

# The UN and Security Sector Reform in Timor-Leste: A Widening Credibility Gap

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## Introduction

The Government of Timor-Leste has steadily exerted greater control over the process of security sector reform (SSR). The United Nations – despite its mandated role in SSR – has become increasingly sidelined. This study examines the evolution of SSR in Timor-Leste, focusing on the role of the UN, its ability to deliver effective and efficient SSR program support to the national government, and the factors leading to its marginalization. It is divided in three parts: first, a brief history of the country as relevant to the security sector; second, the key challenges to SSR in Timor-Leste; and third, an analysis of the UN's involvement in security sector reform.

It argues that while there is still a need for a comprehensive, neutral assessment of the security sector, the UN has lost the credibility necessary for the current Security Sector Review process to fulfill this role. Without committed support and cooperation from the government of Timor-Leste, the likelihood of undertaking a successful review – let alone one that will be politically implementable – is minimal. The UN Mission in Timor-Leste (UNMIT) should instead focus its efforts during the remainder of its mandate on the benchmarks for transferring the police to national control, and on the political dimensions of its mandate: providing “good offices” to mediate between political leaders and electoral support. The UN Country Team should likewise shelve the Review in support of the government's reform process, working to promote resolution of fundamental political cleavages between the military and police, and to help resolve of the tensions between accountability and reconciliation.

## A Brief History

The last century of Timorese history has been one of almost constant occupation, at best by a negligent power, at worst by a repressive regime. As such, Timorese society has historically existed in parallel to the state apparatus, interacting with the established administration, while following local laws and leaders. This history has influenced the manner in which the Timorese population engages with the state, complicating the development of effective and locally credible security sector services.

Following the 1974 “Carnation Revolution” in Portugal and its subsequent policy of decolonization, the Timorese faced a choice between independence and integration with Indonesia. The *Frente Revolucionária de Timor-Leste Independente* (FRETILIN) party argued for the former, but a significant minority had different views; some strongly aligned with Portugal, some favoring integration with Indonesia. The division resulted in a short civil war that began in August 1975 and laid the foundation for several of Timor-Leste's current political cleavages.<sup>1</sup>

After three months of conflict, FRETILIN and its military wing, FALINTIL, emerged as the victor and declared unilateral independence in November 1975. Shortly after, Indonesia invaded Timor-Leste under the banner of “liberation”. It occupied the country for the next 24 years, bringing with it a well-established state apparatus and an effective military. Indonesian rule was characterized by a highly bureaucratic state, coupled

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with suspicion and brutality towards the population it purported to have saved. Timorese resistance to the occupation was initially fragmented, but eventually coalesced around FALINTIL, led by Xanana Gusmão.

In 1999, a UN-sponsored agreement between Indonesia and Portugal allowed the Timorese to vote on their country's future. The result was overwhelmingly for independence. In response, the Indonesian military and the Timorese militias it backed systematically destroyed the country's infrastructure, including the institutions of government and their administrative records. For a second time in under a century – the first being when the Japanese left after World War II – the state administration of Timor-Leste was left in ruin.

This time the UN intervened. The Security Council mandated the UN Transitional Authority in East Timor (UNTAET) to administer the state pending creation of sustainable Timorese institutions to which authority could be transferred. UNTAET had the unenviable task of running a newly independent country, developing state institutions, and undertaking capacity building for a government, the make up of which had not yet been decided upon. The wholesale damage wrought by Indonesia's occupation and the post-referendum violence, as well as the resulting displacement of the Timorese population, added to the scope of demands and the challenge of delivering on the goals.

UNTAET's mandate ended in May 2002 with the handover of executive authority to the Timorese government following presidential and parliamentary elections. The more modest UN Mission in Support of East Timor (UNMISSET) took over. UNMISSET was mandated to provide assistance to Timor-Leste pending full devolution of operational responsibilities to the Timorese authorities.

Three years after its establishment, UNMISSET departed in May 2005, handing over to the UN Office in Timor-Leste (UNOTIL), a considerably smaller political mission. The closure of the UNMISSET was motivated in part by the desire of the Security Council to focus resources elsewhere, and in part to pressure from the Timorese leadership that it be allowed to take over the reins of its country. In retrospect, the UN departed before the institutions and capacity were in place for an effective Timorese takeover

This unreadiness became evident by April - May 2006, when unresolved tensions within and between Timorese security institutions triggered a crisis that threatened the peace and stability of Timor-Leste.<sup>2</sup> The crisis initially started within the army, the *FALINTIL-Forças de Defesa de Timor-Leste* (F-FDTL), within Dili, the capital, but quickly escalated into a conflict with the police, the *Polícia Nacional de Timor-Leste* (PNTL). At its height, the police and army were fighting in the streets and the conflict had extended out to some of the districts. At the government's request, UN police and peacekeepers under the Australian-led International Stabilization Force (ISF) deployed to Timor in June 2006 to reinstate security. The crisis nominally ended in June with the arrival of foreign troops, the extension of the UN presence and the resignation of Alkatiri. However, for many Timorese it only ended with the elections held in 2007.

Political rivalries between the military and the police – originating in the resistance and the manner in which the institutions were formed under UNTAET – were responsible for the fighting. Unclear command structures and divisions of responsibility, as well as senior government figures attempting to control of the security forces exacerbated these tensions.<sup>3</sup> A subsequent UN commission of inquiry highlighted the fragility of state institutions, weak rule of law, minimal parliamentary oversight, and deficiencies and failures in both the F-FDTL and the PNTL as key causes.<sup>4</sup> The crisis revealed rifts in the government that were long suspected, but which few realized ran so deep.

In the months that followed, the UN and the Timorese leadership focused on the promise of a new start, beginning with the presidential and parliamentary elections in mid-2007. Jose Ramos Horta, a founder and former member of FRETILIN, who had taken over as interim Prime Minister after Alkatiri's resignation, was elected president. Xanana Gusmão, elected president in 2002, was named prime minister after his party formed a coalition with two others. FRETILIN, which had garnered a plurality of votes, rejected the outcome, instigating more violent protests in the east of the country.

The elections did not, however, resolve the underlying tensions within and between the security institutions

and government generally. In February 2008, Alfredo Renaudo – a key figure in the 2006 crisis – and renegade troops under his leadership were involved in an assault on President Ramos Horta and Prime Minister Gusmão. The attack on President Ramos Horta nearly proved fatal. The government responded by declaring a state of siege that lasted until May 2008.

The 2008 attacks provoked mutual accusations among the Timorese military and police, the UN police, and the ISF over who was responsible for the security failings.<sup>5</sup> The accusations revealed confusion over areas of responsibility and mandates, a result of the numerous players and ambiguous reporting lines within the national and international security sector in Timor-Leste.

## **Key Challenges to Security Sector Reform in Timor-Leste**

Newly independent after decades of colonization and foreign occupation, the government of Timor-Leste has limited local expertise upon which to draw in order to govern. Inexperienced elected officials and civil service, multiple state languages,<sup>6</sup> weak infrastructure, and limited resources have hindered the effectiveness of already fragile state institutions. An additional challenge is the population's lack of access to, and understanding of, the formalized system. As a result of this considerable challenge, the scope of security sector reform has been narrowed down to immediate, manageable concerns. So far, this has precluded development of a national security policy, a document that should fundamentally shape the security sector and its reform.

The government's narrow approach to SSR is also a function of the degree to which decision-making is highly individualized, rather than institutionalized. Political stability largely depends on the personal interaction of four individuals: President Ramos Horta, Prime Minister Gusmão, former FRETILIN Prime Minister Mari Alkatiri, and Brigadier-General and Commander of the F-FDTL Taur Matan Ruak.<sup>7</sup> Among this quartet, Prime Minister Gusmão, concurrently the Minister for Defense and Security, wields considerable power and influence over the security sector, above all the F-FDTL. The Secretaries of State for Defense and Security, while both considered competent and capable, are relatively young and politically weak. Decision-making therefore has tended away from consultation.<sup>8</sup>

Without greater consultation, broad national ownership of the current state institutions – and therefore their legitimacy and effectiveness – will remain weak. Yet, with the exception of the Catholic Church, civil society in Timor-Leste is still nascent and has not yet developed into a coherent interlocutor on SSR. This has proven an obstacle to incorporation of public views into the design of the security sector. Non-governmental organizations (NGOs) have undertaken advocacy in the security sector field, but the interaction between the state and non-state groups is generally limited. Aside from independent surveys by INGOs and NGOs, no comprehensive official consultation of the public has been initiated. Traditional non-state structures within Timor, despite being significant providers of security and justice, likewise are not given the access to impact policy-making.<sup>9</sup> This neglect has been compounded by UNMIT's focus on the formalised system with little to no acknowledgement of the non-state sector and the security services it provides.<sup>10</sup>

## **The F-FDTL and PNTL: Unresolved rivalries**

In principle, the F-FDTL and PNTL were newly created following independence as the country's two principle national security institutions, with differentiated responsibilities for external and internal security, respectively.

In reality, the two emerged from the legacy of Indonesia's occupation. Their structure and composition is highly politicized, reflecting the fault lines of the resistance. Two inter-related sources of tension exist within the security sector: those within the army, and those between the army and the police. The former involves discrimination against people from the western provinces which includes the grievances at the core of the 2006 crisis. Fuelling the latter, rivalry between the F-FDTL, drawn from former FALINTIL fighters, and the PNTL staffed with former employees of the repressive organ of the occupation, the Indonesian

National Police (POLRI) and by a larger proportion of Timorese from western provinces.

The structure and composition of the army reflects that of FALINTIL, the armed wing of FRETILIN. Ramos-Horta's idea of establishing a only a gendarmerie, rather than an army, were abandoned in favor of a proper military force after the 1999 Indonesian-backed violence, as well concerns over disaffected former FALINTIL fighters.<sup>11</sup> Transforming FALINTIL into the army provided a solution to both problems, but also created new ones.

At the outset, veterans' political views dictated whether they were offered employment in the military or retired. The majority of the F-FDTL forces chosen from FALINTIL were those loyal to Gusmão and Taur Matan Ruak. The selection unnecessarily exacerbated cleavages within FALINTIL.<sup>12</sup> To address potential unrest arising from demobilizing veterans into a labor market with few prospects, the FALINTIL Reinsertion Assistance Program (FRAP) was created to assist 1,300 former guerillas transition to civilian life. However many veterans were excluded both from F-FDTL and FRAP.

The roots of the 2006 crisis within the F-FDTL date to this period and beyond. However, existing divisions were also manipulated politically. The perception grew that "easterners" from the eastern provinces dominated the F-FDTL— particularly in command.<sup>13</sup> Subsequent complaints of discrimination and poor management were tied to this. These complaints were unaddressed, stoking resentment. In January 2006, a number of officers and soldiers sent a petition to Gusmão, in his capacity of Minister of Defence. Receiving little response, the petitioners left their barracks; the protest soon engulfed both a significant proportion of the force as well as other groups within Dili<sup>14</sup>. When the protest turned violent in April, hostilities flared between the military and police.

Poor relations between the police and military, since their establishment and up until their 2006 clash, had led to periodic, small incidents of "green on blue" violence. The tensions were the result not only of the politicization of the security sector forces – and the relative lack of political clout held by the police, but also the police's lack of legitimacy in the eyes of the Timorese.

The PNLT has been viewed as illegitimate since its inception due to its association with the Indonesian occupation. In order to create an independent institution as quickly as possible, when UNTAET first started staffing the PNLT, it sought officers with previous police expertise. The police, by dint of this requirement, initially included 350 former personnel from POLRI. PNLT also suffered from a lack of national direction regarding its role. Absent this direction, the UN was unable to establish a credible policing blueprint to work from.<sup>15</sup> Nevertheless, to ensure that there were officers that could police the streets, UNTAET went ahead with training and establishing an initial corps. The crucial task of institution building was deferred, resulting in a police service devoid of policies, procedures, and – important given the legacy of the occupation – accountability mechanisms requisite for effective policing.

Compounding the problem, Timorese traditional concepts of law and lawgivers also undermined the PNLT's legitimacy. The Asia Foundation 2004 study found that eight out of ten East Timorese recognized community leaders – not the police – as responsible for maintaining law and order, and that a majority viewed the police and state judiciary as separate, rather than inter-related, entities.<sup>16</sup> This last result clearly shows how little progress had been made in establishing the police's role within the wider security sector structure. Unfortunately the PNLT has not managed to combat this image through an efficient delivery of services; instead its poor performance has served to further sideline it.

The relationship between the army and the police has been exacerbated by the ambiguity in the division of responsibilities between the two parties. Timorese law indicates that the army's primary concern should be national security, while the police enforce and maintain law and order. According to decree establishing the army,

*F-FDTL's generic mission is of guaranteeing the national independence, the territorial integrity, the freedom and security of the populations against any threat or external aggression, in the respect of the constitutional order.*<sup>17</sup>

The mission of the PNLT, for comparison, is

*[To] defend the democratic legality, to guarantee the people's safety and welfare and to safeguard the citizens' rights, under the terms established by the Constitution and the Law.*<sup>18</sup>

To shore up the weak police, the military has been given a role in ensuring domestic security. This role was affirmed in the aftermath of the 2008 attacks, which prompted the Council of Ministers to go so far as to mandate head of the armed forces to create a Joint Command integrating members of the F-FDTL and the PNLT for security operations (their main task being the apprehension of Reinado supporters associated with the February attacks). The Joint Command removed the police from UNPOL's chain of command, and placed them under the authority of the Timorese military. In so doing it contravened the Constitution and bypassed UN Security Council Resolution 1704, which mandated the UN police and ISF to restore and maintain security.<sup>19</sup>

The Joint Command was disbanded in June 2008, shortly after the state of siege expired. The cooperation of the PNLT and the F-FDTL during this period has been cited as a positive step in improving relations between the two institutions. It offered proof that coordination between them is possible, even in politically sensitive operations. However, the cooperation of the F-FDTL and PNLT also set a worrying precedent, as placing the police under military command potentially threatens both the SSR process and the consolidation of rule of law.<sup>20</sup>

The army's long-term plans to strengthen their engagement in internal security affairs are outlined in the ambitious "Force 2020" document pushed by General Taur Matan Ruak, and backed by the current government. It envisions that the army will develop "mechanized infantry companies," "special force snipers," "combat helicopter units," "upgraded firepower" and increase its regular troops to 3,000 by 2020 – roughly one soldier to 370 civilians. It is explained that the size of the force is proportional to the estimated external threats. These include the economic collapse of Indonesia, internal wars, organized crime, terrorism, natural disasters, and other threats of a global nature. Yet, the scale and ambition of the army, as set forth in the document, does not seem to reflect the reality of Timor's security challenges, nor the role of the army as a branch of the security sector rather than the entirety of its response. There is a strong need for a more neutral assessment of the F-FDTL in the context of the wider SSR challenges faced by the Timorese government.

The poor relationship between the security institutions has partly been the result of the institutional strength of the F-FDTL – and charismatic leadership of Taur Matan Ruak – relative to that of the PNLT.<sup>21</sup> The F-FDTL has weathered a number of challenges in a manner that suggests it is not an institution that will be easily challenged or pushed into reform. Thus, historically, the police have borne the brunt of social dissatisfaction.<sup>22</sup> This resilience – coupled with the general political reluctance to engage in as sensitive an area as the army's reform – has meant that the bulk of SSR efforts have focused on the PNLT, to the detriment of a serious examination of the institutional flaws within the F-FDTL.

The situation has, if possible, worsened since the 2006 crisis. The crisis allowed the F-FDTL to shed the members that had caused the instability in the first place. But it never properly addressed the issues that had been the root of the complaints. The allegations of mismanagement and discrimination were silenced with a quick fix rather than by any particularly sustainable action; the petitioner situation was diffused with a payout over significant internal reform. Consequently, the issues underlying the petitioners' demonstrations still remain, while internal voices for change have been effectively silenced.<sup>23</sup>

Meanwhile, since 2006, little has been done to strengthen the PNLT. It has remained crippled by lack of political support; poor financing; inadequate training – in investigation and internal administration; ambiguous command structures; uneven capacity and performance in the districts of Timor-Leste; and a failure to measure the Timorese population's expectations and needs in order to determine a relevant role for the PNLT.

UNMIT, in turn, has compounded the mistakes of past missions and has sacrificed institution building in

favor of the handover process mainly focused on training. This has partly been a reflection of the scale of the task placed at the door of the UN relative to the exigency of the situation. However, it has also been due to neglect in addressing this issue with the political elite, who in turn are either unwilling or unable to address the necessary reforms head on. While the SSR agenda calls for strengthening of the police relative to the F-FDTL, neglecting to clarify the PNTL's role and the current imbalance in power sets the stage for future conflict between the security sector institutions.

The government has emphasized the importance of clearly defined boundaries between the police and military in order to avoid future conflict.<sup>24</sup> The long-delayed approval of the draft National Security Law has been a major lacuna in the SSR process, as the law prescribes the respective roles of the PNTL and F-FDTL (as well as other security entities), the circumstances in which their powers can be deployed, and how they will work together during emergency periods. On 10 June 2009, however, the Council of Ministers finally adopted the draft National Security Law, providing a formal basis for national security policy.<sup>25</sup>

### **Justice: Tensions between Reconciliation and Accountability**

Justice and accountability for past abuses are closely linked to security reform. Timor-Leste continues to grapple with the administration of justice, national reconciliation, and the tensions between the two.

The perceived political preference for reconciliation over accountability is a key issue. This applies both to the trials arising from the 2006 crisis,<sup>26</sup> as well as the broader reconciliation process.<sup>27</sup> Presidential pardons and lack of movement on holding members of the army or police accountable for criminal acts and human rights violations have arguably been detrimental to the legitimacy of the security institutions.

Crimes committed during Indonesia's occupation are particularly important. To date addressing this has been confused by the existence of two rival commissions. On July 15, 2008, the joint Indonesian and Timorese Commission of Truth and Friendship (CTF) formally completed its final report on human rights violations committed during the period of occupation. The CTF report names both Indonesian institutions and Timorese pro-independence groups as having committed human rights violations, with the Indonesians bearing the greater part of the responsibility.<sup>28</sup> In September 2008, the National Parliament drafted resolutions to implement the recommendations of the reports. The report, however, has been seen by many to be a poor replacement for the UN's Commission for Reception, Truth and Reconciliation in East Timor (CAVR), which was dissolved in 2005 after completing its findings.

There are significant problems in the judicial sector: a lack of qualified staff; lack of credibility; inadequate legislation; inadequate resources; inappropriate bureaucracy to country specific needs (with the most significant being language).

In lieu of a functioning court system, many communities have been heavily reliant on traditional systems.<sup>29</sup> Indeed, the inability of the current court system to handle its workload has meant that the Timorese concept of justice is divided between the formal system, reserved for serious crimes, and the customary system, through which minor offenses – including intra-village disputes and familial issues. Timorese outside of urban areas tend to be more comfortable with the latter process, as access to – and understanding of – the formal justice system is limited. There have been examples where the district courts have either fully upheld traditional resolutions to disputes, or accepted a portion of them dependent on the seriousness of the crime.<sup>30</sup>

The political unwillingness and institutional inability to see justice through, risks worsening the already fragile credibility of the security institutions and, more deeply, the state's contract with society. Legitimate, functioning institutions for resolving disputes, both past and present, will be essential to establishing peace in Timor-Leste.<sup>31</sup> This is particularly true in the light of the 2006 Commission findings, which noted that "it is vital to Timor-Leste that justice be done and seen to be done. If unsuccessful, a culture of impunity will threaten the foundations of the State."<sup>32</sup>

## **International Engagement: No strategic framework for engagement**

Donor investment in Timor-Leste is conducted on a mainly bilateral basis. Eighty-two percent of total assistance is delivered through bilateral cooperation and 16 percent through multi-donor trust funds managed by the World Bank.<sup>33</sup> This pattern, albeit not its exact proportion, applies to the security sector as well.

The UN has the largest role in security sector reform through UNPOL and the Security Sector Support Unit (SSSU), as well as UN Country Team initiatives, like UNDP's *Strengthening the Justice System* project. As of January 2009, there were 1,510 UN police in country. Several bilateral partners also have significant presences, most notably Australia, through the ISF and the Australian Federal Police (via their Timor-Leste Police Development Program within the International Deployment Group). New Zealand, Portugal, China, Norway, France and Japan also have bilateral arrangements with the Timorese government. There has also been police training in Indonesia and mention of the US getting involved in maritime training. These activities occur without a coherent approach to the security sector across the donor spectrum. The UN does not have a mandate for overall coordination of the security sector nor, importantly, is there clear policy and legal guidance from the Timorese government.

Invariably donor involvement has been along the lines of training and capacity building. Under the memorandum of understanding with the Timorese government, the Australian-led International Stabilization Force (ISF) was mandated to assist UNMIT in the performance of its functions. The ISF provides support to police operations as required. Considering the manner in which the F-FDTL and PNTL's roles are not clearly demarcated between external and internal security, the use of a foreign military force for internal security could potentially muddy the waters even further. Portugal is involved in army training, as well as the provision of advisers, and coordinates with the Australian defense cooperation program. China has been involved in army logistics support, vehicles and training programs.<sup>34</sup> France and Japan are also involved in training.

Coordination between UN and bilateral actors has proven difficult for several reasons. First, the bias towards bilateral involvement complicates donor coordination, as it tends to be informed by donors' strategic interests first and Timorese interests second. Second, though there have been *ad hoc* meetings, no functioning coordination mechanisms exist despite the large number of international actors engaged in SSR. This has enabled the government to play one donor against another in order to achieve its security objectives. Some recent efforts have been made to improve coordination, however, with bilaterals, the UN, and government increasing their efforts to share information.<sup>35</sup>

The primary reason for the difficulty in coordination, however, is the lack of a shared strategic framework, with above all an agreed national security policy. The policy is in the process of being drafted, with support from UNMIT, but current progress is not promising. It continues to be mired in a lack of clarity about the relationship between the policy and related legislation. A range of actors, including civil society and the opposition have been engaged on legal issues over the past year, but more work still needs to be done to foster nation-wide buy-in to the legislative process.<sup>36</sup>

Without an overarching security sector strategy, or even an agreement as to what the security sector is comprised of, coordination can be little more than information and resource sharing. This international involvement in SSR only highlights the need for an overarching national security policy and a strong coordinating body – a role that UNMIT has been unable to fill.

## **UN Involvement in Security Sector Reform**

The UN's presence in Timor-Leste has evolved from an executive authority to a monitoring presence. Its involvement in the security sector has been consistent over time if not method and substance. With each incarnation, it has often started anew, repeating past security sector work rather than building on its previous engagement. The lack of evident progress has eroded the UN's credibility with the Timorese population; the lack of a clear direction has undermined its credibility with the Timorese government.

UN support to security sector reform in Timor-Leste has proven ineffective and unsustainable. There are four reasons why: (i) delay in recruiting security sector expertise, (ii) failure to balance technical expertise with political acumen, (iii) inability to develop a clear strategy for engagement, and (iv) a failure to play an advocacy role for wider public interests in favor of maintaining access and good relations with the political elites.

First, after UNMIT was mandated in August 2006, over a year lapsed before the mission began to staff the SSSU. And only in 2008 was the unit able to produce a project document for the security sector review. This was despite the fact that the problems faced by the Timorese security sector spoke to an urgent need for an assessment to feed into a national security policy. Delays in fully staffing up the SSSU also placed it at a disadvantage, as the government and bilaterals were already moving ahead with reforms. The UN has struggled to catch up, but has never fully managed to do so.

This failure has been partly a result of the lack of senior UN leadership on SSR issues. Only in September 2008 was the appointment of the Deputy Special Representative of the Secretary-General (DSRSG) Takahisa Kawakami announced. The last DSRSG had departed in November 2007, a couple of months after the arrival of the head of the SSSU in September.

Second, the mission focused on technical expertise, particularly for policing, overlooking experience in change management and the political expertise necessary to negotiate, motivate, and cajole leadership within the government and the security services. This comes down to limitations in the UN's concept of SSR as well as a lack of commitment on the part of the mission's leadership to commit to the SSR aspect of its mandate. However the latter is most likely a product of the former. Both UNTAET and UNMISSET were mandated to engage in SSR before the 2008 Secretary-General's report on SSR identified organizational principles for UN engagement. But absent a UN-wide approach, neither mission developed its own working definitions to guide its activities. This led to a corresponding gap in strategy, and in the competencies sought for staff responsible for its implementation. As long as it approaches SSR as a training-dominant exercise, the UN will fail both to recruit from the right fields and to secure the necessary ownership for sustainable reforms.

Third, UNMIT, despite deploying in response to the 2006 security crisis, has yet to distinguish itself from its predecessors. Mission leadership failed to address security sector reform early, effectively, or holistically. Redressing all Timor's security sector challenges, of course, cannot be done simultaneously – but this should not preclude elaborating a strategy that encompasses its entirety and prioritizes accordingly. Instead, UN SSR efforts in Timor have tended to focus on one aspect of the security sector – policing, while neglecting, or failing to address all others.<sup>37</sup>

Fourth, like previous UN missions in Timor-Leste, UNMIT has focused on maintaining its engagement with state authorities to the detriment of playing an advocacy role for a wider Timorese community. The Special Representative of the Secretary-General (SRSG), Atul Khare, has made a point of his weekly consultations with Timorese political leadership. Working solely with these leaders has proven incapable of generating necessary reform; the 2006 crisis demonstrated the risk of security forces too closely aligned to senior level political leaders. Ideally, public consultations with civil society groups, traditional elites, vulnerable populations and other constituencies would have demonstrated the importance of a more holistic approach. But just as consultations by earlier missions were constrained by practical necessity, the continued weakness of these groups has hindered their inclusion.

However UNMIT has had to deal with an existing erosion in trust in the UN due to past incarnations and past mistakes. Due to this mistrust, compounded by recent mistakes, the government is pursuing security reform largely separate from UN involvement. While the UN continues to highlight the importance of the security sector review project, a key component of its mandate, President Horta's address to parliament in March 2009 on the future of the Timorese security sector made no mention of UNMIT. Instead, it identified the need for a new "whole of government" mechanism to coordinate SSR efforts. As the distance between the Timorese government and UN gradually widens, it is becoming increasingly unclear whether the UN can regain a credible role in orchestrating SSR.

## **Police Reform: Training and Mentoring**

UNMIT is mandated to “reconstitute, assist with the further training, institutional development and strengthening of the PNTL as well as the Ministry of Interior,”<sup>38</sup> as well as to carry out actual policing duties in Timor-Leste.

Recognizing this, the mission has focused on interim law enforcement, public security, and training of the PNTL. UNPOL, in conjunction with the ISF, has unquestionably contributed to the restablization of Timor-Leste following 2006. The situation has been generally calm – and security provision within the legal framework of the country.

Training, though a technical exercise, nonetheless has not been easy. First, UNPOL has faced difficulty due to the diverse composition and different approaches to policing within its ranks. Most lack proficiency in local languages, and often had to make do without translators. Second, UNPOL is comprised of police sent from national services on limited deployments; there is a high turnover within its ranks – most are on six-month rotations, translating into inconsistency in its engagement with the PNTL. But it is wrong to assume that “better” international policing would yield better results and cooperation. Reforming the police is not simply a matter of training, but of institutional change.

Operationalizing this mandate has proven difficult. “Institutional development and strengthening” requires Timorese political direction and ownership, as well as a commitment – not least of time – by mentors. It is debatable whether UNTAET, with its far greater scope of authority, was capable of undertaking such a task in 2001. UNMIT’s position is even less viable. Building up a well-trained and experienced police service at the same time as changing its organizational culture will not be achieved in the yearlong increments in which UNMIT is mandated.

During 2009, UNMIT is to begin a phased handover of policing back to the Timorese government. Currently, the PNTL is operationally responsible for the majority of Timor’s districts – most districts having been minimally impacted by the 2006 crisis – and handover has been predicted for mid-2009. The transfer is conditional on meeting agreed benchmarks:

- (a) the ability of the national police to respond appropriately to the security environment in a given district;
- (b) final certification of at least 80 per cent of eligible national police officers in a given district or unit to be handed over;
- (c) the availability of initial operational logistical requirements; and
- (d) institutional stability, which includes, *inter alia*, the ability to exercise command and control, and community acceptance.<sup>39</sup>

Although the recent Secretary-General’s report has stated that “the process will not be driven by a fixed timeline,” the government is keen to expedite the handover. Moreover, as the promise of transfer has become more real, the clout of foreign police advisors has waned.

Complex reporting lines have further hindered effective police reform. Although UNMIT has operational responsibility for the PNTL, the Minister of the Interior also exercises power and authority over the police. This has made it possible for the PNTL to bypass UNPOL altogether, as demonstrated most clearly during the creation of the Joint Command during the 2006 crisis, from which UNPOL was excluded.

For its part, UNPOL has borne the brunt of negative public perception due to the perceived failures of past missions. There is a degree of fatigue and cynicism among the PNTL who see the UN’s latest effort as yet “more of the same”. This view has been reinforced by progress of the PNTL reform process in the wake of the 2006 crisis, in particular of the certification process to screen out police involved in the violence.

The certification process was part of a three-tiered approach whereby disciplinary issues would be addressed, followed by re-training process, and then mentoring. UNMIT was criticized for being overly bureaucratic,

suffering from numerous delays, for lacking transparency owing to the failure to translate documents, and for failing to garner the support of stakeholders. However, many of the problems resulted from the often strained relationship between UNMIT and the government. A government-led 'Evaluations Panel' delayed meeting, stalling the process. In fact, the government often ignored the results of UNMIT screenings undermining the process as a whole.

Approximately three years since its initiation, 85 percent of the police have been fully certified, with the remaining provisionally certified officers in the mentoring program.<sup>40</sup> Due to complaints on the part of the government, UNMIT cut bureaucratic procedures to ensure faster screening. As a result, the process is not viewed as particularly rigorous. So while the aim of the certification process was sound – to rid the PNTL of those members implicated in the attacks, thereby improving its overall professionalism and public credibility – it has ultimately had little impact on the overall need to improve accountability within the police or to correct the perception of impunity for abuses dating from 2006 or, indeed, earlier.

In March 2008, an expert mission was sent to Timor to conduct an assessment of the requirements of the national police, as well as possible adjustments needed to UNMIT police skill sets. The expert mission recommended additional staffing and funding support for the mission. However, the only recommendation that has gained real political traction is the recommendation on clearly defined criteria for the handover process; the benchmarks were cited by the 2009 Secretary-General's report on Timor in justifying the most recent extension of UNMIT's mandate.

### **Legislation and Justice: Unaligned with Security Sector Reform**

The UN has provided support in the area of legislative and legal reform to build capacity and to resolve the tensions between reconciliation and accountability in order to establish a legitimate justice system.

Both the OECD/DAC definition and the 2008 UN Secretary-General's report on SSR<sup>41</sup> include elements of the justice sector as part of the security sector. UNMIT's justice sector/rule of law activities are organizationally and operationally separate from those on the security sector, however. While this reflects practice in other missions, as well as UN Headquarters, there has been little, if any, cooperation and coordination between the two components despite the "integrated mission".

Failing to integrate the justice sector in its SSR efforts, UNMIT has focused on training Timorese judicial personnel. Operationally the justice system suffers from a significant staffing gap, which has resulted in severe case backlogs. As of January 2009, there were some 5,400 criminal cases pending nationwide.<sup>42</sup> In an effort to make the justice system more efficient the current system, where judges commute to districts on a rotational basis, will change to having personnel reside in assigned districts. In addition, the UN has recommended that the Office of the Prosecutor-General establish a system that prioritizes cases according to their gravity, impact, and evidence. In spite of wide recognition of the justice system's incapacity to respond to the demand placed upon it, both recommendations have yet to be fully implemented. This raises serious questions about the leadership and internal workings of the justice sector.

The legitimacy of the justice system has also come under criticism for failing to hold accountable those within the army and police responsible for criminal acts and human rights violations, as previously noted. While the responsibility lies with the Timorese government, UNMIT's political leadership has a role to play in bringing these issues to the forefront of the government's security and justice reform priorities. The 2009 report of the Secretary-General on UNMIT suggests that this is being 'addressed' by the mission leadership, but reported progress and actual results on the ground appear to differ, with efforts remaining inadequate – though possibly due more to the tardiness with which key security sector-related posts within the UNMIT leadership were filled, rather than to a lack of willingness.

The UN has also provided support in the area of legislation:

UNMIT, together with UNIFEM and the United Nations Population Fund (UNFPA) provided technical advice to improve provisions in the code concerning victims of sexual assault and domestic violence, and minors as victims of sexual-related offences and corruption. UNMIT, in collaboration with the United Nations Children's Fund (UNICEF), also provided substantive and technical advice in support of the juvenile justice draft law. Furthermore, UNMIT continued to support the drafting of a civil code, a witness protection law, a law on domestic violence and a weapons law.<sup>43</sup>

The traditional system has been incorporated to a certain degree into the formal legal system, but work is still needed to solidify this symbiosis. A comprehensive consultation with all stakeholders would ensure that the local concept of law and justice, as well as perceived needs from state institutions, are incorporated into the current reform effort. There is little interest on the part of the government in carrying out such an exercise, despite approving its inclusion in the SSR project document. The UN as a result is focusing its resources on other aspects the security sector review process.

Absent legislation and a legal system that represents Timorese perceptions of justice, carried out by institutions that are unable to deal with the caseload before it and have practically granted impunity to members of the security sector; official rule of law has become largely illegitimate to the Timorese. However, knowing the importance of justice to the security sector, it is important that SSR, moving forward, involves cooperation and coordination with reform in the legislative and justice system.

### **The Security Sector Review: Too Little, Too Late**

The Security Sector Review is a joint undertaking of UNDP, UNMIT, and the Timor-Leste government. It is intended to be the centerpiece of UN efforts to support reform in a strategic and holistic manner.

The Review is split into four stages:

- A functional analysis of governance and security institutions, as well as other key actors;
- An analysis of institutional and regulatory gaps;
- An analysis of internal and external security threats; and
- A “strategic environment” review to canvass public opinion and to promote a dialogue on security issues.

When completed, the Review should identify the principle features of the security sector – including the institutions, their cost, capabilities, and shortfalls, and assess how well these institutions are matched against likely threats, both to the state and to the citizenry. This will provide the basis for designing appropriate, sustainable security institutions and prioritizing capacity building and reform.

Initiation of the Review has been plagued by delay. Though initially called for by the Secretary-General in 2006, it was only after the August 2007 elections that the mission turned its attention to the security sector review and after considerable delay fully staffed up the SSSU, as described above.

Due to the late start of the SSSU, the preparation of the project document for the Review was rushed. National involvement, a prerequisite for its acceptance by the national authorities, was absent. As a result, the review document underwent several re-writes, resulting in further delays. The project document was eventually completed and signed in June 2008.

By the UN's own account, between June 2008 and February 2009, the Review had convened a project board that met three times, approving a “training of trainers course” for the civil security service, funding a seminar on security sector reform and development, planning future seminars, approving “in principle” a public opinion survey on security issues, agreeing “other capacity development activities” including radio maintenance and “employment of experts” in oversight for MoD and parliament.<sup>44</sup> Rather than a strategic assessment, the Review appears to be a means of funding minor project activities related to the security sector. As Jim Della-Giacoma notes,

“These projects hardly constitute a comprehensive review and are more like the bread and butter of a UNDP country team than a core function of a Security Council-mandated peace operation.”<sup>45</sup>

This unpromising start has raised questions as to whether the Review will be completed on time. The International Crisis Group, for one, observed,

The paucity of project activities listed in the latest SG report suggest that it is extremely unlikely that the review project will complete the ...stages by February 2010, the date of expiration of UNMIT’s current mandate. This can be partly put down to the disinterest in the project on the part of the government.<sup>46</sup>

The government has shown only nominal buy-in into the Review process, establishing a coordination committee – part of a three-tiered mechanism<sup>47</sup> – in August 2007 to align policy formation with the security sector review. The committee was partly a response to the dysfunctional relationship between the Government and the UN, since, as mentioned, the first draft had been seen as UN-driven and not inclusive enough of key government stakeholders. However, since the signing of the security sector review project, the project board has only met three times. The Review is perceived as an overly-UN process, in which government involvement appears a concession. However, the UN cannot alone be blamed for the lack of commitment on the part of the government. The Review has provided a useful justification for the government to distance itself in favor of its own strategy and objectives.

If the UN is unable to muster government interest, let alone ownership, the Review will have little value. The UN will spend two years and likely millions of dollars on managing a process, the outcome of which will not be used by the government or, consequently, by bilateral donors. Rectifying this would require either considerable effort on the part of UNMIT to prove to the government that it has the skills, support and advice that it wants and needs – or, more realistically, abandoning the project altogether. This is not to belie the importance of such a review, but rather to emphasize its missed opportunity. According to one member of the Coordination Committee, security sector reform by the Timorese will not be dependent on the UN’s timetable. Indeed, the government sidelining of the Review project in favor of their own processes clearly demonstrates the degree to which SSR in Timor is now owned and driven by the Government.

UNMIT’s strengths lie in the political arena; given its foreseeable departure, it should focus its attention on mediating the difficult, underlying political tensions within the security sector and Timor’s political landscape more generally. The SRSG has cultivated relations with Timorese political leadership, both inside and outside of government. In doing so, he has acquired a potential role as an impartial mediator among the leading politicians and their rivals. UNMIT’s “good offices” function may enable it to de-escalate, if not prevent, future crises within the security sector and Timor’s political factions.

UNMIT also has a central role in supporting the upcoming village and municipal elections, scheduled for 2009. This has a technical component – continuing, together with UNDP, to build Timorese electoral institutions, educate voters, and strengthen political parties. But it may also have an important mediation role to play in the event that the outcome of the elections are contested.

## **Conclusion**

The government is moving ahead on its own plans for security sector reform; not by accident has it largely excluded the UN. UNMIT must consider whether it can sufficiently restore its credibility with local authorities if it is to have any influence over the reform process – and whether this can realistically be achieved over the next year. The preponderance of evidence suggests, on both counts, that it cannot.

This is unfortunate. There is a strong need for comprehensive, neutral assessment of the F-FDTL, PNLT, and the security sector generally in the context of the challenges faced by the Timorese state. In principle, the UN security sector review could fulfill this function, offering a means to identify opportunities for creating

a more effective, more professional, and more accountable security sector that addresses the security needs of Timor-Leste and of its people. But without support and cooperation from the government, the likelihood of undertaking a successful review – let alone one that will be politically implementable – is minimal.

The absence of sustainable security sector reform by UNMIT and by its predecessors – of which the delayed Review is but the last example – has created space for the government to lead its own process. There is strong government ownership for reform, albeit in a direction that may not be in full agreement with international priorities, and which leaves aside fundamental problems like the division of responsibility between the military and police. Broader and deeper local ownership, however, has not been a priority. Public concerns, including accountability, access to justice, and the role of traditional institutions have yet to be sufficiently embraced by the government.

Rather than continue squandering resources on a process that is increasingly viewed by the Timorese leadership as irrelevant, UNMIT should focus its attention during the remainder of its mandate on supporting the government's initiatives and on using its remaining political role to encourage the government to seek greater public input into the reform process. The UN Country Team, above all UNDP -- which will remain in Timor long after the departure of UNMIT – should support the government's own reform process, working from within to enable greater public consultation and promote issues of accountability and justice.

There will likely be tremendous political pressure for the transfer to the PNTL of policing responsibility, whatever the degree of progress on benchmarks. The Secretary-General's 2009 report foresees the possibility that the benchmarks will not be met in the coming year. In this event, the UN could consider mandating a significantly smaller follow-on police mission that would continue to monitor and track progress, offer advice, and, importantly, provide extremis law enforcement if called upon. The progress of the Review, however, should not justify further extension of UNMIT's current mandate.

Successive UN peace operations in Timor-Leste have viewed security sector reform as a prerequisite for withdrawal. There is no better indicator of the UN's continued failure to understand SSR as a long-term process – as an entry strategy for long-term development assistance, not a short-term exit strategy for peacekeeping. This disconnect has resulted in a disjointed, poorly conceived approach to SSR that, from among the broad range of SSR tasks, focuses solely on what is implementable within the time frame of a mission. Yet in so doing, it has initiated a series of incomplete reforms, which have yet to lay the foundation for transformation in the security sector.

## End Notes

- <sup>1</sup> Gordon Peake, “Police Reform and Reconstruction in Timor-Leste: A Difficult Do-Over”, draft version provided to the author.
- <sup>2</sup> The most substantive report on the crisis came from the Independent Special Commission of Inquiry for Timor-Leste established under the UN Office of the High Commissioner for Human Rights at the request of the Ministry of Foreign Affairs.
- <sup>3</sup> International Crisis Group (ICG), “Timor-Leste: Security Sector Reform,” *Asia Report N°143*, 17 January 2008.
- <sup>4</sup> Report of the Independent Special Commission of Inquiry for Timor-Leste, OHCHR, Geneva via <http://unmit.unmissions.org/LinkClick.aspx?fileticket=sBOqs2vB4mk%3D&tabid=431>.
- <sup>5</sup> Bu V. E. Wilson, “Joint Command for PNTL and F-FDTL Undermines Rule of Law and Security Sector Reform in Timor-Leste (Draft),” *East Timor Law Journal*, February 2008, via <http://hstrial-wwright2.homestead.com/ARTICLES/2008/Joint-Command-PNTL-F-FDTL-Undermines-Rule-of-Law-Wilson.html>. (Hereafter, “Wilson (2008)”).
- <sup>6</sup> The 2004 census estimates that less than 19 percent of the population speaks and/or reads and writes Portuguese, the dominant language of government.
- <sup>7</sup> [“United Nations Rule of Law Timor Leste report, 2008”] via [http://wikileaks.org/wiki/United\\_Nations\\_Rule\\_of\\_Law\\_Timor\\_Leste\\_report%2C\\_2008](http://wikileaks.org/wiki/United_Nations_Rule_of_Law_Timor_Leste_report%2C_2008)
- <sup>8</sup> The relationship between the CNRT government and the FRETILIN opposition has fostered democratic debate. The opposition successfully rallied to a recent attempt to legislate a gun law that would have allowed relatively free ownership of guns on the part of the population. Political discourse, however, still involves grandstanding and game playing, highlighting that the old divisions still remain.
- <sup>9</sup> A number of national and international civil society groups are working in this area. Including The Timor-Leste Bar Association, TAF’s Legal Aid Partner NGOs, The Justice System Monitoring Program (JSMP), Pradet, Hak Association, Fokupers, La’o Hamutuk, and Avocats Sans Frontières (ASF). Freedom House, Rule of Law Initiative, & USAID. *Rule of Law in Timor Leste*. 2007.
- <sup>10</sup> Gordon Peake, “Police Reform and Reconstruction in Timor-Leste: A Difficult Do-Over”, draft version.
- <sup>11</sup> Wainwright, Elaina, *New Neighbor, New Challenge: Australia and the Security of East Timor*, (Barton, Australia: Australian Strategic Policy Institute, 2002), p. 23.
- <sup>12</sup> Edward Rees, *Under Pressure FALINTIL. Three Decades of Defense Force Development in Timor Leste 1975 – 2004*. Geneva Centre for the Democratic Control of Armed Forces (DCAF) 2004
- <sup>13</sup> *Report of the Independent Special Commission of Inquiry for Timor-Leste* Geneva 2 October 2006.
- <sup>14</sup> “The ranks of the petitioners and their sympathizers were augmented noticeably, from the second day of the protest onwards, by the arrival of third parties, particularly members of the group known as Colimau 2000.” *Report of the Independent Special Commission of Inquiry for Timor-Leste* Geneva 2 October 2006.
- <sup>15</sup> This was due to a serious mismatch between the skills of existing UNPOL staff and the task mandated them. The contributing police to UNPOL, who were responsible for PNTL’s initial training, did not share a common understanding of what police duties encompassed and did not have the experience required to build a police institution virtually from scratch. In comparison to national militaries, the role and mandate of police varies considerably across countries and is not designed for international deployment to post-conflict environments (Australia’s Federal Police being a notable exception in the context of Timor-Leste.) This rendered the eclectic mixture of UNPOL a handicap to the task at hand.
- <sup>16</sup> USAID and Asia Foundation. *Law and Justice in East Timor: A Survey of Citizen Awareness and Attitudes Regarding Law and Justice in East Timor*, 2004.
- <sup>17</sup> Decree Law No.15/2006. The law reiterates Part V, Section 146 (Defence Force), para. 2 of the Constitution of Timor-Leste.
- <sup>18</sup> Decree Law No. 8/2004. The law paraphrases Part V, Section 147 (Police and security forces) of the Constitution of Timor-Leste.
- <sup>19</sup> ICG, “Timor-Leste: No Time for Complacency,” *Asia Briefing N°87*, Dili/Brussels, 9 February 2009. Joint Command operations were subsequently implicated in at least 44 cases of human rights violations and corruption. See United Nations, “Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (for the period from 8 January to 8 July 2008),” (S/2008/501) 29 July 2008 (hereafter “S/2008/501”); Democratic Republic of Timor-Leste, Ministry of Defence and Security, Joint Command for Operation “Halibur”, 29 May 2008, via [http://wikileaks.org/wiki/Timor\\_Leste\\_Joint\\_Command\\_police\\_corruption\\_report\\_2008](http://wikileaks.org/wiki/Timor_Leste_Joint_Command_police_corruption_report_2008).
- <sup>20</sup> Wilson (2008), *op. cit.*
- <sup>21</sup> ICG, *Timor-Leste: Security Sector Reform* Asia Report N°143, 17 January 2008.
- <sup>22</sup> Rees (2004), *op. cit.*
- <sup>23</sup> ICG, “Timor-Leste: Security Sector Reform,” *Asia Report N°143*, 17 January 2008.
- <sup>24</sup> “The articulation of the National Police of East-Timor with the Defense Forces of East-Timor, which should be referenced in the National Defense Law, and the Armed Forces and regulated by its own legal diploma, is of particular importance, in particular in the resolution of high intensity conflicts that may arise.” Democratic Republic of East-Timor Presidency of the Ministers’ Office, “Constitutional Government Program 2007-2012.”
- <sup>25</sup> Democratic Republic of Timor-Leste, “Meeting of Council of Ministers of 10 June 2009,” Press Release (unofficial translation), via <http://fundasaunmahein.wordpress.com/>.
- <sup>26</sup> S/2009/72 Report of the Secretary General on UMIT for the period 9 July 2008 to 20 January 2009.
- <sup>27</sup> “A presidential decree on 20 May providing pardons and commutations of sentence to 94 sentenced individuals, while legal, was considered by many as undermining efforts to promote accountability and justice and combat impunity.” S/2008/501, *op. cit.*, para. 30.
- <sup>28</sup> The report did not name perpetrators. Significantly it did not recommend an amnesty. In July 2007, Secretary-General Ban Ki-moon announced that UN officials would not testify at CTF proceedings unless the terms of reference were revised to exclude amnesty since the UN “cannot endorse or condone” such an outcome. Security Council Report, “Timor-Leste Monthly Forecast,” August 2008, via [http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.4374793/k.450/August\\_2008bfTimorLeste.htm](http://www.securitycouncilreport.org/site/c.gIKWLeMTIsG/b.4374793/k.450/August_2008bfTimorLeste.htm).

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- <sup>29</sup> “With thieving or killing, we must first negotiate and pay compensation. And then drink *tuasabu* (distilled palm wine) to conclude the reconciliation. If the problem happens again, the community will inform police and the courts. But it is very important to first make a decision in the community.” Tanja Hohe and Rod Nixon, “Reconciling Justice: Traditional Law and State Judiciary in East Timor (Final Report),” United States Institute of Peace, 2003, p. 23.
- <sup>30</sup> Judicial System Monitoring Program, “Justice Update Issue: 23/2005,” November 2005.
- <sup>31</sup> “Our experience in the past decade has demonstrated clearly that the consolidation of peace in the immediate post-conflict period, as well as the maintenance of peace in the long term, cannot be achieved unless the population is confident that redress for grievances can be obtained through legitimate structures for the peaceful settlement of disputes and the fair administration of justice.” United Nations, “The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies. Report of the Secretary-General,” (S/2004/616), 23 August 2004, para. 2.
- <sup>32</sup> *Report of the Independent Special Commission of Inquiry for Timor-Leste* Geneva 2 October 2006.
- <sup>33</sup> Scanteam, “Review of Development Cooperation in Timor-Leste: Final Report,” Oslo, September 2007, via <http://www.scanteam.no/reports/2007/Timor%20Cooperation%20-%20Report.pdf>.
- <sup>34</sup> ICG, “Timor-Leste: Security Sector Reform,” *Asia Report N°143*, 17 January 2008.
- <sup>35</sup> SRSG Khare holds a weekly meeting with both key government officials and opposition leaders to discuss UN efforts. The government has also improved communication with the Australian Federal Police and Portugal.
- <sup>36</sup> United Nations, “Report of the Secretary-General on UNMIT for the period 9 July 2008 to 20 January 2009 (S/2009/72),” 4 January 2009. (*Hereafter* “S/2009/72”).
- <sup>37</sup> Heiner Hänggi and Vincenza Scherrer, “Recent Experience of UN Integrated Missions in Security Sector Reform (SSR): Review and Recommendations,” Geneva Centre for the Democratic Control of Armed Forces (DCAF), November 2007.
- <sup>38</sup> Security Council Resolution 1704 (S/RES/1704), 25 August 2006, para. 4(c).
- <sup>39</sup> S/2009/72, *op. cit.*, para. 21.
- <sup>40</sup> However, 171 of these have been found to have problems with integrity. *Ibid.*, para. 20.
- <sup>41</sup> See OECD/DAC, *Handbook on Security System Reform: supporting security and justice*, (Paris: OECD, 2007) and United Nations, “Securing Peace and Development: the role of the United Nations in supporting security sector reform. Report of the Secretary General.” (A/62/659-S/2008/39), January 23, 2008.
- <sup>42</sup> S/2009/72, *op. cit.*, para. 34.
- <sup>43</sup> *Ibid.*, para. 33.
- <sup>44</sup> *Ibid.*, para. 24.
- <sup>45</sup> Jim Della-Giacoma, “The UN’s lame security sector review for Timor-Leste,” <http://www.lowyinterpreter.org/post/2009/02/17/The-UNs-tame-security-review-for-Timor-Leste.aspx>
- <sup>46</sup> ICG, “Timor-Leste: No Time for Complacency,” *Asia Briefing N°87*, Dili/Brussels, 9 February 2009.
- <sup>47</sup> The three levels are the High-Level Committee, the Steering Committee, and the Coordination Committee.