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The United Nations and Peacekeeping: Lessons Learned from Cambodia and East Timor

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Abstract

The United Nations' role in securing peace and promoting democracy has developed in the post-Cold War Era. Only a few of the United Nations peacekeeping missions undertaken since 1989 have been deployed in Asia. However, two of the more ambitious operations have been carried out in Asia, namely in Cambodia in the early 1990s and in East Timor in the late 1990s. Both these operations had mandates that provided the United Nations with the possibility to control the national institutions in peace building attempts; i.e. cases of international administrations. In Cambodia the United Nations carried out its most ambitious operation to that date and the mission undertaken in East Timor was the most extensive and expensive peace building attempted by the United Nations. As such, both operations have served as 'blueprints' for future United Nations missions.

The paper will study these two cases in-depth, looking specifically at what lessons can be learned, from the mandates, the contexts, the challenges encountered during the operations, and the outcomes. What problems and possibilities can be identified based on how the operations were initiated, planned and implemented?

Keywords

United Nations, peacekeeping, Cambodia, East Timor

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The United Nations and Peacekeeping: Lessons Learned from Cambodia and East Timor*

1. Introduction

Since the 1990s and onwards, the United Nations has been involved in several peacebuilding operations, although its involvement and mandates has varied greatly. Two cases stand out from other cases of United Nations engagement: East Timor¹ in 1999 and onwards and Cambodia² from the early 1990s. They are the only two cases in Asia where the United Nations has taken over more or less of their national administration in a peacekeeping/-building attempt; i.e. cases of international administrations. They differ from traditional peacekeeping missions through their interest in, and often also their responsibility for, the functioning of a state (or a territory). At each point of time, the mission undertaken was the most extensive and expensive peacebuilding attempt by the United Nations.

The main aim of this paper is to study these two cases of United Nations' peacekeeping in Asia in-depth, looking specifically at what lessons can be learned, from the mandates, the contexts, the challenges encountered during the operations, and the outcomes.

The paper is structured in the following way. First, the case of Cambodia is presented with an overview of the mandate, conduct, outcome and lessons from the operation. Second, the case of East Timor is presented with an emphasis on the United Nations Transitional Administration in East Timor (UNTAET) mission, reviewing the mandate, conduct, outcome and lessons from the operation. Third, some general lessons from the peacekeeping operations are discussed.

2 Cambodia³

2.1 Background

The Cambodian conflict originated in the bilateral conflict between Kampuchea and Vietnam in the late 1970s. This conflict escalated and led to the Vietnamese military intervention launched on 25 December 1978. Following the intervention the People's

* This paper draws on the two authors' research on East Timor (Allmén) and on various dimensions of the United Nations and Cambodia (Amer). An earlier version of this study was presented as paper with the same title at the Workshop on "Rule of Law on the International Agenda: Policy Politics and Morality", Organised by the Department of Law, Umeå University, the Asian Law Center, School of Law, University of Washington, and College of Law, University of Illinois, Umeå 15-16 June 2007.

¹ East Timor formally changed its name into Democratic Republic of Timor-Leste when they officially became independent in 2002. However, the conventional short-form for the country is still East Timor and is used throughout the paper to avoid confusion.

² The General Assembly of the United Nations used the term Democratic Kampuchea and Kampuchea until it decided to start using the term Cambodia at the 45th session in 1990 (A/45/PV.3 par. 8). The terms Democratic Kampuchea and Kampuchea will be used in this study when referring to events during the period 1975-1990. For all other the term Cambodia will be used.

³ The information in section 2 relating to Cambodia is derived from earlier research on the Cambodia conflict (Amer, 1993, 1996a), the United Nations policies toward Cambodia (Amer, 1989, 1990, 1994: 56-71, 89-108, 124-145, 1996b), and the United Nations peacekeeping in Cambodia (Amer, 1993, 1995, 2004). For a review of other studies on the peace-keeping operations in Cambodia see Amer (1995: 3-7).

Republic Kampuchea (PRK) was established in Kampuchea whereas the overthrown government, i.e. Democratic Kampuchea (DK), also known as the Party of Democratic Kampuchea (PDK), in alliance with two non-communist Cambodian groups – the Khmer People’s National Liberation Front (KPNLF) led by Son Sann, and the Front uni national pour un Cambodge indépendant, neutre, pacifique et coopératif (FUNCINPEC) led by Prince Norodom Sihanouk – formed the Coalition Government of Democratic Kampuchea (CGDK) in 1982 to combat the PRK. Vietnam and the Soviet Bloc supported the PRK, whereas the parties to the CGDK relied on support from China, the Association of South-East Asian Nations (ASEAN), and the United States of America (USA).

The developments from Vietnam's military intervention to the settlement of the conflict through the signing of the Paris Agreements on Cambodia in October 1991 can be divided into three phases. First, the confrontation phase: 1979-1986 followed by the dialogue phase: 1987-1989 and finally, the conflict resolution phase: 1990-1991.

2.3 The Peace-keeping mandate in Cambodia

On 23 October 1991 two agreements concerning Cambodia were signed in Paris in connection with the second session of the Paris Conference on Cambodia (PCC): ‘Agreement on a comprehensive political settlement of the Cambodia conflict’ and ‘Agreement concerning the sovereignty, independence, territorial integrity and inviolability, neutrality and national unity of Cambodia’ (A/46/608-S/23177). The agreements officially resolved the so-called Cambodian Conflict. The signatories were the following participating states: Australia, Brunei Darussalam, Cambodia⁴, Canada, China, France, India, Indonesia, Japan, Laos, Malaysia, the Philippines, Singapore, Thailand, the Union of Soviet Socialist Republics (USSR), the United Kingdom of Great Britain and Northern Ireland (UK), the USA, Vietnam, and Yugoslavia⁵.

The Paris Agreement on a comprehensive political settlement of the conflict included provisions for the creation of a United Nations Transitional Authority in Cambodia (UNTAC). As expressed in the Agreement, UNTAC’s mandate in Cambodia would be to exercise the powers necessary to ensure the implementation of the Agreement. In regard to ‘Civil administration’ all administrative units acting in the field of foreign affairs, national defense, finance, public security, and information would be under direct UNTAC control. Other administrative units would also come under direct UNTAC control, if deemed necessary. UNTAC was to have access to all administrative operations and information and it could require the reassignment or removal of any personnel. Furthermore, all police would operate under UNTAC supervision and control. In regard to ‘Military functions’ UNTAC’s duties were divided in accordance with the two phases envisaged by the Paris Agreement. During the first phase UNTAC was to supervise, monitor and verify the withdrawal of foreign forces and their non-return to Cambodia as well as the cessation of foreign military assistance to the Cambodian parties. UNTAC would also supervise the cease-fire to be observed by the Cambodian parties upon the signature of the Paris Agreement. During the second phase, involving the demobilization and cantonment of the armed forces of the Cambodian parties, UNTAC would supervise the regrouping and relocating of all forces to cantonment areas. UNTAC would also

⁴ Cambodia was represented by the Supreme National Council (SNC) under the leadership of its President – Prince Sihanouk (A/46/608-S/23177: 2). The SNC was made up of representatives from SNC which would have twelve members, six from the State of Cambodia (SOC), i.e. the former PRK and two from each of the three parties of the National Government of Cambodia (NGC), i.e. the former CGDK.

⁵ Yugoslavia represented the Non-Aligned Movement (A/46/608-S/23177: 2).

control and guard the military equipment handed over by the parties. In regard to 'Elections' UNTAC's role would be to organise and conduct the general elections to be held in Cambodia. In order to carry out this task UNTAC was to ensure that appropriate laws were in existence. Furthermore, UNTAC would register as well as educate voters, design and implement a system of registration of political parties, and establish lists of candidates (A/46/608-S/23177: 8-47).

2.3 Peacekeeping in Cambodia

On 16 October 1991 the Security Council adopted Resolution 717 in which it was decided to establish the United Nations Advance Mission in Cambodia (UNAMIC) to be sent to Cambodia immediately after the signing Paris Agreements on Cambodia (S/RES/717 (1991)). The formal decision to set up UNTAC was taken by a unanimous Security Council on 28 February 1992 (S/RES/745 (1992)). UNTAC was officially established with the arrival in Phnom Penh of Mr. Yasushi Akashi, the Personal Representative of the Secretary-General of the United Nations, on 15 March 1992. The withdrawal of UNTAC from Cambodia took place between August and December 1993. On 24 September Cambodia's new Constitution was promulgated and the Constituent Assembly was transformed into a legislative assembly. This formally terminated UNTAC's mandate in Cambodia.

In the administrative field UNTAC was given extensive powers to supervise the existing administrative structures in Cambodia. For example all bodies acting in the field of foreign affairs, national defence, finance, public security, and information would be under direct UNTAC control. Other units could also come under direct UNTAC control, if deemed necessary. Furthermore, all police would operate under its supervision and control.

In the military field UNTAC's mandate related to three major aspects. First, it was to supervise, monitor and verify the withdrawal of foreign forces and their non-return to Cambodia, as well as the cessation of foreign military assistance to the Cambodian parties. Second, it was to supervise the cease-fire, which was to be observed by the Cambodian parties upon the signature of the Paris Agreements in October 1991. Third, during the demobilisation and cantonment process of the armed forces of the Cambodian parties, UNTAC should supervise the regrouping and relocating of all forces to cantonment areas, and control and guard their military equipment.

In regard to the elections, UNTAC's role was to be fully and exclusively in charge of the organising and conduct of the general elections to be held in Cambodia during the peacekeeping operation.

2.4 Assessing the Cambodian operation

In assessing the peacekeeping operation the major positive feature was the success of the general elections, carried out on 23 to 28 May 1993, both in terms of registration of voters and of the impressive turnout in the elections. In fact 89.56 per cent of the nearly 4.7 million registered voters participated in the elections. Another notable success was the repatriation of some 365,000 Cambodian refugees ahead of the general elections. Despite major efforts to promote the respect for human rights and to combat politically motivated violence in the country, the United Nations did not succeed in creating a truly politically neutral climate for the elections. The United Nations also failed to adequately address the problem of regularly occurring armed attacks against the Vietnamese minority in Cambodia. To a certain extent the actions taken by the United Nations had the effect of worsening the situation of the ethnic Vietnamese. Another shortcoming was the decision to

pay salaries to the peacekeepers in US dollars, thus contributing to the dramatic depreciation of the local currency and causing a sharp increase in the cost of living of the Cambodian population. However, the most serious shortcoming was in the military field where the demobilisation and cantonment of the military forces had to be abandoned because the PDK refused to join in the process. As a consequence the stage was set for continued civil war in the country following the withdrawal of UNTAC.

2.5 Lessons from the Cambodian operation

The first and foremost of the lessons that can be drawn from a peacekeeping operation in Cambodia is that there is a need to have a contingency plan for handling the risk that one or more of the local parties to a 'peace' agreement might opt not to co-operate during the implementation of the agreement.

The Cambodian operation also displayed the importance of keeping the major local party to an agreement involved in the peacekeeping process so as to assure that the United Nations get access to the major part of the country and to the majority of the population. The co-operation of the largest local party is also crucial when arranging general elections.

The decision to use other methods than military force in order to make the PDK comply with its obligations as a signatory to the Paris Agreements did not yield the expected results. Diplomatic pressure and sanctions proved to be ineffective measures in dealing with the PDK. The question of whether or not to use military force against the PDK led to divergences right at the top level of UNTAC's hierarchy. The possible methods to be used against non-co-operating parties should be addressed in a contingency plan adopted by the United Nations in order to avoid internal differences within the peacekeeping authority itself.

The protection of human rights proved to be insufficient with continuous politically motivated violence despite UNTAC's efforts in this field. Furthermore, a clear policy was lacking on how to respond to the repeated attacks against ethnic Vietnamese in the country. Effective measures for the protection of ethnic minorities have to be formulated before a peacekeeping operation becomes operational.

To be able to foresee potential problems such as attacks on ethnic minorities and politically motivated violence in the run-up to a keenly contested multiparty election, and the behaviour of the parties generally, there is a need for extensive knowledge about the culture, customs and traditions of the country in which a peacekeeping operation is to be launched.

Last but not least the experiences in Cambodia display that a failure to complete the demobilisation and cantonment process of the armed forces of the local parties sets the stage for continued fighting during the peace-keeping operation and increases the likelihood of continued or renewed civil-war after the termination of the operation. Thus, a successful completion of a demobilisation and cantonment process is of vital importance if a peacekeeping operation is to minimise the risk of continued warfare. An adequate contingency plan could possibly address problems related to the implementation of a demobilisation and cantonment process.

3 East Timor

3.1 Background

The political turmoil in Portugal in early 1974 led to the preparations for East Timor's independence. The political parties União Democrática Timorese (UDT) and Frente Revolucionária de Timor Leste Independente (Fretilin) formed a short-lived coalition that

lasted only five months before violence erupted, subsequently resulting in civil war. Fretilin declared East Timor independent on 28 November 1975, resulting in a coalition of pro-Indonesian parties announcing the independence of the island and its integration with Indonesia two days later (Martin, 2001; and Smith, 2003).

Indonesia had never, prior to December 1975, made any territorial claims to East Timor, but nevertheless launched a naval, air and land invasion of the island on 7 December 1975. Thus began a 24-year long occupation that was internationally condemned, although more silently than explicitly so. East Timor became a regular item on the agenda of the General Assembly, but was deferred each year. International and national developments in Indonesia during the late 1990s gave the East Timor question a push forward. On 29 January 1999, the interim president, Habibie, announced that if East Timor did not accept an offer of autonomy, he would recommend a complete separation from Indonesia. The future of East Timor was thus to be decided through a popular consultation (Martin, 2001:19; and, Martin and Mayer-Rieckh, 2005:105).

On 30 August 1999, a remarkable 98.6 percent of the registered East Timorese voters went to the ballot box and the result was unambiguous: 21.5 percent in favour and 78.5 per cent against the proposed special autonomy. The Secretary-General of the United Nations, Kofi Annan, urged all parties to accept the results of the popular consultation, but the result nevertheless incited Indonesia-backed militia forces to mass-violence, killing thousands of people, displacing hundreds of thousands in- and outside of East Timor, and destroying over 70 per cent of the infrastructure (Fox and Soares, 2000; Martin, 2001; and, McDonald, Ball et al., 2002).

3.2 The Peacekeeping mandate in East Timor

The developments in early 1999 sparked a series of meetings and continued negotiations between the United Nations, the foreign ministers of Portugal and Indonesia, and the Secretary-General appointed a Personal Representative for East Timor (Martin 2001:18; Marker 2003:10). A four-member team from the United Nations' Department of Political Affairs (UNDPA) was sent to Dili in early May to evaluate the needs of a future United Nations monitoring force. On 5 May 1999 a historic agreement was signed between Indonesia and Portugal, considered a 'triumph of 16 years of UN diplomacy' (Gunn and Huang, 2006:11, 22-23). The May 5 agreement consisted of three draft agreements: the Basic Agreement that covered the broad political issues; the Agreement Regarding the Modalities for the Popular Consultation of the East Timorese Through a Direct Ballot; and East Timor Popular Consultations: Agreement Regarding Security (Marker, 2003:144).⁶

Article 2 of the Basic Agreement formed the basis for the establishment of a United Nations Mission in East Timor mandated to conduct the popular consultation and it was also requested that the Secretary-General maintained an 'adequate presence' in East Timor in the period following the ballot and the implementation of its results (*Agreement Between*, 1999). This was later confirmed in a report of the Secretary-General formally establishing the United Nations Mission in East Timor (UNAMET) (S/1999/595).

The mandate for UNAMET included three components: a political component responsible for monitoring the political climate and ensure the freedom of political parties and NGOs to carry out their activities; an electoral component responsible for activities relating to registration and voting; and an information component responsible for providing information about the voting procedures and process, the text of the General Agreement and the proposed autonomy framework to the electorate (S/RES/1246 (1999)).

⁶ For details about the text of the 'Agreements, please consult United States Institute of Peace, Peace Agreement Digital Collection, East Timor', at <http://www.usip.org>.

The deteriorating security situation that followed after the popular consultation led to the deployment of first an international peace enforcement force, and then the establishment of a state-building and transitional administrative mission, UNTAET. To this day, the United Nations is still present through UNMIT, mandated to assist in the 2007 presidential and parliamentary elections, and provide assistance in security-related matters.

3.3 Peacekeeping in East Timor

The security mayhem after the popular consultation caused international pressure on Indonesia to fulfil its obligation under the 5 May agreements. Security Council Resolution 1264 (1999) established an international peace enforcement force, INTERFET, authorized under Chapter VII of the Charter of the United Nations, mandated to restore peace and order, protect and support UNAMET, and facilitate humanitarian assistance operations (S/RES/1264 (1999)).

Security Council Resolution 1264 (1999) also stated that INTERFET should be replaced by a United Nations peacekeeping mission. The United Nations Transitional Administration in East Timor, UNTAET, was established by Security Council Resolution 1272 (1999), acting under Chapter VII of the Charter. Specifically, UNTAET was to provide security and maintain law and order; establish an effective public administration; support in the development of social and civil services; coordinate and ensure delivery of humanitarian aid, rehabilitation and development assistance; strengthen institutional capacity for self-government; and establish conditions for sustainable development (S/RES/1272 (1999)).

UNTAET was assigned to prepare East Timor for its independence in 2002. It was always expected, however, that the United Nations would deploy a successor mission of some sort. The UN Mission of Support in East Timor was established by Security Council Resolution 1410 (2002), adopted on 17 May 2002, mandated to provide support of governance and administration in the independent state (S/RES/1410 (2002)). UNMISSET was to work parallel to the new Timorese government and provide assistance to core administrative structures; provide interim law enforcement and public security, and assist in the development of a national police force; and contribute to the maintenance of external and internal security (S/RES/1410 (2002)).

Security Council Resolution 1543 (2004) declared that UNMISSET should be prolonged and remained in East Timor until 20 May 2005.⁷ In the same resolution, the mission was reduced and mandated to provide support to the public administration and justice system, to the development of law enforcement and for the security and stability (S/RES/1543 (2004)). In his report S/2005/99, the Secretary-General recommended that the United Nations remained in the country beyond 20 May 2005, in a scaled-down mission up until 20 May 2006. This recommendation was affirmed in Security Council Resolution 1599 (2005), which also formally established the United Nations Office in Timor-Leste (UNOTIL), a one-year political mission, assigned to monitor and support the development of critical state institutions, to monitor and support further development of the police, and to provide training in democratic governance and human rights (S/RES/1599 (2005)).⁸

⁷ This decision was re-affirmed in Security Council Resolution 1573 (2004).

⁸ The mandate was prolonged until 20 June 2006 in Security Council Resolution 1677 (2006), until 20 August 2006 in Security Council Resolution 1690 (2006), and finally until 25 August 2007 in Security Council Resolution 1703 (2006).

Renewed violence in the spring of 2006 caused political unrest and thousands of people fled their homes, fearing a repetition of the 1999 violence. This resulted in the creation of the United Nations Integrated Mission in Timor-Leste (UNMIT). UNMIT was initially deployed for six months but with the intention to renew its mandate for further periods, which was done in Security Council Resolution 1745 (2007) when the mission was extended for one year. UNMIT consists of a civilian component that includes police personnel and one component of military liaison and staff officers (S/RES/1704 (2006)).

3.4 Assessing peacekeeping in East Timor

East Timor is considered one of the great United Nations success stories. Basically, one can summarise this ‘triumph’ by establishing that the United Nations did generally well in traditional peacekeeping, including electoral assistance, and in humanitarian assistance and emergency rehabilitation, such as rebuilding the basic infrastructure. It did less well, however, in the peacebuilding area of institution-building and governance-related tasks (*UNTAET debriefing and lessons*, 2003:xxvi). Being of such a comprehensive art, combining both traditional peacekeeping tasks with less familiar peacebuilding assignments, UNTAET often used peacekeeping logics to address peacebuilding tasks, frequently with less successful results. Also, in the establishment of UNMISSET and preparations for UNTAET, it was assessed that there would be sufficient time to plan a successor mission after the popular consultation, not anticipating the violence that followed. As Martin and Mayer-Rieckh explains: ‘[t]he UN was prepared neither to respond to the violence and devastation that that followed the ballot, nor for the need to rapidly establish a transitional administration’ (Martin and Mayer-Rieckh, 2005: 110).

According to its own evaluation, UNTAET was successful in security-related issues, as well as in military-civil relations. The deployment of INTERFET facilitated the transition to the UNTAET peacekeeping force (*UNTAET debriefing and lessons*, 2003:xxvii). It can, however, be argued that neither the East Timor Police Force (ETPS) nor the Defence Force (FDTL) were ready to take over the full responsibility for public security and external defence on Independence Day. The United Nations also managed to repatriate the majority of the refugees who fled within the country or to West Timor, although East Timor still hosts a rather large number of internally displaced persons due to the unstable security situation.

Less successful areas of UNTAET include its efforts to provide law and order. The mandate was too broad, lacking both sufficient resources and experience. In retrospect it has been concluded that there was no dedicated focus on developing a sustainable legal and judicial system (*UNTAET debriefing and lessons* 2003:xxvii). The situation facing East Timor and UNTAET was not the most promising however; the status of the Timorese judicial system after Indonesia’s withdrawal was practically identified by its non-existence. The flaws in the judicial system are still prominent, and considered one of the major problems for East Timor’s future economic, social and political development.

UNTAET’s engagement in the area of public administration sector was defined by a too broad mandate causing frustration and slow progress (*UNTAET debriefing and lessons*, 2003:xxviii). Establishing basic infrastructure of a functioning civil service was not prioritized, which undermined the efficiency and effectiveness of the post-independence public administration (Martin and Mayer-Rieckh, 2005:114).

The relationship between the Timorese leadership and the international presence has been complicated. The United Nations complained over not being able to identify appropriate Timorese partners. This affected the local ownership of the transition period, a problem that was increased by the lack of qualified human resources available in the country. Despite identifying this problem, capacity-building was not prioritized initially,

thereby delaying the ‘Timorization’ of the process further. However, changes were introduced and half-way through the UNTAET-period, the Transitional Administrator could present considerable achievements, for example the implementation of a joint UNTAET-East Timorese cabinet system; several advancements in the recruitment for an East Timorese civil service; international staff was being replaced as low as at the district level, extending the ‘Timorization’ remarkably; and the educational system was up and running (Gunn and Huang, 2006:93).

3.5 Lessons from the East Timor operation

Several lessons can be learned from the United Nations missions in East Timor. The first is the importance of having clearly defined mandates, established communication and consultation with the national leadership, adequate financial and human resources, and sufficient time to engage in comprehensive multifunctional peacebuilding tasks. These were lacking in varying degrees in the case of East Timor. At the time of independence, East Timor was not completely ready to take over some of the responsibilities, and several unresolved issues kept disturbing the peaceful transition to an independent democratic state.

This became abundantly clear in February and March 2006 when approximately one third of the military was dismissed after having deserted. A weak political establishment, a fragile judicial system, slow economic development, and an underdeveloped and under-educated police- and defence force all contributed to the situation that arose in 2006. It cannot be blamed on the United Nations entirely, but it is, nevertheless, a result of problems that were to be addressed, but never got completely resolved, by the United Nations in its various constellations in East Timor.

Some positive lessons from the United Nations’ involvement in East Timor include the deployment of INTERFET; a very successful mission that could serve as a model for future collective forms of interventions under Chapter VII of the Charter of the United Nations. Being a ‘coalition of the willing’ with the approval on the United Nations, INTERFET enjoyed greater freedom than a regular United Nations peacekeeping unit. The effective coordination of humanitarian assistance managed to avert further crisis, and two fairly successful elections were conducted ahead of independence. These are all positive results that should be highlighted. Nevertheless, the one major lesson we can learn from this case is the underestimation of the strength of local traditions and the Timorese peoples’ coping strategies. International norms were applied to a society with very little local consultation, resulting in a discrepancy of expectations and understanding of concepts such as democracy and human rights. This has left East Timor with a huge task ahead in order to build a stable democracy.

4 General Lessons from Peace-keeping in Asia

Until today, only two cases of United Nations-initiated and led international administrations can be found in Asia. At the same time, we can also detect that the United Nations is getting more and more involved in comprehensive multifunctional peacebuilding missions as the ones experienced in Cambodia and East Timor. As mentioned above, they differ from traditional peacekeeping missions through their interest in, and often also their responsibility for, the functioning of a state or a territory. In East Timor, the United Nations took this aspect a little further than in Cambodia, primarily because there was no functioning government apparatus in place in East Timor.

In both Cambodia and East Timor, the United Nations’ missions are considered successful by some observers, whereas others are more cautious in their assessments. The

United Nations did well in preparing and conducting elections in both cases, although the aftermath proved less successful for both Cambodia and East Timor. Whereas UNTAC did well in repatriation of refugees, the issue of demobilisation and cantonment was less successful. The latter was also the case in East Timor, and the failure to completely demobilise and reintegrate former militia- and Falintil members backfired in February 2006. With regards to human rights and law and order, both cases bear proof of inadequate international engagement. These failures have left both Cambodia and East Timor with fragile judicial systems, flawed legislations and frequent violations of human rights.

The importance of addressing and dealing with local partners is a lessons highlighted in both Cambodia and East Timor. In the former case, the need to involve a wide range of actors in order to successfully implement a peace agreement became evident, especially the precarious issue of dealing with the PDK in the implementation of the peace agreement and UNTAC's mandate. In East Timor, the political situation was not as complicated as in Cambodia, but failure to involve local partners nevertheless managed to impede successful implementation of the United Nations mandate.

The case of Cambodia highlights the need to have contingency plans if local actor(s) opt to withdraw from the implementation of a Peace agreement and cease collaboration with a United Nations mission. The fact that the PDK decided to withdraw from the process and to resume armed activities should be understood as displaying that the organisation perceived that its expectations and goals were not met. In all evidence there was no contingency plan to deal with such a development neither political nor military. It was the armed forces of the SOC that had to assume the task responding to the military challenge of the PDK. The United Nations needs to have contingency plans when carrying out peacekeeping operations to deal with local actors who opt out of peace agreements during the implementation phase.

Another interesting lesson from Cambodia is the paramount importance to obtain the collaboration and active participation of the major local actor, i.e. the Cambodian People's Party (CPP) – the ruling party within the SOC – in the case of Cambodia. Put bluntly had CPP opted to withdraw from the implementation process of the peace agreement than the whole operation would have collapsed. After all the CPP controlled the vast majority of the territory of Cambodia where about 90 per cent of the population lived and given that situation a CPP withdrawal would in all essence have implied a premature termination of the peacekeeping operation. Although the CPP was not fully collaborating, in particular not when it perceived that UNTAC was interfering with issues of vital political interest to the CPP, the fact that the CPP stayed within the process made it possible to carry out the Cambodian operation and most importantly to carry out successful elections.

In the case of East Timor, the main Timorese fraction, the Conselho Nacional de Resistência Timorese (the National Council of Timorese Resistance, CNRT) under the leadership of freedom fighter and later president of the Republic, Xanana Gusmão, was not considered a 'neutral' partner for the United Nations to collaborate with. The CNRT, nevertheless, had the support of the majority of the population, and had prior to the arrival of the United Nations been involved with negotiations with the United Nations Department of Political Affairs. When UNTAET was deployed it answered to the Department of Peacekeeping Operations and CNRT's collaboration with the Department of Political Affairs was not communicated between the two UN departments. In September 1999, the CNRT presented a plan to the United Nations and the World Bank, proposing the establishment of a Council of East Timorese Transition to work in partnership with the United Nations to facilitate the transitional period. This plan was ignored when planning and establishing UNTAET, arguably because there were reservations about acknowledging CNRT as the Timorese partner. In sum, the United Nations acquired a somewhat

‘colonial character’ in East Timor, seriously impeding the successful implementation of the peacekeeping/-building mandate. The main lesson in this context is that the major local actors have to be part of the implementation of a peace agreement and broadly collaborate with the peacekeepers if the operations will have a chance to succeed.

It is expected that the world will experience more comprehensive multifunctional mandates of peacekeeping and peacebuilding in the future, as missions of international administrations are likely to be widely deployed throughout the world. The strengths and weaknesses of the United Nations’ peacekeeping in Cambodia and East Timor that have been highlighted in this paper should be taken into consideration for future missions, although the need to assess each situation individually cannot be emphasised enough. It is a time-consuming activity to reinvent the wheel over and over again, but the wheel can always be modified to become better and more efficient with each try, avoiding alienation of the beneficiaries of United Nations’ peacekeeping, and making each transition from war to peace more sustainable and inclusive.

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5.1.4 General Assembly and Security Council documents

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⁹ This resolution alongside all other United Nations resolutions and documents relating to Cambodia during the period 1991 to 1995 have been reproduced in *The United Nations*, 1995.

¹⁰ See note 9.

¹¹ See note 9.

5.1.5 Other documents

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