN's internal bureaucracy is too rigid for dynamic operational environments, and blocks the necessary psychological and organisational shift from managing missions to leading countries. Inter-departmental personnel politics tends to prevent the quick dispatch of staff, closing windows of opportunity on the ground, and to inhibit the effective matching of experts and specialists to tasks in the field.

As with the use of force, perhaps coalition missions led by single countries may be more effective for temporary government. Invariably, such missions will be criticised as vehicles for individual nations seeking regional hegemony. But a formula under which the UN must approve a particular governorship by a Security Council resolution, which is to be implemented by a steering group of interested and disinterested states – expanding the 'contact-group' concept –

could be both palatable and effective. Ideally, a transitional administration should be a broad brokerage framework in which each ministry, department or office providing basic services is subcontracted to whatever international, national, non-governmental or private agency has the expertise and capacity to perform the function. This is not a rallying-cry for privatisation; it is a matter of practicality. In this regard, the programmes of international financial institutions should be integrated into such transitional efforts, and the general restriction on their implementing, as opposed to merely facilitating, projects should be lifted. A professionally trained corps of international administrators, with a locally promulgated code of conduct, will be required if UN members, in facilitating self-determination for war-torn, failed and fledgling states, are to fulfil what should be regarded as a sacred trust.

The debate about governorship types of operations has been marked by extremes, with some calling for recolonisation, and others deploring intervention altogether.³⁰ Attempts to solve the puzzles concerning how to intervene have led to comprehensive transitional administrations, but at the cost of popular accountability. Administrators sabotage the objective of viable self-government when they refuse to engage indigenous parties and to integrate them into a nascent system of governance. Doing so does not mean embracing the Radovan Karadzics, Mohamed Farah Aideeds and Foday Sankohs of this world as the stewards of future nations. What it does require is a judicious determination as to which parties are legitimate, and a concerted effort to prepare them, by example as well as by prescription, for sound representational government.

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Notes

¹ Jarat Chopra, *Peace-Maintenance: The Evolution of International Political Authority* (London: Routledge, 1999), pp. 54–55; and Clement E. Adibe, 'Accepting External Authority in Peace-Maintenance', in Jarat Chopra (ed.), *The Politics of Peace-Maintenance* (Boulder, CO: Lynne Rienner, 1998), pp. 107–22.

² The UN had obtained at least two critical documents before the August vote: an options paper and contingency-planning assessment by H. R. Garnadi of the Indonesian Coordinating Ministry of Politics and Security, dated 3 July 1999; and orders dated 17 July 1999 from Joao da Silva Tavares, Commander-in-Chief of the pro-integration forces, to the individual militia commanders regarding a campaign of violence in the event of defeat at the polls, from which the quote in the text is taken.

³ For the principal assessment of the East Timor situation, see The World Bank and East Timorese Technical Group Joint Assessment Mission (JAM), 'Building a Nation: A Framework for Reconstruction', November 1999, www.worldbank.org.

⁴ International Force Commander,

Major-General Peter Cosgrove, Australian Army, 'The Anzac Lecture at Georgetown University', 4 April 2000.

⁵ The definitive account of this period is given by James Dunn, the Australian Consul in Dili at the time of the 1975 invasion: *Timor: A People Betrayed*, new edition (Sydney: ABC Books, 1996).

⁶ UN Headquarters Inter-departmental working paper, 'East Timor – Phase 3: United Nations Transitional Authority', 14 September 1999.

⁷ The US State Department Bureau of Political–Military Affairs prepared classified and declassified 'Mission Analysis' planning papers dated 9 September, but these were not integrated into the UN's planning process. On these planning techniques, see Tonya Langford, 'Orchestrating Peace Operations: The PDD-56 Process', *Security Dialogue*, vol. 30, no. 2, June 1999, pp. 135–49.

⁸ See Ian Martin, 'The Popular Consultation and the United Nations Mission in East Timor – First Reflections', in James J. Fox and Dionisio Babo Soares (eds), *Out of the Ashes: The Destruction and Reconstruction of East Timor* (London: Hurst and Co, forthcoming 2000).

⁹ The World Bank, *Post-Conflict Reconstruction: The Role of the World Bank* (Washington DC: The World Bank, 1998).

¹⁰ On the basic agreement and UN Security Council resolutions regarding Eastern Slavonia, Baranja and Western Sirmium, see *International Legal Materials*, vol. 35, no. 1, January 1996, pp. 184–192.

¹¹ This was not a matter of convenience: UN Secretary-General Kofi Annan was in Dili at the time of the negotiations, but he was not asked to sign the CEP Grant Agreement. By contrast, World Bank President James D. Wolfensohn, also visiting the capital, signed for the IDA.

¹² American Society of International Law, 'IDA – UNTAET: Trust Fund for East Timor Grant Agreement (February 21, 2000)', *International Law in Brief*, 15–28 April 2000, www.asil.org/ilib0309.htm.

¹³ Terry McCarthy, 'Rising From the Ashes' *Time* (international edition), 20 March 2000, p. 14.

¹⁴ Memorandum 'World Bank/ADB Community Empowerment Program', presented by Jesudas Bell, UNTAET Director of Territorial Administration, to the World Bank, Asian Development Bank and CNRT negotiating teams, 31 January 2000.

¹⁵ American Society of International Law, 'UNTAET: Regulation on the Establishment of Village and Sub-District Development Councils for the Disbursement of Funds for Development Activities, No. 2000/13 (March 10, 2000)', *International Law in Brief*, 15–28 April 2000.

¹⁶ See Mark Dodd, 'Changing of the Guard', *Sydney Morning Herald*, 22 February 2000, p. 10. In April, relations were still sufficiently tractable for Gusmão to have teamed with de Mello to publicly applaud the performance of UNTAET. See Xanana Gusmão, Sven Sandstrom, Shigemitsu Sugisaki and Sergio Vieira de Mello, 'East Timor Rises from the Ashes', *International Herald Tribune*, 26 April 2000, p. 8. A month later, however, Gusmão threatened to boycott an international donors' meeting in Portugal unless UNTAET accounted in sufficient detail for funds earlier donated for East Timor's reconstruction, after learning that \$15m had been spent on motor vehicles for UNTAET's civilian police force. See Mark Dodd, 'Gusmão: Where is the Aid Going?', *Sydney Morning Herald*, 26 May 2000, p. 12.

¹⁷ UNTAET Memorandum from Jarat Chopra to Sergio Vieira de Mello, 'Civil Administration Priorities', 17 November 1999.

¹⁸ Seth Mydans, 'Ruined East Timor Awaits a Miracle', *New York Times*, 22 April 2000, p. A1.

¹⁹ See, for instance, Yayasan Hak, 'From "Scorched Earth Operation" to "Humanitarian Operation"', East Timor Action Network/US, 10 January 2000, www.etan.org/news/2000a/fromscor.htm; Richard Lloyd Parry, 'People of East Timor Seethe at UN as Their Cities remain a Wasteland', *The Independent*, 29 January 2000; Lindsay Murdoch, 'Timor's Social Gap', *Sydney Morning Herald*, 15 April 2000, p. 44; and Francisco Mangas, interview with Timorese leader Leandro Isaac, 'The People Do Not Know What the UN Is Doing', *Diario de Noticias*, 12 May 2000.

²⁰ Memorandum 'Concerns about the direction of UNTAET' from district administrators to Jean-Christian Cady, Deputy Special Representative of the Secretary-General for Governance and Public Administration, 11 April 2000; and Mark Dodd, 'UN Peace Mission at War with Itself', *Sydney Morning Herald*, 13 May 2000, p. 19.

²¹ Mark Riley, 'Time for UN To Go: Timor Leaders', *ibid.*, 31 May 2000, p. 22; and José Ramos-Horta, 'Critique of the UN Transitional Administration in East Timor (UNTAET)', unpublished statement, Washington DC, 21 June 2000.

²² Mark Dodd, 'UN Bows to Pressure and Gives Timorese More Power', *Sydney Morning Herald*, 22 June 2000, p. 10.

²³ 'UN Rejects Call for Shared Executive Power in E. Timor', *Kyodo News*, 27 June 2000.

²⁴ Jim Della-Giacoma, 'The Next Step: East Timor Deserves Democracy', *Asian Wall Street Journal*, 22 June 2000, p. 7.

²⁵ Mark Dodd, 'To Market, To Market, With a Fistful of Useless Cash', *Sydney Morning Herald*, 3 December 1999, p. 10; Mark Dodd, 'Digging In', *ibid.*, 1 January 2000, p. 23; Mark Dodd, 'Bank, UN Fight Over Timor Cash', *The Age*, 22 February 2000, p. 9; and Mark Dodd, 'UN Staff

Battle Over Independence Policy', *Sydney Morning Herald*, 13 March 2000, p. 10.

²⁶ Compare Mark Riley, 'Selfish Bureaucrats Ruining East Timor, Says Ex-UN Planner', *ibid.*, 6 May 2000, p. 19; and James Traub, 'Inventing East Timor', *Foreign Affairs*, vol. 79, no. 4, July–August 2000, pp. 74–89.

²⁷ Independence is an extremely emotive issue for the Timorese; if a concrete date for it had been established, they would have more readily accepted the shortcomings in reconstruction and employment. A clear path towards elections would have captured popular support. While some Timorese leaders are attempting to clarify their political constituency before elections are held, it was predictable that general dissatisfaction would overwhelm such reservations. During the planning process, the Department of Political Affairs warned DPKO about the importance of giving early attention to elections, but they were always

considered a distant prospect, and preparations for them were not made. This strategy needed to be reversed in January 2000 to recapture waning support for UNTAET. The US has now called for elections as soon as possible; see 'East Timor: Washington Backs Early Independence Scenario', *Lusa*, 28 June 2000.

²⁸ Joanna Jolly, 'Respect for UN Mission Is Falling, Warns Local Adviser', *South China Morning Post*, 15 March 2000.

²⁹ Sergio Vieira de Mello, 'How Not To Run a Country: Lessons for the UN from Kosovo and East Timor', unpublished paper, June 2000, pp. 4–5.

³⁰ See the review of the literature in Tonya Langford, 'Things Fall Apart: State Failure and the Politics of Intervention', *International Studies Review*, vol. 1, no. 1, Spring 1999, pp. 59–79; and more generally David Jablonsky and James S. McCallum, 'Peace Implementation and the Concept of Induced Consent in Peace Operations', *Parameters*, Spring 1999, pp. 54–70.

