Assessing Australia’s Regional Interventions: The Solomon Islands 2003 and East Timor 2006

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Abstract

Taking two recent examples of Australian-led assistance missions, this paper is a thoughtful examination of the conditions under which such interventions gain credence among stakeholders at the local, national and regional levels. While identifying and emphasising the positive influences these interventions have had, this paper endorses the adoption of a framework for such missions that is more inclusive, responsive and self-reflective.

This paper is 41 pages long.
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Introduction

In January 2003, former Australian Foreign Minister Alexander Downer stated that ‘[s]ending in Australian troops to occupy the Solomon Islands would be folly in the extreme. It would be widely resented in the Pacific region’. Yet, by June 2003, Australia agreed to lead a regional mission to intervene in the Solomon Islands. By late 2006, Australia had also intervened in Nauru, Papua New Guinea (PNG), East Timor and Tonga. Emphasising Australian interests in regional security, the practice of state intervention represented a significant shift in Australian Government Pacific policy.

This paper discusses this change in policy, examines the practice of state intervention and assesses the legitimacy of the Australian model of ‘co-operative intervention’. The paper briefly outlines developments in international interventionism in relation to the concepts of state, sovereignty, governance, the notion of weak states and a Pacific ‘arc of instability’. Particular attention is paid to the rationale, construct, conduct and effectiveness of two interventions—the Solomon Islands in 2003 and East Timor in 2006.

In East Timor and the Solomon Islands, Australia was invited to intervene. Both interventions were successful in quickly restoring law and order, but success in state-building and development has been more difficult to achieve. In fact, criticism has been directed at each intervention, including claims that host country interests are not being served, root causes of conflict are not being addressed, and that introduced governance and capacity-building programmes are premised on an unsuitable Western model that fails to strengthen the relationship between state and society.

Such claims strike at the heart of the legitimacy of the Australian model of cooperative intervention. Through evaluating each intervention, this paper seeks to demonstrate that both have suffered in their claim for legitimacy. It argues that genuine legitimacy will only be achieved through a more participatory form of intervention. Such a process must be supported by a robust regional framework, and fundamental concepts of state-building must be adapted to local conditions to reinforce the relationship between state and

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2 This paper calls the country East Timor; the country is often also referred to as Timor-Leste.
3 For the purposes of this paper, legitimacy is taken to mean political and moral acceptance at the local, national and regional levels. It in no way questions the legality of the missions.
society. If this does not occur, cooperative intervention may undermine local structures and relationships, ultimately contributing to the very problems it is trying to fix.  

The Right to Intervene

Australia seeks to avoid being tagged as the regional neo-colonialist. It also needs to avoid becoming embroiled in the internal disputes of other countries. Being aware of the negative perceptions of global peacekeeping operations in the 1990s (such as in Somalia and Bosnia), Australia exercises great caution before undertaking peacekeeping operations and responding to intra-state conflict. This reluctance was clearly shown in Australia’s refusal to (militarily) intervene (albeit on a humanitarian basis) in the Solomon Islands when invited to do so in 2000. By mid-2003, it became, or was made, clear to the Australian Government that insecurity in the Solomon Islands was detrimental to Australia’s interests. The challenge was to intervene in such a way as to set and maintain international, regional, domestic and host country legitimacy. Maintaining legitimacy would ensure widespread support and increase the likelihood of an effective and sustainable operation. There are two aspects to the legitimacy of state intervention. The first focuses on the legitimacy to intervene in a sovereign state, overturning the principle of non-intervention; while the second focuses on the legitimacy of the particular intervention model being implemented.

With regard to this first aspect, by the 1990s UN peacekeeping operations had evolved from traditional ceasefire monitoring activities to more complex operations, culminating in transitional administrations charged with the task of ‘peacebuilding’. In 1992, then UN Secretary-General Boutros Boutros-Ghali defined peacebuilding as: ‘actions to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict’. In this optimistic post-Cold War period, there was a widespread sense in both the academic and peacekeeping worlds that intervening in a foreign state would see conflict cease, Western-style democracies built, and future conflict prevented.

In states such as Somalia and Bosnia, the right to conduct military intervention for a humanitarian cause was highly controversial, but it was equally criticised in situations where it failed to occur — such as Rwanda in 1994. One argument,

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based on international law, declared intervention to be a breach of state sovereignty and territorial integrity, violating the norm of non-intervention enshrined under Article 2.7 of the United Nations (UN) Charter. The other argument placed primacy on the human condition and the moral and humanitarian justification to intervene. Further arguments focused on the right to self determination, and intervention effectiveness. The debate intensified following the North Atlantic Treaty Organization’s 1999 armed intervention in Kosovo, creating the notion of sovereignty as a responsibility to protect the people. While a degree of confluence was reached with respect to humanitarian concerns, the debate focused on ancillary questions of authority and the impact of conflict on regional stability. Ultimately, in striving for international consensus, then UN Secretary-General Kofi Annan posed the question: ‘if humanitarian intervention is, indeed, an unacceptable assault on sovereignty, how should we respond to a Rwanda, to a Srebrenica—to gross and systematic violations of human rights that offend every precept of our common humanity?’

The Responsibility to Protect

Responding to this question, the Government of Canada established the International Commission on Intervention and State Sovereignty (ICISS), producing a report in December 2001 titled ‘The Responsibility to Protect’. Essentially, the report reframed the intervention debate from ‘a right to intervene’ to ‘the responsibility to protect’ culminating in wholesale endorsement by the UN Secretary-General who declared: ‘Human rights and the evolving nature of humanitarian law will mean little if a principle guarded by States [non-interference] is always allowed to trump the protection of citizens within them’. In reframing the legitimacy of state intervention, the ICISS report discussed the changing norms in society including over how the state should behave with respect to human rights. The report reframed the notion of sovereignty from one of sovereignty as control, to that of sovereignty as responsibility. The report argued that ‘[s]overeignty implies a dual responsibility: externally—to respect the sovereignty of other states, and internally—to respect the dignity

and basic rights of all the people within the state’.\textsuperscript{11} Essentially, pursuing a debate on the ‘right to intervene’ inappropriately focused attention on the intervener and the intervention; whereas ‘the responsibility to protect’ returned attention to those seeking or needing support and the responsibility of the state involved.\textsuperscript{12} Further, the report carefully examined the criteria for intervention under the headings: ‘right authority, just cause, right intention, last resort, proportional means and reasonable prospects’.\textsuperscript{13} Some of these criteria will be examined in the context of the Solomon Islands and East Timor interventions.

**History of Regional State-building**

The legitimacy of the Australian model of cooperative intervention also needs to be assessed in the context of past state-building activities. The first wave of state-building intervention in the South Pacific region was associated with colonialism, imposing territorial boundaries around new political communities under various forms of ‘centralised, hierarchical, and autocratic states’\textsuperscript{14}. Generally, this period was marked by a lack of development in state-building from colonial administrations, resulting in poor institutional frameworks where colonial institutions competed with strong indigenous systems.\textsuperscript{15}

A second wave of state-building accompanied the Pacific decolonisation period from the mid-1960s to the 1980s. This period preserved the general boundaries of the colonial states, but promoted new forms of governance characteristic of Western liberal democracy. For some emerging nations, the evolution of the state was particularly rapid and evolved independent of a development in national consciousness. PNG and the Solomon Islands followed such a process, which subsequently limited the primacy of state institutions over indigenous systems. The lack of state primacy remains valid, when attributing the label of ‘failed state’ to the Solomon Islands. Such a label may be misleading, as it assumes that an effective territorial-bounded nation state once existed.\textsuperscript{16}

The end of the Cold War signalled a further wave in state-building, with developing states receiving increased scrutiny from aid donors and international agencies interested in improving the donor recipients’ performance in governance and financial management. In 1994, strengthening the weak states of the South Pacific emerged as a key Australian Government

\textsuperscript{11} ICISS, ‘The responsibility to protect’, p. 8.
\textsuperscript{12} ICISS, ‘The responsibility to protect’, pp. 6–17.
\textsuperscript{13} ICISS, ‘The responsibility to protect’, p. 32.
policy objective. Changing aid policy, good governance and targeted capacity-building programmes all sought to improve the strength of weak states in the South Pacific. By February 2003, the Foreign Affairs and Trade White Paper described South Pacific policy in terms of Australian interests, placing primacy on good governance:

Important Australian interests are affected by the weakness of governance in parts of our immediate region... Weak institutions and legal systems have exacerbated the problems of Solomon Islands and other Pacific island states. Continued weak governance among some regional countries impedes these nations from dealing forcefully with transnational threats, including terrorism... Governance is the largest sectoral element of Australia’s [regional] aid program.

In one form or another, Pacific states have experienced a long history of intervention. By mid-2003, the government’s implementation of a new Pacific interventionist policy was sudden and dramatic, as it viewed stabilising ‘vulnerable’ weak states—such as the Solomon Islands—as essential to Australian national security. Although such a ‘security’ intervention was seen as a paradigm shift, the resultant effect—applying state building processes to strengthen the governance of weak states—was clearly a continuance of past foreign policy. The real policy shift was the sudden extra effort and resources put in to state-building in the South Pacific.

**Weak States and an ‘Arc of Instability’**

To launch and sustain a potentially-costly interventionist campaign, the Australian Government had to determine a just cause and a legitimate basis to gain domestic support. While it is difficult to identify a dominant factor in the significant decision to commence cooperative intervention, it became evident that interventions with a security focus were a useful portal to reinvigorating state-building in the Pacific. It could even be said that the following logic

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17 Fry and Kabutaulaka, ‘Political legitimacy and state-building intervention in the Pacific’, p. 16.
applies; ‘terrorists prey on weak states, the Pacific has weak states; terrorists will prey on the Pacific’.

The weak, fragile and failed state discourse gained widespread prominence in the late 1990s and graduated to a political description of an ‘arc of instability’ to Australia’s north and east. These labels have been used to collectively describe and sometimes compare states as geopolitically diverse as sub-Saharan Africa, the Balkans and the South Pacific. Stated deficiencies include ‘an absence of good governance, a lack of accountability and transparency, corruption and nepotism, unfavourable investment regimes and inefficient taxation systems’. Typically, these descriptions emerge from developed Western states when determining aid priorities or assessing potential security threats. When describing the South Pacific, such comments immediately belie the geopolitical complexity, history and characteristics of the region. Ultimately, describing the area as an ‘arc of instability’ might help portray the potential threat of weak states susceptible to transnational threats and exploitation, but it has not helped the development of useful policy to assist the citizens of those states. These people are more concerned about the internal impacts of internal threats. Therefore, an ‘arc of instability’ may say more about ‘Australia’s sense of its own vulnerability as it does of the contemporary security situation facing the countries in the ‘arc’ itself’.

Describing state failure in terms of poor governance and political will actually ‘obscures the structural forces that generate the conditions that give rise to the symptoms of failure’. Such a description overlooks the differences between the Western state and states of the South Pacific, and the Melanesian state in particular. Specifically, adopting state-centric solutions to weak states obscures the importance of societal systems in sustaining the Melanesian state. The problem with this approach is that the label of a weak or failing state initiates a theory and response, where an assumption is made that the injection of technical assistance will solve the state’s problems. This solution fails to acknowledge the important role of indigenous institutions and risks marginalising the population as an important source for political power.

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26 Anthony Regan, ‘Clever people solving difficult problems—Perspectives on weakness of state and nation in Papua New Guinea’, State, Society and Governance in Melanesia Project Number 2005/2, Research School of Pacific and Asian Studies, Australian National University, Canberra, p. 8.
It could be argued that propping up Western-type state-centric systems will perpetuate the problem. The key to sustainable governance is to embrace the significant power base that exists outside the Melanesian state, to establish ‘a form of power sharing between the state and important societal institutions’. Critical of recent interventionist programmes (particularly the 1999–2002 UN administration in East Timor), academic Jarat Chopra has suggested the need for a more participatory form of intervention. Arguing that indigenous communities generate sources of political legitimacy, Chopra believes that it is impractical and self-defeating to attempt to re-establish introduced forms of the executive, legislative and judiciary that failed originally.

To create sustainable processes, local actors must own the agenda. The risk of intervention is that donor actors may marginalise local participants, creating a debilitating dependency that fails to strengthen the state. Indeed, ‘the capacity-building paradox is that the more substantial the intervention, the greater the risk that it ends up sucking out local capacity rather than building it’. Similarly, if host state actors are heavily influenced by external actors, they risk becoming responsible to the requirements of the donor agenda, rather than the population they seek to govern. One can therefore put forward a case for a participatory form of intervention.

**Intervention and Security**

Before examining each intervention, it is useful to examine the development of Australian Government policy that resulted in cooperative intervention in the Solomon Islands. In late 2002, former Australian Prime Minister John Howard asserted the right to launch ‘a pre-emptive strike against terrorists in another country if he had evidence they were about to attack Australia’. Howard further stated that ‘weak states that cannot impose order over their societies could be vulnerable to terrorist manipulation’, effectively describing weak states as a security threat. Prime Minister Howard’s comments related to ‘the determination of this government to take legitimate measures if other

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alternatives were not available, if there were a clear, precise, identifiable threat’.33 These extraordinary statements were made in a climate of fear shortly after the Bali bombings, and during the new ‘war on terror’ and the growing security concern of ‘terrorist cells’ emerging in Southeast Asia.

At the start of 2003, the Howard Government was preoccupied with military commitments in Afghanistan and Iraq; it was not focused on the Pacific. This thinking is evident from Alexander Downer’s comments (as noted at the start of this paper) and Howard’s clear lack of interest in Pacific institutions, such as the Pacific Islands Forum (PIF).34 Indeed, the Foreign Affairs and Trade White Paper devoted specific attention to ‘not intervening’ in the Pacific: ‘Australia cannot presume to fix the problems of the South Pacific countries. Australia is not a neo-colonial power…only local communities can find workable solutions.’35 But Australia’s operations and involvement in incidents made it clear that the government was becoming more confident and assertive in protecting its security interests. Ultimately, encouraged by the success in Bougainville and East Timor, and buoyed by US-led international interventionism, participation in regional humanitarian operations became ‘the circuit breaker in terms of Australian willingness to become involved in regional peace operation[s]’.

Public indications of an imminent Pacific policy shift became clear in Prime Minister Howard’s comments in May 2003, after returning from a meeting with then US President George W Bush. Australia was preparing to scale back its commitment to the Iraq campaign when the Prime Minister declared that Australia had a vested interest in restoring the political stability of failed states in ‘our patch’ so that they would not become ‘safe havens for transnational criminals and even terrorists’.36 Such rhetoric was conspicuous, considering Howard had received a request for assistance from the Solomon Islands on 22 April, shortly before his meeting with Bush in the United States.

On 5 June, Prime Minister Howard gave Solomon Islands’ Prime Minister Allan Kemakeza (leading a visiting Solomon Islands delegation in Canberra) a ‘Framework for Strengthened Assistance to Solomon Islands’, outlining the

35 Ministry of Foreign Affairs and Trade, Advancing the National Interest, p. 92.
basis for an Australian-led intervention mission. Several days later, Downer announced a potential policy option for cooperative intervention (at the launch of the Australian Strategic Policy Institute (ASPI) report ‘Our Failing Neighbour’). This report supported an intervention, describing the Solomon Islands as ‘a petri dish in which transnational and non-state security threats can develop and breed’. The government had an established public platform, based on a security imperative, to launch a new Pacific interventionist programme. By 25 June, the Howard Government decided to lead a cooperative intervention mission in the Solomon Islands. The mission was conditional on Australia receiving PIF support and on the Solomon Islands Parliament passing supporting legislation (which was soon enacted).

The Australian Government policy shift was essentially based on five key assessments. First, vulnerable weak states were considered susceptible to terrorism, although regional threats from transnational crime were more likely to materialise. Second, there was a humanitarian imperative due to the impending collapse of the Solomon Islands state. Third, a failing state would damage regional stability, possibly contributing to a contagion of problems in neighbouring countries. Fourth, regional intervention would help resolve the complex demands of alliance management, when Washington needed to see any reduction in the Iraq contribution offset by some sign that Australia was capable of leadership in ‘its patch’. Finally, recent experiences in Bougainville and East Timor made success in the Solomon Islands seem achievable.

Once established, the Regional Assistance Mission Solomon Islands (RAMSI) model of cooperative intervention exhibited eight unique features that reinforced its initial legitimacy. First, it was considered preventive. Specifically, intervention occurred in time to prevent the host state from collapsing. Second, it was permissive. The intervention was only mounted following formal invitations by the host government. Third, it was regional in nature. Initiated under the auspices of the PIF, regional countries with shared interests in regional stability contributed to the mission. Fourth, the mission was nationally led, creating efficiencies (when compared to other interventions) in terms of decision-making, coordination and flexibility. However, if the process was not carefully managed, it would rapidly become a cause for illegitimacy. Fifth, the intervention was supported by the UN Secretary-General. Any recognition of Taiwan by the Solomon Islands would have complicated the passage of a United Nations Security Council (UNSC) Resolution, and no effort was made to officially bring the issue before the

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UNSC. However, the UN Secretary-General was kept informed of the operation and statements of support were received from the Secretary-General and the UNSC President. Sixth, the intervention was not violating sovereignty, as it operated with the approval of the Solomon Islands Government. The government maintained executive, legislative and judicial authority. Seventh, the intervention was police led, supported by the military. Finally, the intervention was considered to be a light touch in physically maintaining a low but open profile.

**Solomon Islands 2003: RAMSI**

On 24 July 2003, Australia entered the Solomon Islands on a declared basis of maintaining regional security and to rebuild a failing state. The speed with which law and order, essential services and control of government finances were re-established, received significant international praise, with RAMSI commended as a ‘model for future deployments’. Despite this evident early success, violent riots in the capital Honiara in April 2006 raised serious concern that praise was premature, that the root causes of the conflict were not being addressed; and that RAMSI had lost its legitimacy as a robust model for state-building intervention. As Australian journalist and Solomon Islands resident, Mary-Louise O’Callaghan stated: ‘Whatever the outcomes of the Solomons’ political machinations there is little doubt that the legitimacy that RAMSI and thus Australia’s presence in the nation has enjoyed is now seriously under threat.’

The purpose of examining RAMSI is to assess the legitimacy of the Australian Government model of cooperative intervention. Specifically, this section examines RAMSI’s authority, structure and effectiveness; and highlights criticisms raised in two comprehensive PIF reviews. It demonstrates that, though effective in restoring law and order and stabilising finances, by 2006 the mission had lost its regional character, lacked local political accountability and damaged its claims to legitimacy. However, changes that have taken place since the 2006 crisis have created a more participatory and legitimate form of intervention.

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Background

The period 1998–2002 saw the tensions between the peoples of Malaita and Guadalcanal—due to issues of history, ethnicity, money and land—degenerate into organised violence between the Isatabu Freedom Movement (IFM) and the Malaitan Eagle Force (MEF). During 2000, serious clashes caused Prime Minister Bartholomew Ulufa’alu to request assistance from Australia, which was denied. On 5 June 2000, the MEF, supported by sympathetic elements of the Royal Solomon Islands Police (RSIP), forced the prime minister to resign at gunpoint. Months of disorder and killings followed, but further outright civil conflict was averted due to the Townsville Peace Accord, brokered by Australia and New Zealand in October 2000. Yet firearms and ammunition remained available, the RSIP were internally compromised, law and order problems prevailed, and criminal behaviour predominated. By 2003, allegations of corrupt ministers, a failing economy and constant intimidation of the government by armed gangs resulted in a situation where ‘the government was unable to govern’.45 The Solomon Islands asked for, and Australia agreed to lead, a regional intervention in the country.

In 2000, the refusal to intervene in the Solomon Islands was based on a longstanding practice that ‘Australia cannot presume to fix the problems of the South Pacific countries’.46 However, in mid-2003, instability in the Solomon Islands seized the government’s attention when the problems were reframed as a threat to regional security (and thus Australia’s interests) due to the global reach of terrorism and transnational crime.

Authority to intervene

It is useful to examine the authority that enabled the establishment of RAMSI. As noted, Prime Minister Howard had provided his Solomon Islands counterpart with a ‘Framework for Strengthened Assistance to Solomon Islands’. On 30 June 2003, Australia convened the PIF Foreign Ministers meeting in Sydney to approve the RAMSI initiative for an Australian-led multilateral intervention. Downer cited the Biketawa Declaration of 2000, which provided loose guidelines of how to respond to regional crises, as the justification for proceeding with RAMSI under the auspices of the PIF.47 By 17 July 2003, the Solomon Islands Parliament had passed the Facilitation of International Assistance (FIA) Act, providing the legal basis for intervention. While a subsequent source of tension, the FIA Act offered RAMSI personnel legal immunity from prosecution under Solomon Islands’ law.48 Then, on 24

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46 Ministry of Foreign Affairs and Trade, Advancing the National Interest, p. 92.
48 The FIA Act must be ratified annually by the Solomon Islands Parliament.
July 2003 RAMSI was established as a multilateral treaty between contributing nations; a treaty that was subsequently signed by all PIF member states.49

In terms of international, regional and local legitimacy, this cooperative intervention model demonstrated strong credentials. It was supported by the UN Secretary-General, in partnership with the sovereign government, acting within a regional framework, and confirming the provision of major resources, and by the establishment of a long-term consultative commitment with the host state.

RAMSI arrived in the Solomon Islands with a mandate to restore law and order, stabilise government finances, promote longer-term economic recovery and rebuild the machinery of government. Reflecting this mandate, RAMSI programmes were organised into three pillars: ‘Law and Justice (including policing)’; ‘Economic Governance’; and ‘Machinery of Government’.50 It is interesting to consider how the timing of the intervention influenced RAMSI’s mandate. The fact that RAMSI was responding to a failing state with a law and order problem—as opposed to open conflict—led to a lack of focus on peacemaking and avoided tackling the root cause of the 1998–2002 conflict. In fact, RAMSI deliberately avoided tackling the root causes of conflict. RAMSI argued that it could not do everything; that the causes of conflict were not within its mandate and should instead be addressed by the Solomon Islanders.51

Structure

Unique to intervention models, RAMSI’s structure attracted significant attention and was central to its assessment as a ‘new’ model of a police-led military supporting operation. RAMSI was, and remains, coordinated through two key mechanisms: the RAMSI Inter-Departmental Committee (IDC) located in Canberra; and the Special Coordinator, an Australian diplomat from the Department of Foreign Affairs and Trade. The Special Coordinator provides the single authority through which the various elements of the mission can be effectively pulled together. They are supported by a Deputy Special Coordinator and an Assistant Special Coordinator—positions routinely filled by other contributing nations. RAMSI’s Senior Executive is made up of these individuals plus the three pillar heads: the Commander of the Participating Police Force (PPF); the Commander of the Combined Task Force (military); and the Development Coordinator.

The Special Coordinator does not control the pillars, but coordinates their work through the Solomon Islands Government and other member countries; always mindful that the government has full executive, legislative and judicial authority. Meanwhile, RAMSI pillar heads have direct relationships with their home departments in Canberra and relevant Solomon Islands Government ministers. Such a structure has connected a multitude of government agencies in a whole-of-government framework.52

RAMSI’s success depends on a well-sequenced and coherent process across political, security, economic and administrative domains.53 In the case of RAMSI, some challenges became evident when embedded agency personnel were required to reconcile their dual role as public servants within key Solomon Island Government departments while staying responsive to requests for information from their home departments. Tensions did arise, including the disparities in pay and working conditions between embeds (or in-line positions) and local public servants. Additionally, in the area of security sector reform, whether occupying an in-line position or acting as an advisor, the dual mandate—to carry out some specific tasks and to strengthen Solomon Islands capacity—resulted in a tendency to step in to get the job done. While not unusual, this mandate meant that some were frustrated by the need for RAMSI to both respect indigenous solutions and to avoid providing every answer.54

Generally, the whole-of-government process has proven extremely successful in linking policy coordination at the bureaucratic level. Less successful has been the matching of RAMSI policy with Solomon Islands Government priorities. Therefore, while RAMSI was overwhelmingly popular with the citizens, and good working relationships were established at the bureaucratic level,55 the relationship between RAMSI and the political level was said to have become fractious.56 While not so evident when Kemakeza was in power, this disquiet became more apparent during Manashe Sogavere’s confrontational leadership during 2006–2007.

Praise and Criticism

In 2005, Kemakeza requested the PIF appoint an Eminent Persons Group (EPG). Its task was, to assess RAMSI’s impact since first deploying, and the future development priorities for the Solomon Islands. The EPG report highlighted the excellent progress made by RAMSI and the overwhelming support RAMSI received from the local population. RAMSI had successfully restored law and order, and stabilised the economy, and the people of the Solomon Islands were keen to see RAMSI’s work continue.\(^\text{57}\)

In addition to these findings, the EPG proposed four changes. First, in recognising the increasing risk of becoming dependent on RAMSI and to assist the pursuit of development goals, the EPG recommended a more equal and effective partnership between RAMSI and the Solomon Islands Government. Second, it considered RAMSI’s civilian and policing sectors needed a more regional makeup. Third, it voiced apprehension about RAMSI’s tenure and the consequences of leaving the Solomon Islands too early. Lastly, some accusations were made that the key instigators of the recent ethnic tensions were not being prosecuted and that RAMSI was not entirely neutral. Although viewed as potentially vexatious, acknowledging such issues could help avoid future disruption.

Along with these recommendations, the Solomon Islands Government received advice recommending a Commission of Inquiry be set up to investigate the causes of the recent conflict, that there was a strong need for reconciliation and that a Truth and Reconciliation Commission be set up in future. To assist the Solomon Islands Government, the EPG suggested a series of services the Forum Secretariat could provide on a more continuous basis.\(^\text{58}\) However, before these recommendations were accepted or implemented, the April 2006 election crisis erupted, resulting in more intense scrutiny of the legitimacy of the RAMSI intervention.

Despite a foreign supervised free and fair election process, the announcement that Snyder Rini (Kemakeza’s former deputy) was the new prime minister caused immediate local dismay that turned to anger during Rini’s acceptance speech outside parliament. Violent scenes led the Australian police protecting Parliament to use tear gas to subdue the crowd. Rioting spread, resulting in two days of violence that injured at least 50 police (plus an unknown number of civilians), caused extensive damage to Chinatown (Honiara’s main business


centre); and displaced more than six hundred ethnic Chinese. Eight days later, six members of parliament crossed the floor, Rini’s government was ousted, and Manasseh Sogavare became the Solomon Islands new prime minister.

Amid accusations of RAMSI heavy-handedness in subduing violence, and criticisms of legal immunity, Sogavare called for a review of the RAMSI mission, an increased participation by Solomon Islanders, and a clear RAMSI exit strategy. Speaking to the media on 8 May, Sogavare stated:

> Australia seems to have used the provisions of the current partnership as a licence to infiltrate almost all aspects of the public sector... we have a situation where foreign nationals have direct and unrestricted access to the nerve centre of Solomon Islands public administration, security and leadership. This is an unhealthy situation.

Clearly the partnership with Kemakeza was over, and RAMSI needed to bolster its local legitimacy.

There were warning signs that RAMSI’s credence had been waning. Besides the EPG report, in early 2005 political friction was evident after ministerial criticism of RAMSI. Accusations were made of political manipulation by outside influences and Kemakeza was denounced as a puppet of the Australian Government. Additionally, some 2006 election candidates ran their campaigns on anti-RAMSI sentiment, contesting legal immunities and the usurpation of Solomon Islands sovereignty. Sogavare, whose close association with MEF elements had assisted his election to office in 2000, was complicit in this campaign, forewarning that a realignment of political forces in parliament might see support for RAMSI evaporate.

Rather than addressing the criticisms in a politically-constructive manner, responses to Sogavare criticism degenerated into political row between the Australian and Solomon Islands Governments. Covert tampering was evident during attempts by Sogavare to undermine pending cases involving two ministerial allies charged with inciting the April riots. Australia’s High Commissioner, Patrick Cole was accused of political interference by the

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Solomon Islands Government who claimed that he incited opposition members to rally against Sogavare. This accusation resulted in the Solomon Islands Government declaring Cole ‘persona non grata’. Downer condemned the Cole situation as outrageous and retaliated by refusing to grant visas to Solomon Island Ministers wishing to visit Australia. Further problems unfolded, with the Moti affair; the outcry at the appointment of an Australian as the Police Commissioner (with an Australian also heading the Participating Police Force); and the extraordinary step by Downer to publish a letter in the *Solomons Star* berating Sogavare and appealing to the Solomon Islands public to demand quality leadership.

This behaviour raises a number of issues. Shahar Hameiri recently argued that the RAMSI intervention has potentially undermined ‘the capacity of the state to absorb social and political conflict in a non-coercive fashion’. Such a situation has arisen from a controlling tendency to de-legitimise opposition to the intervention, characterising such expression in terms of recalcitrant leadership or the work of self-interested individuals. In responding to a breakdown in law and order in the Solomon Islands, RAMSI (correctly) suppressed any further outbreak of violence, but (arguably incorrectly) skewed political discourse, potentially limiting the achievement of locally-sustainable or representative political solutions. While a political balance must always be struck, challenges to RAMSI’s structure, authority and mandate have often been perceived as threatening the recovery process and the political stability in the Solomon Islands.

Some elements opposed RAMSI to serve their own interests, while more moderate critics did not oppose the intervention. However, these individuals were critical of RAMSI’s domination (with almost 90 per cent of civilian advisors coming from Australia), and sought more local participation. It was viewed that RAMSI was impacting on sustainable solutions and Solomon Islands sovereignty by operating as a parallel government and serving Australian interests.

Australian control at the start of the intervention was quite appropriate when a swift response was needed to restore law and order and prevent the government from collapsing. However, Australian control during phase two took place in a more opaque environment. As the largest contributor of resources, the Australian Government no doubt sought to ensure resources

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were used efficiently and effectively. However, in early 2007, the Solomon Islands Government asked the PIF to conduct a further RAMSI review. The proposal submitted to the PIF contained six areas of concern: (1) issues of sovereignty; (2) RAMSI regional character (or lack thereof); (3) the establishment of a new RAMSI oversight committee; (4) a RAMSI exit strategy; (5) an independent review of RAMSI operations; and (6) a clear demarcation between RAMSI and AusAID.72

Conducted from April to June 2007, the PIF Taskforce conducted a phased consultation process, with a remit to make substantive recommendations across a broad range of RAMSI activities and the future operations.73 Yet again, the review reported widespread local support for RAMSI. The conclusion was that each concern raised by the Solomon Islands Government could be addressed without undermining RAMSI’s operational effectiveness. Recommendations focused on four broad areas: (1) to strengthen RAMSI’s regional character; (2) to enhance the partnership between RAMSI and the Solomon Islands Government; (3) to address concerns about the FIA Act; and (4) to support the Solomon Islands Government in addressing key national issues, such as how to identify the root causes of conflict.

Unsurprisingly, many of the recommendations responded to, and endorsed, criticisms prevalent since the 2005 EPG review, and ultimately encouraged RAMSI to have a more regional and participatory focus. Key recommendations included setting up a Forum Ministerial Standing Committee (FMSC), comprising past and present Forum Chairs, with the Solomon Islands and Australian Foreign Ministers providing oversight and governance to the RAMSI operation. The Enhanced Consultative Mechanism,74 established in late 2006, was to continue to provide direct support to the FMSC. There was also a need to appoint more Pacific Island people to RAMSI civilian positions; to have a clear demarcation between AusAID and RAMSI activities; and a reaffirmation of the appointment of the Forum Representative to the Solomon Islands, and the Solomon Islands Special Envoy to RAMSI. These changes were designed to reinforce Solomon Islands sovereignty, re-align RAMSI activities and Government priorities, and ultimately strengthen consultation and coordination between RAMSI and the Solomon Islands Government.75

Aside from concerns about RAMSI, some key recommendations and support were designed to help the Solomon Islands Government tackle national

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73 PIF Taskforce, ‘Review of the regional assistance mission to Solomon Islands’, p. 3.
74 The Enhanced Consultative Mechanism consists of senior officials representing the Forum, the Solomon Islands Government and RAMSI.
challenges. In particular, with respect to the Ministry for National Unity, Reconciliation and Peace, the Forum offered to facilitate requests for support from the Commonwealth Secretariat and the United Nations. Lastly, the report recommended that a Truth and Reconciliation Commission be set up to address the root causes of ethnic tensions.76

Despite a boycott by the Solomon Islands Government (threatening to tamper with the FIA Act),77 the Taskforce recommendations were endorsed by Forum Leaders in Tonga in October 2007. Perhaps, as a result of respective changes in government in Australia and the Solomon Islands, the response to the 2007 Taskforce review realised significant changes and strengthened RAMSI’s legitimacy. The first meeting of the FMSC was held in Honiara on 22 February 2008, resolving any misunderstanding about the Taskforce review. At the second FMSC meeting in July 2008, Prime Minister Derek Sikua declared:

The fact that RAMSI reports are now first submitted to my Cabinet before transmission to the other Forum Members is not only a way of providing regular updates or information to my Government on RAMSI activities but is also a matter of courtesy and recognition of Solomon Islands as the main stakeholder in RAMSI.78

Ultimately, a comprehensive Partnership Framework79 was completed and endorsed by the Solomon Islands Cabinet on 14 May 2009, with Acting Prime Minister Fred Fono declaring: ‘My Government is confident that this Partnership Framework will take cooperation between Solomon Islands and RAMSI to new heights and will foster and consolidate our spirit of cooperation in future’.80

A further welcome milestone in Solomon Islands development came in 2009. The economy continued to strengthen, the government relationship with RAMSI became more constructive and a clearer demarcation existed between RAMSI’s mission and the bilateral relationship shared between Australia and

76 PIF Taskforce, ‘Review of the regional assistance mission to Solomon Islands’, p. 8.
the Solomon Islands. The Truth and Reconciliation Commission—launched by Archbishop Emeritus Desmond Tutu in April 2009—marked a new confidence by the Solomon Islands Government to confront the root causes of the 1998–2002 conflict and address issues of reconciliation.

In sum, RAMSI had entered the Solomon Islands with strong and legitimate credentials. In partnership with the sovereign government, acting within a regional framework and supported by the UN Secretary-General, RAMSI laid the foundation for a long-term consultative commitment with the host state. However, despite an extremely successful campaign to recover law and order and stabilise government finances, the relationship between RAMSI and the Solomon Islands Government clearly deteriorated. Systems of accountability appropriate in the immediate crisis proved contentious during the state-building and development phase. Fortunately, despite a brief crisis and a period of political friction in 2006–2007, a comprehensive 2007 PIF Taskforce review compelled RAMSI and the Australian Government to change their approach.

Answering such criticisms restored RAMSI’s regional focus, and thus its credibility to the Solomon Islanders. The pursuit of Solomon Island Government priorities and RAMSI programmes are now more coherent and guided by ‘the Partnership Framework’. Such a development has given the Solomon Islands Government room to pursue important national issues. RAMSI has recovered its legitimacy and this example of the Australian Government model of cooperative intervention has improved. RAMSI and the Solomon Islands Government overcame a pivotal challenge with the holding of crisis-free elections in August 2010; but there remains the longer-term challenge to build a secure and sustainable future for the Solomon Islands.

**East Timor 2006: International Stabilisation Force**

In early April 2006, World Bank President Paul Wolfowitz, hailed East Timor as a model of post-conflict recovery, praising the ‘country’s sensible leadership and sound decision making, which have helped put in place the building blocks for a stable peace and a growing economy’.81 Yet, from late April to June 2006, the system of government in East Timor essentially disintegrated. Australia and other countries responded when the East Timor Government asked for help to regain law and order, to re-establish confidence in state institutions, and to recover the viability of the new state.82 After weeks of violence in East Timor, Australia’s swift response reaffirmed the Howard Government’s


practice of intervening cooperatively to maintain regional security. The purpose of examining the 2006 intervention in East Timor is to compare it with the Solomon Islands intervention, and ultimately to assess the legitimacy of the Australian Government model of cooperative intervention. This section provides a brief account of the crisis and its underlying causes; and highlights some of the challenges and criticisms encountered. It argues that the International Stabilisation Force (ISF) was effective in responding to the initial crisis, but that again the lack of regional (or multilateral) participation damaged the legitimacy of Australia’s mission in the longer term. It is useful to note that, despite its location in Southeast Asia, East Timor exhibits social, economic and political characteristics similar to those of Melanesian states.83

In January 2006, members of the F-FDTL (East Timor Defence Force) presented a petition to Chief of the Defence Force (CDF) Brigadier General Taur Matan Ruak and then President Xanana Gusmão alleging mismanagement and discrimination in the force. By mid-February, when there had been no progress to resolve the complaint, approximately one-third of the F-FDTL (later known as ‘the petitioners’) abandoned their barracks. By mid-March, following a refusal to return to work, the petitioners were summarily dismissed by the CDF of the F-FDTL—a decision supported by the then Prime Minister Mari Alkatiri, but publicly criticised by Gusmão.84 Subsequently, ‘the petitioners’ made their way to Dili, the capital, to launch a series of ‘peaceful’ demonstrations in late April. Joined by unemployed youth, the demonstrations descended into violent acts of vandalism outside the Government Palace, which led to the PNTL (East Timor National Police) firing on the crowd, injuring and killing some demonstrators. Pockets of violence quickly spread to other areas and, on 28 April 2006, Alkatiri called in the remaining F-FDTL to assist the PNTL with restoring order.85

What followed was a serious breakdown in the command and control of the military and police forces, embroiling the society in criminal violence (particularly young men and the unemployed), and resulting in an international intervention and the resignation of Alkatiri and several of his ministers. To understand the magnitude of the violence, in the significant crisis period at least 38 people were killed (23 civilians, 12 PNTL officers and 3 F-FDTL soldiers), 69 people seriously injured (37 civilians, 23 PNTL officers, 7 F-FDTL

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84 President Gusmão’s address to the nation on 23 March 2006 criticised the dismissal as unjust and gave credence to the petitioners’ claims of eastern Timorese discrimination against western Timorese; and United Nations, ‘Report of the UN Independent Special Commission of Inquiry for Timor-Leste’, Geneva, 2 October 2006, p. 22.

soldiers and 2 UNPOL officers), and approximately 150,000 people were displaced from their homes.\footnote{United Nations, ‘Report of Inquiry for Timor-Leste’, p. 42.}

Briefly but violently East Timor collapsed. Emphasising that it was a fledgling democracy, the findings of the UN Independent Special Commission of Inquiry for Timor-Leste explained the 2006 crisis in terms of the frailty of state institutions and the weakness of the rule of law. Yet it could be argued that the trigger for the crisis was the government’s inability to acknowledge the gravity of the grievances of F-FDTL personnel recruited from East Timor’s western districts. The deteriorating crisis saw governance structures and the chain of command bypassed, roles and responsibilities blurred, and solutions implemented outside appropriate legal frameworks.\footnote{United Nations, ‘Report of Inquiry for Timor-Leste’, p. 2.}

It is important to explain the background political context to the 2006 violence. When Indonesian occupation ended in 1999, the East Timorese were nationally unified in their fight for independence. However, during the Fretilin (Revolutionary Front for an Independent East Timor) Government’s first term in office, fundamental differences between political factions became increasingly evident. These differences have been described in terms of a re-emergence of pre-existing indigenous differences. Prior to independence, a significant contributor to national unity had been then independence fighter Xanana’s Gusmão’s 1987 decision to abandon Fretilin sectarianism in favour of a broad-based non-partisan nationalist approach—the CNRT (Timorese Council for National Reconstruction). By 2006 Gusmão still supported a coalition approach to problem solving, while Prime Minister Alkatiri (and leader of Fretilin) focused on Fretilin’s leadership role. Such behaviour prompted Alkatiri and his supporters to attempt to displace Gusmão from the Falintil (Armed Forces for the National Liberation of East Timor) leadership, resulting in bitter and unresolved conceptual differences. While not divisive in the struggle for independence, the fissure among political factions subsequently became more apparent, and became reflected in institutions such as the F-FDTL and the PNTL.\footnote{Sven Simmonson, ‘The role of East Timor’s security institutions in National integration—and disintegration’, \textit{The Pacific Review}, Vol. 22, No. 5, 2009, pp. 577–79; and Cotton, ‘The Crisis of the Timor-Leste state in comparative perspective’, pp. 14–16.}

Fretilin assumed total control of the government under Alkatiri at independence on 20 May 2002. By 20 May 2005, the last major Opposition party leader had resigned, highlighting the major power imbalance that existed within the East Timorese Parliament. According to Cotton, the administrative style of the Alkatiri Government was regarded as non-consultative, while parliamentary processes were incapable of checking the Executive due to infrequent meetings, absenteeism, criminalisation of dissent and a situation
where draft laws were debated in Portuguese—a language few understood.\textsuperscript{89} The lack of a properly functioning or legitimate parliament became particularly evident in Dili. The parliament seemed incapable of debating national issues, or tackling the deteriorating economic situation, with its attendant deprivations of high unemployment, lack of opportunity and a youth bulge. Such a situation created a breeding ground for social unrest.\textsuperscript{90}

When F-FDTL members left their barracks in February 2006, their primary complaint was that ‘as westerners’ they had been denied advancement and promotion because the military command was dominated by ‘easterners’. Such a grievance stemmed from the 2001 structural formation of the F-FDTL, where initial recruitment was conducted by former Falintil Commanders, resulting in ‘older’ Falintil veterans (emanating mainly from the eastern districts) assuming senior F-FDTL positions. The next recruitment targeted ‘younger’ personnel, with the majority of recruits joining from East Timor’s western districts—those areas closer to the border with West Timor. An east-west divide therefore existed between senior and junior members of the F-FDTL. This divide had its roots in the Resistance era, where the Falintil operated predominantly in the east of the country and received support from the eastern population; while the populous west was more integrated under Indonesian authority.\textsuperscript{91}

The East Timor police force (PNTL) was formed in 2003 due to demands by Rogerio Lobato (then Interior Minister)—and supported by Alkatiri—that the United Nations establish paramilitary police units to respond to continuing violence from formerly Indonesian-backed militia. The majority of PNTL officers were recruited from East Timor’s western districts. They were responsible for border patrol, cross border militia attacks and rural counter-insurgency. The United Nations Transitional Administration in East Timor (UNTAET) had sought experienced candidates, recruiting approximately 340 personnel with prior service in the Indonesian police. As these personnel were fast-tracked to assume authority in the new organisation, the force created had strong western origins.\textsuperscript{92} Due to an existing UN mandate, the PNTL was not armed until May 2004.

Structural and political factors had therefore combined to create a military and police force that were inherently politicised; which helps to explain why the


crisis erupted between loyalist F-FDTL troops, the petitioners and the PNTL. The Australian Government prepared itself for a request for military assistance. Warships were pre-positioned in Northern Australia and troops were prepared to move. However, speaking from Ireland on the 23 May 2006, then Prime Minister John Howard made it clear that Australia needed an official invitation:

We wouldn’t go into East Timor unless we were asked in accordance with the constitutional processes of that country... we remain ready to help, but that in the end is a matter for the Government of East Timor and it has to be done in a legal, constitutional fashion.

When responding to a question on whether Australia should first offer assistance, Howard was categorical in the need to respect East Timor’s sovereignty:

No. I think that is the wrong way to go about it... let’s respect East Timor’s independence. You don’t run around soliciting invitations...We have not been asked and until we are asked, we won’t go.

On 24 May 2006, after receiving the formal request, Howard advised the Australian Parliament, stating: ‘Australia has a vital national interest in the promotion and maintenance of stability in our region.’ Australia also has clear security interests in East Timor. Among them are the need for cordial relations between East Timor and Indonesia, the need to honour treaties and agreements regulating exploitation of the shared Timor Sea resources, and the need for East Timor to become an effective security partner in the fight against transnational crime and terrorism.

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93 Simmonson, ‘The role of East Timor’s security institutions’, p. 592.
96 ABC AM, ‘Australian troops at the ready as East Timor violence worsens’.
By comparison, then New Zealand Prime Minister Helen Clark initially displayed more constraint, stating: ‘It’s very important not to walk into what is a factional dispute in some respects and be seen to be taking sides... It’s also important to be mindful that the Security Council is having consultations as we speak.’ New Zealand appeared to be placing greater emphasis on the need for UNSC endorsement before an external government had the right to intervene. However, as the East Timor Government recognised in a 24 May 2006 letter to the United Nations:

The request being made now to those countries [Australia, New Zealand, Malaysia and Portugal] is to take place in a bilateral framework taking into account the delay that a decision under the mandate of the United Nations would imply.

To be a wholly legitimate intervention, the Australian Government required East Timorese, Australian and international approval to intervene. Securing an invitation and portraying the crisis in terms of national security interests gave the proposed intervention an initial air of legitimacy to the Australian electorate; however, the extent of the deteriorating crisis in East Timor necessitated the immediate deployment of troops before the [anticipated] receipt of UN support. In 2007, ASPI cited four reasons legitimising the Australian intervention in East Timor. First, Australia was invited to do so; second, the United Nations and regional states expected Australia to rescue one of the United Nation’s ‘success stories’; third, Australia had a vested interest in East Timor’s successful transition to statehood; and fourth, Australia had a vested security interest to promote regional stability and assist in the recovery of a neighbouring state. However, a key issue yet to be tested was the legitimacy of the Australian intervention in the eyes of East Timor’s citizens. This was particularly important if the East Timorese state had collapsed to such an extent that its government no longer represented the will of its people.

The Australian Defence Force (ADF) arrived in East Timor on 25 May 2006 under a Status of Forces Arrangement, with smaller contingents from New Zealand, Malaysia and Portugal arriving (under similar arrangements) over the next ten days. Despite the speed of the Australian Government’s response, organisations such as World Vision still criticised it for not doing enough to

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stem the violence. 103 Symptomatic of the interventionist debate, such comments led to a frustrated response from Prime Minister Howard stating:

We cannot have a situation around the world and particularly in our region where Australia is told to respect the independence of a country and that it’s a bully boy if it seeks to express a view or to intervene, but when something goes wrong Australia is then criticised for not having, quote, intervened earlier. 104

Ultimately, UNSC endorsement was not received until the release of Resolution 1690 on 20 June 2006, expressing ‘its appreciation and full support for the deployment of international security forces…in response to the request of the Government of Timor-Leste.’ 105 By this time, the ISF had been established, with Australia advising the United Nations that approximately 2,650 ADF personnel and some 200 Australian Federal Police (AFP) were deployed in East Timor. It also advised that an agreed protocol had been implemented to formalise cooperation between the international forces in line with East Timor’s requirements. 106 New Zealand and Malaysia joined the Australian-led ISF, in cooperation with approximately 120 paramilitary police from Portugal. 107

In a letter to the United Nations dated 27 June 2006, Australia reported a tense but improving security situation. The ISF had secured the area around Dili, with humanitarian agencies moving freely in the city and having increasing access to outlying districts. Dili continued to experience opportunistnic violence, due predominantly to the street gang fighting there. 108 Indeed, the arrest and imprisonment of petitioner leader Major Alfredo Reinado by the Portuguese police on 26 July 2006 was a major early breakthrough. However, his subsequent escape from jail and retreat to the mountains with a gang of rebels not only became a significant cause of continued tension; it also undermined the intervention’s professionalism.

Following the initial response to the crisis, Prime Minister José Ramos-Horta asked the United Nations to review future arrangements for international support to East Timor. In a letter dated 4 August, Ramos-Horta proposed a new mission with a strong civilian component—a large police force backed by a

104 Sydney Morning Herald, ‘Political resolution near: Horta’.
107 Portugal had refused to join an Australian-led operation, preferring to operate under UN Command or, in the absence of the United Nations, to cooperate with international forces.
smaller military force, preferably under UN command. The UN Secretary-General responded by proposing that a new multi-dimensional and integrated mission take over from the ISF and the United Nations Office in East Timor (UNOTIL). Australia strongly resisted such a move, preferring to keep the ISF’s leadership independent but still in full cooperation with the UN mission. Downer explained:

"We think that it would be just easier to do and simpler to administer if it was a green-helmeted operation… It is an easier way to administer the military component without operating through New York all the time."

While there were significant advantages for Australia to remain independent of the UN bureaucracy, such as flexibility, economy of effort, home grown Rules of Engagement, not all agreed. International Federation for East Timor (IFET) UN Representative John Miller argued: ‘Australia’s insistence on keeping its troops under a separate, national command structure will make coordination difficult, lessening the confidence and security that the UN Mission is intended to provide for the people of Timor-Leste.’ The IFET Secretariat further stated: ‘Many people in Timor-Leste already suspect the motives, capability and impartiality of the Australian forces there now, and Australia’s refusal to be part of a UN force increases that distrust…it will increase confusion and resentment in Timor-Leste.’

Ramos-Horta amended his request to the United Nations, and on 25 August the UNSC adopted Resolution 1704 creating a new mission titled the United Nations Integrated Mission in Timor-Leste (UNMIT). The resolution meant that Australia could now lead the ISF (comprising Australian and New Zealand forces) independently but in cooperation with, and in support of, UN command. However, the UNSC was to review the decision within two months. Moreover, the East Timorese Parliament did not welcome an independent ISF, and members made a formal request to the East Timor President and the

112 IFET, ‘IFET urges fully integrated UN mission: Calls for Australian troops to forego separate command’.
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government to bring international forces under UN Command.113 Yet, based on a strong letter of recommendation received from Ramos-Horta, the UNSC agreed on 27 October 2006 to continue with the current arrangement. The prime minister carefully explained the situation to the East Timorese Parliament in a statement on the 27 October, where he said that his inner Cabinet had made the decision based on the best interests of the nation. He also compared the reality of a smaller commitment of 350 troops under a UN Command to the 1,100 Australian and New Zealand troops of the ISF.114 Eventually, on 27 January 2007, a Memorandum of Understanding was signed between East Timor’s Foreign Minister, the Australia’s Ambassador to East Timor and the head of UNMIT that outlined the co-ordination of police and military operations.115

Political arguments concerning the interventionist forces did not occur in public isolation; some criticism was directed at the Australian-led operation. Despite the presence of the ISF and an increased number of UN police (UNPOL), Reinado and the rebels refused to surrender, opportunistic outbreaks of violence, arson and vandalism continued, and tens of thousands of displaced persons remained hesitant to return to their homes. Perhaps unfairly, some individuals claimed that more people had died in the intervention period to February 2007 than during the violence that triggered the intervention.116

Following a raid by Reinado supporters in February 2007 where they stole police armaments, Australian ISF soldiers, at the behest of the East Timorese Government, tracked down Reinado’s hideout. In March 2007 an ISF raid killed five rebels but failed to capture Reinado. In an effort to remove escape routes, tactical decisions to cut down trees and block roads disrupted local movement. This outcome antagonised locals, caused street riots in Dili and contributed to significant anti-Australian sentiment throughout the country. To calm the situation, the East Timorese Government was forced to halt the ISF’s anti-rebel operation, instead opening up a dialogue with the rebels. It was clear that the Australian forces were coming under increasing scrutiny. While UN force activity could initiate a nationalistic response, the actions of an armed

neighbour—potentially seen as pursuing self interests—became a cause for distrust and suspicion.117

While law and order improved to such an extent that successful national elections were held in June 2007, underlying tensions remained. Reinado was still on the loose, and the Fretilin Opposition protested at the election of the CNRT Government. Eventually, a defining moment was on 11 February 2008, when a clash occurred that resulted in Ramos-Horta suffering serious gunshot wounds and Reinado being shot dead. That same morning, Reinado’s second-in-command, Gastao Salsinha, attacked Gusmão who also escaped unharmed.

By April 2008 Ramos-Horta had returned from medical treatment in Darwin, and Salsinha and his rebels had surrendered. The profound significance of such a moment, when a longstanding tension was finally broken, was reflected when Deputy Prime Minister Francisco Guterres accepted the formal surrender: ‘It’s a historic moment for the country and historic moment for the people of East Timor. We believe that from now on the Timorese development will start and we will have a better future.’118 Yet, what happened to the ISF and the UN intervention? Their immediate presence had stabilised an explosive situation, and they worked quickly with institutions such as the Catholic Church and local leaders to dissuade any widespread outbreak of violence. Interestingly, the F-FDTL’s primary responsibility was security during the state of emergency. It worked jointly with the PNTL, and the relationship between the two began to improve.119

Once the state of emergency was over, Australia reduced the size of its force in East Timor—a deployment that continues to the time of writing. It is interesting to consider what the public response might have been if the ISF, rather than a house guard, had killed Reinado. Nonetheless, the shocking nature of the 11 February incident created a moment ripe for change. For example, Fretilin became more politically accountable. This change ushered in a pattern of political behaviour more akin to mature parliamentary democracies.120

Australia’s intervention into East Timor in 2006 was under a Status of Forces Agreement to assist the East Timor Government in recovering law and order. Perhaps as much a statement to maintain good relations with Indonesia as that of East Timor, prior to intervention the Australian Government went to great

lengths to demonstrate respect for East Timor sovereignty and territorial integrity. On arrival in East Timor, Australia, as the dominant force, was quick to coordinate foreign forces to establish the ISF under Australian leadership. With the support of Portuguese police, the ISF cooperated with the East Timorese Government to re-establish law and order.

Again, the initial response was extremely successful in achieving its immediate aims, demonstrating the legitimacy of the Australia’s model for intervention. However, unlike the Solomon Islands intervention, the Australian Government did not seek to influence the process of state-building. But while Australia fought hard to maintain the leadership and independence of the ISF, ultimately it was seen that the lack of regional (or multilateral) participation in the ISF contributed to growing criticism of Australian involvement in security operations and accusations that it was more interested in serving Australian interests than those of the East Timorese people. Such a perception unfortunately damaged the legitimacy of Australia’s contribution. Fortunately however, the local political situation improved, allowing the ISF to reduce its footprint, and effectively diffusing the situation. Even so, it is clear that changes to the East Timor intervention model would have been needed to sustain a more significant operation.

An Assessment of Australia’s Model for Cooperative Intervention

Having examined Australia’s recent interventions in East Timor and the Solomon Islands, this paper now assesses the legitimacy of this model of cooperative intervention. At first glance, Australia’s model has some key features that contribute to its strong claims for legitimacy. Australia is a stable, wealthy and friendly neighbour to the countries of the Asia-Pacific, and its model of cooperative intervention involves working with other sovereign governments, committing to long-term support and working within regional frameworks. These features form the fundamental principles of what Kabutaulaka and Fry consider to be ‘legitimate’ intervention. 121

Further lessons can be learnt from each intervention. RAMSI was police led, the ISF cooperated with UNMIT, and each mission coordinated activities with the local government. Both missions proved extremely popular and successful in responding to the initial crisis and quickly restoring law and order. However, as each state emerged from its crisis, and local politicians re-established government priorities, each mission stumbled in its claim of having local legitimacy.

A high degree of public and political acceptance existed during the initial stage of the interventions. Clearly, the interventions provided a safer environment

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121 Kabutaulaka and Fry, ‘Towards legitimate engagement’, p. 211.
that enabled the state to recover a degree of normalcy—albeit with underlying tensions. However, in both cases, it would take some time to recover healthy political discourse. Once each intervention transitioned to move into the process of state-building, a lack of regional participation became a new source of tension, wrongly creating suspicion that an Australian-dominated mission was predominantly serving only Australian interests. Incidents such as the firing of tear gas outside the Solomon Islands Parliament and the failed attempts to capture Reinado in East Timor only served to direct local anger and criticism at the Australians. In future interventions, once the initial crisis is stabilised, regional participation must be reinforced so as to maintain mission integrity.

In 2003, the implementation of a ‘new’ interventionist policy was depicted as a security imperative. By portraying weak states as vulnerable to transnational crime and terrorism, the Australian Government was able to generate a degree of political urgency in its response to the deteriorating situation in the Solomon Islands and to any request for assistance. However, an underlying assumption of the weak state discourse is that purely technical state-centric solutions exist to strengthen the state. Such an assumption contradicts the history of state-building in the South Pacific; it also fails to recognise the relationship between Melanesian state and society. To create sustainable systems, the local population must participate in the agenda. As the intervention in the Solomon Islands demonstrates, the mission lost its regional focus, lacked local accountability, and was in danger of failure: essentially it was in need of a participatory framework. Once implemented, the relationship between RAMSI and the Solomon Islands Government improved and RAMSI reclaimed its legitimacy. The ISF mission was slightly different, Australia might have benefited from considering that once law and order is re-established, and political trust is recovered, a participatory framework might ensure mission activities match host government priorities.

Finally, perhaps one of the enduring products of the cooperative intervention model has been the Pacific Islands Forum’s transformation into a more substantial player in issues of regional leadership, governance and accountability. Contributions such as the 2007 Forum Taskforce Review of RAMSI have created a more legitimate model for cooperative intervention. Ultimately, a desirable development would place cooperative intervention under a PIF regional framework.

**Conclusion**

It is clear the Australian cooperative intervention model has worked extremely well in responding to the crisis phase of recent regional interventions. Initially, Australian dominance is tolerated due to the urgency of the task and the desire to recover law and order. However, as the model transitions to the longer-term
phase of state-building, the model must keep its regional focus and adopt a more participatory framework. In the Solomon Islands, this was eventually recognised and implemented following the report of the 2007 Forum Taskforce Review. The Participatory Framework implemented in 2009 provides a model for future implementation. Significantly, the Solomon Islands intervention transformed the PIF’s regional security role. This important development enhances the extant framework for South Pacific regional security.

A different situation existed in East Timor. Australia kept its law and order role, which enabled UNMIT to pursue the state-building agenda. Yet the lack of regional participation in the ISF contributed to public suspicion about Australia’s role and interests in East Timor. However, the 2008 shooting incident cleared the political air and enabled the ISF to reduce its local footprint. This, in turn, limited further criticism of Australia’s contribution.

Both interventions demonstrate the success of Australia’s cooperative intervention in recovering law and order in regional states. However, for the purpose of genuine state-building, the Australian model must keep a regional focus, adapt to local conditions, and develop a more participatory framework for intervention. This type of intervention model can only serve to advance Australia’s interests and sustain a secure regional future.
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