

**Achieving success? The role of the United Nations in Post-Conflict management:  
Cases of Kosovo and Timor Leste.**

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*Abstract:*

The United Nations (UN) has played a crucial role in both conflict and post-conflict environments around the world, particularly in relation to post-conflict state building. The successes of the mandates of UN missions often depend on the local socio-political environment of countries where they are deployed. Further, geo-political interests are the crucial element that determines the success or failure of such missions, yet despite these interests, UN missions that are mandated to assist in capacity building as is the case with Kosovo and Timor Leste, should ensure the stabilization and political security of such countries.

This paper discusses the UN missions in Kosovo and Timor Leste by comparing the mandates of both missions. The missions were successive (Kosovo followed by Timor Leste) and proved a pivotal turning point of success for the United Nations, given the failings of UN missions to Somalia, Rwanda and Bosnia in the 1990's. This paper analyses whether the UN missions to Kosovo and Timor Leste accomplished what they were mandated to do. The UN has often been called to deploy to uncertain operating environments and volatile political contexts and we argue that the UN's 'one size fits all' approach to its missions could be viewed as ineffective, given the UN left both Kosovo and Timor Leste a more secure and stable environment we maintain much more could have been done to demonstrate the UN's willingness to engage with the unique political environment prevalent in both countries.

## *Introduction*

The UN plays an important role in relation to different aspects of crisis intervention and political tensions and the UN's authority is very important in different aspects of addressing and resolving conflicts to managing the consequences of those conflicts. Over the last decades, and especially after the end of the Cold War, the role of the UN has expanded towards the construction and building of governance of societies affected by conflict (Matheson 2001: 76). The UN's contribution to conflict prevention or conflict/crisis management in post-conflict situations involving institutions and capacity building, has been considerable in many cases. The role and thus the success of the UN in conflict prevention or management has been subject to many debates, often in negative terms. Situations in Bosnia and Herzegovina or Rwanda indeed do not leave that much room to view enthusiastically the work and the role of the UN. Nevertheless, in post-conflict management a considerable success can be noted with the UN's mission to Kosovo and Timor Leste. Such success has, of course, been followed by many challenges, difficulties and problems due to the particularity of the local environment and circumstances and also more due to the UN approach itself towards post-conflict situations and legal complications that usually follow such missions.

The UN has accumulated a considerable experience with administering territories of particular states since the first days of its establishment including the City of Trieste in 1947, Jerusalem in 1950, Congo 1960, West Irian 1962, Namibia 1989, Cambodia 1992 to the recent missions of Kosovo and Timor Leste (Yannis 2001: 32). However, the UN missions to Kosovo and Timor Leste were of a particular nature as these missions assumed all powers to govern these territories. The scope of responsibilities derived from the UN Security Council (UNSC) Resolutions 1244 (for Kosovo) and 1272 (for East Timor) were unprecedented with the UN empowering UN missions to exercise all legislative, executive and judiciary authority in Kosovo and Timor Leste (Strohmeyer 2001: 46-7).

The UN missions to Kosovo and Timor Leste were the largest missions in the history of the UN, the mandates of which constituted vast responsibilities and powers. The main aims of these missions were to end the conflicts, rebuild territories that were devastated by war and conflict, rebuild government institutions from scratch, transfer all this power to the local population and finally ensure that a reconciliation process had either been accomplished or at least started. This paper analyses some of the challenges that these missions faced due to different political circumstances from both local and international political perspectives. It explores whether these missions could have prevented some difficulties that they found (and sometimes put) themselves into if they had employed different approaches to the local circumstances and environments. Finally, this paper argues that the general approach of the UN of using a 'one size fits all' approach without genuinely considering the local potential to ease the functionality of these missions created more complex challenges thereby extending the (unnecessary) duration and the costs of the missions.

This paper is organised in two parts with separate analysis of both missions, the United Nations Interim Administration in Kosovo (UNMIK) and the United Nations Transitional Administration in East Timor (UNTAET) with overlapping comparisons where necessary. Firstly this paper examines UNMIK's challenges from a political and legal perspective offering a brief background to the Kosovo situation over the last two decades, the role of UNMIK in establishing a functional local administration and the environment after the declaration of independence from Kosovo authorities. Secondly, this paper examines the lead up to the UNTAET mission in 1999 and the unique socio-political environment already operating in East Timor, given that UNTAET replaced all authorities that previously held claim to the territory, including Portugal and Indonesia. Further, an analysis of UNTAET's perceived success considers whether an inclusive relationship was established not only within Timorese political circles, but also with the local population.

### *UNMIK – Governance, Challenges, Developments and Problems*

The Kosovo political situation and conflict constituted a particular case with regards to international intervention and UN administration and installation. The most important lesson to draw from the UN experience with regards to the intervention in Kosovo was that if the Security Council proved to be an obstacle to necessary actions that a great part of the international community deemed right to restore peace, then the Security Council could and would be bypassed (Heinbecker 2004: 538).

After the exhaustion of all diplomatic efforts within the international community to mediate a peace deal between Serbian authorities and Kosovar Albanians to end the conflict, NATO military intervention against the Federal Republic of Yugoslavia (FRY), in March to June 1999, was evaluated as the only course of action to be taken in order to bring peace to the region. The diplomatic efforts were aiming for a substantial autonomy that would stand between full independence and the autonomy that Kosovo had enjoyed since the constitutional changes in the Socialist Federative Republic of Yugoslavia (SFRY) in 1974, where Kosovo was upgraded to a federative unit of the SFRY. Such autonomy was stripped by Milosevic's regime in 1989 with the support of the SFRY police and army (that were basically in Serbian control) against the will of the Albanian population in Kosovo that constituted more than ninety percent of the population of 2 million. Kosovo slipped to an apartheid situation until the open war broke out between the Kosovo Liberation Army (KLA), a guerrilla organisation, and the Serbian police and army in 1998. The pacifist resistance and struggle led by Ibrahim Rugova, the shadow President of Kosovo (turned into a mythical figure for Kosovo Albanians in the 1990's), was seriously challenged after the *Dayton Agreement*. This agreement ended the conflict in Bosnia but failed to mention the already frozen conflict in Kosovo, let alone to solve it as per the expectations aroused by the pacifist resistance.

The UN mission (and involvement) was a compromise of the NATO member states to avoid turning the air campaign against Yugoslavia to a ground troop invasion. The UN mission was viewed in a more positive light with regards

to the final political status settlement for Kosovo, particularly as a neutral international actor. Initially, the military intervention sought to end the war, restore peace and enable refugees and displaced persons a safe return to their homes. In the political aspect this intervention sought to establish an interim solution that would incorporate more rights for ethnic Albanians than they enjoyed whilst Kosovo was a federative unit in the SFRY. As Pula (2003:200-203) discusses when arguing about the nature of the UN neutrality, the compromise sought to end the NATO air campaign and the FRY was keen to surrender Kosovo to the UN rather than to a military alliance. It may be added that this left open the possibility for Serbs to claim the end of the NATO air campaign as a Serbian victory rather than defeat. The UN's involvement was also seen as a window of opportunity for Russia to maintain a role in the Balkans theatre (Pula, *ibid*). The UN Mission to Kosovo was an agreement between these actors but not Kosovars that were participating actors only until the *Rambouillet Accord* (signed in 1999).

Exclusion of the Kosovar Albanians from any involvement with the Resolution 1244 created some sort of possible legitimacy crisis fear within UNMIK's first days of deployment. After all, UNMIK deployment could be soon seen as confusing and contradictory to the Kosovar Albanian population objective of independence. Such doubt had to be managed in a way from the UNMIK side. The approach was to equalize the conflict parties as to the victimization as a consequence of the war. Such logic of equalization of victimization first incorporated the evaluation of the Kosovo war as 'ethnic conflict' (not political) in nature between 'Albanians' and 'Serbs' which meant that the mass murder and systematic ethnic cleansing campaign perpetrated from a sovereign state (Serbia) implicated everyone, victim and aggressor, as equally guilty as argued by Blumi (2003: 219). Indeed there were cases of revenge by the returning Albanian population against the Serbs that remained in Kosovo, yet considering only such individual cases creates great difficulties in concluding that there was a systematically organised ethnic cleansing in reverse of Serbs from Kosovo by the Albanians. Payback is not morally equivalent to a systematic genocide. Those (military, media, NGO and GO representatives) that witnessed the withdrawal of

the Yugoslav Army, police and paramilitary from Kosovo following NATO deployment had observed the massive Serbian civilian population going with their security forces following their withdrawal from Kosovo. The UNHCR repeatedly reported that Serbs left Kosovo en masse “before NATO troops and Albanians entered Kosovo” (UNHCR/KFOR Press Conference August 1999 cited in Blumi 2003: 230).

#### *UNSC Resolution 1244 – ambiguous or clear?*

This resolution has been extensively debated and discussed amongst academic, legal and political circles with regards to its ambiguity or clarity and its authorisations, powers, responsibilities and the final solution to the conflict (Pula 2003; Weller 2009; Ober & Williams 2006). UNSC Resolution 1244 authorised an international civilian and security presence in Kosovo establishing the UNMIK. The security presence (under NATO command and with no UN interference) would ensure the security of the borders of Kosovo and the complete withdrawal of the Serbian security and paramilitary forces. A civilian presence would promote and establish substantial autonomy and self-governance in Kosovo (Mehmeti 2013: 187-188). Depending on the political circumstances or environment at a particular given period of time this resolution has been interpreted in different ways, and is often presented in an acceptably digestible form for the respective audience. Belgrade authorities tended to interpret this resolution along the lines of its reaffirmation of the sovereignty of Serbia towards Kosovo (the resolution reaffirms the sovereignty of the FRY and not Serbia) and the return of the Serbian police and army. Kosovo Albanian authorities tend to focus on the temporariness of the resolution; its second annexure that called for a final political settlement of the Kosovo status based on the *Rambouillet Accords*. As a reply to Serbian interpretation with regards to the return of the Serbian police and army Kosovo Albanians tend to draw the attention to the Article 6 of the Annex 2 (UNSC Resolution 1244) of the Resolution that called for an agreed number of Yugoslav and Serbian *personnel* (emphasis added) to perform agreed set functions. UNMIK’s interpretation focused on the establishment of the democratic institutions and its evaluation (without a clear set of evaluation criteria to be

involved) and turned a deaf ear to other important issues that the Resolution contained and that were of a big concern to the majority of Kosovo population (Mehmeti 2013 *ibid.*). Ober and Williams (2006, pp. 118 – 120) discuss the Resolution in the perspective of self-determination and the *Helsinki Final Act* and rightfully conclude that the Resolution (Para. 10a, Resolution 1244) was clear that the UN administration was only an interim entity with the main task of promoting the establishment of substantial autonomy and self-government in Kosovo, pending settlement of the final political status of Kosovo.

As stipulated in Article 1 (2) and 55 of the UN Charter the principle of self-determination has evolved into a legal right as argued by Friedrich (2005: 244–246) and also confirmed by UNMIK itself in the Constitutional Framework for Self-Government. Chapter one of this Constitutional Framework defines Kosovo as an ‘entity... which, with its people, has unique historical, legal, cultural and linguistic attributes’ (UNMIK Regulation 2001/9). Resolution 1244 is also quite clear with regards to the sovereign functions (Para. 11, Resolution 1244) of the UN in Kosovo as a territory (as the resolution refers to rather than ‘province’ see Pula 2003: 199), basically suspending Yugoslav sovereignty in Kosovo, pending a final political settlement for Kosovo. Finally, the International Court of Justice (ICJ) verdict in July 2010, (ICJ, 2010: 438-439) following Serbia’s bid to the ICJ to request an advisory opinion on the legitimacy of the declaration of the independence from Kosovo authorities in 2008, was added to the interpretation of Resolution 1244. The ICJ’s verdict found that Kosovo independence did not violate international law, the UNSC Resolution 1244 or any other UNMIK regulations drawing the attention to the interpretation of the Resolution 1244 and the suspension of the Yugoslav sovereignty towards Kosovo pending a final political settlement (Mehmeti 2010:10). The ICJ’s interpretation somehow put an end to the multiple interpretations of this Resolution. Despite the clarity, still the UN’s approach was to interpret it in a way that it ensured its neutrality, which meant the halting, freezing or at least reducing of the speed towards slipping into any process that was compatible with the demand for statehood by the majority of Kosovo’s population.

The absence of a proper interpretation of the Resolution, especially when faced with a situation of multiple interpretations of it, created confusion for actors involved in Kosovo, including some UN sections, with regards to political responsibilities. This caused confusion in the institution building process particularly in understanding their form and content. There was confusion regarding the institution building processes in Kosovo, and whether this would lead to a state building process. Such confusions seriously challenged any democratisation efforts led by the Organisation for Security and Cooperation in Europe (OSCE), limiting such efforts in providing training programs for political parties, civil society and civil administration. Such confusion challenged the UN itself when it came to local political actors' involvement in institutional life in Kosovo.

Blumi carefully observes that in order to 'bring peace to Kosovo everything that existed in Kosovo structurally, culturally and spiritually had to be either eliminated or put under firm surveillance' (2003: 226). This meant that all Albanian political and social structures that had been operational in the area (not only in the form of the last decades but for centuries) were ignored to the furthest limits or viewed as undemocratic or tribal. Should these structures have been respected and worked with in a coordinated and organised way 'the rebuilding of Kosovo would have started from day one' (Blumi 2003: 227). Instead all matters of governance including local functions that could have been carried away from the local structures, as they did in much worse times for centuries during different occupations or even Milosevic's apartheid, were put to a halt. Kosovo society was not a society that was ignorant of managing matters of their lives, as often was seen from many individuals working for the UN. After all, the UN and all other international actors involved witnessed the fastest refugee return in 1999 (most of this by local organisations and not through the UN aid plan that foresaw a return within months as the best case scenario) with more than 600,000 refugees returning within the first three weeks of NATO deployment. The rebuilding was also rapid, in most cases with people starting to rebuild their destroyed houses before any UN aid commenced.



Yet, such UN efforts to ignore the local structures were successful because of the local populations' willingness and readiness to accept UNMIK rule especially in the beginning, despite the possible doubts about it from the UN. The doubt about the local acceptance of the UN by the local population indicates yet another case of the UN's lack of prior analysis and understanding of the local socio-political circumstances in the Kosovo case. The Kosovo population's awareness about the importance of the foreign (western) intervention to end the Serbian rule over Kosovo, simply seems to have not been understood seriously by the UN.

Despite the complexity of the situation that followed the UN installment in Kosovo and the geo-political implications surrounding Kosovo, the UN still could have been more efficient should it have had a different approach to the local circumstances than it in fact employed. The general approach of the 'one size fits all' and the application of a template policy usage for many matters of the mission proved yet another obstacle that UNMIK tended to create for itself. In Kosovo, the UN did become an obstacle to the solution imagined by the majority of the Kosovo population simply because it was seen as an obstacle to the final political solution project of independence. The marginalization of the political actors in Kosovo around the UN was successful, but it was impossible to create any political actor that would support a different political solution other than independence for Kosovo. Once this was realized the UN started to create an exit strategy and give room to other alternatives changing some of their own policies such as the policies of the 'standards before status' and the negotiations for the final political status. Because of the complexities of the positioning of international actors involved in the Kosovo issue the recommendations of the UN itself for a supervised independence failed to pass the Security Council due to Russia's veto. This put Kosovo through a different path of independence consolidation that Timor Leste did not experience.

### *Decolonisation, Invasion & Occupation of East Timor*

In 1974 Portugal began to remove itself from its colonial outposts and the effects for East Timor were immediate; a political void could now be filled by a

number of new local political parties, the first time in Timor's history this had occurred. Three principle political parties emerged, each representing very different political aims. The Timorese Democratic Union (UDT) wanted to continue a relationship with Portugal before future independence, whereas Apodeti was pro-Indonesian integration. Both parties however were overshadowed by Fretilin (Revolutionary Front for an Independent East Timor) the party firmly in favour of immediate and full independence. Local elections in July 1975 saw Fretilin win fifty five percent of the vote, violent conflict between the parties broke out, and Fretilin ultimately established itself by force as the ruling party, declaring East Timor an independent state in November 1975 (Tansey 2009: 63).

Indonesia however, claimed East Timor as the 27<sup>th</sup> Province and initiated a propaganda campaign against Fretilin, invading East Timor in December 1975. Indonesia occupied East Timor from 1975 to 1999, and much has been written on the crimes against humanity that were directed at the Timorese during this time (Taylor 1999, Dunn 2003, Pilger 2003, Amnesty International 2006, Kingsbury 2009). Some estimate that in 1977 alone some 50,000 Timorese had perished (Hull 1991: 12). Throughout this time there was great upheaval for many Timorese who fled from the coastal areas and the capital of Dili to the mountainous areas seeking refuge, food and safety from the occupying Indonesian forces. By the late 1990's, Suharto's regime had collapsed in Indonesia and Suharto's successor, B.J Habibie initiated a process of democratisation in Indonesia and a new approach to East Timor. Habibie announced he was willing to allow a vote on autonomy in East Timor, and should the vote for autonomy be rejected, Indonesia would be willing to grant full independence (Martin I 2003).

### *The United Nations Mission in Timor*

It was at this point that the United Nations presence in Timor first came about, as it was agreed that the referendum (scheduled for August 1999) would be organised and monitored by the United Nations Assistance Mission in East Timor (UNAMET). The provision of security remained the responsibility of the Indonesian military, and once the Timorese population voted against autonomy

by seventy eight percent, Indonesia sponsored militia groups took a ‘scorched earth’ policy with the capital of Dili decimated, vast destruction of towns and infrastructure across the country and an estimated 230,000 people forced into refugee camps in West Timor and a further 200,000 fleeing into the central mountains of Timor (Martin I 2003, Kingsbury D 2009).

As a result of the violence and refugee crisis, the United Nations significantly altered plans for its post-referendum presence in East Timor. The United Nations decided once the territory was secure it would require full international administration. By October 1999 the Indonesian invasion and occupation, which had lasted twenty-four years, was finally over, and the United Nations Security Council approved Resolution 1272 and established the United Nations Transitional Administration of East Timor (UNTAET). UNTAET replaced all authorities that previously had claims to the territory, including Portugal and Indonesia and East Timor officially came under the control of the United Nations (Martin, I 2003, Kingsbury D 2009).

The UNTAET mandate gave it overall responsibility for the administration of East Timor, and was ‘empowered to exercise all legislative and executive authority including the administration of justice’ (United Nations Security Council 1999). The primary mandates were to provide security and maintain law and order throughout the territory of East Timor; to establish an effective administration; to assist in the development of civil and social services; to ensure the coordination and delivery of humanitarian assistance, rehabilitation and development assistance; and to support capacity building for self-government to assist in the establishment of conditions for sustainable development. UNTAET was given the legal authority to govern the population and the territory and the mandate was double edged; to run the government whilst also transferring power to the Timorese.

Crucially, the UN viewed East Timor as a non-self governing territory and the UN mission was to prepare Timor for independence and democratically held elections. The UN (along with Portugal) in 1975 did not accept Indonesia’s invasion and annexation of Timor, and held this view until the referendum in 1999.

Further, the 1999 referendum was monitored, prepared, conducted and verified by the UN. The administration for East Timor had three pillars (rather than four in Kosovo) being governance and public administration, humanitarian and rehabilitation processes and peacekeeping. In practice, there was little difference since Suhrke notes 'there was no separate pillar for institution building or reconstruction' (2001: 7) because both of these functions were assumed to be a part of governance and public administration.

### *Achieving Success?*

Suhrke finds two fundamental assumptions for the planning process of the mission. Firstly was the wide held view by the UN that Timor from the outset was an extremely under-developed society. Given the near total destruction and devastation of post-referendum violence in 1999, the idea that Timor was a 'place' that had to be created – a '*terra nullius* of sorts' (Suhrke 2001: 13) became convention across parts of the western media. The other assumption was that the UN had very little time to act. Suhrke argues there was incredible political pressure on the UN to act quickly and effectively – yet was responsible to provide all essential services and rebuild the infrastructure, a momentous and time consuming task for any organisation. Part of the UN's mindset at the time was to compensate for the dismal UN failures in Somalia, Bosnia and Rwanda with the underlying belief that if the UN could not succeed in Timor, potentially it could not succeed anywhere.

Once East Timor was on the road to independence, the local political forces favouring independence were grouped under one umbrella organisation, the Council of Timorese Resistance (CNRT) which was established in 1998 with Xanana Gusmao as President of the Council. CNRT brought together all major Timorese political parties, the Catholic Church and civil society organisations to guide the political transition to independence (Gorjao 2002: 316). Timorese participation in UNTAET was tied up in the broader question of whether to recognise the CNRT; although the ballot papers for the referendum contained the CNRT logo, the result was a vote for independence, not for any political party. CNRT had no political basis for unity other than opposition to Indonesian rule and

was chosen for a variety of reasons; firstly it had been the main organisational driving force behind the pro-independence victory and favoured a ‘national unity’ approach to government (Gorjao 2002:318). This relationship was never formalised however, and was fraught with difficulties. As in Kosovo, it was this search for UN impartiality that led the mission being launched as a purely UN operation with no recognised local counterpart. For the UN the short-term mandate was to govern East Timor with the long-term strategic objective being to prepare East Timor for democratic self-governance.

The most similar peacekeeping operation available for the UN to follow was UNMIK, with Gorjao noting ‘UNTAET was an adaptation of UNMIK to the conditions of East Timor’ (2002: 317). Sergio Vieira de Mello, the Special Representative of the Secretary General (SRSG) and Transitional Administrator of East Timor, had been up to that point head of UNMIK. Although not surprising, it is indicative of standard UN practice for the SRSG to bring core personnel with them, which the SRSG did, despite this group having little specific knowledge of the territory. Steele (2002) notes Timor’s political environment was more stable than Kosovo and whilst many Timorese had supported the option of autonomy with Indonesia rather than independence, public hatred for those who chose independence was low.

On 30<sup>th</sup> August 2001 Timor’s first democratically held election occurred and Fretilin was declared the overall victor with 57.3% of the vote (Gorjao 2002:321). Beauvis (2001:1144) found that fifteen months into the mission’s mandate the East Timorese occupied less than ten percent of all management positions within the Administration, and this was not caused by a lack of educated elite. It is a common misconception that Indonesia’s withdrawal left an ‘intellectual vacuum’, as there was a Diaspora both in Portugal and Australia who voiced their strong desire to return to Timor to contribute to the reconstruction of their country. Harmer and Firth (2009: 246) question at this point ‘to whom was UNTAET accountable and for what actions’ providing the example of literacy levels which were very low for Timorese throughout the UNTAET administration. Much of the information provided by UNTAET was only available in English, therefore

inaccessible to most Timorese, in turn issuing concerns over 'Timorisation'. This term was used to describe a process of strengthening the sovereignty and control of East Timorese people over East Timor and incorporating the values of the indigenous culture (Chopra 2000). One Of UNTAET's senior staff, Jarat Chopra left the UN operation for its inability to communicate and negotiate with the locals on their terms, having witnessed firsthand the reverse of state legitimacy in the eyes of the local population.

Ingram notes that UNTAET was 'hailed as an outstanding success' (2012: 4) culminating in Timor declaring independence on 20 May 2002. The mission was certainly successful on the humanitarian and security front, particularly with the return of over 200,000 displaced Timorese from West Timor. Ingram states 'the mission could also claim that it had accomplished an unparalleled state-building process, creating the necessary political structures and government machinery for a new state literally from the ashes' (*ibid*). Claims by UN officials that 'East Timor stands as an undeniable success' (Harmer & Firth 2009) is in contrast of local observations by the National Consultative Council (NCC) that it was not permitted to contribute to the actual design of UNTAET proposals and policies. Local NGO's perceived that the UN created the NCC to give the appearance of the sharing of legitimacy and power. Further, very few in the international community anticipated the peak of internal violence in April-May 2006, when political tensions exploded and simmered until the spring of 2008 (culminating in a shooting attack on Prime Minister Gusmao and President Jose Ramos-Horta). The underlying socio-political dynamics that helped provoke the 2006-2008 crisis, namely identity debates and entrenched tensions between the major political parties have 'arguably been marginalized rather than adequately resolved' (Arnold, M 2011: 220).

UNTAET received mixed responses from academics, aid workers, and from UNTAET itself. The United Nations administrators overwhelmingly took control of the state functions in the name of efficiency, but imparted few skills. When UNTAET left after thirty months, the administrative structure that was left behind was 'weak, inexperienced and inefficient' (Kingsbury 2009: 80). In hindsight,

Downie (cited in Kingsbury 2009: 81-83) noted that the United Nations should have entered Timor Leste with a “development” paradigm as its framework for the mission, as Timor Leste at that juncture was as much about security needs of the people as well as development needs. Downie also found the United Nations should have coordinated more closely with the flood of NGOs that entered Timor Leste after October 1999, to develop and sustain adequate working relationships with the Timorese, aid organizations and NGOs working there at the time. Ingram concludes ‘although UNTAET consolidated the relationship with Indonesia and built the organizational framework for the independent state of Timor Leste, it failed to nurture an inclusive political settlement as the essential foundation for a stable state’ (2012: 16).

Gorjao argues that much more, earlier and better could have been done especially in the development of civil and social services, the support for capacity building for self-government and establishing conditions for sustainable development. UNTAET did provide security as it left Timor in a much more stable environment (with the help of INTERFET). UNTAET’s great achievement in the transitional period was Timor’s transition to democracy. Under UNTAET’s supervision the Timorese peacefully elected a Constituent Assembly in 2001, drafted a Constitution and elected a President in April 2002.

UN mandates tend to focus on security, governance and humanitarian issues, and tend to underplay economic and social development, even though public security and sustainability of government itself depends on minimizing the resentment that often flows from conflict. In the extensive literature on the UNTAET mission, there is agreement on two points; that the powers granted to the transitional administration were unparalleled and that the conditions in which it operated in were conducive to a successful outcome. UNTAET was mobilized to deal with the violent aftermath of conflict in Timor and stabilize the state so it could transition to independence, in turn helping to rebuild a society heavily traumatized by years of brutality and war. UNTAET ticked off the boxes of its expected outputs – namely establishing conditions for a more stable environment and Timor’s successful transition to democracy. Ultimately however UNTAET

faced two audiences – domestic and international, leaving UNTAET to be viewed as a success for the UN, but not necessarily for the Timorese who felt firsthand the UN's inability to engage with the complex political structure of Timorese society.

### *Conclusion*

The mandated UN missions in both Kosovo and Timor Leste, and how these missions proved to be a pivotal turning point in perceived success for the UN compared with previous missions. In exercising its mandates in both countries, the UN faced a daunting task with local populations deeply traumatized by years of conflict, ethnic cleansing and violence. In both cases, cultural sensitivity and greater local ownership of the rebuilding process could have helped the missions garner a certain degree of legitimacy with local populations. Despite differences in the UN mandates, the UN bureaucracy ignored elements of each mandate it regarded as inconsistent with neutral posture, and applied a 'one size fits all' administrative approach. Both UNMIK and UNTAET presented striking parallels, namely the UN missions being viewed as external processes that affected the legitimacy of each. For UNTAET, the final goal was the independence of Timor; however for Kosovo the final goal was not as clear. Resolution 1244 did not give a final solution for Kosovo, it did however, create a general political framework for preparing Kosovo for the various democratic processes of institutional building.

The experiences of the UN in Kosovo and East Timor demonstrate that it must be seen to engage locally throughout the duration of the mission. The perceived inability to engage with the unique political environment prevalent in each of the countries quickly eroded each local public's confidence in the UN, and thereby enabling the 'one size fits all' lens through which these missions can be viewed. The enormous difficulties encountered in Kosovo and East Timor have shown that the UN must enhance their attention to the unique socio political circumstances that lead them there to begin with. Both missions kept the international community focused on the plight of the local populations, and the UN clearly demonstrated it has the tools and experience to take on other nation



building tasks in the future, as long as past mistakes are learnt from and the UN adheres to true local political and cultural engagement.

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