Kosovo and Timor-Leste: Neotrusteeship, Neighbors, and the United Nations

By
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Why do some states transition, with foreign assistance, from "fragile" to "robust"? Scholars in state-building have argued that neotrusteeship is an effective strategy by which external organizations might build postconflict states. This article tests this hypothesis, and two related propositions, in a paired comparison of Kosovo and Timor-Leste. The two states are similar in many respects and both experienced regional peace enforcement operations to end violent conflict, followed by massive neotrusteeship operations. They have had divergent results, however, in postconflict state-building: while the state and economy are gradually becoming stronger in Timor-Leste, the same cannot be said of Kosovo, which continues to be plagued by high unemployment, low growth, corruption, and organized crime. I argue that many of Kosovo's problems can be traced back to the strategy of dividing international responsibility for neotrusteeship operations.

Keywords: Kosovo; Timor-Leste; United Nations; NATO; European Union; peacekeeping; neotrusteeship; postconflict development

W hy do some states transition, with foreign assistance, from "fragile" to "robust"? Scholars in postconflict state-building have argued that neotrusteeship would be an effective strategy by which external organizations might build states. This article tests this proposition in a paired comparison of Kosovo and Timor-Leste. The two states are ideal for comparison in that they share many similar characteristics while differing along few, and yet they have had divergent results in postconflict state-building. Both states are small territories that sought to secede from a larger entity; they both underwent massive upheaval in 1999 but with few deaths; both enjoyed opposition leaders

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ANNALS, AAPSS, 656, November 2014

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with significant domestic and international legitimacy; each has internal ethnic cleavages; both are poor territories with rich neighbors; and both underwent non-UN peace enforcement missions to stop the violence—NATO in Kosovo and, in Timor-Leste, the International Force for East Timor (INTERFET). Enforcement operations in each state were followed by large, complex neotrusteeship arrangements in which international actors were responsible for state operations. In terms of differences, Timor-Leste has natural resources and weak governing structures that make it primed to be "resource cursed." Timor-Leste also has had a less educated population and a less developed infrastructure. Like Timor-Leste, Kosovo is ethnically divided, but its rivalries are more entrenched. International actors have disagreed about what type of territory Kosovo should be (a separate state or a semi-independent entity within Serbia). Kosovo has received nearly three times more international aid overall ($14 billion) than Timor-Leste, and its neotrusteeship intervention has been deeper, longer, and led mainly by neighbors in conjunction with the UN. Given these similarities and differences, and prevailing ideas about the benefits of neotrusteeship, one might expect that Timor-Leste would be faring worse than Kosovo, but that is not the case. While the state and economy are gradually becoming stronger in Timor-Leste, the same cannot be said of Kosovo, which continues to be plagued by weak governing structures, high unemployment, low growth, corruption, and organized crime.

   This article offers a theoretically and empirically grounded investigation of the similarities and differences between the interventions in Kosovo and Timor-Leste, linking differing outcomes not only to different prior local circumstances, but also, crucially, to the varying neotrusteeship strategies employed in each country. The article is divided into four parts. Part one discusses the theoretical literature on neotrusteeship and fragile states and presents the main hypotheses. Part two explains the qualitative methods employed in this study. Part three explores the case of Kosovo, including three subsections: one on aspects of the local context that most influenced the outcomes of international assistance, another on the characteristics of post-1999 assistance, and a final one that evaluates the central hypotheses against the evidence. Part four presents the case study of Timor-Leste, comprising the same three subsections as does the case study of Kosovo. The article concludes by arguing that the centralized, UN-led Timor-Leste model holds more promise for future foreign assistance in fragile states than the fractured, less legitimate, and very long and expensive one employed in Kosovo.

Neotrusteeship and Rebuilding Fragile States

There is a large, important, and growing literature on the sources of success and failure in international assistance to fragile and war-torn states. Most studies have found a positive relationship between the outcome of peace and the implementation of complex peacekeeping operations, most often conducted by the UN

(Fortna and Howard 2008; Howard 2008; Doyle and Sambanis 2006; Fortna 2008; Walter 2002). James Fearon and David Laitin (2004) put forward a novel proposition that single-state-led "neotrusteeships" would be a more rational approach than the current UN-led efforts.

Fearon and Laitin (2004) argue that, unlike in the past, current major global threats stem not from states seeking to conquer other states, but from internal state weakness and collapse. All states have an interest in ending civil wars, but generally the cost is too high for any single state to bear; therefore, states seek burden-sharing arrangements to solve the problem of failed states. Given the problems of recruitment, coordination, accountability, and exit inherent in all international peace-building efforts, states and various international organizations have been drawn into neotrusteeship operations defined as "complex mixes of international and domestic governance structures that . . . involve a remarkable degree of control over domestic political authority and basic economic functions by foreign countries" (Fearon and Laitin 2004, 7). In these operations, no one authority holds control, though such operations do have international legal mandates. In contrast to the imperialist trustees of colonial times, the agents of neotrusteeship seek to exit the territory as soon as possible.

While Fearon and Laitin acknowledge that the UN has been successful at multidimensional peacekeeping, including holding administrative authority, in the past,

> with so many actors involved in the governance of collapsed states, severe coordination problems inevitably arise. A lead state is therefore a sine qua non for mission success. Although many UN organizations will be involved, the UN is ill suited to be the lead organization for coordination purposes. (Fearon and Laitin 2004, 42)

Furthermore, they argue that the most interested parties should take the lead in neotrusteeship operations: "There are two chief beneficiaries of restoring political order in a state destroyed by civil war: the residents of the collapsed state, and neighboring or other states that have a particular security, economic, or historical interest in the stability of the country in question" (Fearon and Laitin 2004, 28). Thus Fearon and Laitin forward three central, testable, hypotheses:

1. Neotrusteeship is the most efficacious method of resolving the problem of weak states.
2. If the UN is the lead organization, then the operation will not be effective.
3. If neighboring states (or regional organizations such as the European Union [EU] or NATO), with a security, economic, or historical interest in stability lead neotrusteeship efforts, then such efforts will be effective.[1]

This article evaluates these hypotheses against the evidence from two comparable cases.

Methods

I have chosen to compare the interventions in Kosovo and Timor-Leste, as they constitute a "most similar" research design. The cases exemplify the two most intrusive attempts at international neotrusteeship to date; thus, they can be considered a subset apart from all other cases of multidimensional peacekeeping.[2] In other words, they are not only similar, but they make up the entire universe of cases of this type of foreign assistance.[3] The cases align along a number of potential causal factors, and differ along few. This alignment facilitates the evaluation of causal factors that may have led to diverging outcomes in the two cases: Timor-Leste, while still plagued by problems, has enjoyed far greater development since its independence than has Kosovo.[4]

Paired comparison "is a distinct analytical strategy for working through complex empirical and historical materials using the leverage afforded by the differences and similarities of comparable cases" (Tarrow 2010, 243). Comparison of this nature "allows for and indeed demands a degree of intimacy and detail that inspires confidence that the connections drawn between antecedent conditions and outcomes are real" (Tarrow 2010, 239). The main limitation of employing a paired case design is what methodologists refer to as the problem of "degrees of freedom" (Tarrow 2010, 246; Gerring 2007; George and Bennett 2005). Inevitably in small-n designs there will be more causal variables than cases, which, especially for quantitative analysis, means that it is not possible to establish reliable correlation. However, the main objective of qualitative analysis is to determine causal relationships, rather than correlations. By including many fine-grained details about cases, and carefully tracking causal processes, it is possible to come to fairly reliable conclusions, even without the benefit of having more cases than independent variables. I thus present a structured-focused comparison of the two central cases of neotrusteeship to better understand and evaluate the varying causal forces that produced less desirable outcomes in Kosovo, as opposed to better outcomes thus far in Timor-Leste.[5]

Kosovo

Although Fearon and Laitin (2004) suggest that Kosovo is an example of successful neotrusteeship, its overall results amount to a direct challenge of the hypothesis that neotrusteeship, led by powerful, self-interested neighbors, leads to less fragile states. Kosovo has received more assistance than any other similar territory in the world, and yet it remains by far the poorest and least developed country in Europe (Yannis 2004; Chesterman 2004). Located in Europe's southeastern corner, Kosovo is landlocked and small—a little larger than the petite U.S. state of Delaware—with a population of approximately 1.85 million people (Central Intelligence Agency [CIA] 2013). One analyst succinctly sums up Kosovo's post-conflict condition: "While the international organizations have successfully managed to improve the security situation, the economic and social position of the

country is still calamitous, and unemployment and poverty are Kosovo's most intractable problems" (Schleicher 2012, 2). Compared with its Balkan neighbors, Kosovo has the highest infant mortality rate, the youngest population, the lowest life expectancy, and scores the lowest on the United Nations Development Program's (UNDP's) human development index (UNDP 2012). The World Bank rates 45 percent of the population as poor and 15 percent extremely poor (World Bank 2013b). Unemployment has remained at over 40 percent for more than 10 years—the highest in Europe—while youth unemployment stands at a staggering 70 percent (European Commission 2012). And yet Kosovo has been the benefi-ciary of the world's most expensive neotrusteeship operation, amounting to more than $14 billion in foreign assistance (Howard 2013, 28). Why are the results not more positive?

Aspects of the local context that most influenced the outcomes of international assistance

Kosovo is severely divided by ethnic tensions between its so-called Serb and Albanian populations, both of which consider the territory to be their cultural homeland. After the Second World War, Kosovo became one of two autono-mous regions within the Socialist Republic of Serbia, which was one of the six constituent republics of Socialist Yugoslavia. When the uniting leader of Yugoslavia, Marshal Josip Broz Tito, died in 1981, leaders and populations of the different republics of Yugoslavia began to question their allegiance to the country. Kosovo Albanian nationalists initiated a protest movement against Serb and Yugoslav rule. In response, Serbia's leaders strengthened the state's repressive apparatus and, over the course of the decade, revoked Kosovo's autonomy, fired over 100,000 ethnic Albanians from their posts, and limited political and property rights of Albanians in a process of forced "Serbianization" (O'Neill 2002).

In reaction, Kosovars began a popular movement of nonviolent resistance spearheaded by the charismatic yet bookish leader Ibrahim Rugova. As head of the Democratic League of Kosovo, Rugova sought to follow Mahatma Gandhi's example of promoting independence through peaceful resistance. His practical approach was twofold: to establish parallel administrative structures for Albanians within Kosovo, and to "internationalize" Kosovo's struggle by actively seeking international assistance for the secessionist movement (Malcolm 1998, 348). Both phenomena of creating parallel state structures and internationalization of the conflict would have unintentionally negative, lasting institutional effects on Kosovo, as I explore below.

Rugova's strategy enjoyed great popularity in Kosovo until the Dayton peace talks in 1995, which ended the war in Bosnia but which left out entirely the prob-lems in Kosovo. Hardline political and military actors in Kosovo took the lesson of Dayton to be that international recognition would only come with armed resistance. This understanding sparked the rise of the Kosovo Liberation Army (KLA) led by Kosovo's current prime minister, Hashim Thaci.

The rise of the KLA in 1997 was accompanied by economic free-fall in neighboring Albania, where a popular pyramid scheme collapsed, erasing the bank accounts of some two-thirds of the population. Political, economic, and social unrest arose in Albania; military depots were looted; and small arms washed into neighboring Kosovo (O'Neill 2002, 22). Outright armed conflict between parts of Kosovo's Serb and Albanian populations ensued. Serbia's president, Slobodan Milosevic, then directed a militarized campaign of ethnic cleansing in Kosovo. International efforts to negotiate an end to the conflict failed, as Milosevic refused to sign proposed peace agreements, while Russia and China, two of the five permanent veto-wielding members of the UN Security Council, supported Milosevic's position (Albright 2003).

In light of the deadlock in the UN and the increasing humanitarian catastrophe in and around Kosovo, the leaders of NATO decided to launch a militarized air campaign against Serbia to halt its aggression. Starting in March 1999 and lasting 78 days, NATO bombed various strategic points in Serbia and Kosovo. In June, Milosevic agreed to withdraw his troops from Kosovo, the KLA agreed to disarm, and some 800,000 refugees and internally displaced persons (IDPs) returned to their homes (although Kosovo Serbs began to flee revenge attacks).[6] Subsequently, the members of the UN Security Council voted to establish the UN Interim Administration Mission in Kosovo (UNMIK), a massive, UN- and EU-led neotrusteeship operation (United Nations Security Council 1999).

The characteristics of post-1999 foreign assistance

Aid for Kosovo has been delivered in several major, complicated, and shifting forms. UNMIK was initially designed around four "pillars." The first pillar, humanitarian assistance, was headed by the UNHCR until May 2001, when it was phased out and replaced by a UN Department of Peacekeeping (DPKO) "police and justice" division. The DPKO was also in charge of the second pillar, the civil administration. Pillar three, democratization and institution-building, was headed by the Organization for Security and Co-operation in Europe (OSCE); and the fourth pillar, reconstruction and economic development, was managed by the EU. NATO headed and continues to lead what would be a fifth pillar, the Kosovo Force (KFOR), but NATO's forces were not integrated under UN or EU civilian administration.[7] After Kosovo declared its independence in 2008, international responsibilities over Kosovo shifted away from the UN and toward Europe in the form of the European Union Rule of Law Mission in Kosovo (EULEX) and the International Civilian Office (ICO), although a somewhat smaller UNMIK remains operational. Financial sector assistance has also shifted since independence from the EU to the IMF and World Bank.

UNMIK was never a smooth-functioning operation, given that the command structure was not hierarchical, well-coordinated, or united: it has been difficult if not impossible for both internationals and the citizens of Kosovo to understand who is in charge, and what they are charged to do. As U.S. Ambassador Jacques Klein illustrated colorfully in an interview with this author: "You have the pillars and poles and the what-have-yous—OSCE, KFOR, whyfor—then you wonder

why an SRSG [Special Representative of the UN Secretary General] has to strug-
gle with organizations which don't like to be controlled because if I don't pay you,
you don't work for me" (Howard 2008, 302).[8] UNMIK has been led by no fewer
than nine SRSGs from 1999 to 2013, with very frequent turnover especially in the
early years. No other UN peacekeeping operation has had such high turnover in
its leadership.

Meanwhile, Kosovo has endured tremendous internal leadership challenges.
While people generally think of Kosovo as severely divided along Serb-Albanian
ethnic lines, there are also deep divisions among Kosovo Albanian political forces
and chronic problems of leadership. President Rugova, who enjoyed both inter-
national and domestic legitimacy, was able to lead Kosovo for a time, but he died
of lung cancer in 2006. Since then, two of Kosovo's subsequent presidents and
two prime ministers have resigned from office amid various disputes and scan-
dals. The current prime minister, Hashim Thaci, has been condemned by the
Council of Europe for his alleged participation in trafficking in human organs
and related crimes. In other words, Kosovo has suffered from a lack of steady
international and domestic leadership.

Further, the UN, EU, and NATO have not been able to agree on a "final sta-
tus" for Kosovo, as some countries, notably Russia and China, support Serbia's
stance that Kosovo should remain a part of Serbia, as an autonomous province,
whereas many other countries, including most member states of the EU as well
as the United States, support Kosovo's drive for independent statehood. In the
absence of an authoritative, internationally recognized state apparatus, the toxic
combination of organized crime and political corruption has taken root. Despite
ethnic feuds, cross-ethnic organized crime syndicates have managed to blossom
and flourish (Commission of the European Communities 2009, 38). Kosovo has
become a European hub for trafficking in humans, drugs (mainly heroin), and
small weapons, as well as money laundering (International Crisis Group [ICG]
2010; Schleicher 2012). What is worse, UNMIK, KFOR, and the EU have been
charged directly with creating a demand for trafficking in women and girls
(Amnesty International 2004; United Nations Office on Drugs and Crime 2008).
Despite massive, costly international attempts at establishing the rule of law in
Kosovo, the problems have only grown over time, "with a potentially severe
impact on the EU's internal security" (World Bank 2013b, 1).

Problems of security—less the EU's and more Kosovo's in particular—are
worrying. The most dramatic violent event occurred in March 2004, when nine-
teen people were killed in the northern town of Mitrovica while KFOR and UN
police observed the violence but did not intervene to stop it. This event, in con-
junction with the foundering international efforts, led two former employees of
UNMIK to write a scathing book about international failings in Kosovo (King and
Mason 2006). The UN's envoy to Kosovo, Kai Eide, agreed with their findings,
and explained in a report to the UN Security Council:

> Today, the rule of law is hampered by a lack of ability and readiness to enforce legislation
> at all levels. . . . Organized crime and corruption have been characterized as the biggest
> threats to the stability of Kosovo and the sustainability of its institutions. (Eide 2005, 2)

Eide described to the UNSC how the international community had been reluctant to transfer executive and judicial powers to local authorities for fear that the organs of the state would fall to particular ethnic groups, clans, or organized crime syndicates, however, this was already occurring. He recommended implicitly that the UN move toward a final status arrangement.

Thus the UN launched an international effort to resolve the disagreement over Kosovo's status. Martti Ahtisaari was appointed in 2006 to head the first direct talks between ethnic Serb and Kosovar leaders in seven years. Ahtisaari, a longtime UN diplomat, former president of Finland, and eventual Nobel Peace Prize–winner, managed to cajole the feuding representatives to talk regularly over the course of two years. He came up with a plan for Kosovo's independence that met many of the demands of both sides. However, at a final meeting in March 2008, leaders from both sides signaled a total unwillingness to compromise on their central demands. Concluding that there was no chance of an accord, Ahtisaari proposed to the UN Security Council that it grant Kosovo independence if certain guarantees were made to Kosovo Serbs.

Kosovo declared its independence on February 17, 2008, but leaders of the Kosovo Serb minority refused to acknowledge the shift from Serbia and set up parallel administrative structures including "hospitals, schools, municipal administrations, security services, and judicial structures" (as Kosovo Albanians had done under Serbian rule; European Commission 2012, 3). Those structures continue today to hamper economic development, political stability, and social healing in Kosovo. EU officials have warned "that having parallel judicial structures for Albanians and Serbs has allowed a security vacuum to fester that is being exploited by criminals and impeding judges from finding witnesses and making arrests" (Bilefsy 2013, 1).

The phenomenon of parallel structures is not only a problem of domestic politics in Kosovo; parallel international structures have also hampered development since the outset of the neotrusteeship operations in 1999. More recently, after Kosovo's independence declaration, UNMIK was to be replaced by an EU mission according to the Ahtisaari plan, but instead the EU set up a mission parallel to a reduced UNMIK in February 2008. EULEX was designed to assist Kosovo authorities in the areas of police, customs, and the judiciary. In December 2008, EULEX assumed executive neotrusteeship functions from UNMIK, although UNMIK continues to this day (Schleicher 2012, 63).[9]

In terms of international economic assistance, there have been some advances. For example, during UNMIK's phase of international administration, the UN organized considerable reconstruction assistance including the (re)construction of roads, schools, health clinics, and homes for approximately one-sixth of the population (*Jane's Sentinel* 2009). Moreover one of UNMIK's first major decisions on economic reform was to establish the Deutschemark (later replaced by the Euro) as Kosovo's local currency. This decision has provided Kosovo with monetary stability and low inflation (World Bank 2012, 2).

The EU has written Kosovo's basic legislation required to run a market economy, including laws governing banking, insurance, customs, trade, privatization, energy supply, taxation, and state expenditures. The most controversial part of

the EU's Reconstruction and Economic Development initiatives has been privatization. Belgrade has consistently opposed the EU's privatization strategies, and Kosovo continues to struggle with questions of economic liberalization.

While many Kosovars had hoped that their economic problems would subside with the 2008 declaration of independence, unfortunately, this has not been the case. In 2008, the year of global economic downturn, few countries or companies had funds to invest in Kosovo. Real GDP growth has not changed much in the last decade. Kosovo's economy remains highly dependent on international financial assistance and remittances from Kosovo's diaspora, approximately 10 and 14 percent of GDP, respectively (CIA 2013). While Kosovo does have some minerals and metals such as lignite, lead, zinc, nickel, chrome, aluminum, and magnesium, the infrastructure to exploit such natural resources remains in disrepair. Although Kosovo enjoys a moderate climate and fertile land, the majority of its population continues to live off of small-scale subsistence farming (Woehrel 2013, 8). In other words, Kosovo has the potential to survive economically as an independent state. However, progress toward development remains hampered by such basic problems as an uncertain power supply (people still endure near daily, several-hours-long power cuts), highly uncertain public transportation, and problems of contract enforcement.

In 2011, a surge in government spending—largely in the form of increased salaries—led the IMF to cut off funding to Kosovo. In its place, in April 2012, the EU created a 106.6 million euro standby arrangement (Woehrel 2013, 8). Despite Kosovo's myriad problems, the EU continues to hold out eventual membership as a carrot to induce internal reforms in Kosovo (Vachudova 2009). Both Serbs and Kosovo Albanians want to join the EU, and this carrot has helped both sides to moderate their positions. Recent talks have resulted in a fifteen-point "Agreement of Principles Governing the Normalization of Relations" (Woehrel 2013, 5). The agreement specifies, among other points, the ethnicity of judges, police commanders, and local police forces based on local ethnic proportions.[10] While these agreements by no means spell an end to Kosovo's troubles, the fact that there is any agreement at all is seen as progress among some Kosovo observers (ICG 2013a, 26).

As of January 2013, Kosovo still had 5,134 KFOR troops stationed on its small territory, 400 UN peacekeepers, and more than 3,000 EULEX police and judicial personnel (Woehrel 2013, 2). Some 100 countries have recognized Kosovo; however, Greece, Cyprus, Slovakia, Romania, and Spain remain holdouts, as do many other member states of the UN, including Russia and China (whose approval is necessary for UN Security Council recognition).[11] While the United States and some European countries are strong supporters of Kosovo's independence, it remains a contested territory domestically, regionally, and internationally.

In sum, Kosovo continues its struggle to overcome a vast array of political and economic challenges, including the transition from Communist economic practices under Yugoslav rule; the difficulty of establishing or reestablishing functioning markets after massive ethnic cleansing, displacement, and violent conflict; endemic corruption; poor and frequently changing international and domestic leadership; and the challenge of transitioning from a multifaceted neotrusteeship

with two detrimental types of entrenched practices, including, first, creating parallel and redundant structures, and second, frequently shifting responsibilities over security, judicial, and economic matters.

Evaluation of hypotheses

The original hypotheses are: (1) international trusteeship is the most efficacious method of resolving the problem of postconflict weak states, (2) the UN is not an effective lead organization, and (3) the most effective trustee is a self-interested neighbor or neighboring regional organization. Based on the evidence from the case of neotrusteeship in Kosovo, we see that hypotheses 1 and 3 are not supported, and that hypothesis 2 is impossible to evaluate, since the UN was not the lead organization. That said, neotrusteeship did seem, in 1999, like a logical solution to Kosovo's multiple challenges. Given the absence of a local elite experienced with self-rule; stubborn economic problems; a traumatized population—approximately half of which had been ethnically cleansed and recently returned—and an effective, legitimate, nonviolent leadership and movement that purposively sought international assistance, Kosovo's European neighbors were willing to provide massive levels of assistance. NATO and the EU, as self-interested actors, were and have been driven by both a normative desire to help Kosovo and an instrumental self-interest in stability with Europe's borders. However, thus far, none of the domestic or international actors in Kosovo have been able to achieve their individual or collective goals (other than the organized criminals).

Timor-Leste[12]

The results of neotrusteeship in Timor-Leste have been, without question, better than those in Kosovo. Although Timor-Leste is hardly a wealthy, stable democracy, a recent World Bank report explained Timor-Leste's rapid progress in broader comparative perspective as highly unusual:

> The *World Bank Development Report 2011* found that on average post-conflict countries take between 15 and 30 years—a full generation—to transition out of fragility and to build resilience. It is against this backdrop that social and economic development in Timor-Leste can be seen as remarkable. (World Bank 2013a, 2)

Since independence in 2002, Timor-Leste has been growing steadily, unemployment has been decreasing, and its human development index scores (2002–2012) have been gradually rising.

Timor-Leste certainly gives credence to the hypothesis of the efficaciousness of neotrusteeship. But it negates the proposition that the UN would not be an effective lead organization for neotrusteeship. The experience of Timor-Leste also directly challenges the study's third hypothesis that neighbors with security, economic, or historic interests in weak states are the most logical to oversee such

operations. In the case of Timor-Leste, its neighbors—Indonesia and Australia—sought for many years to oppress the Timorese and laid claim to their natural resources for their own benefit and not Timor-Leste's. Although Australia has recently helped to secure Timor-Leste, its interests in the country's oil and natural gas contradict, rather than complement, those of the Timorese. In 1999, after anti-independence forces, including members of the Indonesian armed forces, laid waste to the territory, the UN took charge of a massive neotrusteeship operation costing in the end just over $5 billion (Howard 2013, 28).[13] While the UN's mission made some blunders early on, it learned from its mistakes and was eventually successful in implementing its mandate.

Aspects of the local context that most influenced the success of international assistance

The small, beautiful Pacific country of Timor-Leste is prone to natural disasters, and shares about half of an island with Indonesian West Timor. The island is located in the southeastern region of the Indonesian archipelago, just northwest of the Australian coastline. It has about one million residents in a country roughly the size of the small U.S. state of Connecticut. Its main export was historically sandalwood. Oil and gas were discovered off its southern shoreline in the 1970s, but production only began in the last decade; coffee is its main agricultural export today.

The territory was colonized by the Portuguese in the sixteenth century, and Portuguese rule lasted until 1974, when the authoritarian regime in Portugal fell, and Timor-Leste gained a rushed independence. In light of the dearth of institutional structures in place to regulate disputes, political conflicts arose among several parties, each of which was trying to gain the upper hand in the future governance of Timor-Leste. The two main political parties were the Revolutionary Front for an Independent Timor-Leste (Fretilin), which was very popular and had Marxist leanings; and the Democratic Union of Timor, a smaller party representing mainly the landowning elite. As each party struggled to wrest control from the other, Indonesia invaded, under the ideological pretense of preventing the creation of a "Cuba of the South Pacific" (ignoring the evidence that Fretilin's connections with Marxism were tenuous).

Less than a year later, Indonesia incorporated the territory as its twenty-seventh province. Australia, as the closest neighbor, was one of the few countries in the world to formally recognize Indonesian rule as legal in Timor-Leste. Australia had various motivations for supporting Indonesia, probably the most important being that it had signed an agreement with Indonesia regarding offshore oil exploitation off the coast of Timor-Leste. While the UN General Assembly and Security Council did not officially recognize the takeover, little international support flowed to the Timorese in this new chapter of their struggle for independence (Dunn 2003).

For 24 years, the Indonesian government held Timor-Leste in a brutal iron grip, during which time between one-quarter and one-third of the population, or

about 200,000 people, were killed in fighting and famine.[14] The Indonesian military committed "unspeakable crimes . . . bombings, execution, torture, and disappearances, which left no family untouched" (Jolliffe 2000, xi). Thousands of Timorese fled the territory. Many members of the opposition were exiled to Portugal and elsewhere. The main opposition group, Fretilin, and its military wing fought the Indonesian occupation.

In the late 1990s, several events transpired that would provide momentum toward eventual independence. The Asian economic crisis in 1997 worked to weaken neighboring Asian state support for the brutal but formerly robust Suharto regime, which in turn precipitated the downfall of the regime. B. J. Habibie, an eccentric and somewhat unpredictable figure, became president of Indonesia, and abruptly announced in January 1999 that the Timorese could decide for themselves whether they wanted independence or autonomy within Indonesia, in a "popular consultation." The Habibie government had been informed incorrectly that the majority of Timorese did not want independence. The Indonesian government, supported by the Australian government and others, forbade the deployment of peacekeeping troops alongside UN election monitors; they would not even allow planning for a potential postelection peacekeeping operation. For this "popular consultation," the Indonesian National Military was to be in sole charge of security.

The polling on August 30, 1999, was largely peaceful, with a 98.6 percent voter turnout. An overwhelming 78.5 percent of Timorese voted in favor of independence. But just as the celebrations began, anti-independence militias—with a nod from the Indonesian military—unleashed a three-week, devastating "scorched earth" campaign. They raced through large towns and remote villages, burning all buildings in their wake. Approximately 70 percent of the physical infrastructure was destroyed, including nearly the entire electrical grid and almost all homes (Chopra 2000, 27). More than 70 percent of the population was displaced; approximately 300,000 fled to West Timor (Smith and Dee 2003, 51). Approximately 1,500 Timorese were killed (Martin and Mayer-Rieckh 2005, 134). Most UN international staff were evacuated; nine UN staff members were killed, and the UN's compound in Dili came under siege. All state administrative services collapsed.

During the onslaught, Timor-Leste's main, popular leader in exile, Xanana Gusmao, forbade his pro-independence troops from fighting back. He realized that his forces were outmatched militarily, and he recalled that after Portuguese colonial rule ended in 1974, it was the local fighting in Timor-Leste that gave Indonesia the pretense to intervene and recolonize the territory. Thus Gusmao and his followers took a calculated risk of employing nonviolence. By not fighting back, the Timorese independence movement accentuated its position as victim, and trusted that the one-sided battle would necessitate international intervention in its favor. While neighboring states and the UN dithered, popular demonstrations in Australia against the Australian government's policies toward Timor-Leste gained momentum. Thousands of Australians protested a lack of intervention on behalf of the Timorese. The Australian government eventually responded by taking the lead in establishing a multinational force to stop the violence (Dee 2001, 7; Chesterman 2001, 13; Simpson 2004).

Other neighboring states, including Indonesia, agreed to the armed intervention, with the provision that there would be significant troop contributions from Asian countries, and that the deputy commander would hail from an Asian country (Thailand). By September 20, 1999, one week after obtaining approval from the UN Security Council, INTERFET halted the violence. Led by Australia and including troops from the Philippines, Thailand, South Korea, Malaysia, and Fiji, INTERFET was authorized under UN Charter Chapter VII to use "all necessary means" to restore order. It had approximately 11,000 troops at the height of its operations. Most of the anti-independence militias and their supporters fled to West Timor, and the Indonesian military withdrew. INTERFET remained operational in Timor-Leste for five months until many of its troops were integrated into the subsequent UN multidimensional peacekeeping operation called the UN Transitional Administration in East Timor (UNTAET).

The characteristics of post-1999 foreign assistance

UNTAET was the most ambitious UN peacekeeping operation of its time. The mission was more ambitious, from the view of the UN, than the one in Kosovo, because the UN was in charge of all aspects of international neotrusteeship; whereas in Kosovo, the primary tasks were divided with other multilateral organizations (most notably NATO and the EU). UNTAET was charged with the standard tasks of Chapter VII "robust" peacekeeping, including troop retraining and reintegration, civilian policing, humanitarian assistance, and, in a unique move, the governing of an entire country. Whereas historically the UN had attempted to reform or rebuild state structures with the assistance of previously warring political elites, in this case, the UN had to be the state. Many people who had filled the administrative positions in the repressive Indonesian regime for almost a quarter century left Timor-Leste en masse just prior to the start of UNTAET; thus the operation functioned with the legacy, but not the people, of the previous regime.

However, most of the local population and the elites were favorably predisposed toward the UN, at least at the outset. No factions of Timor-Lestese were fighting one another, since they had united as a single political force with Gusmao at the lead. The Timorese leadership also benefitted from considerable international legitimacy.

Beginning in October 1999 and lasting almost three years, UNTAET was the sovereign authority in Timor-Leste. The structure of UNTAET included three main pillars: (1) military-peacekeeping, (2) governance and public administration, and (3) humanitarian assistance and emergency rehabilitation. When considering the small size of the territory and local population, this was a proportionately enormous operation, with 9,150 military, 1,640 police, 1,670 international civilian staff (including 486 UN volunteers), and 1,905 local staff.

While UNTAET did appear to have a "pillar" approach similar in name to the operation in Kosovo, its authority structure was much clearer than that of UNMIK. UNTAET was integrated within itself, under UN leadership, unlike UNMIK, where different agencies were in charge of the different pillars. But

similar to the UNMIK cultural model in Kosovo, locals were not initially permitted to take part in the governing structures.

In the end, UNTAET was successful at implementing the various provisions in its mandate; however, UNTAET had an early "preoccupation with control at the expense of the local community's involvement in government . . . [and its staff] projected a blunt and bullying style" rather than being accommodating and self-effacing, as would have been warranted, given the comparatively low security threats in Timor-Leste (Chopra 2000, 30, 33; Chesterman 2001, 72).

Like in Kosovo, it took pressure and criticism from the Timorese, as well as from disaffected UN staff members, for the neotrusteeship operation to learn from its mistakes and alter its approach (Chopra 2000, 2002; Vieira de Mello 2003, 19).[15] Thus, the operation began to engage more fully with the Timorese, garnering consent for, and thus enhancing the legitimacy of, the operation with its policies of "Timorisation" (i.e., including Timorese in governing structures). The mission also enjoyed a certain distance from UN headquarters, which allowed it increasingly to make more decisions based on field-level calculations (Suhrke 2001, 13). By the end of May 2002, UNTAET had successfully implemented most aspects of its mandate, and it was ready to hand over many of the governing responsibilities to an independent, democratically elected Timorese leadership. In terms of other sources of aid, Japan and Australia, in particular, were significant bilateral donors. Japan became the largest donor supporting Timorese independence and reconstruction, beginning with a trust fund for INTERFET in the sum of $100 million. While Japan assisted with finances, Australia focused on military contributions, including most of the aviation and logistical support, and half of INTERFET's troops.

Funding for the peacekeeping operation was adequate, although there was pressure from the beginning to "downsize" to minimize costs (Kapila 2003, 60; Suhrke 2001, 10–11). Any projects that could not be covered by regular peacekeeping assessments were supplemented through bilateral assistance, along with two trust funds organized by the World Bank.

The World Bank and the UN worked well together most notably in establishing two features of the new state: the annual budgetary process and the national health care system (Ingram 2003, 91). Programs for education, roads, and private sector development were for the most part set in motion by the time of independence (Cliffe and Rohland 2003, 115). Other sectors, including, for example, justice and energy/power, were not as well established by the end of UNTAET.

In terms of the military, members of the armed resistance who were not recruited for the new army were demobilized and generally reintegrated successfully through the "Reintegration Assistance Program," which was run by the International Organization for Migration and funded by the World Bank and USAID. The new Timor-Leste Defense Force gradually gained in strength and ability over the course of the UNTAET operation, and was for the most part prepared to engage in its primary duties upon independence in spring 2002: deterring militia incursions and other potential sources of aggression, and assisting civilian efforts during natural disasters.

The greatest socioeconomic achievement was in the redevelopment of agriculture. Rice and corn production had returned to pre-1999 levels by the end of the UNTAET operation, and new capabilities in coffee production were being developed. By spring 2002, fishing operations had been largely reestablished; water and sanitation services were rehabilitated and augmented; power stations were built and billing services established; enrollment in schools was significantly higher than pre-1999 levels; and five hospitals and sixty-four community health centers had been built or rebuilt, with another twenty-five centers in progress, providing health care to all areas of Timor-Leste (UN Security Council 2002, paras. 43–57). While the majority of the population was still desperately poor, upon independence, almost 90 percent of the population reported that they were at or above the economic level that they were before the violence in 1999 (UN Security Council 2002, para. 42). There were also significant efforts at developing a tourism industry, and the Bayu-Undan oil field was slated to begin production by early 2004.[16]

An important, negative economic phenomenon that arose during UNTAET's tenure was the disparity in wealth between the international staff and the locals. The average international staffer earned between three and ten times more than the average Timorese citizen (including Timorese working for international organizations), which began to create a "two-tier economy" (Terrall 2003, 81). Even though the massive international presence has left the country, elements of the two-tier economy remain.[17]

A further major economic concern involves the international boundary between Australia and Timor-Leste. There are significant oil and gas reserves under the seabed between the two countries. In 1972, the Australians negotiated a favorable deal with Indonesia, giving Australia the lion's share of the reserves. Standard international boundaries lie at the midpoint between the coasts of the two countries, but this agreement granted Australia two-thirds of the sea area, thus cutting its poorer neighbor off from most of the reserves. During the pre- and postindependence negotiations on Timor-Leste, several agreements were reached that gave Timor-Leste a 90 percent control over the reserves, and paved the way for the opening in February 2004 of the Bayu Undan offshore gas field— a field that is being developed and exploited by Phillips Petroleum, an Australian firm. The field is expected to earn $32 billion over the course of its life. The dispute between the two countries has to a certain extent soured Australian-Timorese relations and continues today (Hunt 2013).

As it stands now, the two-tier economy, coupled with highly concentrated oil wealth, does not bode well for evenly distributed growth and economic development across different sectors of the Timor-Leste economy and society. In May 2006, after the end of UNTAET, rioting broke out among former soldiers who had been dismissed after independence and not reemployed by the new state. At least twenty-five people were killed and about 150,000 people fled their homes. Order was quickly restored with the assistance of international troops and a new, smaller UN peacekeeping mission, which closed in 2012.

Despite these problems, the GDP of Timor-Leste has been growing at over 10 percent per year for the last five years, while most of the rest of the world's

growth has lagged. And although there have been some domestic leadership disputes, Xanana Gusmao's commitments to forgiveness, reception for returning refugees, and openness to differences of opinion have helped to steer the country toward stability and social welfare. Many aspects of the new Timorese political, military, economic, and judicial institutions appear to be taking adequate shape, although concerns remain about Timor-Leste's ability to maintain stability during its current oil-related economic boom (ICG 2013b). However, a recent BBC analysis summarized the situation this way: "An impoverished, war-torn country has, in 13 years, become a fairly stable small state with promising economic growth prospects. . . . No one would dispute that the UN's assistance has at times been vital" (Head 2012).

Evaluation of central hypotheses

UNTAET was an extremely ambitious operation, and after experiencing some problems, it largely overcame them. The UNTAET mandate included the major tasks of providing security, law and order, public administration, humanitarian assistance, and helping the Timorese to build capacity in self-governance and sustainable economic development. The tasks were inherently open-ended, and they related much more to development than to security issues. In terms of evaluating the study's central hypotheses against the evidence from Timor-Leste, one can see that in this case, neotrusteeship was crucial for the successful transition in Timor-Leste, which validates the first hypothesis. The second hypothesis under consideration—that the UN would not be an effective lead organization—is negated since in this case the UN was overall quite effective (supported by the World Bank in social and economic development). The evidence does not support the study's third hypothesis—that neighbors with security, economic, or historic interests are the best leaders of neotrusteeship—since Indonesia and Australia were almost always more interested in helping themselves than in helping Timor-Leste.[18]

Conclusion

This article employed the method of paired comparison to qualitatively evaluate three central hypotheses about the relationship between neotrusteeship and the problems of fragile and postconflict states. The first and most important hypothesis is that if neotrusteeship is employed, it should prove an efficacious means to achieve stability and economic progress. Hypotheses 2 and 3 are subsidiaries of the first: that "greater efficacy and coordination will result from missions led by a dominant," single international actor that is not the UN, and, finally, that if a neighboring state or organization with security, economic, and historic interests in the postconflict country takes the lead in the neotrusteeship operation, then good results will ensue (Fearon and Laitin 2004, 28).

As with most qualitative studies, I faced the problem of examining more causal factors than cases. However, one can weigh the hypotheses against fine-grained empirical information in these two cases to see whether the evidence supports the propositions, and explore what policy implications we might draw from the analysis.

Overall, one can see that neotrusteeship can be an effective means of assisting states as they move out of conflict, but that dividing the leadership, and therefore the authority, of such efforts can lead to a situation in which no one is in control. In the case of Kosovo, leadership was divided between the UN, NATO, and the EU; neither the operations, nor Kosovo, have benefitted from such divisions. As international leadership in Kosovo was divided, so was the domestic leadership, with Kosovo's Serbs and Albanians each making sovereignty claims and creating parallel state administrative structures that serve primarily one ethnic group. In the absence of final authority, organized crime and corruption have flourished, such that Kosovo is now not only the poorest and most economically depressed country in Europe, but it also threatens Europe because it has become a hub for human and drug trafficking. Kosovo's self-interested European neighbors have sought to lead neotrusteeship efforts, but have thus far not succeeded, and the failures simply cannot be attributed solely to ethnic tensions given that cross-ethnic criminal organizations in the region have managed to thrive. In other words, cross-ethnic cooperation in Kosovo is entirely possible, given the right incentives.

In contrast, the UN led a fairly successful, three-year neotrusteeship operation in Timor-Leste. Timor-Leste's neighbors, Indonesia and Australia, were historically abusive toward the Timorese, both physically and economically. As such, neither was fit to take the lead in neotrusteeship efforts, although Australia has helped to maintain security in Timor-Leste at two crucial moments—in 1999 and to a lesser extent in 2006. Fearon and Laitin's (2004) logic holds that only a united operation would be successful, but the same cannot be said for the proposition that the UN would not be able to establish cohesive authority. In sum, in Timor-Leste, the UN's unified, non-self-interested, short-term, well-funded neotrusteeship mission—bolstered but not challenged in authority by INTERFET and the World Bank—may be held up as a promising model for future such efforts.

Notes

1. Fearon and Laitin (2004, 28) specifically cite NATO and the OCSE in Kosovo, and Australia in Timor-Leste, as positive examples of this hypothesis.

2. On definitions, see Fortna and Howard (2008).

3. Some analysts may argue that the subset of transitional administrations is larger (Chesterman 2004; Tansey 2009). While the UN's multidimensional peacekeeping operations in Namibia and Cambodia were also called "transitional administrations" neither operation was as large or intrusive as the two investigated here. Other analysts have delineated Kosovo and Timor-Leste as the most similar within the set of transitional administrations (Lemay-Hebert 2012, 2011). Lemay-Hebert's comparisons of Timor-Leste and Kosovo are limited in analytic scope in that they focus almost exclusively on the problems associated with excluding local political actors in transitional administrations. While I agree that exclusion is certainly a

problem, the argument presented here casts a broader causal net to compare and assess the political and economic forces, both domestic and international, that influenced the varied outcomes of the neotrusteeship operations.

4. On the methods of similarity and difference, see Mill (1843).

5. See Howard (2013) for the list of the questions in this structured-focused comparison.

6. On the number of refugees, see UNHCR (2000).

7. In contrast, INTERFET in Timor-Leste established the peace and then turned over command to the UN.

8. Klein also noted that some five hundred nongovernmental organizations were providing smaller-scale, fragmented forms of assistance (Howard 2008, 302).

9. In addition to EULEX, the EU is also represented by the European Commission Liaison Office in Kosovo, the European Union Special Representative and International Civilian Representative, the Presidency of the European Union, and the EU Member States.

10. This agreement in effect buys a fragile peace at the price of creating an ethnocracy rather than a democracy (Howard 2012).

11. For a state to be officially recognized by the UN, all members of the Security Council must approve membership, in addition to two-thirds of the 193 members of the UN General Assembly.

12. This section is derived in part from Howard (2008).

13. Other forms of UN peacekeeping assistance combined have amounted to approximately an additional $1 billion.

14. On the killings and numbers, see Kiernan (2003). Most of the Timorese population is Catholic, although there is a small Muslim population. There are two major ethnic groups, Austronesian and Papuan; and small Chinese, Arab, and Portuguese minorities. Ethnolinguistically, the population is a mix of more than twenty Austronesian and Melanesian languages, along with a significant admixture of Portuguese. In general, an East Timorese national identity has emerged from the long independence struggle and has been more significant than most ethnic, linguistic, or religious cleavages.

15. In December 2000, the Timor-Leste cabinet members threatened to resign, citing lack of power, resources, or official duties. Ramos Horta and Gusmao both resigned and were reinstated on several occasions. See Chesterman (2001, 20). Note that in Timor-Leste there was only one UNSRSG for the duration of the neotrusteeship mandate, unlike the frequent leadership turnover experienced in Kosovo.

16. One significant economic and social problem that UNTAET and its affiliates did not try to tackle was land ownership disputes.

17. In addition, during UNTAET, the U.S. dollar became the currency of Timor-Leste, but there were no accompanying coins, which meant that the lowest possible currency unit was extremely high for most goods purchased by most Timorese. The adoption of the dollar drove the Timorese out of the monetary-based economy and into one that relies more on barter.

18. Timor-Leste's stability or lack thereof has not and does not have a great impact on its neighbors.

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