

Tokyo University of Foreign Studies

**Public Lecture Project on Conflict Prevention
2004**

Sponsored by the Ministry of Foreign Affairs of Japan

February 2005

Organized by

TUFS-PCS – Master's Program for Peace and Conflict Studies (PCS),
Graduate School of Area and Culture Studies, Tokyo University of Foreign Studies (TUFS)

And

MOFA Project Working Group
(Chairman: Soho Machida)

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Introduction / Acknowledgements

This report has been prepared to provide a detailed account of the “Public Lecture Project on Conflict Prevention 2004” that was organized and executed (under the auspices of the Ministry of Foreign Affairs of Japan) from October 2004 to February 2005 by the Postgraduate Program in Peace and Conflict Studies (PCS) at the Tokyo University of Foreign Studies (TUFS) in Tokyo, Japan.

PCS is a degree-granting program that focuses on peace-building and conflict resolution, a field of study that has become increasingly relevant in today's world. This is the first academic research organization in Japan that specializes in ethnic and regional conflicts in the contemporary world, analyses political and social factors that cause such conflicts, and searches for ways to solve them. Its goal is to become an academic and research hub in Japan and the international community that fosters peace-building and conflict prevention activities through theoretical works.

It has been a great pleasure to organize and execute what may have been the first time for Japanese and non-Japanese students to experience peace-building and conflict resolution from a grass-root level to a highly professional level. We would like to take this opportunity to express our warmest thanks to the Ministry of Foreign Affairs for funding our project. In addition, we wish to extend our gratitude to the many organizations, many practitioners, professional experts, NGO members and prominent professors on peace-building and conflict prevention who were generous enough to share their time with us in executing this project.

The general outline of the project has also been prepared in Japanese.

Program Organizers and Project Information

Organizers:

MOFA Project Working Group

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Collaborator

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Project information:

Three projects had been planned and executed on the following schedule:

Seminar on "Theory and Practice of Peace-building and Conflict Prevention"

October 23, 2004 – December 9, 2004

Field Research to East Timor

November 21, 2004 – November 29, 2004

Open Symposium on "Frontier of Peace-building and Conflict Prevention"

February 5, 2005 & February 6, 2005

Project 1: TUFSS-PCS MOFA Seminar

- **Theme:** Theory and Practice of Peace-building and Conflict Prevention

- **Date:** October 23, 2004 – December 9, 2004 (10 seminars)

- **Venue:** Tokyo University of Foreign Studies

- **Summary:** A portion of the funding from the Ministry of Foreign Affairs of Japan was utilized by the PCS Program for offering a seminar on 'Theory and Practice of Peace-building and Conflict Prevention' on the TUFSS campus, to PCS and other students from TUFSS and from other universities in the Tokyo area. The seminar consisted of 10 lectures by academic and professional experts, or current practitioners on peace-building, conflict prevention, and other related areas, followed by open discussion with 23 students chosen through a competitive screening process and several TUFSS professors who attended each week. Each lecture and discussion session lasted about three hours, with sufficient time set aside for discussion of each topic so that all participants could be fully engaged, and was conducted in English. Lecturers and participants were able to approach peace-building and conflict prevention from theoretical perspectives, acquiring analytical methods and theoretical framework, and also to gain knowledge of the field through studying actual cases.

The final objective of this Seminar was to equip each participant with enough knowledge and skills to present in English his or her own ideas concerning various theories and practices of peace-building and conflict prevention. Moreover, ten students were chosen to join the field research in East Timor in November of 2004, described later in this report, in order to obtain a deeper understanding of the issues brought up in the seminar through actual fieldwork. All 23 student-participants were required to submit an academic essay upon completion of the lectures to qualify for a

certificate of credit for the seminar. The specific details of the lectures can be found in the Lecture Schedule below, and in the accompanying Lecture Summaries. Copies of the handouts distributed by lecturers during their lectures are also attached to this report.

This report has been prepared by Shaan MAVANI

Lecture Schedule

<i>Lecture</i>	<i>Title</i>	<i>Lecturer</i>
23 October	Prospects for Peace-building in Iraq	Ms. SAKAI Keiko Institute of Developing Economies
28 October	Issues of International Aid in Post-conflict Peace-building: An NGO Perspective	Mr. TAKAHASHI Kiyotaka Japan International Volunteer Center
30 October	National Reconciliation and Peace-building in Cambodia	Dr. Sorpong PEOU Sophia University
30 October	International Involvement in the Cambodian Peace Process	Hon. IMAGAWA Yukio Former Ambassador to Cambodia
4 November	Media and Conflicts	Mr. James NACHTWEY Photo journalist
11 November	The Role of NGOs in Peace-building and Conflict Prevention	Ms. ASAKAWA Yoko JEN
18 November	Issues of DDR Projects: Cases of Afghanistan and East Timor	Mr. TANAKA Hiroto International Development Center of Japan
2 December	Research Methods in Conflict Areas	Mr. TSUKAMOTO Toshiya International Development Center of Japan
9 December	Security Theory and Frameworks for Conflict Prevention	Dr. ITO Go Meiji University
9 December	International Law and Conflict Prevention	Prof. MOGAMI Toshiki International Christian University

Lecture Summaries

Lecture 1 – Prospects for Peace-building in Iraq

Ms. SAKAI Keiko, Institute of Developing Economies

October 23, 17:00 - 19:00

Ms. Sakai is a researcher at an IDE focusing on the Middle East, particularly modern political history in Iraq, and a regular guest on various news programs on Japanese television. She has become especially well known with the US-led War in Iraq.

Part 1: Background on the Situation in Iraq

- The situation is very awful -
 - ◆ Especially in terms of security
 - ◆ Many scholars predicted the war would fail because the Bush administration had no clear blue-print for post-conflict development, but no one expected it to be this bad
 - ◆ There is no method to resolving or improving the situation now
- What is the cause or reason for the war?
- What is the right thing to do?
- Would the war have been ok if it was bloodless?
 - ◆ Panama and Nicaragua - the dictator was removed from power in a very short time without bloodshed
 - ◆ Is military intervention really useful/justifiable for humanitarian reasons even though human rights are not always respected, weapons are used, or sovereignty is violated?
- Iraqi public opinion of the War/Occupation
 - ◆ July 2003, 50% of Iraqi people were for the Iraqi war.
 - ◆ June 2004, 38.5% believed that the war was right
 - What these numbers show is that the number of people who support the war has decreased. Neutrality of the poll is not the most important thing.
 - ◆ The % of people who believe the war was wrong has almost doubled (27.5% to 55%)
- The real reasons for the war include –
 - ◆ Iraq was a threat to the US
 - ◆ To bring democracy to Iraq
 - ◆ To help and support Israel
 - ◆ To monopolize Iraqi oil production

- Dilemma for the US - support Israel or Arab democratization, or Israeli as a democratic model?
 - ◆ 9/11 changed the attitude of the US. Before this, they didn't care about Iraq. But since this attack, they (or all the developed countries) have to cut relations with Saudi Arabia, or terrorist countries.
 - ◆ The main reason for the war may be to bring democracy to the world. But in reality, it will take 100s of years to achieve it, so the neo-con strategy is too unrealistic.
- Do many people want to monopolize oil industry?
 - ◆ 30, or 40 years ago, European countries and especially France could easily monopolize it. But this is not possible anymore, as it is risky for private companies, and especially because of the international market. It is price that is more and better controlled now.
 - ◆ Before the Iraqi war, oil production and price was completely controlled by the UN. Therefore the US was controlling the price through the Security Council – the price of Iraqi oil to the US was the cheapest in the world. The same oil was imported to Asia at the highest price in the world. So oil should not be seen as the main reason for attacking Iraq. Saudi Arabia is also losing its grip on the oil market now.
- More Iraqi public opinion
 - ◆ 50% of Iraqi people think that the main reason of the war was oil.
 - ◆ Most Iraqis were not aware how the US was controlling the price of Iraqi oil
 - ◆ 2003 - 21.2% of the Iraqi people trust the Coalition Forces.
 - ◆ 2004 - 18.1% of the Iraqi people trust the Coalition Forces.
 - Why do 50% of Iraqis think that the war was right but most do not trust the Coalition Forces?
 - ◆ 1/3 of the Iraqi people trusted the UN at the beginning of the war, but this number is increasing – 58.4% today
 - ◆ Many Iraqis do not differentiate the US and UN because the economic sanctions and the Gulf War were both mandated by the UN, and because the Oil for Food destroyed the structure of the Agricultural sector in Iraq and was not good for long-term economic development
 - ◆ One year ago 11% wanted the Coalition Forces to leave, and 33% now
 - ◆ However, people want the forces to leave after security is achieved or the new government is elected, and Iraqi's will take care of security. As of now, neither of these is possible.

- Media
 - ◆ CNN vs. Al-Jazeera vs. the Middle
 - ◆ The reality is shown neither on CNN nor on Al-Jazeera, and Iraqi people are not with either. They primarily want help. They want to do reconstruction themselves, but they think “ Do not leave Iraq in anarchy. Reconstruct it before you leave, in an Iraqi way.”
 - ◆ The state as well as all institutions including police and the armed forces have been destroyed.

Part 2: Security Situation Now

- Getting worse since the war, and awful now
 - ◆ Everyday several coalition forces are killed, foreigners or Iraqis are abducted (for money)
- Why is the situation so awful and who is doing it?
 - ◆ No one wants Saddam to return
 - ◆ Sectarian conflict is not really a problem because the groups know that sectarian conflict will lead to the destruction of the country
 - ◆ International terrorists, Iraqi extremists, criminals and gangs
 - ◆ But we don't know the real breakdown about the opposition
- Al-Sadr in Najaf and other Shiite Cities
 - ◆ Al-Sadr has no rank religiously, but has a lot of supporters based on the class structure. The poorest Shiites farmers are supporting Al-Sadr, because he is pro-poor in his politics.
 - ◆ They want to establish their community by themselves, and in fact the US has done nothing for reconstruct. The question is which social network is the most effective in the absence of state institutions – the religious network. But the US does not want this, because it wants to establish under a new strong and centralized government.
- Falluja
 - ◆ Incidents with Coalition Troops
 - ◆ Opposition also based on religious authority as social order
 - ◆ Also want autonomy
- Why do these Iraqi people need fall back on religious community?
 - ◆ As a last resort for authority and social order, but also because of a lack of economic resources political capabilities required to secure some power in the new regime
 - ◆ These areas of the country are economically and politically excluded.

- Can the interim government either give a fair share of economic resources to these groups or involve them in the political process?
 - ◆ But Iraq is not ready to do this itself and the US still depending primarily on military force rather than social approaches

Part 3: International Intervention and Reconstruction

- Republicans were planning attacking Iraq for a long time but the cost was seen as prohibitive and the CIA and other researchers did not think it would be successful.
- After 9/11 the Bush Administration disregarded both the cost and the opinions of the security agencies, especially as they saw 9/11 as evidence that advice from these agencies was generally unreliable
- Iraq could not have prevented the war because the US was too determined, and in general no one can stop the US from making war
- The UN may have been able to do more to avoid the war, for example a Security Council Resolution against of the war, or Arab states may have been able to intervened somehow (for example, by convincing Saddam Hussein to leave the country)
- 73% of total reconstruction aid paid (\$1 billion of the \$33 billion promised) has been spent on security and insurance. Even the US has not paid more than 5% of its promised money so far (\$1 billion of \$18 billion).
- Moreover, the money coming in from oil is not going to reconstruction and the Iraqi government is not free to decide which reconstruction projects to undertake.
- Iraqi technocrats constructed the oil plants themselves after the Gulf War. Because of mismanagement of reconstruction, it's difficult to repair oil plants now. We don't know clearly whether this problem is intentional, but the Iraqi people believe that the US is doing it intentionally to help Israel. American companies who signed contracts to this work even before the war are unable to do the work, and it gets outsourced repeatedly, mismanaged and neglected.
- The Iraqi regime used to have a very strong state apparatus and institutions, as a string socialist country with little corruption
- After the Gulf War this structure was destroyed and corruption was introduced as the market economy was introduced in a very anarchical way
- The US has two options now --
 - ◆ Reintroduce the socialist model
 - ◆ Economic liberalization and privatization
 - ◆ The US has chosen liberalization with reconstruction at the same time

- ♦ This seems rather infeasible especially when we look at successful reconstruction models like post-war Japan where economic reform and reconstruction was much more sequenced with a large role for the state sector until reconstruction was completed
- Position towards Japan
 - ♦ Japan did not give any substantial ODA to Iraq after the Gulf War, and the Japanese government is seen as blindly following the US
 - ♦ The presence of the SDF is also turning Iraqi public opinion against Japan as they are not doing much humanitarian work and seem to be part of the Coalition Forces
 - ♦ But Iraqis in general like Japanese companies and also respect Japan for losing WWII but being able to reconstruct itself so successfully
- Even non-Coalition countries like France or Russia are not safe as 2 French journalists were recently abducted
- It is very hard to maintain neutrality in anyone's eyes once you are involved
- Iraqi nationalism is increasing everyday, and the idea that 'pure Iraqis' rather than exiles should be repaid for the tragedies they have gone through by being to allowed their own countries future is becoming more and more popular

Lecture 2 – Issues of International Aid in Post-Conflict Peace-building: An NGO Perspective

Mr. TAKAHASHI Kiyotaka, Japan International Volunteer Center (JVC)

October 28, 15:00 - 17:00

Mr. Takahashi has been working for JVC for more than 8 years in various capacities. His current responsibilities center around advocacy: lobbying for reform of Japanese ODA, peace-building, and micro-credit programs. He has an MA from Manchester University in Social Anthropology and is currently completing his PHD there.

Part 1: Introduction

- JVC history -
 - ◆ Started in Thailand, to help refugees from the Cambodia conflict
 - ◆ Then moved into Cambodia as well – in the early 1980s, only 15 foreigners were in the country, when JVC sent one volunteer to do work and also transmit information in and out
 - ◆ Some projects dealing with Vietnam repatriation, providing vocational and technical training
 - ◆ Also, became involved Ethiopia, but this was difficult because the government was not willing to negotiate with the ideas of the NGO, so finally JVC withdrew.
 - ◆ Finally, JVC started work in South Africa, North Korea, Palestine, Afghanistan, but activities are limited. Presence is important at least for telling others what is happening in these conflict areas.
- Highlights of JVC today -
 - ◆ Doing 3 things in Palestine related to humanitarian assistance like it did in Cambodia
 - ◆ In Asia they are also doing more long-term development projects
 - ◆ JVC continues to think from local perspective
- Advocacy
 - ◆ Since Japan has a lot of influence as a 'north' country, JVC has also started advocacy by lobbying the government and creating NGO networks internationally to lobby foreign governments to change development policy discourse
 - ◆ More than 50% of JPN ODA is used for construction of large infrastructure
 - ◆ Yet, there are 800 million people in poverty in the world, every 3 seconds a child dies from poverty and every 5 minutes there is an HIV-AIDS related death
 - ◆ ODA should be more directly focused on poverty reduction and human rights

➤ Moving into peace-building -

- ◆ Mr. Takahashi spoke about a conference he attended in Canada in 1999 about peace-building as Canada was looking for partners in its push of peace diplomacy. At the time Japan had very little knowledge or experience in peace building.
- ◆ He was very impressed by the scope of the field, as well as the dialogue that many different groups could have with the Canadian government versus the 'non-dialogue' formal type of communication he always has with government representatives in Japan. In the conference people were talking frankly and discussing important issues.
- ◆ He wanted to bring such dialogue and such a process of consultation to Japan. Moreover, these things are inherently important for any peace-building process. He came back to Japan and reported what he experienced in Canada. At that time the Japanese government also became more involved in peace-building through JICA, MOFA, etc.
- ◆ In Japan and globally, the emergence of NGOs like JVC was important to create many information sources outside the mainstream media, and this ties into NGO advocacy efforts.

Part 2: General Overview of NGOs and Japanese NGOs

- Independent, not self-serving, and not-for-profit
- NGO Activities - Service and Delivery, Mobilizing Resources, Research and Innovation. Human Resources Development, Public Information/Education/Advocacy
- Growth of Japanese NGOs only in the last decade after Kobe earthquake
- Overview of Japanese NGOs (geographically active region, main activities, etc), Financial data, and Government-NGO relations
- Changing legal environment
- Majority of NGOs suffer from financial instability and weak internal governance

Part 2: Some Issues and Lessons from JVC Activities in Palestine

- Outsiders often exacerbate conflict in conflict areas rather than helping through their involvement, by bringing many resources to the situation. They have to be very careful about the distribution and communication so as to not worsen the situation, as everything is political. With JICA, Mr. Takahashi has developed tools to try and avoid such problems.

- Palestine –
 - ◆ JVC had to go leave Iraq as Hussein didn't like them, but they found that the Iraqi and Palestine issues are related. Then they got involved in Palestine.
 - ◆ The conflict in Palestine is multifaceted, and JVS focused on economic issues and the fragmentation of Palestinian territory
 - ◆ The root cause of the conflict can be seen in the drastic inequality of life between the two populations
 - ◆ JVC Activities – Immediate humanitarian aid, Mid-term measures for coping with occupation and closure, Long-term measures to build hope, and Lobbying the Government in Japan to put pressure on the US or Israel (not successful so far)
 - ◆ The speaker discussed the violence in Jenin a few years ago, including through graphics and photos of refugee camps and Bethlehem. Mostly civilians are dieing in Palestine.
 - ◆ He also discussed the prevalence of checkpoints, road-blocks, and security walls.
 - ◆ Neurtality of health care is hardly maintained and often violated - Ambulances are often attacked by tanks, resulting in high humanitarian costs. There was a rally by medical practitioners involving JVC.
 - ◆ Children in Palestine have never experienced peace, so it is important to provide some sort of peace, stability, or hope.
 - ◆ How is children's thinking and psychology influenced by living in such an environment? Many are suffering from post-traumatic stress, and have many associated problems. JVC does not have experts in these areas and cannot provide them, but they organize and fund musical concerts or other events/activities to bring some positive experiences to Palestinian children. JVC also facilitates children to children exchange between Palestinian, Israeli, and Japanese children, for example, through posters.
 - ◆ Lessons learned – conflict-sensitive approach for conflict reduction, community based conflict management, inclusiveness and long-term commitments, address root causes
- People Centered vs. Community Base – actions and initiatives should originate locally. Conflict management capacity must be developed in the local population, organizations, and institutions.
- Micro credit, which the speaker is increasingly involved with, is not a magic bullet.
- NGO should remain part of civil society and public, rather than a private or professional consulting organization

- JVC has begun working with NGO's in China as NGO's there, as well as academics, will have a lot of importance in the future.
- Ideology does not matter so much in being conflict sensitive. More importantly, decisions should be made locally, situation-specific, and community focused.
- Peace-building work is difficult to evaluate because its success is a nonevent

Part 4: Japanese NGOs and Advocacy

- Discussion of NGO size
 - ◆ Changing legal environment for NGOs and non-profits (laws from 1998, 2001, 2002), but still no tax exemption donation mechanism limit NGOs in number, size, and abilities
 - ◆ However, having such a large scale or scope is not so important. Size is not necessarily important for advocacy or influence. There are benefits to small size such as a more democratic decision making process.
 - ◆ Smaller but more numerous NGOs is most important, particularly from the point of view of political and developmental education of the general public
 - ◆ Media matters very much in social attitude towards NGOs, development aid, silent threats (poverty and AIDS), etc., and the Japanese media do not have much access to such issues or do not try to cover such issues to any real extent, and therefore NGOs cannot get enough support
- Aid-worker hostage situation (Iraq) and the effect of SDF involvement in humanitarian work
- Peace-building in Japanese ODA
 - ◆ Ambiguous with no principle of visions
 - ◆ Overall not a good situation in Japan for peace-building (MOFA, JICA and JBIC, NGOs, Media and the public all not interested or confused)
 - ◆ Lack of accountability and transparency
 - ◆ Lack of clear 'peace' vision and policy coherence
 - ◆ Lack of operational tools and guidelines to mainstream 'Conflict Sensitive Approaches'
 - ◆ Lack of capacity and human resources (government should spend more on training Japanese specialists rather than pushing SDF for this work)
- JVC-Japanese government relations (15% of JVC funding from the government)
 - ◆ Have to try work together
- Japan Platform

- What needs to be done?
 - ◆ Policy coherence and unified approach
 - ◆ Take on conflicts directly rather than using ODA and Peace-building for diplomatic ends
 - ◆ Economic issues and women in conflicts
 - ◆ For advocacy, interviews and research are important. Advocacy is important to give policy makers in Japan an idea of what is happening on the ground.
 - ◆ Work with corporations and promote corporate social responsibility

Lecture 3 – National Reconciliation and Peace-building in Cambodia

Dr. Sorpong PEOU, Sophia University

October 30, 14:00 - 16:00

Dr. Peou is Professor of Political Science at Sophia University, and focuses on International Relations, Comparative Politics, Security Studies, and Peace-building. He is Cambodian by birth, lived for four years under the Khmer Rouge regime, and has written well-received books on peacekeeping, peace-building, and on the transition to democratic nationhood in Cambodia. (In addition to the one-page handout authored by Dr. Peou and attached to this report, the participants in this session received a full copy of his report *International Assistance for Institution Building in Post-Conflict Cambodia*, Working Paper 26, Conflict Research Unit, Netherlands Institute for International Relations Clingendael, The Hague, Netherlands, March 2004.)

Part 1: Introduction to the Cambodian Case

- The Cambodian case is interesting because it came at the end of the Cold War and diminishing US involvement. At the time, international (heavy UN and Japanese) involvement was more focused on peace-keeping or stabilization.
- The UN program did a lot of good, but there were many limits of what they could do at the time, in terms of turning war to peace.
 - The main failure was lack of disarmament of the factions, though it was the Khmer Rouge was very responsible for this. There is still disagreement as to why KR did not take part in this process.
 - The political UN work was a success in that 20 parties came together and participated, and also many people voted.
 - There have been a lot of political violence and other irregularities since that time.
 - Transfer of power was also a problem. Power sharing is still a problem.
- How should we understand the process of peace building in Cambodia?
 - In general, peace-building is vague and it difficult to measure results.
 - It is especially difficult for Cambodians to trust each other and disarm and therefore really have peace after experience such long protracted conflicts
 - Peace-building is a liberal process, and so one has to understand the philosophy and ideology behind it, basically originating in Kantian internationalism.
 - Cambodia is now modeled to be a liberal democracy. It was unstable domestically, and conflict spilled over into neighbors. The Khmer Rouge and successive regimes

acted aggressive externally. Therefore, intervention was intended be bring about peace domestically and also internationally.

- ♦ The speaker was recently invited by a Dutch group to look at assessing the peace process. We can never measure peace-building comprehensively, but we can look at some small areas separately - elections, human rights, and media.

Part 2: Assessing Peace-building Through Institutions

➤ Elections

- ♦ How can we measure the success of elections towards peace? Multiparty process, political violence and intimidation, electoral rights, transfer of power, etc.
- ♦ The electoral process has shown progress in each election since 1993. Less violence and intimidation, multiple parties, more peaceful transfers of power though opposing groups are increasingly taking much longer to come to agreement.

➤ Human Rights

- ♦ There has been some progress overall, in absolute terms. There were no HR organizations before. UNTAC instituted a liberal constitution that included HR protections. Now there are more than 40 organizations, including at the state levels (Ministry, Senate, etc). Measures of respect for human rights in Cambodia have improved, based on number of deaths, etc.

➤ Media

- ♦ Media has also become a positive force. The number of journalists killed has declined since 1998. The quality of media as well as the strength of the opposition media have made progress

➤ The Market

- ♦ The market as a measure of peace-building is grossly understudied and we should look at the market based economy donors have tried to build in Cambodia. To what extent has it been a success and how has it impacted other aspects of peace-building?

➤ Peace-building is institution building, and has made progress in all these areas. However, it is a long-term process that can be easily reversed. That is why sustainability matters more than transition, which could be considered the first 10-year period.

➤ How institutionalized are these changes in HR, Media, Elections, etc? The speaker does not agree that democratic consolidation is taking place, as some claim, meaning that the current situation will probably not improve in the near future.

- ♦ Institutionally, these areas are not strong enough that they could not be easily reversed or dismantled. For example, Electoral Administrations and Election Commissions at all level, and involved NGOs as well, are very fragile. They are empty shells, only active when elections come. They are not sustainable, depending on foreign aid for each election. Cambodia cannot actually afford elections, so if donors stop providing assistance for this, as Japan does, democracy would stop.
- ♦ At even a superficial level, HR organizations are also fragile. Only 2 or 3 of the 40 or so odd organizations play any major role. Still, these few rely too much on international aid, are often intimidated and threatened, and are subject to rampant corruption in the system.
- ♦ Media is not sustainable. There are many newspapers, but they are not high quality. The two main papers are in English, one is almost bankrupt, and the other one is owned by someone living in Tokyo, and took huge losses for the for the first 10 years. Papers cannot make any profit, and all news is politicized and supported by partisan groups. TV and radio is controlled by the government except for a very few non-political stations. Attempts to obtain radio licenses by opposition groups are generally rejected, and even those stations who are run by independent groups are often censured or closed if they start to engage in political programming. In general, the media does not have a market.
- ♦ At this rate, Cambodia will perpetually depend on foreign aid and donors.
- Did the Paris Agreement change these institutions?
 - ♦ It had many flaws as the signatories were under pressure, the drafter had limited time, and there was no time for negotiations and explanations. In general, however, the imposition of liberal democracy on a country with no liberal tradition is a process, and can be achieved successfully. These new liberal norms have transformed Cambodia to some degree so far.
- Other countries in the region
 - ♦ Laos and Vietnam are not politically liberal. As in China, market liberalization may not require it. In a country opening up liberally politically, how can the market be created?
 - ♦ For a country that is not willing to accept the market, this recipe of Media, HR, democratic Elections, etc, we cannot expect to do much in terms of peace-building. The big donors in Cambodia have had a lot of leverage to promote the market and in turn peace-building.
 - ♦ Still, the Vietnamese market is more vibrant than in Cambodia.

- ♦ The endemically high level of corruption prevents the market from becoming strong, and prevents foreign or domestic investment.
- There are various forms of corruption that require different remedies –
 - ♦ Corruption by Need
 - ♦ Corruption by Greed
 - ♦ Corruption by System
 - ♦ Corruption in Cambodia has become so systemic, and moreover it is the foundation of and sustains the overall political and economic systems. Rooting it out is not in the interest of any powerful groups at the present time.
 - ♦ Donors should be much more active in rooting out corruption through conditioning their aid or instituting transparent and accountable processes.

Part 3: Future Prospects

- What is the status of national identity in Cambodia?
 - ♦ Cambodia doesn't have any identity crisis. Identity and political structure are distinct things.
- Reconciliation
 - ♦ China has been strongly pushing the CPP and others not to go along with the tribunal, Criminal justice, HR, etc.
 - ♦ Other donor countries like Japan, the US, or UK are also not pushing the Reconciliation and Justice processes or may even be against it
 - ♦ However, in general, the speaker does not see these issues as vital or even relevant for most Cambodians as any International Tribunal would only cover the Khmer Rouge period, which was 30 years ago, and not other periods of the conflicts. Most Cambodians are more concerned with development issues, and especially important is the situation of the large number of youth who will soon be seeking employment that is not there.
- The state is so fragile that Cambodians cannot trust each other. In Europe it took 400-500 years to build the state structure, so the last 10 years in Cambodia has been rather successful. At present, the state is not expected to provide for the society.
 - ♦ Therefore, NGOs and other IGOs are vitally important, in that they have taken over the functions of the state. Human needs and human security issues are being addressed by donors, but donors are also limited in what they can do.
 - ♦ The inability of the state is the main issue, as the extent of need in all areas is great.

- ♦ The gap is widening between rich and poor.
 - ♦ The state is incapable of rooting out corruption.
- Recently many Cambodians are talking about revolution. Evolution or reform is frustrating people. The economy is not doing well - only 1% growth is expected next year.
- How can the issues discussed above be better institutionalized?
- ♦ There is no clear answer now. There is no alternative to the current political system, and it has a potential to go the right way.
 - ♦ But corruption has to be properly dealt with.
 - ♦ Also there needs to be a change in political culture, as Cambodian in general still view the government and political parties as paternal – they expect the political party to support them financially rather than the other way around. Is the electoral system then appropriate? Most Cambodians still don't understand liberal democracy and tend to trust leaders who take a father figure or who can give a strong image. They are still not very trusting of political institutions or parties. Bribery and vote-buying is a major problem as well. Parties have difficulty maintaining loyalty or not splitting up.
 - ♦ However, the state cannot be changed too greatly. It wants to preserve its own power and is conservative. Instead we need to do more with civil society, and try to make it sustainable. The speaker continues to support the change to a liberal democratic system overall.
 - ♦ Balanced Institutional Development at both the state and societal levels is the key to consolidating and spurring the transition to democratic nationhood
 - ♦ International assistance at such balanced institution building was been limited primarily donors have not clearly understood the complexities of this proves, and they have been too lax on local organizations (i.e., Electoral, Human Rights, and Media) in requiring them to formulate their missions and activities so as to prioritize accountability and sustainability.
 - ♦ If NGO are more democratic and transparent, donors will also be more willing. Some donors are already becoming reluctant to be involved in Cambodia.

Lecture 4 – International Involvement in the Cambodia Peace Process

Mr. IMAGAWA Yukio, Former Japanese ambassador to Cambodia

October 30, 16:00 - 18:00

Mr. Imagawa is the Former Japanese Ambassador to Cambodia (1992 – 1996), a Graduate of Waseda University, with experience working in Vietnam and many other countries with the Ministry of Foreign Affairs of Japan. He has also published several books on Cambodia and the Peace Process of which he was part. (Dr. Peou, from the previous session, was also present at this session and interjected several comments and opinions.)

Part 1: Historical Introduction to the Cambodian Conflict

- In return for US support, Lon Nol gave a green light to the US to bombard Cambodian territory during the Vietnam War. Many refugees and displaced people came to Phnom Penh during this time (from a population of 400,000 to 2,000,000). Many new difficulties arose due to this situation.
- Pol Pot is said to have killed 1.7 million, and moreover the rest of the population was subject to very hard forced labor. It was almost impossible to escape. Any escape happened right after collapse of the Khmer Rouge.
- Vietnam did not invade Cambodia. Cambodians invaded South Vietnam 26 times, and did many bad things, then Vietnam defended themselves, according to Hun Sen (current leader of Cambodia who at the time was aligned with and installed by the Vietnamese). In actuality, the Khmer Rouge regime was not strong at all, and Vietnamese easily destroyed them in 10 days or at least all the Khmer Rouge abandoned their mission and escaped to the Cambodian-Thai border area or entered Thailand. Despite expectations by most international players that it would be a protracted war, somehow it only took a month for the Khmer Rouge to completely collapse.
- Civil war, mostly in the border areas continued through 1992. Three factions supported by Japan, the US, China, etc against were fighting against the Vietnamese supported government.
- Big powers were against direct negotiations between the two sides, but CGDK and Hun Sen met in France to settle the dispute where they decided to settle the conflict through political negotiations, and that they would continue the negotiations indefinitely.
- They initiated and continued the peace process by themselves. Both sides were heavily criticized, but went on with it meeting 9 times.
- The Paris Conference took place - the first session was one month in 1989, where 4

factions were represented, including Khmer Rouge related ones. 18 countries including nonaligned countries also joined the Conference. It was the first experience for Japan to be involved in international political conferences about Asia, despite the fact that they were very strong and active in economic conferences or development related areas.

- In 1989, only the third committee (Chaired by Japan and Australia) had success, because the Khmer Rouge was blocking progress overall, but this was not enough.
- From 1990 on, though the Paris Conference was continuing, the P5 (Security Council members) took over. There was some influence from the Cold War thinking. Still, the P5 cooperate amazingly well. They gave a lot of pressure for Cambodians to accept the framework document and draft agreement authored by the P5 representatives and the UN Bureau.
- The 4 major agreements were signed by the 12 members of the Cambodian Supreme National Council and all 18 ministers from the other countries.
- Why were the leaders open to dialogue though they were fighting so much?
 - ◆ They were tired of the conflict.
 - ◆ Dr. Poeu added that the USSR changed its policy in Indochina, and therefore Hun Sen knew he could not get support from the USSR or Vietnam anymore. Hun Sen used this chance to break up the coalition against him, also because his regime was very poor as was his patron – Vietnam - so he needed a way to escape from this deteriorating position.

Part 2: Current State of the Situation

- Leaders in Cambodia always have to fear many other groups in society, and so the tendency to take repressive action is always structurally motivated, more than just a cultural issue. All leaders have been like this there. Some consider Cambodia a mafia state.
- The Cambodian power structure doesn't allow leaders (including Hun Sen who is known as a 'strong man') to act 'properly' towards the opposition. But, the speaker in general sees Hun Sen as the only one capable of keeping the country stable and moving it forward.
- How to change this structure?
 - ◆ The CPP is only getting stronger, so only the donor community can do much.
- Why has China moved aggressively into Cambodia?
 - ◆ Geopolitics - to compete with US.

- ♦ China-Khmer Rouge connections – they remain opposed to the International Tribunals, Human Rights, etc.
- ♦ China-East Asia Community Organization, including a Free Trade Agreement with Cambodia. Chinese presence in Cambodia is much more than Japan, and always looking to support a powerful stable state. Japan did and does so much infrastructure building, but most of the investment has come from China.
- The WTO is more important than ASEAN to Cambodia. Bringing Cambodia into ASEAN was very important primarily for diplomatic stabilization. Regional organizations in Asia are weak. Cambodia is also not part of APEC. The post-cold war division of labor between UN and regional organizations is not working.
- Is Cambodia getting safer?
 - ♦ Yes, they have become open-minded at the grass roots level and can speak freely, but not in the media.
- What is important for reconciliation?
 - ♦ Cambodians are less revengeful than donors, and very forgiving and want to move forward. They have much trauma and probably mistrust each other, but there are no institutions to help this.
 - ♦ People who survived are more important than those who died. Wounds cannot be healed if this issue gets raised again and again.
 - ♦ Peace is more important than justice. There is really no need to destroy the remaining Khmer Rouge or their leaders, let them die. Western policy makers do not like this idea at all, but justice can always only be subjective. Especially in this case there is no clear enemy. Are there ever clear sides in such social conflict?
 - ♦ Criminal justice can work against democracy. Justice will be corrupt in Cambodia, so it will not lead to respect for justice, less corruption, or even more personal trust.
 - ♦ However, different people respond to violence and genocide differently.
 - ♦ People who participated in the Khmer Rouge (by force) have a lot of trauma and are still separated from society. They often cannot live in villages with others.
 - ♦ Dr. Peou mentioned that Hun Sen and many others in government at one time were part of the Khmer Rouge and therefore are very careful in giving support to the tribunal process. The king (and especially the new king) also does not have the power anymore to intervene in or assuage conflicts.
 - ♦ Dr. Peou added that Cambodians in the west, compared to Vietnamese or some other Southeast Asian minority groups, do not get involved in crime of gangs, reflecting that the culture remains peaceful. Though, he added, it is true that once

Cambodians are offended or attacked, they generally seem to react in a much more volatile way than many other cultures and this may be traced back to the conflicts they have experienced.

- Corruption –
 - ◆ Even if corruption is cultural, it can be dealt with through the law.
 - ◆ Creating new centers of power - economic, etc.
- What is the impact of small arms and left over weapons from the DDR process?
- Cambodian experience so far shows that this is not a big issue, but this problem can escalate as poverty gets exacerbated.

Part 3: Possible Lessons for Other Conflict Situations

- The initiative for the peace process has to be taken by the parties themselves or at least they have to be brought into the process carefully and very early on.
- Firm and steady international agreements are required as a base for negotiations.
- The international community, and especially the major powers need to be involved.
- Existence of a unifying figure like Prince Sihanouk in the Cambodian case, can be very important a stabilizing figure.
- The UN or other transitional authority should stay on schedule with the transition to democracy via elections like UNTAC did at the expense of DDR or other parts of the peace process if need be.

Lecture 5 – Media and Conflicts

Mr. James NACHTWEY, Independent Photojournalist

November 4, 13:00 - 15:00

Mr. Nachtwey is an Independent Journalist who is well known for his coverage of wars and conflict situations around the world in the last 20 years as well as for documenting poverty and other social issues like desertification, famine, feeding centers, natural disasters and humanitarian aid in Africa, poverty Indonesia, and most-recently the site of the terrorist attacks in New York City in 2003. This session was open to the regular participants as well as the public, and included the screening of a slide show of Mr. Nachtwey's work.

The Role of Photojournalism in Bringing Attention to Conflicts

- How can we help others? Who should we help?
- Basic purpose of journalism, including photojournalism, is to inform citizens
- It is difficult to decide whether and how to take photos as a journalist or based on personal opinion, but successful reporting requires the reported to be engaged at each instance or event
- Photography helps to make and change public opinion
- In general, it takes time to observe the effects and impact that photos can have on people
- Moreover, human stories described in photographs can influence the decisions of politicians
- These kinds of pictures, once they appear in the society, can make politicians consider whether the decisions that they made were really correct or not.
- The responsibility of the photojournalist or journalist in general is only to document what is happening around them in a way that they think impacts the audience honestly, and at that point their work ends and the public or others are responsible for taking actions to remedy conflicts or other urgent issues brought out in photos.
- Still, most photojournalists, because of their ethical commitment to their work and to others in general, usually go further than only taking photographs and try to materially help the suffering people they document (e.g., Mr. Nachtwey in Indonesia during political violence tried to intervene, photos of famine are almost always taken at feeding centers so that the photographed individuals are not in imminent danger and are even sometimes brought there by journalists with transportation and resources on location).
- Working in a conflict zone requires accepting the possibility of one's own death, and the ability to deal with the stress and fear that accompanies it

➤ Case Study Afghanistan –

- ♦ Afghanistan's situation in 1986 - war between Russia and Afghans caused humanitarian issues, but people of developed countries were not enthusiastic about knowing what was happening in Afghanistan because the American media didn't raise the issue. However, the Americans had obligation to know the real situation in Afghanistan, given their role in global geopolitics.
- ♦ Mr. Nachtwey spent a very long period of time traveling and documenting the Mujahadeen and first brought their situation to the public eye in the West
- ♦ People suffered doubly from poverty and the Taliban regime. The real problem of Afghanistan is that people lived in a state where women were not allowed to hold any sort of employment.
- ♦ The US used the liberation of Afghanistan as a justification for attacking the country. But in reality, they made the situation worse. Their real reason for attacking the country is to eliminate Ben Laden, and not for liberating the Afghan's people. .

➤ Case Study Somalia, Ethiopia, Famine in 1992

- ♦ Caused by the war which destroyed all the agricultural infrastructure
- ♦ Killed much more people than the war itself
- ♦ Photojournalists, especially Mr. Nachtwey, were the first to document the situation and bring it to the attention of the West (Mr. Nachtwey through Time Magazine), after which humanitarian assistance began to flow in

➤ Case Study Indonesia

- ♦ The last 10 years have been marked by rapid social change as the country has begun a process of democratization and economic liberalization
- ♦ This has resulted in much political violence and other social ills like extreme poverty and income inequality
- ♦ Mr. Nachtwey's story on one family living on the railroad tracks in Jakarta elicited so much response from readers as well as monetary donations, that they were able to purchase a house and land for themselves, arrange for all their needs including education, and will have a secure future

Lecture 6 – The Role of NGOs in Peace-building and Conflict Prevention

Ms. ASAKAWA Yoko, JEN

November 11, 10:00 – 13:00

Ms. Asakawa was one of the founding members of JEN 10 years ago, and currently the Deputy General Secretary of JEN.

Part 1: Background of the Speaker and Information on Working for an NGO

- Personal history and discussion of speaker gave what kind of motivation aid workers have.
- NGO's have a mission, which is to help meet the needs of people.
- NGO work can be tiring, disillusioning, or seem useless.
- In reality, many of the NGO workers quit with 2-3 years, often going to the UN (which is very bureaucratic) or other larger organizations.
- Ms. Asakawa urged that it is most important to do the best one can with what is given. For example, in an NGO no one has a definite choice as to exactly what kind of work one can do.
 - ◆ Because NGO workers have to tolerate many things and also often do work they may not like so much, passion, commitment, and a cool head and some amount of emotional stoicism is very important.
 - ◆ One should not get attached too much to the country or place where they are working, as many colleagues do, and forget about the original motivations. NGO workers have to be willing to stay or leave based on the situation or the need of projects rather than personal feelings; they have to remember their personal and organizational commitments and be ready to move on to where the needs are.
 - ◆ NGO's will be aware of who they need and when they need them, so gaining employment much more about timing with NGO's. It is more important that you are always learning as much as you can within your given circumstances to set yourself up for the future.

Part 2: JEN – Background and Experiences

- JEN work in -
 - ◆ Emergency Relief and Rehabilitation Assistance
 - ◆ Conflicts and Natural Disasters

- ♦ Psychological and Economic Self-Reliance Programs
- ♦ Local/Participatory approaches with minimum input from JEN
- Neutrality and NGO Worker Safety
 - ♦ Yugoslavia 1994-1999 – all UN, French, British, US, other organizations were attacked in response to the NATO bombing, but Japanese NGO's were not, and were treated well by the police. Since JEN workers didn't need visa's they could continue to work through the heavy fighting periods.
 - ♦ Iraq – JEN does rehabilitation and school reconstruction. Especially since JEN employs staff from many countries, they see that there is a high risk of being attacked. Only because the staff is French can they continue their work, as it would be too dangerous for Japanese workers to stay given SDF involvement. JEN tries to conceal any information that it is Japanese in Iraq.
- Case Study Yugoslavia - JEN opened 5 offices at the same time to get a more comprehensive view and also to make sure they don't assist only one side and violate their neutrality.
- Case Study Kosovo - Assistance from all over the world was arriving, but in the field one can see the needs and movement of people.
 - ♦ JEN opened 2 new offices to reach people and closely observe who they are and what they need.
 - ♦ If humanitarian aid and assistance is not geographically distributed, it can exacerbate the conflict. Economic support can easily deepen the differences and grievances.
- Case Study Bosnia Herzegovina - Each case and each action is situation specific.
 - ♦ Before the war, identity was not salient, and many people did not want to choose either Serb or Croat/Muslim sides. There were many mixed marriages and other signs of interethnic relations. People never expected at all that the wars would break out, even a year or less before it actually did. Also, people did not want to fight in general.
 - ♦ The media primarily ethnicized the society and the war, and the IEHL forced them to make divisive choices and separate. Then they began to move to separate regions.
 - ♦ The Peace Accord was to decide this line of division - 49% and 51%. It became difficult for people to meet their families and move in general, as it was difficult to cross the border.

- ♦ People would be attacked, stoned, if they had license plates from the other side, though they were fleeing. Now license plates have random numbers and alphabetic letters only, so that no one can know where anyone is from.
 - ♦ After the peace accord, people wanted to see what happened to their house or hometown, and the UN protected the JEN sponsored bus to move people, under the cover of artistic and other competitions for children.
 - ♦ Once there was some opportunity for people to travel, JEN began to initiate some types of economic activities, like beekeeping.
- Case Study Afghanistan - Ownership building for local people is important.
- ♦ Because too much assistance comes suddenly after conflict, and because they have experienced tragedy, people start to become passive and dependant on assistance. This is a major problem that needs to be avoided by having very little foreign staff and a focus on local ownership building.
 - ♦ JEN initiatives start with a school management committee with representatives from many groups, not from the building or architecture itself. The committee discusses and decides everything from design to budget to local contributions. In addition, they take responsibility for building the school, care, and maintenance.
 - ♦ JEN failed the first 2 school projects in Afghanistan, because after building the school, the school master came and asked JEN to keep coming back and fixing things at school. Though JEN signs agreements with Ministry of Education or Local Government that those groups will maintain the school, but often the contract is not kept. Therefore, local ownership building is very important.

Part 3: JEN – Peace-building in Japan

- Japanese NGO's are very poorly funded. People expect them to have a lot of money, but in actuality they do not have much local support.
- JEN usually does a Needs Assessment on location, designs projects, and then gets funding from the UN or other bodies rather than planning and designing projects outside the target country.
- JEN has to do advocacy and media in Japan, and in the last 10 years, people's attitude is improving slowly.
 - ♦ People in post-conflict zones mainly want to prevent others from having to face the same tragedies they have gone through.

- ♦ However, people in Japan and other 'peaceful' countries do not think about or have to feel such extremes in their daily lives and are not sensitive enough to the situation or risk of poor people
 - ♦ Therefore, JEN tries to increase in Japan of important issues from the places they work through lectures and events, newsletters, their homepage, a mail magazine, and sometimes goods sales. This provides some income or flexibility.
 - ♦ No one can remember all the bad things happening in the world all the time, but goods like t-shirts, slippers, books, etc can help people maintain some awareness.
- In general, Issues are international and global, not just isolated in the conflict areas.
- ♦ One part of the mission is to disseminate information and encourage change globally, including in US or Japan. Also, countries like US, Japan, work the world system and get a lot of benefit. They then can give back through one-way aid.
 - ♦ How can a small NGO deal with all the international policy? For example, when NATO started bombing, JEN's work was destroyed. There is a dilemma that NGO workers feel about being too small and powerless against government actions etc. But they believe that small-scale initiatives will eventually effect large-scale change.

Part 4: Discussion - General Lessons for Peace-building

- Building connections in a divided society
- ♦ Psychological care, Psychosocial projects, group counseling, occupational therapy, cross-contact music, arts, classes, etc. are all important for forging cross-community links, but in all projects, it must be kept in mind that psychological and economic self-reliance has to be central.
 - ♦ Even when distributing emergency relief, some people have a very arrogant attitude, or look so tired and frustrated. This has an impact on the people who come to receive the aid. They also have so much difficulty to ask for things, yet the aid distributors may not be sensitive to this.
 - ♦ Multiethnic vocational workshops are more effective and important than psychological workshops for children
 - ♦ We receive information about all refugees from officials, the Red Cross, or neighbors, and then our social and psychological representatives visit everyone to find out how they are doing. Then they may suggest participation in our groups for more traumatized people.

- Sustainability of emergency relief activities –
 - ◆ Earthquake in Kutch, Gujarat, India - JEN promoted a house made tent made from clothes to serve as a medium term solution to the housing problem. Also the tents were taller than normal to accommodate heat in the summer, and to be rainproof.
 - ◆ Have to be very careful not to give too much or too little assistance. This affects future sustainability.
 - ◆ It is important to think about how people lived before a conflict and after a conflict.
 - ◆ Ownership is more important than income generation in many cases. Often people have money, or at least the resources to do what they want, but they do not have the willingness.
- Taking committed, loyal, and passionate local staff is more important than specific skills. We are ready to explain and share things to them to help them build their skills.
- JEN tries to have an ethnically or otherwise balanced staff in post-conflict situations and have several offices to reach the different groups.

Lecture 7 – Issues of Peace-building DDR Projects: Cases of Afghanistan and East Timor

Mr. TANAKA Hiroto, International Development Center of Japan

November 18, 10:00 - 13:00

Mr. Tanaka has an MA from the School of Oriental and Asian Studies in London in International Development Studies. He has worked with Save the Children, the World Food Program, and DDR in Afghanistan under the Aegis of the Japanese Government. He accompanied the group on their field visit to East Timor.

Part 1: Basics of DDR

- DDR (Disarmament, Demobilization, and Reintegration) is a relatively new concept, and every PKO mission nowadays has some DDR component
- What is DDR?
- The UN is very active in DDR, and recently other organizations like the IOM and World Bank are becoming more involved in this (the World Bank especially in Reintegration).
- DDR within the framework of Security Sector Reform (SSR), usually under the Ministry of Defense(as in Afghanistan)
- DRR is difficult because it takes political commitments to start
 - ◆ Cambodia took 7 years to begin
 - ◆ Also, if there is not good Reintegration (as in Zimbabwe), DDR will have many problems
- Issues with DDR
 - ◆ Disarmament - Weapons rations are different for each place, for example Afghanistan has so many small arms. Small arms are actually difficult to deal with because of number, small size, links to culture, etc. Heavy weapons seem easier as they cannot be hidden and once there is political agreement, they will be turned in.
 - ◆ Demobilization - Many of the larger corps in Afghanistan are hard to change or influence without incentives. After Demobilization, each person usually gets an ID that certifies him as a civilian, as well as benefits from the reintegration program, but in Afghanistan soldiers were given medals, praised, and allowed to march to dignify themselves in their communities or to acknowledge their sacrifice.
 - ◆ The activities and benefits cannot be limited to only soldiers. Other populations also have to be assisted to build peace and prevent conflict, or other problems will come in the society in the future.

- ♦ Ex-combatants will become a social threat, crime, etc, if they are not given employment for income and to keep them busy.
- ♦ Reintegration can be seen as 2-stage process - 1) Reinsertion (short term move to civilian life, cash assistance, clothing, tools) as a stop gap measure, and 2) Reintegration (longer term, more development aspects) including rural development, and capacity building
- DDR is important because it transforms a society from war to peace. DDR means the society is becoming a peaceful country by reducing the role of soldiers.
- What is the average length of DRR? Normally 2-3 years. East Timor was too short - only one year.
- Iraq is still too unsure a situation, but the UN or PKO can also manage it if the Ministry of Defense is lacking legitimacy or credibility. In some cases, like in Africa, a separate national commission can be established to take care of it - NCDDR National Council or Committee. The set up differs from case to case.
- DDR and Justice - too difficult to start justice or war crimes processes when DDR is not completed, but in Afghanistan the UN and Scandinavian Countries are pushing to do both simultaneously.

Part 2: DDR in Afghanistan

- Afghanistan New Beginnings Program (ANBP) – destruction of warlords and strengthening of central government
- Background of the Afghanistan conflict
 - ♦ Northern Alliance was a loose collection of various warlord-headed groups organized to fight the Taliban that controlled 10% of the country before the US came in.
- Bonn Agreement is not a peace agreement, and was brokered by Brahimi even though it could not include DDR wording as the Northern Alliance would have never agreed to it. People often claim this non-inclusion was a mistake and has handicapped the Bonn Agreement very badly.
- Normally substantial DDR comes before elections and development, as security is a prerequisite for these.
- In Afghanistan however, this was not followed, and in the recent disappearing of 3 election related international workers and the fact that Karzai's government is still limited, and he is jokingly called 'the Mayor of Kabul' as he is not at all safe outside the capital, we can see the consequences.

- The goal in Afghanistan is to complete DDR in 3 years with a budget of \$45 million for 2 years (major donors are Japan, UK, and Canada)
- One of the purposes is to politically divide militias from warlords, and the first presidential election was postponed because DDR had not progressed enough.
- It was agreed that with warlords and commanders that 40,000 were supposed to be DD before the election. But only recently, and only half of this amount, has been completed (after the elections).
- In Afghanistan for reinsertion purposes, ex-combatants were given \$100 cash, food, agricultural starter kits, etc. when they turned in weapons and demobilized.
 - ◆ The focus is on development and not entitlement, self-reliance through long-term assistance.
 - ◆ Profiles of past soldiers vary widely - for example, education, skills, family situation, etc.
- DDR Programs Details (slides 16 –19 of accompanying presentation)
 - ◆ Warlords decide how many combatants to DDR and provide lists which have to be verified by RVC consisting of community leaders, military, etc. and observed by IOG (Japanese and German representatives)
 - ◆ Disarmament by MOD vs. weapons collection by ANBP
 - ◆ Ex-combatants get educated about DDR, mines (10 million mines and UXO's in Afghanistan), and their responsibilities to the program, have an interview to determine their skills and training, have a Reintegration Consultation to discuss employment opportunities, and receive their benefits (clothes, money, etc.)
 - ◆ Ex-combatant returns after several weeks with decision about future
 - ◆ Reintegration interim support for 2-4 months where ex-combatants can work in the World Bank NEED Program as a manual laborer if they cannot succeed in finding employment on their own
- Problems of DDR in Afghanistan
 - ◆ Warlords clam 2 million soldiers for DDR benefits, but actual figure is closer to 10,000-12,000 right before fall of Taliban (this does not include Taliban who dissipated after the war and do not get any DDR benefits. This 2 million may include all who fought against soviets, and so 100,000 was agreed on as the final number to match DDR with the actual need.
 - ◆ Many of these 100,000 are farmers and had to actually dress up as soldiers again to receive DDR benefits.
 - ◆ No tangible benefit for warlords.

- ♦ Cultural and social issues – many guns, history of conflict, ethnically divided population
 - ♦ Lack of coercive power (no PKO, delay in creating Afghan army – 10,000 trained to date) and US recruitment of soldiers for ‘War on Terror’ slows DDR process
 - ♦ Political delays on Agreements on number, allocation, area, and delayed MOD reform (Ministries divided by ethnic group, MOD Tajiks are only disarming other ethnic groups)
 - ♦ Reintegration delayed due to lagged agreement on information collection activities (prerequisite to DDR) and on who will be demobilized, and lack of government capacity to maintain reintegration programs
 - ♦ Exclusion of WOT Campaign Areas
 - ♦ Fragile Security feeds back into lack of economic development, leading to no employment opportunities for ex-combatants
- **DDR Needs in Afghanistan**
- ♦ Comprehensive and coordinated approach between police, law, army, international involvement, and development assistance
 - ♦ Disarmament enforcement capacity and small-arms collection
 - ♦ Extension of peace-keeping forces
 - ♦ Reconciliation and Prosecution of War Crimes
- **Implications of Failed/Delayed DDR**
- ♦ Low number of DDR soldiers, some powerful warlords not participating (Fahim, Ismail Khan)
 - ♦ Delay in peace process overall and national elections
 - ♦ Future of DDR and security is unclear
 - ♦ Al Qaeda in Iraq may come back to Afghanistan

Part 3: DDR in East Timor

- **FALINTIL Reinsertion Assistance Project (FRAP) – 1,050 Guerrilla Fighters reintegrated into civil society with 5250 family members, another 650 FALINTIL members chosen to join New East Timor 1,750-person Army**
- **Implemented by IOM in one year**
- **Lessons –**
- ♦ Civilians resented preferential treatment for small number of ex-combatants
 - ♦ Some combatants didn't join

- UNDP RESPECT Program and FRAP 1, FRAP 2, and FRAP 3 Details
 - ◆ Communities will select the beneficiaries by themselves according identified vulnerable populations (ex-combatants, disable, widows, orphans, unemployed youth, etc.)
 - ◆ Communities will also initiate micro-projects
 - ◆ Agricultural Development and Reforestation
 - ◆ Infrastructure Rehabilitation
 - ◆ Vocational Training and Micro-enterprises

Part 4: Preparation for East Timor Field Visit

- Methodology Issues
- Special Care for Post-conflict Peace-building
 - ◆ Do No Harm approach
 - ◆ Conflict Prevention Lens approach
- Advice and Feedback on Questionnaires

Lecture 8 – Research Methods in Conflict Areas

Mr. TSUKAMOTO Toshiya, International Development Center of Japan

December 2, 10:00 - 13:00

Mr. Tsukamoto is a Japanese national who spent his childhood in Brazil, did his postgraduate work in Public Health, specializing on HIV-AIDS, in Thailand. He has field experience in Nepal, Africa, Kosovo, and many other countries working in emergency relief and post-conflict peace-building. He has raised close to \$25 mm from various donors in the last 20 years for such projects. He will be organizing and leading the field visit to East Timor, where he is head of the IDCJ office.

Part 1: Introduction and General Remarks on Field Experience in East Timor

- How can one research/gather information in post-conflict settings?
- Introduced the topic of Ex-combatants in East Timor (showed photos and gave information)
 - ◆ Ex-combatants have been defined by the government as those with more than 9 years of fighting experience – this includes 300 soldiers (15 women).
 - ◆ Laid out the research plan for East Timor, including introduction of local facilitators, translators, etc. and other possible activities the group will do there and people they will meet (including representatives from the Jakarta side like a member of a Ministry who went to East Timor 25 years ago to work on humanitarian assistance)
 - ◆ Also mentioned some preparations the participants to the field visit need to consider such as mine awareness and psychological preparedness
 - ◆ East Timor and Indonesia understand the conflict very differently
 - ◆ Students burned the government office in East Timor 2 years ago
- Local knowledge is most important for researching and working in a post-conflict situation
 - ◆ Information obtained and used by Japanese organizations is always too old and too late; usually the US and Australian embassies keep much more current and disseminate important information to organizations they in contact with by fax
 - ◆ Check the security status of areas to be visited daily and immediately before going
- Knowledge of the local social structure is very important
 - ◆ For political issues, as can be seen from the conflicts that arose when UNTAET introduced a plan for governmental structure directly borrowed from UN work in Kosovo, without consulting local leaders

- ♦ For economic issues, the Governor of Dili has remarked that the UN doesn't know about Asia because there was no market-building until a local governor was installed
 - The UN or other outsiders have to at least pick the right person for the job
- International groups should participate in all local conferences, but Japanese organizations and especially NGOs often do not
- Discussion of Aid Worker stress
- Rehabilitation and Development vs. Conflict Prevention
- Research should be focused on implementation, needs assessment, and real consequences

Part 2: Needs Assessment from a Practical and Research Perspective

- Community Needs Analysis is very important for
 - ♦ Proposals and grant-writing/fund-raising
 - ♦ For defining projects that are sensitive and not harmful to local needs
- Other approaches are also important for successful post-conflict research/ work -
 - ♦ Rapid Needs Assessment Programming
 - ♦ Project Cycle Management
- Needs Assessment should be approached from an explanatory perspective
- Qualitative research is very difficult but seen as increasingly important in conflict areas and in dealing with conflict issues.
- Good Needs Assessment leads to good research design and good questions, and eventually to good projects and results.
- As a researcher, one has to make sure to be careful about how his/her activities affect the local population –
 - ♦ Be careful about giving handouts, fostering dependency
 - ♦ Be aware of the relationship you have as a research with local people and this will influence what they will talk to you about and therefore what you will learn
 - ♦ Individual vs. group vs. focus group interviews
 - ♦ Interview as intervention?
 - ♦ Possibility of using a screening committee within the university/sponsoring organization to screen the research methodology, approach, and questions of the researcher

(Please refer to the two handouts authored by Mr. Tsukamoto that are attached to this report for more details, as the rest of the session followed these very closely.)

Lecture 9 – Security Theory and Frameworks of Conflict Prevention

Dr. ITO Go, Meiji University

December 9, 10:00 - 13:00

Dr. Ito's research focuses on the Sino-American-Japanese Triangle, and Security in the East Asian Region He is a Lecturer at Meiji University and also teaches International Security at Waseda University in Tokyo, Japan.

Part 1: Introduction

- Theoretical Conceptions in International Security
- How has International Security changed through time?
- Traditionally the Japanese conception of security presumes
 - ◆ Small states (not today's welfare state)
 - ◆ Few actors in the international space (not considering the UN, NGOs, etc)
 - ◆ No real collective, common, or international security
- What is the new role of the UN after the end of the Cold War?
- Internationally there has been a shift from national defense to common security, environmental security, etc. in the recent past
- There are now multiple actors and multiple issues, threats have become more and more indefinite, and rather than a clear enemy, there is a now just a threat
- The basic concept of Security Studies is to deal with threats, which never completely disappear
- Main questions –
 - ◆ What kinds of security policy are different countries following?
 - ◆ What Security Policy can make the international arena safe?

Part 2: Main Lecture

- Two options for Security Policy
 - ◆ Peace with no arms (typically Japanese idea, solution, especially after WWII) - but this is unilateral, therefore not effective (look at the situation when Japan abandoned it – WW II)
 - ◆ Peace with arms, but what about the security dilemma?
- Alliances - Balance of Power vs. Bandwagoning Behavior

- Tradition Japanese alliance policy is bandwagoning behavior (join the UK, US, etc.) to maintain their own security
 - Alliance Dilemma
- War is usually started by only a few countries; therefore, collective security says that the other countries of the UN can prevent such conflicts by obtaining the initiators' agreement or at least containing the conflict
 - Collective Security
 - ♦ Was there Collective Security during the cold war? No, especially given veto power of the P5 of the Security Council
- Common Security is the second option, created by former Prime Minister Palme of Sweden
 - ♦ Grew out of security Swedish security concerns over conflicts between Eastern Europe and Western Europe, and between East and West
 - ♦ Argument: 'If war occurs, we will all be destroyed' (as Europe was in the middle of the war zone) and therefore have to work towards Common Security or shared security
- Third option, created 10-15 years ago, Cooperative Security
 - ♦ Somewhat naive idea from realist point of view
 - ♦ Negotiation for peace and for stability
 - ♦ Regular meetings to get together and discuss problems/issues (e.g., OSCE, Asian Security Region, etc.), but no coercive power, no institutional method to stop war
- Crisis Management Policy - move towards negotiation and stability rather than towards war – and Coercive Diplomacy, both created by Alexander George (Stanford University)
- Arms Control
 - ♦ Disarmament (peace) vs. War with International Law (assumes war is inevitable)
 - ♦ Hague Peace Conference 1907
 - ♦ Arms Control is between peacetime and wartime or emergency
- Preventative diplomacy
 - ♦ Successful case – Macedonia
 - ♦ But many failures, and in general it is hard to judge if it is contributing to safety and security or not
- Regional Security in East Asia
 - ♦ Different models of power and alliance relationships between US, Japan, Republic of Korea, People's Republic of China, and Republic of China,
 - ♦ US-Japan vs. US-ROK and US-China

- ♦ US strategic ambiguity on PRC-ROC conflict (1954, 1978, 1996)
- ♦ Institutionalization – KEDO and 6-Party Talks
- US military transformations
 - ♦ Effects on international security
 - ♦ Effects on US-Japan alliance, and East Asian Regional Security

Lecture 10 – The UN, International Law, and International Conflicts

Prof. MOGAMI Toshiki, International Christian University

December 9, 16:00 – 18:30

Prof. Mogami is a well-known scholar and professor of International Law and International Organizations at the International Christian University (ICU) in Japan.

Part 1: The UN System - Conflict Suppression instead of Conflict Prevention

- The international system has been weakening
- History of the United Nations
 - ◆ League of Nations (LoN) was unable to prevent aggression as can be seen by the World War, and did not therefore meet the expectations of its founders
 - ◆ Preparations for the establishment of the UN while WWII was still ongoing
 - ◆ Some bureaucrats in the US State Department were eager about forming a peace organization as early as 1941
 - ◆ US was not a member of the LoN, and Roosevelt was pushing the idea of '4 Global Policeman' (US, UK, USSR, and China)
 - ◆ Meetings in 1943, 1944 at Dumbarton Oaks (outside of Washington DC) involved the UK, USSR, and China
 - ◆ China was included to represent Asia and as it was resisting Japanese aggression
 - ◆ By June 1945 in San Francisco, 50 countries were involved
- Conceptions of 'security'
 - ◆ At the founding of the United Nations, focused on defense from aggression, specifically carried out by Germany, Japan, Italy, etc.
 - ◆ Main message at the time - 'if one nation or group of nations engages in aggression, the entire world will strike back at it' - Collective Security
 - ◆ But because this was really only to repel Germany, Japan, and Italy, it was an outdated framework even at the time it was first established
 - ◆ Much broader today
- UN Charter
 - ◆ Drafters did not pay much attention to peaceful settlement of disputes
 - ◆ Focused on forceful means of intervention (e.g. sanction, use of force) despite the fact that there are many steps of diplomacy and action that can come before these
 - ◆ Does not seem to have anticipated that any of the main five powers may commit aggression, and moreover, the charter almost presupposes that the five big

members are free to engage in any type of war they like

- ♦ Included plans for UN Armed Forces, of which Chapter VII can be seen as a nucleus
- ♦ Chapter VI on 'Peaceful Settlement of Disputes' was always secondary, and only lesser powers are given to either the Security Council or the General Assembly (e.g., only non-binding actions can be taken in terms of peaceful settlement, with very little enforcement provisions, no recourse to the ICJ, does not obligate the Security Council to investigate)

→ In fact, international disputes are usually very ambiguous or disputed.

- ♦ The Charter was drafted with a large imbalance *and* gap between Chapter VI and VII
- ♦ Therefore in the end, the role of the UN in fighting aggression never really materialized, and the UN seems insufficient in securing the security of the world.
- ♦ Some may claim that the UN legally can fight aggressors, but this is too simplistic a view. This is especially true in the Post-WWII world, where the major aggressors were the US and USSR, so the UN could not do much about concerning security.

➤ Calls for UN Reform

- ♦ Since the early 1980's there have been calls for reform to make the UN system work better.
- ♦ Many studies and resolutions passed in the General Assembly concerning reform, and there a handbook of 'Peaceful Settlements of International Disputes' was published.
- ♦ Increasing awareness and clear recognition of the limits of forceful resolution of conflict
- ♦ This continued to 1990, until the Gulf War, when such progress this collapsed - the strong support for repelling Iraq was ironic, given all the instances of international aggression that predated it.
- ♦ There was excitement to see the Gulf War as a 'just war' and see the first just war take place. The peaceful settlement of disputes was forgotten.
- ♦ Was this a 'just' war? Questionable.
- ♦ Suppression vs. Prevention (peaceful settlement)?

➤ The Gulf War, the Nature of Conflicts, and Collective Security

- ♦ Conflicts are not easy, have to be considered case by case, and they have to be unknotted and untangled

- ♦ However, since the Gulf War people (including policy makers) have come to believe or behave as though conflicts are easy to resolve if we can just decide which side is good and which is bad, rather than facing the reality of conflict.
- ♦ Gulf war destroyed the culture of patience and tolerance about conflicts, which are usually delicate and complicated.
- ♦ Did the gulf war revive the collective security system? No.
- ♦ Collective security, in addition to punishing 'bad' aggressors, depends on multilateralism - the use of force should be decided and undertaken jointly by the international community, not unilaterally. Also, the use of force should be governed by the international community, not be at the discretion of specific groups.
- ♦ After the Gulf War, the big powers began to disregard multilateralism in use of force.
- ♦ People began to resort to the concept of 'just war', and the approval of the Security Council has become less and less important.

Part 2: Regulating the Threat and Use of Force

➤ The Foundation

- ♦ Article 2 Chapter IV of the UN Charter is the real foundation of the post-war security system
- ♦ Before the LoN, war was legal as a last resort to solve international disputes, but in general the security system was based on a lack of international law.
- ♦ With the founding of the LoN, certain categories of war were made illegal.
- ♦ Later, some treaties and pacts made almost all wars illegal, but states had the idea to resort to war, but just not call it war, which was the major defect of the Paris Pact
- ♦ To prohibit those acts broader than just war, the term 'use of force' was created.
- ♦ Formally, the UN Charter prohibits many uses of force, and threat of force is also prohibited, with the only exception of self-defense.
- ♦ But, in reality everything has been called self-defense. For example, the Vietnam War was justified as war of self-defense, as well as Israel's bombing of Iraqi facilities (self-defense against a nuclear threat).

➤ Calls for Reform

- ♦ The US, along with others, wants to broaden this concept, for example, for protecting nationals abroad. Some argue this is already justified under self-defense, others argue that this is a special right in itself. Others argue this is not legal: Given Article 2-4, unilateral force should not be so easy to do - therefore it should at

least require UN or Security Council approval.

- ♦ Examples of Protecting Nationals - US in Grenada, Israel in Uganda
- ♦ Use of force for Humanitarian Intervention (though at the time it may not have been interpreted this way) - India in East Pakistan (Bangladesh) in 1971; Vietnam in Cambodia 1978 (against Pol Pot); Tanzania in Uganda in 1971 (to help the citizens against the government); the US, the UK and France in Iraq in 1991 to help the Kurds; and NATO in Yugoslavia (Serbia and Montenegro) in 1999 (many casualties of innocent civilians)
- ♦ Use of force to save democracy, sometimes used by US (Panama in 1982, Grenada in 1983) but there is very limited international support for this pretext
- ♦ Use of force for preemptive attack to counteract rogue states – only case justified like this, Iraq 2003, and this is highly unjustifiable from an International Law perspective. However, it seems that Condoleeza Rice will continue pushing the formula she invented last year – states should not use this right for aggression, but the US can use force to preemptively attack rogue states threatening US security. It is unilateral and discretionary, and is seldom permitted in the world today. Who decides that the security threat exists, and the extent to which force can be used? How can security be maintained if this right is implemented? Only the UK and Japan seem support this new right.

Part 3: Strengthening the International Security System

➤ Refurbish the UN-International Law System

- ♦ Reaffirm Article 2-4
- ♦ Since the Gulf War, bypassing the Security Council is becoming more and more common.
- ♦ Notion of 'just war' has been revived and nations face helplessness in the face of a threat or use of force by a superpower.
- ♦ Clarify justifiable uses of force
- ♦ Build a global police force and strengthen the global judiciary - ICJ and ICC

➤ Security vs. Law

- ♦ The operations in Yugoslavia breached basic international humanitarian law – attacks on innocent civilians or non-military targets, torture or suppression of prisoners of war.
- ♦ If we keep violating law, security will be weakened, as has been seen in the history of humankind. Therefore, we need to abide by the rule of law, not the rule of power.

Iraq War and post-war conflicts in Iraq

Keiko SAKAI

Institute of Developing Economies

<Notions on Iraq War and Occupation/Liberation forces in Iraq>

1. Do you think that military attack against Iraq was right thing to do? Yes/No

If yes, What is the reason that you believe so?

- (1) Because Iraqi regime was believed to possess the WMD, or to have a contact with Bin Laden and other "terrorists"
- (2) Because Iraqi regime was oppressive and inhuman to its nationals
- (3) other reasons

If no,

- (1) War was wrong but it was good to have the dictator removed from the seat of power
- (2) War was wrong and it was better that Saddam remained in the same ruling position
- (3) other reasons

2. How many percentage do you think of the Iraqi people believe that the War was right thing? (in July 2003)

- (1) less than 10% (2) 10-29% (3) 30-49% (4) 50-69% (5) more than 70%

Do you think this figure increased or decreased after one year? To which extent?

3. What do you think is the real reason that the US and UK launched the military operation?

- (1) Because they really believed that Iraq was a serious threat to the US
- (2) To bring democracy to Iraq
- (3) To help and support Israeli's policy in the Middle East
- (4) To monopolize the oil production in Iraq

Impact of 9-11 and Bin Laden / Neo-cons / financial support from US to Israel: total \$ 80 billion until the end of 90s/ Iraq: third biggest oil reserves in the world

What do you think the Iraqi people think was the reason for the War?

4. What percentage do you think of the Iraqi people trust the Coalition Forces?

- (1) less than 10% (2) 10-30% (3) 30-50% (4) 50-70% (5) more than 70%

What percentage do you think of the Iraqi people trust the UN? Why?

Who do you think the Iraqis trust most?

5. How many of them do you think insist that the Coalition should leave Iraq immediately? (a year ago / now)

- (1) less than 10% (2) 10-30% (3) 30-50% (4) 50-70% (5) more than 70%

"Get out of here!"; Where is "here"?

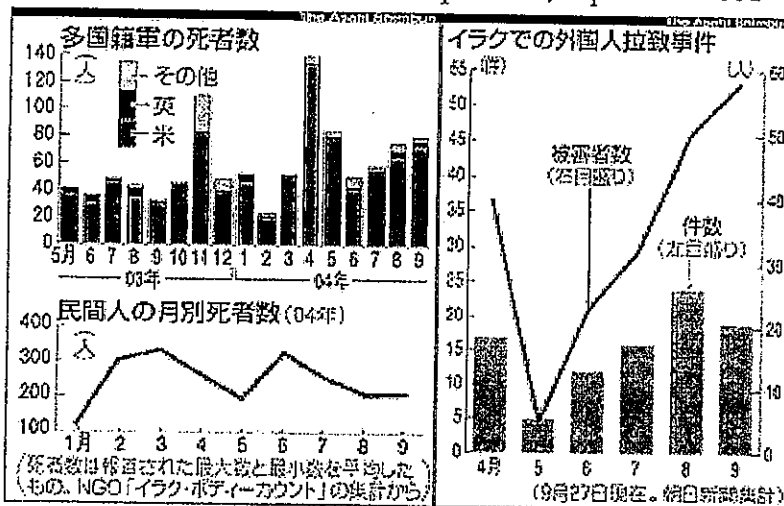
- CPA Order No.2 (23 May 2003): Dissolution of Iraqi Armed Forces, Ministry of Defence, Ministry of Information, Security and Intelligence organizations
- Old Iraqi Army under Saddam's regime: a million soldiers in 1990/ 400,000 in 2003

Why Iraqis cannot trust the US/UK forces, even though they realize they have to depend on them?

Security for themselves/ skeptical for Iraqis/ lack of communication and knowledge

<Security Situation in post-war Iraq>

Violence increase in: Nov. 2003, April 2004, September 2004



Left: Casualties of Coalition forces(top) and of Iraqi civilians (below)

Right: numbers of the foreigners abducted in Iraq (persons and cases)

(from Asahi Newspaper, middle of September)

6. What do you think is the main reason for the lack of security in Iraq?

- (1) International anti-American terrorists (similar to al-Qaida) are active in Iraq
- (2) Some Iraqis want to revive the Saddam's regime (especially Sunnis)
- (3) There are sectarian and ethnic conflicts in Iraq
- (4) Historically Iraqis hates Americans and the other westerners
- (5) Iraqi Islamic extremists / militants are emerging
- (6) There are gangs and criminals
- (7) Other reasons

Uprisings of the dispossessed

- Economically excluded: unemployment / market economy/ gap between rich and poor
- Politically excluded: local guerillas (since 80s)= Islamists, and some tribal groups
 ←→ Iraqis in exiles dominate the present political positions

Islamists/ tribal groups possess:

- 1) wide popular support as they fought and survived Saddam's oppression
- 2) knowledge to deal with the distorted post-war society: mobilizing the traditional social networks/vigilante corps/ financial support/ offering norms, orders, and morals
→ religious and tribal groups established their autonomy in certain areas

Example 1: al-Sadr group in Najaf and other Shiites cities

exclusive autonomy in Najaf based on Islamic rule (April 04) → clash with the US army
→ mediation by the local notables + fatwa from the religious authorities → truce → consolidating its autonomy → transfer of the power to Iraqi government (end of June)/ introducing the new Iraq police and army + foreign troops → clash again → military stalemate → mediation by the Shiites politicians + order from the religious authorities → truce = strengthening the power of Shiites religious authorities

Example 2: The case of Falluja:

Where is the Sunni Triangle?

When Falluja turned to be a center for anti-American activities? And Why?

incident by the US army (April 03) → popular resistance + International terrorists(?) → US massive attack → kidnapping the foreigners → mediation in April → truce: deployment of the local forces → cancel the local forces → US attack again (2004. 8-9) → mediations fail

No decisive intermediary from the Sunni religious/ political circles: no specific pyramid-like religious authority in Sunni society (cf. Muslim Ulema Council)

Election in next January? : impossible to implement it all over the country

Election without Sunni area? Postpone the election?

What can the International Society can do? What do Iraqi people really want?

Financial and economic support:

Who formulates the programme for reconstruction?

- (1) Iraqi technocrats
- (2) New Iraqi government consisted mainly from returnees
- (3) UN
- (4) US and its coalition countries?

What percentage of appropriated amount for the reconstruction has been spent so far?

73% of the total were spent for security and insurance

Political support: Democratization= Westernization vs Islamic value?

What kind of the government do the Iraqis need most?

- (1) democracy
- (2) strong leadership
- (3) with technocrats
- (4) led by religious authorities

<Conclusion>

How can the International Society interfere the domestic politics of the sovereign state?

= Issue of "intervention on the humanitarian ground" / human security

To what extent international / regional powers can interfere on the humanitarian issue of a certain sovereign state?

oppression/ violation of human rights / massacre of the people/ mass exodus / civil war

Help? or interference in the domestic affairs?

Additional issues for discussion:

1. US-Arab relations

How do we understand the recent strong anti-Americanism among the Arab/ Muslim people?

When the US became the political opponent of the Arab regimes?

(1) after the WWII (2) in the 1950s (3) in the 60s (4) in the 70s

(5) in the 80s (6) after the Gulf War

Traditional US policy on the Middle East

(1) secure the presence of state of Israel (2) secure the oil supply from the oil producing countries (3) prevent the expansion of the Soviet Union

Situation changed in 1979-80:

1) Iranian revolution = emergence of the anti-American Islamic regime → anti-Islamic socialist regime is relatively better than (Shiite) Islamic regime

2) Soviet invasion against Afghanistan: communist regime is worse than (Sunni) Islamic resistance

2. Lack of democratic system in the Arab states

Can Arab states democratize their regimes by themselves? What is the reason that they have failed to do so until now?

For Further Reading:

Jabar, Faleh Abdul [2003] *The Shi'ite Movement in Iraq*, London: Saqi Books.

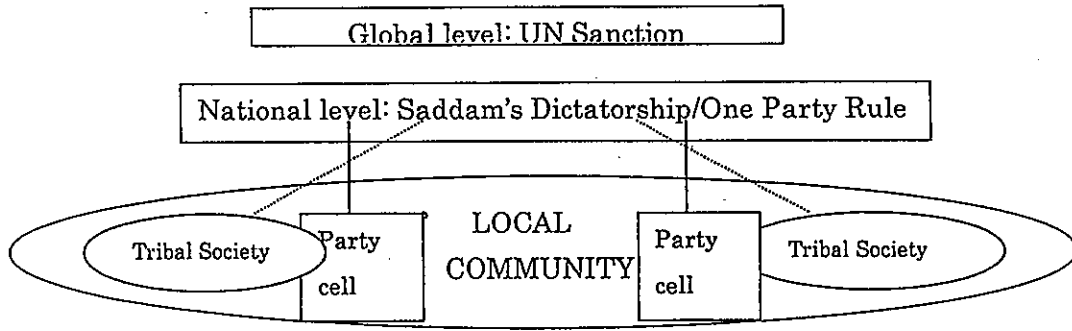
Makiya, Kanan [1993] *Cruelty and Silence: War, Tyranny, Uprising and the Arab World*, New York: Penguin Books.

Tripp, Charles [2000] *A History of Iraq*, Cambridge: Cambridge University Press

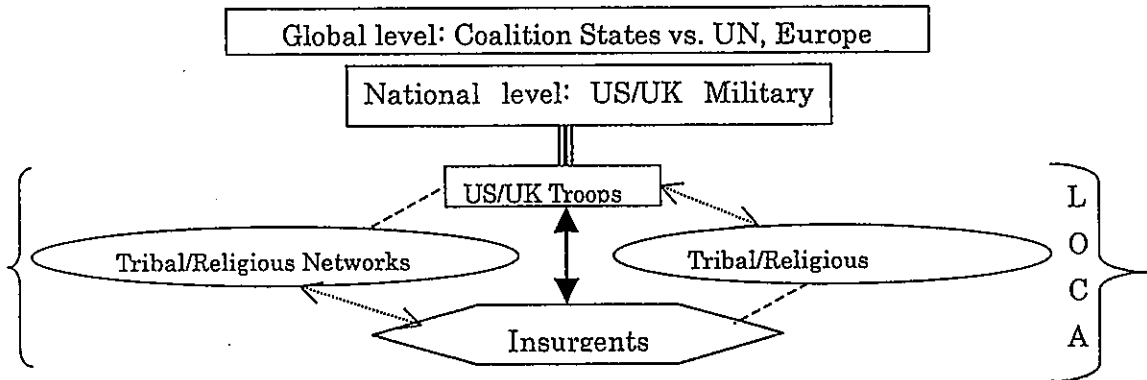
Graham-Brown, Sarah [1999] *Sanctioning Saddam: the Politics of Intervention in Iraq*, London and New York: I. B. Tauris

Batatu, Hanna [1978] *The Old Social Classes and the Revolutionary Movements of Iraq*, Princeton: Princeton University Press

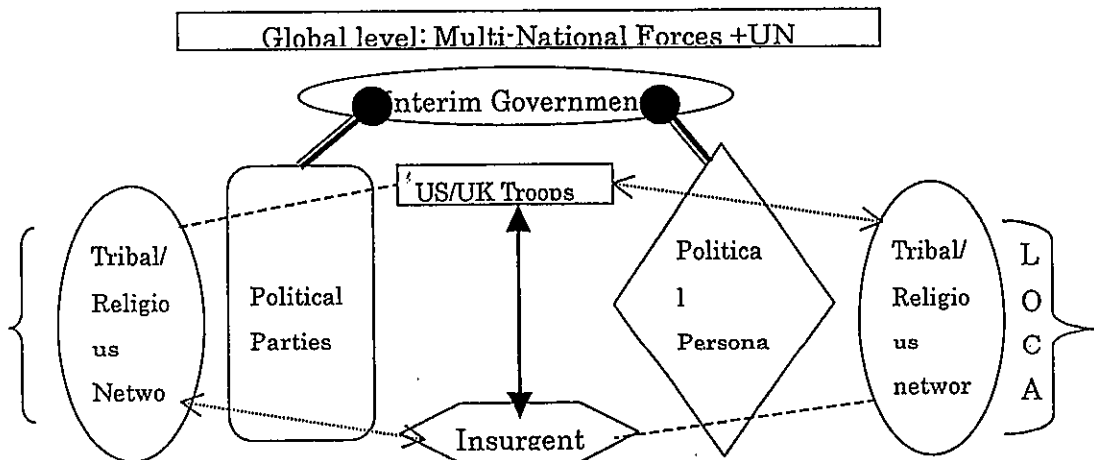
PRE-WAR STRUCTURE



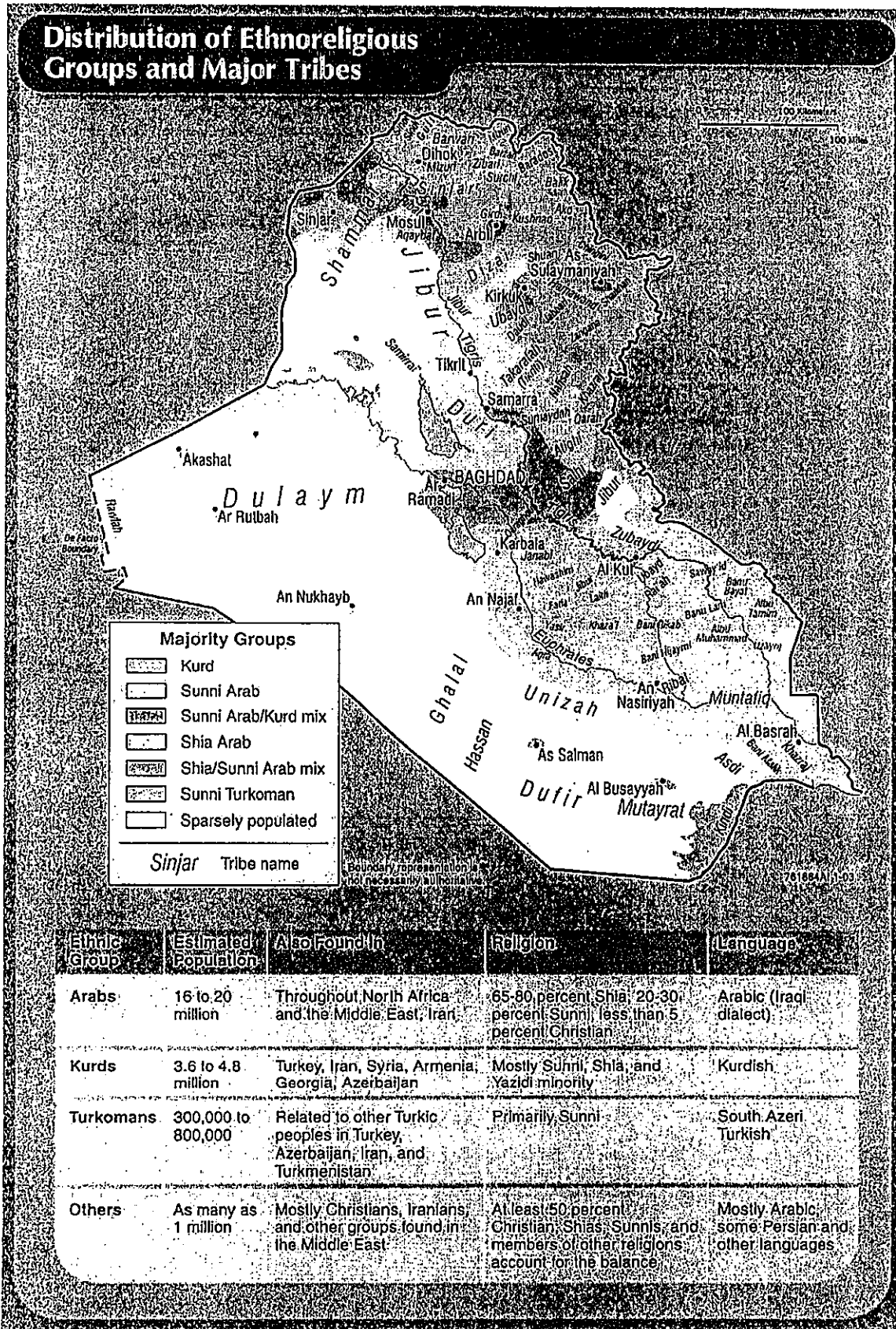
POST-WAR STRUCTURE 1



POST-WAR STRUCTURE 2



Distribution of Ethnoreligious Groups and Major Tribes



Roles of Japan's Aid for Post-Conflict Peacebuilding:
A perspective of a Japanese NGO

Kiyotaka Takahashi
Japan International Volunteer Center

The Spectrum of NGO activities

- Service and delivery
- Mobilizing resources (human, financial and/or physical)
- Research and innovation
- Human resource development (capacity building, empowerment)
- Public information, education and advocacy

Structure of presentation

1. General overview of Japanese NGOs
History, Financial data, etc.
2. A case study: JVC's activities in Palestine
3. Japanese ODA and peacebuilding
4. Future challenges

Brief history of Japanese NGOs

- Japanese NGOs emerged in rural and community development in South Asia and Southeast Asia in 1960s.
- NGOs increased in number in response to outpouring of Indo-Chinese refugees in 1979-1980. (JVC was established in 1980)
- NGOs increased drastically in the 80s
- NGOs grew significantly and became increasingly visible in the 90s, particularly in Kobe earthquake.

What is NGO?

- 3 important elements for definition
 - Independent
 - Not self-serving
 - Not-for-profit

e.g. WB definition

"...the World Bank usually refers to nongovernmental organizations as any group or institutions that is independent from government, and that has humanitarian or cooperative, rather than commercial objectives."

General Overview

- A diverse group of organizations
- Geographical areas/region – 80% of NGOs work in/on Asia
- Main activities – Education, child welfare, health and sanitation, rural and agricultural development, support for women, environment, etc.
- An increase of transnational networking in the 90s
- Fairly independent from government (see Financial Data)
- Majority of NGOs suffer from financial instability and weak internal governance.

Financial Data

230 Japanese I-NGOs listed in the JANIC NGO Directory (2002)

- Total revenue – ¥ 25.16 billion (US\$ 209.7 million)
- 4 organizations – annual budget > US\$ 8.3 million
- 40% of the 230 – annual budget < US\$167,000

Revenue Sources

- 59 % -- individual contributions, membership fees, earned income
- 10 % -- government funding in the form of grants and contracts
- 8.5 % -- income-generating activities
- 3.3 % -- UN agencies
- 5.2 % -- Private foundations grants
- 22 % -- Other

A Case Study: JVC in Palestine

Palestine – Israel Conflict

- Nationalism – Arabic vs. Jewish
- Religion – Islam, Christianity, Judaism
- Economy – Land and water



Changing legal environment

- The Specified Nonprofit Corporation Law enacted in 1998.
- The new tax law (new framework for tax-deductibility) for nonprofits was introduced in October 2001.
- Both laws were reviewed in December 2002.

Casualties of Palestine-Israel Conflict

Since Sept. 28th of 2000

The number of people killed

- Palestine 1,540 (civilians: more than 1,000)
(By PRCS, 12th May)
- Israel 458 (civilians: 311)
(By BT selem, 12th May)

Government-NGO Relations

- Governments' growing interest in partnering with NGOs
 - Government funding support increased and diversified
 - Consultation processes
MoFA, MoF, JICA, JBIC
 - Capacity Building programmes for NGOs
WB, MoFA, JICA, JANIC, JANIC/UNICEF, JANIC/JICA Other NGO-initiated programmes, NGO management courses at universities, etc.

4 pillars of emergency activities

1. Immediate humanitarian services: food, water and health care
→ Convoy teaming with ANERA (US) and UPMRC (Palestine)
2. Mid-term measures to cope with occupation and closure
→ Support PHR (Israel) for mobile clinic in remote villages
3. Long-term measures to build a hope
→ Support children to see a hope
→ Advocacy
 - 1) Campaign: Advertisement in Israel newspaper
 - 2) Lobby: MOFA and Members of Parliament in Japan

Supply of food and medicine

Area: Jenin, Rhamalla, Nalus, Bethlehem, Gaza, Sinzil
Supply:

- Powder milk, Baby food \$5,000 (Jenin, April 19)
- Powder milk, Baby food \$3,000 (Nabrus, April 22)
- Medicine \$4,000 (Bethlehem, April 26)
- Medicine \$3,200 (Gaza, May 6)
- Medicine \$1,800 (Sinzil, May 29)

In cooperation with ANERA (American Near East Refugee Aid)

Recommendations

- Providing immediate humanitarian need for Palestinians such as food, water and health care.
- Protection of civilians must be secured based on international humanitarian law and human rights law
- International community should address the foundations for peace by intensifying diplomatic pressure on Israel to respect UN resolutions (242 and 338) and lift occupation and closure policies.
- Palestinians must be guaranteed conditions that foster economic growth and development.

International Law

Geneva Convention stipulates clearly that special care and respect should be given to the injured, sick, weak people or pregnant women even in wartime.

In Palestine, the neutrality of health care services is hardly maintained due to Israel's occupation and closure policy.

Lessons learned - Principles

- Promote "culture of prevention," rather than post-conflict measures
=> Conflict sensitive approach for conflict reduction
- Non-violent and community-based
=> Conflict management
- Local initiatives and confidence building
=> Inclusive approach and long-term commitment
- Comprehensiveness and policy coherence
=> Address root causes

Root causes of Palestine - Israel conflict

	Palestine	Israel
Population	300 mil.	600 mil.
Ave. age	17 years	28 years
GNP per capit.	\$1,680	\$18,900
Unemployment rate *	70%	10%
Infant mortality rate	2.6%	0.8%
Ave. life expectancy	72 years	79 years
Children per family	6.1	2.6
Literacy rate	86%	95%
Allocation of water	1	9

* 2002年4月

"Peacebuilding" in ODA

- Sept 1999 - The concept was introduced at Japan-Canada Peace-building Joint Symposium
- April 2001 - JICA studied conceptual framework and possible work areas and publicized the research report
- Jan 2002 - Donors Meeting for Afghanistan Reconstruction was held in Tokyo
- Dec 2002 - Int'l Peace Cooperation Committee under Cabinet office publicized a report that suggested joint operational framework between PKO by Self-defense force, civil police, ODA and NGOs
- Jan 2003 - JBIC studied roles of yen loan for "peacebuilding" including cases studies for Sri Lanka and Afghanistan

Historical details (2)

- August 2003 - MOFA revised ODA Charter that explicitly stipulated Japan's commitment on "peace-building" as a priority area
- Oct 2003 - Japan pledged \$ 5 billion (including \$ 1.5 billion of grant) for Iraq reconstruction at Donors meeting in Madrid
- Dec 2003 - SDF was dispatched to Iraq under the name of "humanitarian assistance"
- Oct 2004 - Japanese gov. hosted the Third Donor Committee Meeting and Expanded Meeting of the International Reconstruction Fund Facility for Iraq (IRFFI) in Tokyo on October 13 and 14 to discuss political process, security and reconstruction

Perspectives by different actors

- MOFA - politically opportunity for international presentation, consolidation of US-Japan relationship, and resource mobilization for ODA.
- JICA and JBIC - possibility of extending their mandate, but still confused over how and what to do.
- NGOs - mixed feeling over its political biases vs. funding opportunity
- Media and general public - rather innocent or indifferent as little consultation given so far

Definition of "peacebuilding"

"In order to prevent conflicts from arising in developing regions, it is important to comprehensively address various factors that cause conflicts.... Japan will extend bilateral and multilateral assistance flexibly and continuously for peace-building in accordance with the changing situation, ranging from assistance to expedite the ending of conflicts to assistance for the consolidation of peace and nation building in post-conflict situations." (ODA charter, 2003)

=> Ambiguous, No principle, No vision

MOFA's interests

- To demonstrate internationally that Japan is interested in the issue.
- To avoid criticism both from inside and outside Japan.
- To appeal the qualification to be a permanent member of Security Council.
- To stress the unique position of Japan in international community.

Features of "peacebuilding"

- Comprehensive framework to integrated diverse activities
- Its political implication requires to reconsider the politicization of the activities
- Then, the politicization needs a clear vision and strategy for peace, which the government does not have.
- However, main actors for peace must be people-in-there.

JICA's approaches

- 4 principles developed through various studies such as Canada-Japan peace-building lesson learned program
1. Focus on reconstruction assistance
 2. Prompt assistance from viewpoints of mid-to-long-term development
 3. Promotion of Conflict Prevention lens
 4. Support for self-initiatives by post-conflict countries/region

JICA's approach (2)

- 7 priority areas to work
 - Reconstruction
 - Governance
 - Security improvement
 - Rehabilitation of social infrastructure
 - Economic recovery
 - Assistance for socially vulnerable people
 - Humanitarian emergency assistance
- A conflict prevention tool
- PNA – Peace-building Needs Assessment

Japan's contribution to Iraq

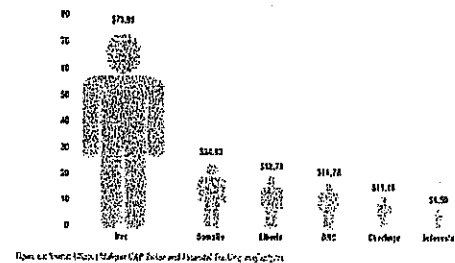
- \$5 billion of ODA, including \$1.5 billion of grant for the first year
- Lack of transparency and delayed implementation
- Double standard on debt cancellation (\$7 billion of ODA debt)
- Misuse of "humanitarian assistance" by SDF, and low cost-effectiveness (\$377 million + α)

Examples

- Kosovo - April 1999, a \$200 million package of aid for refugees, neighboring countries, and reconstruction
- East Timor - December 1999, a three-year \$130 million aid package at the first Donor's Meeting, and May 2002, announcement of up to \$50 million in aid over three years at the sixth Donor's Meeting for East Timor in Dili.
- Afghanistan - Aid totaling \$450 million was committed, including humanitarian assistance and reconstruction assistance over 3 major areas
- Others – Sri Lanka, Aceh, Mindanao, and Iraq

Imbalance of aid

Figure 3.1. Current data: UN Consolidated Appeal Distributions pending per beneficiary (\$ per person)



Problems

- Lack of accountability and transparency mechanism
- Lack of a clear "peace" vision and coherence among related policies such as MDGs, Human Security, debt cancellation, etc.
- Lack of operational tools and guidelines to mainstream "Conflict Sensitive Approach"
- Lack of capacity and human resources

What need to be done?

- Human rights-based approach
- Importance of "work in conflict," rather than "work around conflict" and "work on conflict"
- Peace vision and strategy, rather than diplomatic tactics
- Perspectives towards future generation
- Analytical capacity on war economy ← "greed and grievance"
- Recognition of roles of women in conflict

**The Imperative of Democratic Institution
Building for Sustainable Peacebuilding**

By Sorpong Peou
Sophia University

This paper assesses the impact of international assistance on the process of democratic institution building in Cambodia over the period from 1992 to 2003. This is timely, since its general findings help us appreciate the dynamic process of democratization in post-conflict societies. The international community is said to have the responsibility to rebuild war-torn societies, but there appear to be limits to what its members can do. Studies even show that peacebuilding efforts based on neo-Kantian internationalism can have "destabilizing effects" because of political and economic liberalization.

Working on the assumption that democracy is an effective method of conflict resolution, I argue that this system of government can promote peace. The proposition of this study is that states may make the transition to democracy without any effective democratic institutions, but the process of democratic consolidation remains at risk if the level of institutional development at the state and societal levels remains uneven. Any imbalance of institutional development can easily give rise to authoritarian behavior. The key concept used to assess the process of democratic consolidation in this study on Cambodia is thus *balanced institutional development* at these two different levels.

The main error made by donors, as compassionate and as generous they were, was that they had an inadequate understanding of the complexities in the process of democratic institution building. This study has arrived at the following conclusion: International assistance in three issue-areas (elections, human rights, and media) had a positive, but limited impact on the process of democratization -- limited primarily because international assistance was unable to help the country lay a solid institutional foundation for sustainable democratic development. Although my focus on a single country - Cambodia -- may appear to limit our ability to generalize to other cases, I remain convinced that this study offers explanatory and prescriptive power.

CONTRIBUTION OF THE INTERNATIONAL SOCIETIES AND
OF JAPAN TO THE PEACE PROCESS IN CAMBODIA

- I. Development from the beginning to the settlement of Cambodia's conflict which was the last severe regional conflict of East Asia in the 20th century.
 1. The start of Cambodia's conflict was Lon Nol's coup d'etat (1970).
 2. Three successive illegal governments continued.
 - (1) Lon Nol's Republican Government introduced Vietnam War to Cambodia (1970-75).
 - (2) Unpardonable genocidal regime of Khmer-Rouge Democratic Kampuchea (1975-79).
 - (3) Heng Samrin's Government supported by Vietnamese invaders (1979-92).
 3. The peace negotiations in Cambodia commenced from the first Sihanouk-Hun Sen talks in France (1987).
 4. The first session of the Paris International Conference on Cambodia (1989).
 5. The second session of the Paris Conference and the signature of the Paris Peace Agreement (1991).
 6. Peace Keeping Operations (PKO) carried out by UNTAC (1992-93).
 7. Restoration of peace in Cambodia (1993).
- II. Contribution of international societies and of Japan to the peace building activities of Cambodia
 1. First realization of Japan-France, Japan-Australia, Japan-China and Japan-Thailand political cooperation.
 2. Success of the Third Committee co-chaired by Japan and Australia of the Paris Conference.
 3. Japan maintained amicable relations with both Cambodia's opposing parties (NGC and SOC).
 4. The «core group» or «Expanded Perm Five (Five Permanent Members of UN Security Council) composed of P5 plus 4 (Japan, Australia, Indonesia, Thailand) effectively supported and cooperated with UNTAC and SNC.
 5. PKO activities carried out by JLSDF were admired by US Ambassador to UN Ms. Albright.
- III. Main elements of the success of the settling of conflicts and realization of peace in Cambodia
 1. The initiative in the peace process was taken by Cambodians themselves.
 2. Firm and steady international agreements (Paris Agreements) existed as the base of negotiations.
 3. International society especially P5 plus 4 cooperated with UNTAC and SNC for peace building in Cambodia.
 4. Existence of Prince Sihanouk respected by every Cambodian regardless of political stand point was an important stabilizing factor.
 5. UNTAC led by Mr. Akashi made its utmost effort in its term of one year and a half to complete its most important duty of carrying out elections all over Cambodia and established the new Kingdom of Cambodia.

NGO role in Yoko Asakawa
PEACE BUILDING & CONFLICT PREVENTION
NOVEMBER 11, 2004 10:00-12:00
Tokyo University of Foreign Studies
Graduate School of Area and Culture Studies
Yoko Asakawa ; JEN

- **Self introduction**
 - JEN & My background

- **JEN Project in conflict area**
 - Merit and Risk as Japanese NGO
 - ✧ Case Study : JEN in the former Yugoslavia and in Iraq
 - Peace Building & Conflict Prevention Program by JEN
 - ✧ The project in Rehabilitation phase
 - Peace Building in Japan
 - ✧ What we can do in Japan
 - The issue and the belief
 - ✧ Dilemma and What we believe

- **Required skill for the person working in Peace-building & Conflict Prevention**

- **Discussion and Q&A**

For your reference : <http://www.jen-npo.org>

attach here

Detach here

I would highly appreciate it if you could leave the comment over today's lecture & discussion. This is solely used for the reference towards the better lecture in the future. Thank you very much for your cooperation.

Comment :

If you wish to receive JEN weekly mail magazine (Japanese language only), please write your e-mail address : _____

NGO role in PEACE BUILDING & CONFLICT PREVENTION

NOVEMBER 11, 2004 10:00-12:00
Tokyo University of Foreign Studies
Graduate School of Area and Culture Studies
Yoko Asakawa; JEN

Merit and Risk as Japanese NGO

- The former Yugoslavia
 - Experience over NATO bombing period
- Iraq
 - Risk as Japanese NGO
(we could be targeted)

- Self introduction
 - JEN & My background
- JEN Project in conflict area
 - Merit and Risk as Japanese NGO
 - Peace Building & Conflict Prevention Program by JEN
 - Peace Building In Japan
 - The issue and the belief
- Required skill for the person working in Peace-building & Conflict Prevention
- Discussion and Q&A

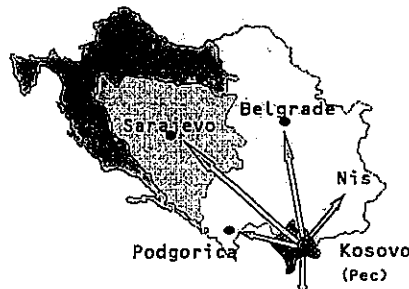
Case study in the former Yugoslavia



Self introduction

- JEN
 - Emergency relief and Rehabilitation Assistance
 - Conflict and Natural Disaster
 - Psychological and Economical Self-reliance
 - Minimum input from JEN with maximum resource utilization in the area

Case study for Kosovo crisis



Case study in BiH

Phase/year	Objectives	Activities
Phase I 1997 to 1998	Actual physical movement of different ethnic group to the other side of IEBL (Inter entity boundary line)	Competitions in both entities for children on paintings, posters, poems and chess
Phase II 1998 to 1999	To set an opportunity for both ethnic groups to work together (non-serial)	Series of sports competitions, skill training courses for youth and adults, summer camps for children
Phase III 1999 to 2000	To set an opportunity for both ethnic groups to work together (serial)	Skill training courses for bee keeping, provision of bee keeping related machines and instruments
Phase IV 2000 to present	To support them establish a sustainable system for them to continue multi-ethnic activities	An association of beekeepers which managed machines and instruments

- ### The issue and the belief
- Dilemma
:work on what has been done by international policy action
 - What we believe
:small scale project which meets the needs of individual life is important towards the stabilization of the country

- ### Case study in Afghanistan
- Ownership building
:Example "school rehabilitation program"

- ### Required skill for the person working in Peace building & Conflict Prevention
- Question:
"What is the most important skill needed for the person working in Peace-building & Conflict Prevention"

- ### Peace Building in Japan
- "I hope everyone in the world to be able to live in peace, never to go through the agony we have experienced."
 - Lecture/Event
:to get to know how people is living and feeling
 - Newsletter/Homepage/Mail magazine
:to report what is going on
 - Goods Sales
:to remember once in a while/to get to know more deeply

Disarmament, Demobilisation and Reintegration of Ex-combatants
-A Complex Intervention-
Case Studies of Afghanistan and East Timor

Hiroto Tanaka, Researcher, IDCJ

Part I: Basics of DDR

Disarmament, Demobilisation and Reintegration

What is DDR?

Q&A

Part II: DDR in Afghanistan

Afghanistan's New Beginning Programme (ANBP) its objectives and programme components

Why DDR doesn't proceed in Afghanistan?

- Different target, different expectations
- Cultural and Social background
- Political issues
- Need for Comprehensive Approach
- Implications to Peace Process

Q&A

Part III: DDR in East Timor

In the Case of FALINTIL Fighters

FRAP

Lessons Learned

RESPECT

Programme features

Programmes

Q&A

Part IV

Preparation for the Field Visit

- Methodology
- Questionnaire

Disarmament Demobilisation and Reintegration
-A Complex Intervention –
Case studies of Afghanistan and East Timor

Hiroto TANAKA , Researcher, IDCJ
Ex-Programme Advisor
UNDP/ANBP
November 18, 2004, at TUFFS

Basics of DDR

DDR Part I

DDR is a prerequisite for a lasting peace in post-conflict countries and became compulsory for PKO

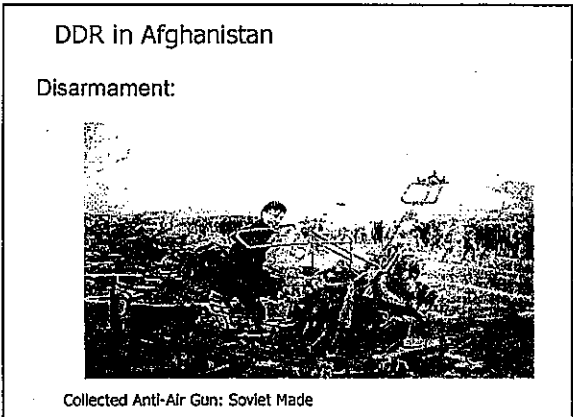
Important component of the Security Sector Reform

Integrated approach including economic recovery, reconciliation and justice is required

Basics of DDR

Definition of Disarmament:

A military process collecting small-arms and heavy weapons

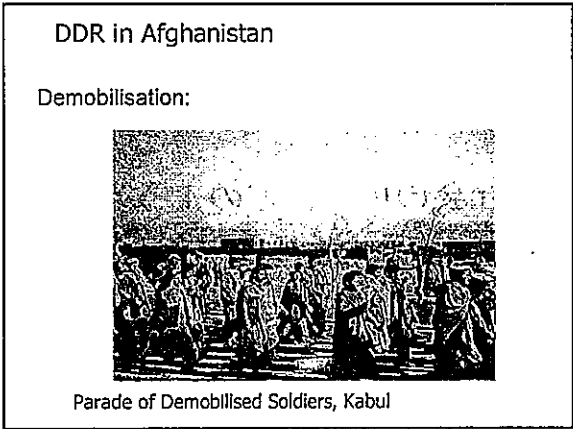


Basics of DDR

Definition of Demobilisation:

Formal dissolution of all military formations, for an individual releasing military personnel from a mobilised state

Military → Civilian



Basics of DDR

Definition of Reintegration:

Part of a long-term process including different project components for socio-economic reintegration of ex-combatants and their families; cash, income generation, education, training, psycho-social, health, etc

DDR in Afghanistan



DDR Actors; UNAMA, MOD, ANBP

Basics of DDR

Definition of Reintegration:

Various beneficiaries, thus various approaches are needed:

Young and aged, able body and disabled, child and female soldiers

So, What is DDR?

DDR is a complex operation that has political, security, humanitarian and development dimensions

Important element of conflict prevention and peace-building

End of Part I

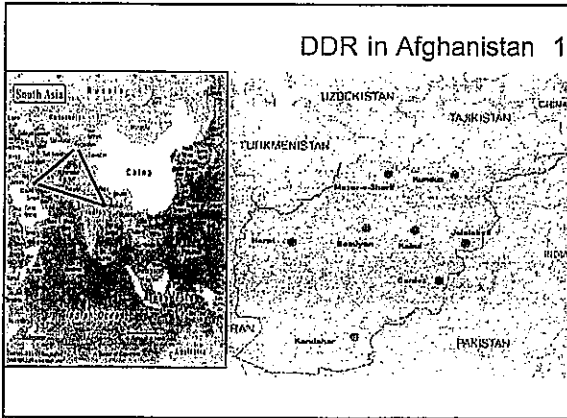
Questions and Comments

DDR Part II

Why DDR Doesn't Proceed in Afghanistan?

-Cultural, Historical and Social Background-

Focusing "R" (Reintegration)



DDR in Afghanistan 2

Afghanistan's New Beginnings Programme

1 Objectives:

- Destruction of Warlords and Securing the Central Government's Authority
- Restore Security
- Shift Into Full-scale Reconstruction Assistance
- Prerequisite for Elections

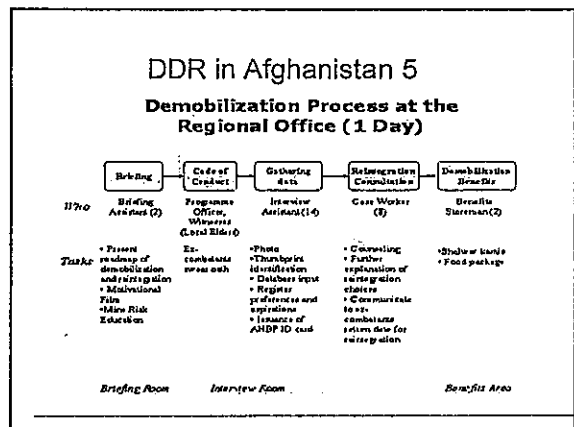
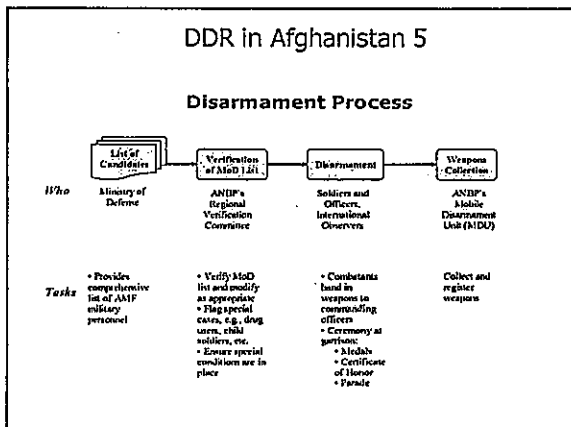
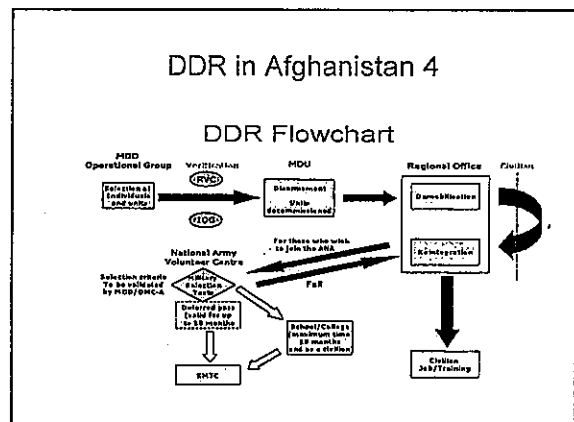
2 Target:

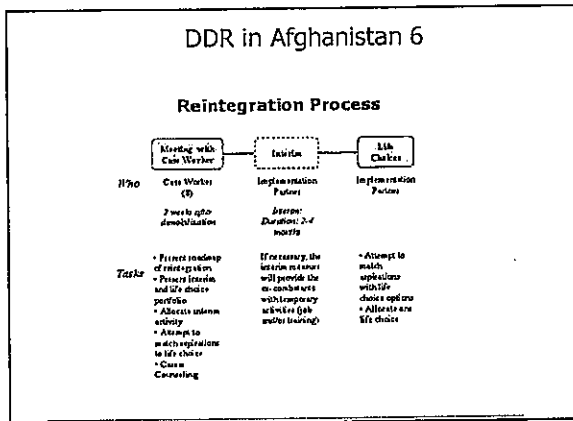
- 100,000 militia men
- 3 years, by 2006

DDR in Afghanistan 3

"R" of DDR in Afghanistan

- Development, not a One off Entitlement
- Aiming Self-reliance by long-term assistance
- Division of Warlords and militia men during Elections





Why DDR Doesn't Proceed in Afghanistan? 1

- 1 Difference in Target Number:
 - Warlords Demanded 200 mln
 - Actual figure of combatants before fall of Taliban fall was 10,000~12,000 (CIA)
- 2 Different Expectations:
 - No Assistance to Mujahedeen
 - Most of soldiers are farmers
 - No tangible benefit for war lords: producing opium and WOT are much lucrative

Why DDR Doesn't Proceed in Afghanistan? 2

Cultural & Social Background:

- Culture of Guns (three guns per man)
- Crossroad of Civilizations
- Multiethnic Population
- Conflict among Ethnic Groups
- Defeated foreign invasions; UK & USSR

Why DDR Doesn't Proceed in Afghanistan? 3

International Background

- 1 Slow Process of Destruction of Warlords:
 - US Military is using militia men for War on Terror; funds, ammunitions, info)
- 2 Absence of coercive power for DDR
 - Lack of PKO (Limited deployment of ISAF)
 - Delay of Forming Afghan New Army (trained by US)

Why DDR Doesn't Proceed in Afghanistan? 4

Political Issues 1

- 1 Delayed in Agreement on number allocation and area
- 2 Delayed MOD reform dominated by Tajiks
- 3 Delayed Development of "R" due to lagged agreement causing;
 - information collection
 - who will be demobilised

Why DDR Doesn't Proceed in Afghanistan? 5

Political Issues 2

- 1 Exclusion of Campaign Areas of WOT
- 2 Lack of Capacity of the Government to Maintain Mid/long-term R. Programmes
- 3 Fragile Security Causing Delay of Reconstruction of Economy- not able to absorb ex-combatants

Why DDR Doesn't Proceed in Afghanistan? 6

Need for Comprehensive Approach:

- Need for Strong Coordination (security sector and assistance)
- Need for Enforcement on Disarmament and small-arms collection
- Need for Extension of Peace Keepers to regions
- Need for Reconciliation and, Prosecution of War Crimes and Human Rights Abuses

Why DDR Doesn't Proceed in Afghanistan? 7

Implications to the Peace Process 1

Downsizing by 40% of the military before election was agreed, but only less than 20,000 were demobilised.

Not all of the warlords are actively participating in DDR i.e. Fahim and Ismail Khan

Why DDR Doesn't Proceed in Afghanistan? 8

Implications to the Peace Process 2

Delay of DDR is hampering the Peace process (Bonn Agreement, Dec 01)

National election (scheduled at Sep 04) and convening of the National Assembly are delayed

Why DDR Doesn't Proceed in Afghanistan? 9

Implication to the Peace Process 3

Future of DDR and Security is unknown

There are so many factors affecting DDR and Security i.e. WOT, poppy cultivation, justice, reconstruction, etc

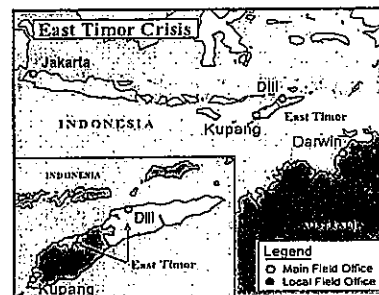
End of Part II

Questions and Comments

Part III

DDR in East Timor

-In the Case of FALINTIL fighters



DDR in East Timor 1

Falintil Reinsertion Assistance Project
(FRAP)

Objective:

Assist 1,050 Guerrilla Force reintegrate to
civil society

Budget: US\$2.11 mln

Donor: US, Japan, WB

DDR in East Timor 2

Number: 1050 ex-FALINTIL and 5,250 family
members

650 out of 1,700 FALINTIL members were
selected to join New East Timor Army of 1,750

Assistance:

1 Immediate: \$100 cash, food

2 Long-term: vocational training, start-up kit for
agriculture, micro enterprise, education grants

DDR in East Timor 3

Implementing Agency:

IOM (International Migration Organization)

Duration: one year, 2001 Jan -2001 Dec

DDR in East Timor 4

Lessons learned

FRAP caused resentment among civilian
population for its preferential treatment of
combatants.

Some ex-combatants didn't join the project.

DDR in East Timor 5

Recovery, Employment and Stability
Programme for Ex-combatants and
Communities in Timor-Leste (RESPECT)

DDR in East Timor 6

Programme features of FRAP 1

Communities will select the beneficiaries by
themselves according to the criteria of
vulnerable population:

Ex-combatants, widows, disabled, jobless
youth

DDR in East Timor 7

Programme features of FRAP 3

Selection and prioritisation of micro-projects will be done by communities themselves

DDR in East Timor 8

FRAP Programmes 1

Agricultural Development and Reforestation

- Irrigation system rehabilitation
- Reservoir construction
- Feeder road construction
- Nursery development and maintenance
- Reforestation, etc

DDR in East Timor 9

FRAP Programmes 2

Infrastructure rehabilitation in urban and rural communities

- Road construction
- Market construction
- School construction
- Health facilities construction
- Water supply systems construction, etc

DDR in East Timor 10

FRAP Programmes 3

Vocational training and micro-enterprise Development

- Carpentry
- Metal work
- Mechanical work
- Electrical work
- Plumbing,
- Tourism and hospitality, etc

End of Part III

Questions and Comments

Part IV

Preparation for the Field Visit

Preparation for the Field Visit

Special Care Needed in Post-conflict
Peacebuilding

Preparation for the Field Visit

Special Care Needed in Post-conflict
Peacebuilding

Do No Harm. And Do the Maximum Good.
-Mary Robinson, Former UNHCHR High Commissioner

Preparation for the Field Visit

Special Care Needed in Post-conflict
Peacebuilding

Conflict Prevention Lens Approach

Preparation for the Field Visit

Finalising Questionnaire

What is the Objective and purpose of the
Interview?

Is it well targeted?

What do we do with it?

Is it not disturbing the community and the
population?

Is it appropriate by CPL?

Disarmament Demobilisation and
Reintegration
-A Complex Intervention-
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Hiroto TANAKA , Researcher, IDCJ
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Needs assessment
from a research
perspective

What is development research?

Any research aimed towards

- Assessing needs,
- Identifying causes that affect development;
- Identifying resources;
- Assessing communities;
- Comparing strategies for development = benchmarking best practices;
- Designing strategies for development;
- Measuring impact of designed strategy on a given community/program.

A systematic approach to problem-solving and decision making

Research and PCM

<ul style="list-style-type: none"> • Library research = overview of existing policy, programs and regulations • Community/needs assessment • Design of research project - planning/ Benchmarking best practices 	<ul style="list-style-type: none"> • Stage 1: Programming • Stage 2: identification of needs • Stage 3: Formulation
--	--

Research and PCM

<ul style="list-style-type: none"> • Identifying resources and stakeholders/ funders/ grantwriting research • Implement program based on research findings, and continue to monitor results • Monitoring; evaluation research; Lessons learned 	<ul style="list-style-type: none"> • Stage 4: financing • Stage 5: Implementation • Stage 6: Evaluation
---	--

The eight-step model of community assessment:

- Step 1: Choose between WHAT and WHY
- Step 2: Choose between THEM and I
- Step 3: Define the 5 Ws



Who What Where + H (How) When Why

- Step 4: Choose your tools
- Step 5: Stakeholder analysis

Who Why How To what extent

- Step 6: Choose methodology




PRA BA Other



• Step 7: DO IT!
• Step 8: IS IT WHAT YOU THOUGHT?



← ↓

CONVINCE AUDIENCE





The descriptive approach to needs assessment

- Descriptive: used for description of a situation or the circumstances affecting a given community;
- Define situation by using the 5Ws
- Uses both quantitative and qualitative research, with a stress on qualitative.
- Suggested for: feasibility studies; the project design stage of a project; development projects.





The explanatory approach to needs assessment

- Explanatory: shows relationships between 2 or more aspects, and provide detailed analysis towards identifying the cause-effect pattern.
- Stresses the "why" of the 5 Ws.
- Uses mostly quantitative research.
- Suggested for: project design for projects involving behavioral or attitudinal changes, as well as studies on lifestyle among high-risk groups.





STEP ONE

- Choose between the descriptive and the explanatory approach
- Explain your choice!
- You completed step ONE!



STEP 2: choosing a perspective for your study

- "My perspective" approach - common appraisal approach;
 - Data is collected, described and interpreted, based on the expertise of the researcher;
 - The researcher decides what aspects to include in the needs assessment, what information to gather, and what methods to use in both data gathering and data analysis.



Tools used for the approach following this perspective

- Structured interviews with key informants;
- Structured focus groups;
- Censuses;
- Questionnaires.



Should you chose this perspective?

YES, because...

- It allows you to bring in your expertise and view of the problem;
- It skips some of the issues related to the active participation of the community;
- It allows for a structured approach.



NO, because...

- People could try to fit their view into the pattern you provide;
- Cultural barriers
- The risk of skewing data by only considering those key informants and that data that fits within your perspective.



"Their" perspective

- Participants will define the scope and identify the methods of the study;
- It is recommended for studies within unfamiliar cultures, when there is very little information on a particular community, when dealing with the "invisible powerless" groups, and when interested in the insider's view.





Should you choose this perspective?

NO, because...

- Some problems may be beyond the community's capacity to grasp and face them through such a study;
- There is the risk of raising people expectations without following through.
- You might misuse the community participation and hinder it for future involvement.



YES, because...

- It enables local communities to identify and address their own needs;
- It empowers local communities to promote and accept change;
- It gives a clear view on the insider's culture, and a most accurate definition of need.



Aiding tools for data gathering



- Outline - as a guide for the data gathering process
- Question grid



STEP 3: Define assessment parameters

- How comprehensive do you want your community assessment to be?
- 5Ws + H: the framework for data gathering
- It actually refers to the operationalization of the concepts we started with, towards a narrower and more approachable aspect of need.

Statement of purpose should be defined.





Choosing your assessment tools

Step 4

STEP 4: Choose assessment tools

- HOW will you actually gather the information to inform your needs assessment?
- What sources will you use?
- Four main tools involved:
 - Literature review;
 - Interviews
 - Surveys/questionnaires;
 - Observation

What is triangulation?

The use of more than one technique, perspective, or subject, for getting the same information.

- The use of different time perspectives, on the situation you target;
- The use of comparison data, gathered from different locations;
- The use of various individual/group perspectives in assessing the need;
- The use of various levels of people's involvement

Literature review and its purpose

- It offers a background of the need and/or the community you target;
- It helps you clarify what you could assess (by suggestions, info on various categories, or existing instruments)
- Identifies other professionals with the same interest
- Provides enough data for a thorough assessment analysis.

Guideline for a literature review

- WHAT was the purpose of the document you review?
- WHY was the information collected?
- WHO collected the data/prepared and coordinated the process?
- WHAT biases and limitations you could identify?

- WHAT information was collected?
- HOW were the categories defined – measures being used.
- WHEN was the information collected?
- WHAT were the sources of the data?
- HOW CONSISTENT is the information with other sources (triangulation)?

Pros' and cons' for literature reviews

PROS

- Unobtrusive;
- Lower costs;
- Faster results;
- Broad learning on the topic to create a good background.

CONS

- Accessibility issues;
- Limited coverage of topics;
- Possibly outdated;
- Findings could be extrapolated beyond the purpose of the original study;
- Different contexts;
- Validity, reliability and credibility issues

INTERVIEWING

- Selection biases:
 - Travel-related;
 - The network bias – speak to the ones like you;
 - The “one of the people” bias – preferring outside experts that are honorary members of the community;
 - The bottom-up bias – preferring the grassroots;
 - The time bias – keep it short!
 - The best season bias – do the assessment in a dry season;

- Prefer the immediate to the trend;
- The social desirability bias – people give the answer they think are expected of them, and it does not relate to what they actually believe or do;
- The “nutshelling” bias – keep it brief and simple!
- The garland bias – play the important person.

Semi-structured interviews

- It uses a guideline for covering the main issues related to your topic;
- **Before:**
 - Agenda/mental map of subject;
 - Select target group – either randomly or based on specific criteria;
 - Select interviewers – those that will best access information from the target population.
 - Identify potential sensitive topics related to your topic

During the interview:

- Cultural sensitiveness required
- Manners to start an interview;
- Timing the interview;
- Listening skills
- How do we ask questions?
- Touching on sensitive issues.

Probing strategies

- Use open questions
- Use the 5Ws for pursuing further information on particular areas;
- Ask questions that will allow subjects to expand on their answers in more detail
- Use clarification question;
- Cross check answers
- Observe

After the interview:

- Proper closing;
- Confidentiality among subjects;
- Evaluation of answers
- Use of triangulation
- Awareness of the impact of rapid changes on people's familiarity with how things used to be done;
- Consider subjects' beliefs and perceptions as well as their deeds
- Write up your notes IMMEDIATELY!

Group interviews

Purpose:

- To obtain a general picture of a community and its needs;
- To understand better the data you are collecting;
- To find out what people think about a present situation; a planned project or a completed one.

Community interviews versus focus groups

COMMUNITY INTERVIEWS FOCUS GROUPS

- | | |
|---|---|
| <ul style="list-style-type: none">• Using a "natural group"• Continue to elicit individual responses• Cautions: the fear factor; the ridicule factor.• CONFIDENTIALITY | <ul style="list-style-type: none">• Using a specific group, that will be selected in the process (group size: 6-10)• Group interaction as important as the interviewing process;• It helps narrowing a topic towards points of specificity;• General participation in discussions is important. |
|---|---|

A structured interview:

- Standardized set of questions asked of a number of interviewees, that will fill in the answers.
- Also called SURVEYS
- Used when quantitative data is sought, and information on the same topic is needed from a significant number of people.

Characteristics

- Typically suited for Western societies;
- Requires a certain expertise in preparing it.
- It is time consuming
- It provides information on certain areas/on selected factors
- It does not help in describing the whole context of a given situation.

Best fit and worst fit

Best used, when:

- It fits the nature of the problem (e.g. baseline studies on health, child survival, nutrition)
- A broad response on a topic is sought
- Comparing results of various groups.

Worst choice, when:

- Scientific reasons are considered;
- It seems to be easy and fast
- It is the only familiar method
- Quantitative data is required for credibility

MINISURVEYS

- Focused on a specific topic;
- Used on small samples (n = 25-70)
- Best suited for obtaining a general picture of a situation, specific trends or patterns.

Tips in preparing and using minisurveys

In creating the survey

- Set clear objectives;
- Check for existing surveys on the same topic;
- Select your population or sample

In asking the questions:

- Use an outline or a question grid to cover the topic of your study
- Use a flow chart to decide upon the direction and sequencing of your questions
- Speculate on the answers you might get, for including all potential circumstances and factors in the survey
- Use previous data from interviews of focus groups as background information

Potential problems with your questions

- Words with different meanings, not necessarily shared by interviewer and interviewees
- Taboos and rituals of the sample or population selected
- Language bias – cautions with translations!
- Double-barrel question
- Loaded questions = questions that bias the answer
- Ambiguous wording
- Too broad questions
- Questions that require information not easily remembered
- Questions asking for second information/opinions
- Complicated pretentious wording

Tips in asking questions

- Short sentences;
- Use an introduction for sensitive topics;
- Use active voice;
- Avoid metaphors;
- Avoid the subjective mode – the “if only” suppositions
- Use specific terms;
- Avoid using two verbs in the same question – could lead to a double-barrel question

Types of questions

Open ended questions:

- Used for situations on which you have no information;
- “Their” perspective is preferred
- Sensitive issues are explored
- Combines both perspectives

Closed (forced-choice):

- Situation is known enough for providing choices;
- Exhaustive and mutually exclusive answers;
- Sliding scales

Assemble your instrument:

- Use filter questions to start;
- Start with less personal question, to allow people some warming up before the more sensitive questions;
- Discuss issues related to confidentiality and anonymity;
- Issues with closing the survey;
- Pre-testing
- Train interviewers

Participant observation

- Used in combination with other methods;
- It involves the following situations:
 - Natural setting participation = you are there.
 - Induction based on provided data = you conclude.
 - More distant participation = you observe.
 - Remoted participation = you survey from afar.

Characteristics

- Obtrusive versus unobtrusive;
- Short term versus long term;
- Simple (descriptive) versus complex (explanatory);
- Provides better understanding of complex behaviors, relationships, processes and the larger context

What to observe

- The setting;
- The people;
- The dynamics of a relationship or process;
- You as related to the process;
- A particular activity

Why do you use it?

- For triangulation;
- To obtain individual views and avoid generalizations
- To obtain flexible/rich data on difficult topics
- To generate insight.

Cautions:

- Constraints on access;
- Costs;
- Observer bias/reliability issues;
- Obtrusiveness;
- Interpretation bias;
- Reporting issues.



- deterrence: making an enemy recognize that our capabilities exceed hers, thereby stopping the enemy' s attack (negative linkage)
- coercive diplomacy: use of limited intimidation or military power to prevent an enemy' s invasion
- appeasement: getting rid of sources of conflict by providing what an enemy wants (positive linkage) --> Munich Agreement
- reassurance: giving an enemy the assurance that her established interests would be recovered with an eye to conflict management

IV. Arms Control

disarmament
international law in war
arms control

theories of war → conflict resolution will be possible or not?

V. Preventive Diplomacy

reduction in international threat after the cold war
→ conflict prevention

prevention with limited military capabilities
e.g., Macedonia

VI. Regional Security in East Asia

US provision of security (bilateral alliance)
→ Why bilateral? Why sea powers?

US-Japan alliance

vs.

US-ROK alliance, US-ROC alliance

strategic ambiguity (PRC-ROC conflict)

1954

1978

1996

institutionalization (Korean peninsular)

KEDO

Six-party Talk

VII. US Military Transformation

- 1) forward deployment → homeland security
- 2) more flexibility, swift action
- 3) US headquarter in Japan → future US-Japan alliance

1. More emphasis on suppression, less emphasis on prevention: the UN system
 - (1) Drafting the Charter
 - (2) Collective security: In order to prevent another Second World War
 - (3) Quasi-neglect of “peaceful settlement”, sheer neglect of “prevention”
 - (4) Efforts to revive the system of peaceful settlement in the 1980s until the Gulf War
 - (5) Non-rebirth of the collective security system, death of the peaceful settlement

2. The Foundation: prohibition of the use and threat of force
 - (1) Art. 2 (4) of the Charter: monumental landmark
 - (2) Additional justifications of the use of force: all around self-defense
 - (3) Saving nationals abroad
 - (4) Saving strangers: Humanitarian intervention
 - (5) Unduly expanded justification: “use of force to save democracy”
 - (6) Unjustifiable justification: preemptive attack

3. Refurbishing the UN-law system
 - (1) Reconfirm Art. 2(4)
 - (2) Clarify the limits of other internationally recognized use of force
 - (3) Multilateral police force
 - (4) Strengthen the judiciary
 - (5) Rule of law, rather than punishment

Participants Wanted!

Sponsored by Japan Ministry of Foreign Affairs

Conflict Prevention Seminar

Seminar content and objective:

The objective of the seminar is to equip each participant with enough knowledge and skills to present in English his or her own ideas on theory and practice of peacebuilding and conflict prevention. Lecturers and participants will approach the issues and problems of the subject from theoretical as well as practical perspectives, acquiring analytical methods and theoretical frameworks of the field through actual examples. Sufficient amount of time is set aside in each session for discussion of the topic so that the participants can not only become knowledgeable about the field but also engage fully in bridging theory and practice.

Field research opportunity: The Program will select ten students to participate in each of the following field research trip:

Conflict prevention programs in East Timor, November 20 – November 29, 2004

Eligibility: Undergraduate and graduate students at universities in the Tokyo area. All majors are welcome, but students with enthusiasm to study peacebuilding and conflict prevention are preferred.

How to apply: Applicants must fill in the application form and send it by email to the contact email address at the bottom. <http://www.tufs.ac.jp/common/pg/pcs/etc/mofaseminarappliform.doc>

Schedule

	<u>Date & time</u>	<u>Lecturer</u>	<u>Topic</u>
1	Saturday, October 23 17:00– 19:00	Ms. SAKAI Keiko Institute of Developing Economies	Prospects of Peacebuilding in Iraq
2	Thursday, October 28 15:00– 17:00	Mr. TAKAHASHI, Kiyotaka Japan Int' l Volunteer Center	Issues of International Aid in Post-Conflict Peacebuilding: From an NGO' s Perspective
3	Saturday, October 30 13:00– 15:00	Dr. Sorpong Peou, Sophia Univ.	National Reconciliation and Peacebuilding in Cambodia
4	Saturday, October 30 15:00– 17:00	Hon. IMAGAWA, Yukio, Former Japanese ambassador to Cambodia	International Community' s Involvement in Cambodia Peace Process
5	Thursday, November 4 10:00– 12:00	Mr. James Nachtwey VII Photo Agency	Conflicts and Media
6	Thursday, November 11 10:00– 12:00	Ms. ASAKAWA, Yoko Japan Emergency NGOs	The Role of NGOs in Peacebuilding and Conflict Prevention
7	Thursday, November 18 10:00– 13:00	Mr. TANAKA, Hiroto International Development Center of Japan (IDCJ)	Issues of Peacebuilding DDR Projects: Cases of Afghanistan and East Timor
8	Thursday, December 2 10:00– 13:00	Mr. TSUKAMOTO, Toshiya (IDCJ)	Research Methods in Conflict Areas
9	Thursday, December 9 10:00– 13:00	Dr. ITO, Tsuyoshi Meiji University	Security Theory and Frameworks of Conflict Prevention
10	Thursday, December 9 16:00– 18:30	Prof. MOGAMI, Toshiki International Christian Univ.	International Law and Conflict Prevention

Venue: Tokyo University of Foreign Studies, Research and Lecture Bldg. 4th Floor, 401-3
3-11-1 Asahi-cho, Fuchu-city, Tokyo 183-8534
http://www.tufs.ac.jp/common/is/university/access_map.html

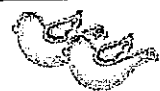
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Master's Program for Peace and Conflict Studies

Tokyo University of Foreign Studies

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<http://www.tufs.ac.jp/common/pg/pcs/index.shtml>



Project 2: Field Research to Timor Leste

**Assessing Peace-building in Timor Leste:
Past, Present, and Future**

TUFS-PCS Cambodia Research Team

January 2005

Research Review Series

Tokyo University of Foreign Studies (TUFS)

Postgraduate Program in Peace and Conflict Studies (PCS)

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To all the staff of the Peace and Conflicts Studies Program, who put a lot of work and energy for this project to materialize and for their trust in this particular group of students as representatives of Tokyo University of Foreign Studies to visit and conduct research in Timor Leste and Indonesia.. To HAYASHI Hiromi, Peace and Conflict Studies Assistant, who very kindly and very carefully took care of practical matters for the trip, playing a dual-role of assisting at both the group and individual levels.

Special thanks to Mr. TSUKAMOTO Stephano, Mr. TANAKA Hiroto and Miss NOZU Kanako from the International Development Center of Japan. Special thanks also to Ms. Veronica DOS DORIS, Deputy Director, Secretary of State for Labor and Solidarity of Timor Leste Government. All of them took a very active role in setting our trip, and putting details together. Before our departure there were big amounts of practical work and arrangements that needed to be taken care of and they facilitated our trip by arranging multiple aspects of the trip so that we could focus our time in doing more literature review before departing. Also at our arrival at Timor Leste they provided us with useful tips that made our trip and our work smoother and more fruitful.

We would like to express our gratitude to those organizations that accepted our visit and spared time for us to deliver lectures. Among them we thank to UMISSET, UNDP, IOM, CAVR, National University of Timor Leste, Japanese Embassy in Timor Leste and Department of Foreign Affairs of Indonesia. To all officials and representatives we met both in Timor Leste and in Indonesia, who devoted their time to our understanding of their jobs, activities and different aspects of the conflict and its solutions. To the ex-combatants who helped us tremendously by answering our questioners and to the students of the University of Timor Leste, who were always willing to assist us with translations and practical things and for sharing their time and their smiles with us.

PART 1: PROJECT INFORMATION

Introduction

This report has been prepared to provide detailed account of the “Assessing Peace-building in Timor Leste: Past, Present, and Future” that was organized by Tokyo University of Foreign Studies (TUFS) with the support of the Ministry of Foreign Affairs of Japan in the autumn of 2004.

Our first objective was to develop further the knowledge and the analyzing methods acquired at the seminar on “Theory and Practice of Peace-building and Conflict Prevention” held earlier. And another objective was to nurture high-quality human resources who are acquainted with the theory and practice of peace-building and conflict prevention through the research trip to East Timor.

The participants of the research trip were selected from those who participated in the seminar on “Theory and Practice of Peace-building and Conflict Prevention” through strict examination. The 13 participants in the program included the organizing Professor, two collaborators, as well as six Master’s students from Master's Program for Peace and Conflict Studies (TUFS-PCS) and one Ph.D. student from Tokyo University, and three undergraduate students from other universities. The details of the participants are given in the following table.

<u>Participant</u>	<u>Country</u>	<u>Current Position</u>
Yoshiyuki OGASAWARA	Japan	Associate Professor, TUFS
Toshiya TSUKAMOTO	Japan	Collaborator, IDCJ
Hiroto TANAKA	Japan	Collaborator, IDCJ
Fernando PALACIO	Argentina	MA Student, TUFS-PCS
Nuno LUZIO	Portugal	MA Student, TUFS-PCS
Anara SALAMATOVA	Kyrgyztan	MA Student, TUFS-PCS
Azeez OKUNLOLA	Nigeria	MA Student, TUFS-PCS
Housam DARWISHEH	Syria	MA Student, TUFS-PCS
Shaan MAVANI	USA	MA Student, TUFS-PCS
Kosuke KAWAMURA	Japan	Ph.D.Student,Univ.of Tokyo
Haruna ISHIDA	Japan	Student, Univ. of Tokyo
Yoko SATO	Japan	Student, Tsuda Collage
Yuhei SUDO	Japan	Student,Hitotsubashi Univ.

The research trip was centered on Recovery, Employment and Stability Program for Ex-combatants and communities in Timor-Leste (RESPECT) program, an UNDP two-years

program addressing the social and economic integration of the most vulnerable groups of society, including ex-combatants, veterans, widows and unemployed youth by providing short, medium and long term employment and sustainable livelihood opportunities. We not only had lectures on the program, but we even participated in some of their activities, and interviewed some of the ex-combatants, which lead us to broaden our knowledge. The trip also included visits to the Japanese Embassy in Timor Leste, United Nations Missions of Support in East Timor (UNMISET) and other important organization in Dili, Timor Leste. We also had a chance to visit Jakarta, Indonesia on our way back to Japan to hear the story from the Indonesian side so that we could have balanced views on questions related Timor Leste.

Summary of Findings

Shaan MAVANI

The actual field research we undertook in Timor-Leste supplemented and in many cases corrected our impressions from the research we had completed beforehand. The real scale and scope of the complexities of International Intervention, Peace-keeping and Peace-building, and of governance were clarified to us through the various experiences we had there. The following points represent the main findings of the fieldwork and other research overall, and are covered more extensively in body of the report.

- ♦ International Intervention was too slow in coming and despite assurances by the UN and other international bodies and bilateral donors, from many of the local representatives and through our own observations we came to the conclusion there is a high possibility that the government of Timor Leste will have to face much more than it can handle in the near future. Such a situation has an obvious propensity to lead back to conflict and a renewed need for international intervention and assistance. The challenge the UN, Japan as the largest bilateral donor, and other concerned members of the International Community face is to sustain the attention and resource contributions of the various constituencies whose support is needed to provide continued assistance to Timor-Leste and not risk backtracking on the progress that has been made so far. In addition to Timor-Leste's future, this of course has major consequences as well for the legitimacy, feasibility, and execution of Peace and Humanitarian Intervention, Peace-keeping, Peace-building, and Development projects in general.
- ♦ Successful establishment of the Justice system faces several serious challenges. First, the Serious Crimes Processes is unsure with an uncertain commitment on all sides to the International Tribunal, as well as lack of enforcement powers in the other Serious Crimes initiatives that have been established this far. While the Commission for Reception, Truth, and Reconciliation (CAVR) has made more progress through adapting customary and local law traditions, its mandate will soon end with its work unfinished, and the viability of such a model for establishing the rule-of-law overall is also unsure and moreover highly debate among the major parties involved including the UN. The future direction of the legal system, especially in terms of how legitimacy of such a system can be established without accounting for major past crimes, and in terms of the proper way to build off of exiting formal and informal institutions, as well as how to meet the expected resource shortfall, will have importance consequences for all areas of the country's development. The fact that these questions remain open, being addressed only on a seemingly ad hoc basis, should elicit a good amount of concern.

- ♦ The security situation is somewhat unstable, as can be expected from a mostly nonfunctioning or nonexistent legal system and a police system still in the early stages of development. Still, domestically, the situation has been relatively good, with not excessively high crime rates, and less crimes of revenge or human rights violations than had been or could be expected given the slow progress in reconciliation and justice. The future stability and effectiveness of internal security will very much depend on future economic and political development and managing cleavages between various segments of the population, as well as addressing external threats, as are clear from the revision of the UN's plan to not withdraw until it had established a 'soft border' with West Timor, as well as the continued clashes in the border area. Bilateral and UN training and knowledge transfer programs will have to be maintained and more resources dedicated to the F-FDTL armed forces as well as the police if the institutional capacity of these organizations is to match the needs of the Timor Leste nation. This includes the strengthening of protections from Human Rights violations by individuals, groups, and the state security forces themselves, as well as accountability and transparency in public administration.

- ♦ Civil society partnerships will have to be nurtured to secure such political, as well as the economic, and social gains that have been made. Furthermore, institutional capacity building in all areas, to be made sustainable, will require on the one hand, sufficient funding and qualified outside advisors, as well as continued integration within the framework of human rights, rule of law, and good governance. On the other hand, giving the heavy involvement of the UN and other multilateral bilateral agencies, the current over-dependence on donors will have to be addressed and remedied in gradual, and especially conflict-sensitive manner. Financial independence will of course eventually require economic growth and employment beyond the expected income from natural resources and energy, and will have to be key aspects of the ongoing peace-building project in East Timor. This growth will have to be evenly spread if peace is to be secured. Moreover, the environmental sustainability of the nation continues to be in questions, and will have to be prioritized in all national development efforts along with rural development and pro-poor policies that affect the bulk of the population. This includes secure social programs to meet the health and education needs of the people, and the needs of vulnerable groups such as ex-combatants, women, and children most severely affected by the war.

- ♦ Finally, human resources capacity building is going to be especially critical in the near-future to Timor Leste's ability to meet the many current resource shortfalls it faces, and thus to stability, peace, and to the long-run development of the country. Measuring the success of development projects by the sustainability and continued improvement of

the skills of local participants is one way to spur on such capacity building. Moreover, by instituting systems that build off of and encourage local initiatives and other participatory forms of development, such as the UNDP programs discussed in detail in a later section of this reports, local needs can be addressed and at the same time local management and governance capacity can be built. Ownership, and more importantly, feelings of responsibility of development can be transferred to the local population. The current spirit of independence and the energy of young people should be as well harnessed in this cause.

PART 2: STUDENT REPORTS

International Intervention in Timor Leste - "Too slow and not enough"

Interviews with member of the the Timor Leste Government, UN officials and the Japanese Ambassador

ISHIDA Haruna and Fernando PALACIO

Introduction

Timor Leste is a country that is still in the process of learning how to stand on its own feet due to not only its recent independence, but also due to its history -its protracted conflict with Indonesia, and its long past as a Portuguese colony-; its geographical situation -being a tiny country sandwiched by two giants, Indonesia and Australia-; its lack of developed resources -natural and human- to ensure its sustainable development and welfare for its people, and finally due to its dependence on international assistance and donors will.

Three main countries have played a primordial role in forming what today Timor Leste is: Portugal, Indonesia and Australia. Portugal by having colonized the Eastern part of the Timorese Island since 1520 until 1975 (with a short interruption during World War 2 when the Japanese briefly "colonized the colony") which sharply produced an Timor Lesteese identity (religiously, socially and culturally) somehow different to that in the rest of what today is Indonesia -that was colonized by the Dutch-.

The Portuguese pulled out abruptly in 1975 -due to internal conflicts in Portugal- and nine days after the Democratic Republic of Timor Leste was proclaimed, Indonesia staged a full scale land and sea occupation. The Occupation of Timor Leste -small, remote and poor- "largely escaped international attention"; although very surprisingly it happened the very next day after American President J. Carter visited President Suharto in Jakarta. The Timor Lesteese resistance movement was suppressed by Indonesian Military Forces, and since then more than 200.000 Timor Lesteese are reported to have died during the conflict.

The other two, its neighboring countries (Australia and Indonesia), have also played a vital role making Timor Leste be what it is today; Australia by leading the efforts to voice the situation in the Island during the Indonesian occupation and later by fostering the legal establishment of the country; and finally, Indonesia by allowing the UN supported Referendum of August 30th 1999 and latter accepting the Timor Lesteese will for independence as reflected in the 78.5% vote for secession from Indonesia.

Although denied by the Indonesian Government, there is sufficient evidence to show that the Indonesian Army supplied pro integration paramilitary groups with weapons and resources to conduct their operations. Systematic violence by this militia stridently increased before and

after the Referendum by persecuting pro independence Timorese, slaughtering civilians, destroying social infrastructure and methodically burning the forest of the island.

During the most violent time of the turmoil, right before and after the Referendum (1998-2000) a number as high as 250.000 refugees fled to West Timor looking for safety. However in order to correctly interpret this figure it is important to take into account that the total population of Timor Leste was estimated at that time to be 800.000 people¹.

Timor Leste gained independence on May 20th 2002, and that marked the end of the official and foreign rule over the territory, almost 475 years of foreign rule had passed. However once independence was gained Timor Lesteese have had to face an “unexpected” massive international force coming into the field, the enforcement of new values -especially in terms of rebuilding interpersonal relationship and instituting Human Rights -, the establishment of new international relations and most importantly a critical lack of general development and hence poverty.

The 24-year Indonesian occupation over Timor Leste led to a bloody search for self-determination and marked its society with the scars of war and the systematic use of violence. The nature of the conflict -both internal and external- was such that it destroyed not only the peace as open war but also in terms of peace of mind, people had to confront their own antagonist neighbors and relatives and that led to a strong feeling of hate, disunion and revenge.

According to the Timor Lesteese President, Xanana Guzman, the Timorese people were already searching for reconciliation even before overt violence occurred in 1999 through the Bali and the Jakarta Accords, which were not respected by the Suharto Administration, especially after the Referendum organized and monitored by the UN, that clearly showed the will of Timor Lesteese for independence.

The new government of Timor Leste considers that the Indonesian policy of entrenching fear through violence in the Timor Lesteese population during the occupation led to an initial deepening of differences among the people, but that eventually also led to a certain level of peace and latter democratization. (This point will be further developed in coming pages of this paper).

From the Official Timor Lesteese perspective² the protracted war was originated by the need

¹ Nishikawa Y. *Timor Leste: unfinished business*. Page 6.

² President's Xanana Guzman's speech at Forum on the Roles of the United Nations in Peacekeeping and Peace-building in Timor Leste. Dili, Timor Leste, November 26th of 2004.

of the Indonesian Government to exacerbate the differences among people and by carrying policies aimed to not only defeat the enemy (pro-independence guerillas) but also to destroy it, thus forcing people to believe in *Peace as the physical nonexistence of the enemy*.

In this sense and at the personal root level Timorese people gained some perspective over time and realized that Indonesians were under a violent government that constrained them and oppressed them too, thus for the islanders war became "*the art of living with the enemy*".

Progressively people understood that if they cooperated with anti-Suharto Indonesians, these Indonesians also cooperated with Timor Lesteese. This mutual cooperation has helped people on both sides to ease their mutual hate and to "*exchange olive branches as a sign of reconciliation*".

Within this framework Timor Leste has a promising future once certain core problems are solved and institutional experience starts to accumulate and show some more "normalized" trends. Among the biggest challenges the country has to face in the near future are governability, the development of a public bureaucracy able to deal with the administration of the state and justice related issues, that are essential for reconciliation of the Timorese people.

In this sense and through out this paper we aim to show that International Intervention in Timor Leste has been, by nature, contradictory depending on the interests of the different actors, and in the particular case of the UN, its involvement has been both TOO SLOW and NOT ENOUGH at the time of terminating its mission.

Argument

Since Timor Leste gained definite independence in 2002 the ruling of the country has been shared by local institutions and international organizations, mainly the UN. Multilateral agencies and bilateral donors have played a central role in this course, especially in terms of humanitarian and development aid, and financial and technical assistance. In this sense it is important to remark on the commitment of the Japanese government, not only by being a major donor in terms of financial AID and technical assistance but also as one of the most active actors in promoting international awareness about the fragility of the situation in independent Timor Leste.

The UN's direct involvement in terms of peacekeeping and peace-building is about to finish and specialists from within the organization consider the mission one of the most successful UN Missions at creating and maintaining security and stability within a country. This is especially true when compared to other missions that also fall into *Chapter VII of the UN*

Charter such as the ones sent to Namibia, Cambodia, Haiti, Bosnia and Herzegovina and Kosovo³.

Throughout UNTAET⁴ and UNMISSET⁵ humanitarian assistance was able to meet the needs of the people of Timor Leste and provided help to the recovery of devastated communities. The UN's work in close partnership with the recently created Timor Lesteese public organizations laid the foundation for building the required state institutions and democratic governance, with specific focus on human rights promotion and engendering the rule of law.

The process of setting up UNTAET required plenty of work, both international and domestically. The Australian government had initiated the task by denouncing the severe Human Rights abuses that were being committed in Timor Leste. It also required an overall agreement signed by Portugal and Indonesia (May 5th 1999) in order to entrust the UN with the organization and conducting a plebiscite over autonomy or independence for Timor Leste, including the establishment of a UN mission itself. But in order to do so, domestic security was a prerequisite and Indonesia was to be responsible of ensuring such an environment, but later showed very little political will to do so. Two supplementary agreements requested the deployment of the UN personnel to carry out the consultation process. However, logistic problems and the lack of security continue to delay the actions.

UNTAET required full confidence and support from the Security Council, the full cooperation of the Indonesian authorities, necessary resources, privileges and immunities, freedom of movement and communication; all of which took precious time in terms of human lives, to be gathered. However once everything was in place, the mission comprised 241 international staff members, 420 UN volunteers, 280 civilian police and 4000 local staff; the headquarters were established at Dili, followed by seven regional centers.

UNTAET was endowed by the Security Council with full and executive state powers to establish basic governance structures, and to assure people's participation and the respect of human rights. After 2 years and 8 months of work these goals were "officially" achieved and thus in May 2002 it transferred most of its authority to sovereign Democratic Republic of Timor-Leste, and the mission was transformed into UNMISSET.

³ For further details: PRITCHARD Sarah. *United Nations Involvement in Post Conflict Reconstruction Efforts: New and Continuing Challenges in the Case of Timor Leste*. Page 185.

⁴ UNTAET, United Nations Transitional Administration for Timor Leste. Established by Security Council Resolution 1272, October 25th 1999 (September 1999 through May 2002, Under the leadership of Sergio Viera de Mello)

⁵ UNMISSET, United Nations Mission In Support of Timor Leste. Established by Security Council resolution 1410, May 17th 2002 (May 2002 through May 2005, under the successive leadership of Kamallesh Sharma and Sukehiro Hasegawa, respectively)

In order for that to happen new legal structures were required, thus the UN and development partners contributed to move this process forward. In August of 2001 the people of Timor Leste elected a Constituent Assembly that drafted and adopted the country's constitution and then transformed itself into Timor Leste's National Parliament. In April 2002 the first Presidential election took place and by May of that year the constitution came into force providing an elected President, a Government, a National Parliament and an independent judiciary.

As mentioned before, once local governmental institutions were set, UNTAET was transformed into UNMISSET, which continued to support and ensure the peacekeeping process and the long-term peace building, especially in the areas of law-enforcement and external security. At present UNMISSET has entered its last six months -since the mandate will be completed in May of this year- and now its priority focus is on providing assistance to the justice system, to core administrative structures developmental tasks and maintenance of security and stability.

During the UNTAET and UNMISSET missions the National Police of Timor-Leste was established, it was organized in four main areas (Border Police Units, Rapid Intervention Units -or Antiriot Units-, Prison Responsible Unit -also in charged of weapons collection-, and Marine Unit). The UN provided training and practical assistance to its 3000 recruited National Police officers.

Handing over the policing responsibilities to the local institution took place in a progressive manner. The main areas of training were rapid response and intervention units, counter-terrorism, investigations or forensics and management skills, all of them within a framework of professionalism, human rights education and international democratic policing standards.

The entire legal system had to be built from zero and the task begun before independence and continued later to sustain it forward. Most of this work took place during the UNTAET period; it was centered on addressing the humanitarian crisis, activating a judicial and prosecutorial system and creating the required structures for the first independent government. However, as mentioned in a later section of this report, the Justice system in Timor Leste still remains one of the weakest areas of the state.

During the UNTAET period a Commission for Reception, Truth and Reconciliation (known as

CVAR for its acronyms in Portuguese⁶) was established as a non-judicial strategy to examine past human rights abuses and to reaffirm the fight against impunity. In this sense a Serious Crime Unit was set to investigate and carry out the trials for the perpetrators of these crimes.

One of the things we learnt by visiting Timor Leste is the fact that the whole issue of reconciliation is in the mind of most Timor Lesteese and the government is not an exception to this. The trade-off the two basic concepts of Truth and Justice is currently being considered: they can be perceived not as complementing each other but rather as competing with each other.

The Timor Lesteese government still shows disappointment with the lack of cooperation from the Indonesian government at bringing to justice the relevant militias or militia leaders, which makes the reconciliation process slower and harder. In this sense the Timor Lesteese Government has adopted a more practical approach to the problem by "*just waiting for the militias to return to Timor Leste and tell the truth, while driving their actions to more urgent agenda problems: development and poverty reduction*"⁷. However they do expect more cooperation from the international community.

During the UNTAET period a Human Rights Unit was established to monitor and ensure respect of human rights, and continued enhancement by both UN and local actors. This Unit provided technical assistance to the emergent government in core areas such as protection of human rights through capacity building in state institutions, such as the constitution. Focused work was done with the National Police and Prison Officials in terms of training on human rights and operating procedures.

There has been keen work done through the partnership of Timor Lesteese government, the UN, its agencies and development partners in order to enhance the capacity of the government and the public administration. In this process, the most critical areas were identified and are being addressed: the most outstanding spots receiving assistance are the Finance and Planning Administration, the Justice sector, the President's Office, the National Parliament, the Transport and Communication areas, and Public Work.

The main task consists of providing training in terms of skills and knowledge, also in systems and procedures, and finally in attitudes and behaviors. Even though a lot has been done so far, substantial work remains to be done in regards to institutional capacity building on a sustainable basis, such as functioning and service delivery by civilian state institutions,

⁶ Comissao de Acolhimento, Verdade e Reconciliacao de Timor Leste

⁷ President's Xanana Guzman's speech at Forum on the Roles of the United Nations in Peacekeeping and Peace-building in Timor Leste. Dili, Timor Leste, November 26th of 2004.

among many others. This point will be discussed at length in the next section of this report.

The Timor Lesteese government is still preoccupied about the fragility of the domestic situation and their most immediate goal seems to be keeping a transparent image with high levels of accountability. In so doing they plan to keep open communication channels with the people as a means to eliminate “administrative holes” and to get to consensual decisions that represent the people’s will. In this regard, both International community and the government show their concern about the role and the development of a free and professionalized media.

In terms of development, the Timor Lesteese government has taken steps to accomplish the country’s development through its *Road Map* (National Development Plan), which outlined present priorities, targets and goals to achieve, as well as actions and measures to be taken from 2003/4 to 2006/7, with special focus on the people’s participation. UNDP⁸ and bilateral donors have contributed to the rehabilitation and reconstruction of the country, the fight against poverty and unemployment, in addressing educational and health needs, maintaining political stability and achieving rapid sustainable economic growth.

Historically Humanitarian and Development Aid to Timor Leste has taken place in different stages and with different involvement of international donors and kinds of activities. The **first stage**, from 1975 to 1989, was an authoritarian closer of the *then Indonesian Province* by the Indonesian Government to any kind of assistance from outer sources. The **second stage** was the opening of the Province by the Indonesian Government in 1989 which allowed a big flow of humanitarian and development assistance from international donors. The **third stage** was the drought emergency of 1998 which coincided with the rising of violence and the increase influx of aid in terms of humanitarian and emergency relief. The **forth stage** was marked by the interruption in January of 1999 after the Indonesian President Habibie decided to allow the Referendum on Timor Leste’s political status and the continued increasing military suppression on civilians which ultimately led to a disruption of almost all programs due to security concerns. The **fifth stage** began with the UN’s involvement in the conflict in September 1999 through UNTAET which allowed the normalization of humanitarian and development influx as the scenario became more secure and stable.

Among the most important contributors for development to Timor Leste are multilateral donors like UNDP and other UN Agencies, IMF, WB. While most outstanding bilateral donors are Japan International Cooperation Agency (JICA), The United States Agency for International Development (USAID), Australia Agency for International Development (AusAID), New Zealand International Aid and Development Agency (NZAID), Norwegian

⁸ UNDP: United Nations Development Program

Agency for Development Cooperation (NORAD), Canadian Agency for International Cooperation (CIDA), European Union Agencies, Portuguese Agencies and Irish Agencies. And finally a number of NGO's among which the most active ones are Misereor (Germany), Missio (Germany), The Catholic Foundation for Overseas Development (CAFOD), Caritas Network and Christian Children's Fund (CCF) and Japan International Development Center (JIDC).

It is important to note that even though the Timor Lesteese government is in radical need of international assistance in regards to development aid, they also show a hesitant attitude towards accepting *dogmatic* and *foreign formulas* that do not go along their own development expectations and priorities. As president Xanana Guzman stated "*Timor Leste is not re-constructing it self, it is constructing itself, and thus IMF or WB should change their recipes to Timor Leste because we have a different reality here in comparison to other countries.*"⁹

At present donor countries' interest is shifting away as Timor Leste is not longer considered a crisis situation and it is being perceived rather as a "normal" developing country. As a clear example of this we can put forward the Japanese ambassador statement during our visit to that embassy, when he told us that it is difficult for personnel in the Embassy to keep people in Tokyo's attention in order to continue assisting Timor Leste.

Now it's essential to enforce local capacity, or capacity building. Difficulty for Japanese embassy as the front office of the biggest donor is to arouse sustain the attention of the Japanese people who fund ODA, as nation building always takes time to achieve, the attention gap in Japan and abroad is now grave, and as headquarters (=Japanese government and MOFA) are less interested to commit. This gap can easily show up, especially in seemingly successful cases.

The Brahimi report is worth looking into on these points, but the reality is on the ground, and one needs to be flexible to understand what is going on and to change it. The answers are not on paper, neither in the headquarter, but can only be gained on the ground through communication with local people.

The Japanese government's commitment is first situated as a part of an international effort, which is now shifting from military operations to nation building, or to development. The retreat of the Japanese self-defense force is a part of this tendency. However Japan has also several points to focus on, which are first of all human development and then infrastructure.

⁹ Forum on the Roles of the United Nations in Peacekeeping and Peace-building in Timor Leste. Dili, Timor Leste, November 26th of 2004.

Also the Japanese government will be focusing on self-sufficiency and sustainability in agriculture.

In the Japanese point of view, its support for CAVR is evidence that Japan contributes not only on economic assistance, but the broad reconstructing of this country. From a more multilateral viewpoint, Mr. Hazegawa¹⁰ told us during an interview that Timor Leste's security is stable, both domestic and internationally, and it is expected to remain so even though there are still a small number of incidents in the border area with West Timor (Indonesia), around the enclave of Encoussi, and in Timorese seawaters.

UN officials consider that the relations between Timor Leste and Indonesia have advanced positively, "*they seem normalized and stable, non-the-less there are still topics of big concern such as ex-militias management and other hard matters... there are still more than 40.000 refugees in Indonesia...some of them are ex militias' families and militias them selves*"¹¹. Notwithstanding the fact that the Indonesian government has started to halt assistance to those refugees and their living conditions are worsening, the main obstacles for these people to return to Timor Leste are 1) death threats against families seeking to leave, 2) attacks on convoys heading back to Timor Leste, 3) distorted information by militia regarding Timor Leste, and 4) militia leader presence in the camps.¹²

The Timor Lesteese government continues to request direct assistance from the UN since they consider that the situation is still emergent and precarious, institutions have only achieved a minimum level of capacity, and they lack self confidence at being able to address Timor Lesteese and international expectations.

In this regard there are three main currents of thought within the UN, countries like Brazil and Portugal that advocate for the continuation of the mandate; countries like the US, the UK and most European who believe it is time for the UN to move on; and finally countries such as China and Japan that still haven't made a clear statement about what the UN should do.

Regardless of these individual considerations the Security Council has made a decision -conclude the Mandate of the UNMISSET Mission by may 20th of this year¹³- since it considers that the UN's last five years of active field work have been enough and that the country is ready to stand on its own feet.

¹⁰Dr. Sukehiro Hazegawa is the current Head of UNMISSET.

¹¹ Group Interview with Dr. Sukehiro Hasegawa at the Headquarter of UN in Dili, Timor Leste. November 25th 2004.

¹² Nishikawa Y. *Timor Leste: unfinished business*. Page 10.

¹³ Security Council Resolution 1573.

As shown above, a big amount of work has take place and results in terms of Peace-building and Peace Keeping are on their way for Timor Leste, however it is still imperative to understand that the international community and especially the UN waited more than twenty years to realize about the almost total destruction of the Eastern Part of the Timorese Island.

The enormous required work serves as evidence for all that was amiss: mass human rights abuses –such as murder, rape, setting fire to villages, plunder and torture- a collapsed civil administration, inexistent legislative and judicial systems, displacement of hundreds of thousands of civilians and refugees, a huge humanitarian disaster, the destruction of more than 75% of the infrastructure –including homes, clinics, water and electricity services and most public buildings¹⁴, the lack of any kind of social services, the recruitment of civil servants, the inexistence of trade or commerce, a natural environment absolutely devastated¹⁵.

Both UNTAET and UNMSIET were in charge of creating a legal framework within which law enforcement and judicial institutions could operate; the selection of judicial personnel; the prosecution of crimes against humanity. Today, the UN mandate is about to be officially concluded when there is still an essential task to take up: that of bringing to justice the most important Indonesian Militias -who still remain free in Indonesia-, responsible of crimes against humanity and gross violations of human rights.

As explained in Justice for Timor Leste¹⁶ “... *although UNTAET investigators have shared information with their Indonesian counterparts. Reciprocity has not been forthcoming. UN investigators who traveled to Jakarta to question Indonesian suspects and witnesses were not permitted to do so despite the April 2000 Memorandum of Understanding signed between the UN and Indonesia. The chief of Indonesia’s armed forces, Admiral Widodo has publicly refused to cooperate with any UN investigations. Indonesia’s Parliament supports this position. This leaves the Timor Lesteese Courts with access only to low-level militia; officers with command responsibility are out of reach. Basing Timor Leste’s new democracy on the principle of the rule of law is made extremely difficult when those who signed and perpetrated heinous crimes are, in effect, above the law.*”

¹⁴ Nishikawa Y. *Timor Leste, unfinished business*. Page 6

¹⁵ Report of the Secretary General on the United Nations Transitional Administration in Timor Leste, UN Doc S/2000/53 (2000) [40]-[62].

¹⁶ *Justice for Timor Leste* is a document signed on June 13th 2001 for more than 70 organizations working in Timor Leste concerning administration of justice for gross violations of Human Rights committed in Timor Leste.

This problem was in fact introduced since Indonesia committed itself in 1999 to bring these criminals into its own courts, but its authorities seem unable -or unwilling- to administer meaningful justice in relation to the crimes committed in Timor Leste. Thus, the question is: how can the international community remain inactive about this?

Some critics to the process suggest that the professional training for the Judiciary has been inadequate, insufficient, uncoordinated and without continuity, for example in terms of how to deal with procedures at Indonesian legal system, skill at making and writing decisions or following courtroom procedures, and the frequency of judges who are discontent with their salaries and personal security¹⁷.

Other criticisms relate to technical aspects of the process like the lack of an established mechanism for addressing land and property disputes -that arise with the return of the refugees-, the inadequate supply and training for interpreters -especially in courtroom technical terminology-, the lack of Civic Education during UNTAET and UNMISSET and the lack of attention to issues of Customary Law -the last two issues were part of the mandate of the UN to the mission, however, very little work has been done in these areas-.

Conclusion

Throughout the present paper we have tried to present some evidence in order to show that major efforts, by the international community and particularly by the UN, have been undertaken to address the severe Human Rights crisis of Timor Leste. Nevertheless, a closer look at the details (e.g. timing, procedures, and assessment of goals) also shows a negligent attitude and a serious lack of commitment towards preventing conflicts -when still possible-, and then finding holistic and integral solutions once the conflict has erupted.

Not only had it taken about twenty years to “see” what was happening under the Suharto Administration in Timor Leste and to actually decide to do something, but also, and probably most importantly, international intervention in Timor Leste is leaving many tasks to be done by the Timorese government alone.

These two factors -international intervention in Timor Leste was TOO SLOW and NOT ENOUGH- diminish international confidence in institutions like the UN, and should make specialists and donors revise their assessment procedures since they are leaving entire societies behind -as they are doing now in Timor Leste-, and leaving local leaders and civil society with a legitimate feeling of “*it came too late... and now we are on our own when the*

¹⁷ PRITCHARD Sarah. *United Nations Involvement in Post Conflict Reconstruction Efforts: New and Continuing Challenges in the Case of Timor Leste*. Page 16.

work is not done yet".

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Reconciliation and Justice in Timor Leste

Nuno LUZIO and SUDO Yuhei

Introduction

It has been said that Timor Leste, like other post-conflict societies, has three options in dealing with past human rights violations: criminal prosecution; amnesia (forgive and forget); and restorative justice, which focuses on repairing torn social relationships. Timor Leste has chosen a mixed model of the first and third options. This model combines formal justice for serious crimes (through calling for an International Tribunal, and establishing the Serious Crimes Unit and the Special Panels for Serious Crimes) with the CAVR, which provides a less expensive, reconciliation-focused mechanism to deal with less serious crimes. Both processes are necessary. On the one hand, through the serious crimes process, to meet a demand for justice and rule of law over impunity, and on the other hand, through the work of CAVR, to contribute to lasting peace through reconciliation at the local level by reintegrating and healing divided communities and reducing the potential for new violence. Peace through justice, moreover, has to be cemented through building and sustaining a strong judicial system, and the problems that Timor Leste is having in doing so highlight the debate over how much this system has to grow out of local traditions of customary law. Each of these topics will be addressed in the sections below in turn.

The International Tribunal

The possibility of having an International Tribunal to judge crimes committed by the militias especially in 1999, and even during the period of illegal occupation by Indonesia, is one of the hottest issues in Timor Lesteese society. Generally the Timor Lesteese ask for an International Court as a way of achieving the necessary justice in order to move on towards a new future as well as to try to put under incarceration the main individuals responsible for the mass killings during the conflict. The legal impetus for prosecution are the war crimes committed in Timor Leste, which are grave breaches of the Geneva Convention, Hague Convention of 1907, and customary international laws of war. Moreover, some people argue also that genocide was conducted in Timor Leste; lastly, one can also claim lesser crimes against humanity.¹⁸

The International Tribunal could be created under the UN Security Council or the UN General Assembly (China would have no possibility of veto). One can argue that an International Tribunal can have a positive impact not only on Timor Leste, but as well on Indonesia's transition to democracy, mainly by placing the Indonesian army (in particular its

¹⁸ Dr. Gregory H. Stanton, "War Crimes, Genocide, and Crimes against Humanity in Timor Leste: Options for an International Criminal Tribunal", <http://www.genocidewatch.org/Timoroptions.htm>

generals) no longer above the law, and subsequently exposing and breaking the connection between the Army and more localized militias. Nevertheless, the Timor Lesteese government's policy has been to avoid requesting the International Tribunal arguing that this tribunal would not bring anything useful for Timor Lesteese people and it is not the best way towards a desirable and quick reconciliation. Members of the Parliament argued during our visit that due to Indonesia's power and strength the government's position should be seen as the most reasonable. Some of these government officials believe that it could be considered an insult for Indonesia and subsequently it could stimulate the rearmament of the militia in the West Timor side. The official position is basically to rely on the International Community to bring about justice.

Bearing in mind the countries that most forcefully acknowledged the right of Timor Leste to be independent, Timor Leste has asked them to press the United Nations to call for and facilitate an International Tribunal to judge these crimes; this means, in their opinion the International Community must assume the responsibilities for making such a request. The solution so far has been the institutionalization of a hybrid international/domestic court applying international law within the national justice system. However this system does not address the main perpetrators, who are presumed to be in Indonesia. The general feeling is therefore that there is a real need for the International Tribunal.

During our research visit, we found that not only people at the grassroots level, but also some international judges and officials also defend it. Due to the government's and President fear of an Indonesian reaction it would be appropriate that some of the main donors (Japan, Australia, Portugal and so on) could press the UN to institutionalize such a Tribunal. It is time for the International Community to take the initiative without thinking strategically about any kind of "payback" they may receive. It is in my point of view a coherent attitude with the Timor Lesteese, but also with the humanist values that these countries defend being the basis of their own nations, and with the dangers of setting a precedent of international indifference to genocide or mass violations of human rights and rules of conduct in war.

Domestic Serious Crimes Process in Timor Leste

In response of lack of progress towards an International Tribunal as explained above, Timor Leste has initiated a domestic framework of bringing to justice perpetrators of serious crimes committed during the conflict. To provide a credible process of accountability for serious offences committed against the people of Timor Leste, the so-called Serious Crimes Process has been established, comprising two main frameworks. One is the investigative and prosecutorial body of the Serious Crimes Unit and the other is a unique form of court, the Special Panels for Serious Crimes. In this section, these two main domestic frameworks for serious crimes process will be discussed. When in Timor Leste, we got to meet one of the

international judges of the Special Panels and had had a useful Q&A session. So with some of the points of discussion in the session in mind this section will be constructed.

Serious Crimes Unit

The Serious Crimes Unit (SCU) is responsible for conducting investigations and preparing indictments to bring to justice those responsible for crimes against humanity and other serious crimes committed in Timor Leste in 1999. The Serious Crimes Unit was established in 2000 by the United Nations Transitional Authority in Timor Leste (UNTAET) following UN Security Council Resolution 1272 (1999). Since the independence of Timor Leste on May 20th 2002, the SCU works under the legal authority of the Prosecutor-General of the formal justice system. At present, with 110 staff members, both international and national, the SCU is divided into four regional teams comprised of UN prosecutors, case managers, investigators and trainee staff. These teams cover all 13 districts of Timor Leste. The Serious Crimes Unit now continues to investigate and prosecute cases of crimes against humanity as well as individual offenses of murder and rape committed in Timor Leste between January 1st and October 25th 1999.

Apart from its main task of investigation and prosecution, the Serious Crimes Unit is now placing greater emphasis on the training of national staff including prosecutors, national police investigators and so forth. Training has been provided, first in classroom and later on the job. Despite its largely successful functioning, the SCU has been fraught with numerous challenges stemming mainly from its dire lack of all forms of resources, from adequate infrastructure and equipment to general funding and competent domestic personnel. As a result, less than qualified international personnel have dominated the operation of the SCU, to the dissatisfaction of Timorese staff who felt excluded from the process. This is a serious problem because, if local people perceive that international ones are controlling the whole process, legitimacy and credibility of the serious crimes process will be undermined.

The Special Panels for Serious Crimes (SPSC)

The SCU cases have been prosecuted in trials at the Special Panels for Serious Crimes the Special Panels are a unique form of court. The international community has regarded the Special Panels as a type of “internationalized” national court or “hybrid” court. Though operating within a domestic legal system, the Special Panels are working with the standards, requirements and expectations of an international tribunal, like the International Criminal Tribunal for Rwanda (ICTR) or the International Criminal Tribunal for the Former Yugoslavia (ICTY).

Each panel comprises two international judges and one Timor Lesteese judge sitting within the jurisdiction of the District Court of Dili, and there have been enough judges to compose

two fully working panels. Those two panels are mandated with exclusive and universal jurisdiction to try those charged with serious criminal offenses committed between 1 January 1999 and 25 October 1999. Based on both the Rome Statute of the International Criminal Court and the Indonesian Criminal Code (although with significant amendments), the legal definition of serious criminal offenses include genocide, war crimes, crimes against humanity, murder, sexual offenses and torture.

The Special Panels started with the hearing of the first case at the beginning of January 2001. Typical charges relate to the murder of suspected independence supporters, Timor Lesteese staff who worked for the UN during 1999 and other ordinary civilians. All the accused who have been tried so far have been Timor Lesteese nationals, most of them were low-level militia, often illiterate farmers. Very often they are not the main perpetrators, who are still at large and presumed to be in Indonesia, due to Jakarta's refusal to hand over indicted Indonesians to the Panel in Dili. Those include Indonesian commanders and four Indonesian chiefs of police.

The hybrid structure of the tribunal, whereby international staff work alongside national staff, enjoys several merits. First, the independence of the judiciary and therefore its legitimacy is enhanced by the addition of international personnel. In addition, a sense of national sovereignty is preserved when domestic judges and prosecutors directly participate in the serious crimes process. Second, by working with experienced international legal experts, local staff, most of whom had little or no legal experience, could gain knowledge and build capacity. Third, in connection with the first merit, the involvement of the UN in the process ensures that international standards are applied and bolsters the process' legitimacy.

Challenges of the serious crimes process in Timor Leste

1) Trials in absentia

As briefly discussed above, the biggest challenge the serious crimes process faces is the impossibility of trials without the presence of the indicted –who still remain in Indonesia-. The prosecution office has been unable to bring before the Special Panels the main planners and perpetrators of the serious crimes committed in Timor Leste. It greatly undermines the effectiveness of the serious crimes process. In spite of the Memorandum of Understanding (MOU) between Indonesia and Timor Leste, which expects all persons indicted for serious crimes to appear before the Special Panels to face trial, Indonesian authorities do not extradite those accused in Indonesia. The Indonesian Government also refuses to turn over evidence and witnesses. In Indonesia's view, the memorandum is not a formal extradition treaty.

2) Limited time available for investigation and trials

The serious crimes process in Timor Leste is expected to end in May 2005. The problem is what can be achieved before its expiration and how to achieve as much as possible in the most efficient manner. On the one hand, there is a necessity to bring to justice all the perpetrators, but on the other hand, the serious crimes process cannot last indefinitely. Therefore the solution will be, as discussed above, to prioritize and target certain cases that would have the greatest positive impact on the achievement of justice in Timor Leste, like those involving planning and perpetrating violence. To unburden the formal justice system, the alternative forms of justice are being at play in Timor Leste. The less serious crimes cases are being dealt with by the other alternative justice systems, the primary example of which is CAVR which is discussed below.

Alternative Justice Mechanism in Timor Leste: CAVR

The subject of this section is one Timor Lesteese institution, the Commission for Reception, Truth and Reconciliation in Timor Leste (Comissao de Acolhimento, Verdade e Reconciliacao de Timor-Leste, or CAVR). On the second day of the trip, we visited CAVR office in Dili, and we got to participate in a guided tour in the premises and met its regional director. In this section, discussion centers on the structure of the CAVR, and its achievements and challenges, together with some of the points raised in the Q&A session with the director.

The commission is an independent, statutory authority that will inquire into human rights violations committed on all sides, between April 1974 (when Portugal decided to decolonize Timor Leste) and October 1999 (when the United Nations temporarily assumed administration), and facilitate community reconciliation with justice for those who committed less serious offenses. The Commission will not give amnesty. CAVR also is to report on its findings and recommendations to the President and people of Timor Leste and to the UN Secretary-General. The word 'reception' in the title is widely perceived to refer to the repatriation of Timor Lesteese refugees in Indonesian West Timor.

The Commission is headed by seven Timor Lesteese National Commissioners, who have sworn to be impartial, and are assisted in the discharge of their legal obligations by twenty-nine Regional Commissioners and a staff of approximately 260, including some 15 international advisers. The Commission has a strong local focus. Most personnel are in the field supported by five regional offices. Four of these offices and the national office (a former colonial prison) were rehabilitated with donor funding. The Commission is entirely funded by external donors of whom Japan is the largest.

Functions of CAVR

1. Truth Seeking

The commission will seek the truth regarding human rights violations in Timor Leste within the context of the political conflicts between April 25th 1974 and October 25th 1999. The 25 year time period 1974-1999 constitutes quite a challenge. Trying to establish the truth over this length of time is ambitious. CAVR's inquiry into human rights violations is focused on 10 themes, including famine and forced displacement; structure, policies and practices of the Indonesian military and police; structure, policies and practices of Falintil and Fretilin; political imprisonment, torture and forced disappearances; massacres; death toll; children and youth; women and conflict, both as victims and activists; internal political conflict; the international community and self-determination.

Methodologies employed in the search for the truth about these themes include statement-taking, public hearings, research and investigation, and submission from outside sources. CAVR aims to collect 9000 statements which are stored in its archive room. These include statements collected from Timor Lesteese in West Timor. According to one staff in CAVR, those Timor Lesteese who are in West Timor as refugees have a right to decide whether to be involved in CAVR process. Coded and entered into the central data base, all these statements, combined with input from researchers and the other sources referred to, will be the basis of CAVR findings on patterns of violations and their correlation to military policies.

2. Community Reconciliation

CAVR is tasked to facilitate community reconciliation hearings throughout the country. According to its procedures, any person who has committed past crimes which are not 'serious crimes' (e.g. murder, rape or torture, which cannot be dealt with by CAVR), may apply to have their offence handled by CAVR instead of the formal judicial process, i.e. the courts. An applicant first supplies a statement in which he or she admits to particular action. This statement is then sent to the General Prosecutor who determines whether to address the case by the formal judicial system or refer it to CAVR. In the latter instance, CAVR organizes a hearing in the community where the crimes in question occurred.

At the hearing, the perpetrator, victims and community members all speak before a panel of respected community leaders headed by a CAVR Regional Commissioner who facilitates the process which results in a community reconciliation agreement binding on the perpetrator. An agreement may comprise community service, such as contributing to the rebuilding of a school or a victim's house, a payment to a victim, public apology and so forth. The agreement is registered with the District Court and when completed the perpetrator receives a permanent immunity from civil or criminal prosecution for the acts included in his statement.

3. Recommendations to Government

CAVR is obliged in law to report on its findings and make recommendations to the government for further action on reconciliation and the promotion of human rights in the form of a Final Report. This report will be between 1000-1500 pages in length and will be the most comprehensible historical analysis of the incidence of human rights violations, their background and issues of responsibility. The Parliament of Timor Leste is in the process of extending the mandate of the CAVR for six months. This means that the final report will be delivered to the President of Timor Leste before July 2005. The final report will be produced in Portuguese, English and Indonesian languages. A short version will also be produced in these languages as well as Tetum, the second official language of Timor Leste. CAVR will produce a range of popular versions of this report, including in film, radio and book form together with other related educational materials.

CAVR and the Formal Justice System

CAVR and the formal justice system are complementary. Working in cooperation, they will assist each other and contribute to the fulfillment of the mutual responsibilities to achieve justice. CAVR will relieve the workload of the formal justice system by addressing a large number of less serious crimes that might otherwise burden the courts. At the same time, the Commission will depend on the various branches of the formal justice system to enable it to fulfill its functions. The police assists the CAVR's reconciliation and truth-seeing functions by providing security to victims and witnesses, addressing issues of non-compliance with Community Reconciliation Agreements (CRAs) mentioned above, and assisting with information gathering. The Office of the General Prosecutor is tasked with the review of the perpetrator's statements. The District Court is required to review and register Community Reconciliation Agreements and take action if CRAs are not complied with.

Information-sharing between these institutions and CAVR have also been mutually advantageous. Cooperation in this area reduces duplication and miscarriage of justice, and assist CAVR's processes of verification, fact-finding, and the recovery of a more complete historical record. CARVS's findings contribute to the investigative work of the Office of the General Prosecutor. To assist this cooperation, the legal unit of CAVR includes persons tasked with liaising with the formal justice system.

CAVR's Outreach to Refugees in West Timor

As represented by the fact that CAVR has the word 'reception' in its title, CAVR seeks to reach out to Timor Lesteese refugees in West Timor. Starting in 2001 after the adoption of the CAVR legislation, initiatives were taken to engage with Timor Lesteese who voted pro-autonomy in 1999 and included holding several meetings in Indonesia with their political representatives, visits to West Timor and invitations to testify at public hearings in Dili. CAVR also stationed

stag at the Batugade Transit Centre to welcome and brief returnees.

Capacity Building

CAVR's contribution to capacity building should be noted. It has built a functioning organization involving 300 persons, all of whom have been trained or learned on the job in a variety of areas. From management to human rights, human resources and financial management. This is a rich resource for future human rights organizations that will be established in the future, such as Ombudsman of sorts.

Logistical and Organizational Challenges

The logistical and organizational challenges faced by CAVR have been huge. This is the first Truth Commission in the Asia-Pacific Region. Though the experience of other Commissions was beneficial, it is still a pioneering attempt. Further, it had to be established in a shattered country of poverty where most buildings had been destroyed and, to this point, communications remain extremely basic. Until recently, the only reliable means of contact between the national office and CAVR's about 200 staff in the field was by road, which is in poor condition.

Language has also presented particular challenges. There are over 30 local languages which victims may or may not use in giving a statement. CAVR left aside many of these, and employs four languages on a daily basis: Tetun, Indonesian, Portuguese and English. The time and cost factors this involves are clear from the reference above to the multi-lingual production of the Final Report.

Why does CAVR work well?

CAVR is generally judged as a successful case in reconciliation process. There are many factors, explicit and implicit. According to Pat Walsh, CAVR's Special Advisor, however, in general its appeal lies in two key factors. First, it addresses what is most important in a communal society, the restoration of relationships and a sense of community; and, two it does this in a highly localized, community-focused way, including a role for traditional community leaders.

Life in Timor Leste seemed to be highly socially interactive and take place outdoors and in groups. So the sense of exclusion from one's community is of such grave significance to an Timor Lesteese. Due to the rift in community created by different stance on Timor Leste's territorial status, many people who participated in CAVR's community reconciliation process used to be reluctant to leave their house and walk around. To bring about change in those situations, CAVR has made use of so that those who committed minor crimes or were accused of pro-Indonesian stance can be reintegrated into their community.

CAVR will have to address a number of challenges by the time it formulates recommendations for its Final Report due to be submitted in July 2005 and end its mandates. Among them one challenge is what to do regarding unfinished reconciliation cases. There will be quite a few such cases at the end of CAVR's mandate. One possible solution would be to prioritize cases which will weigh more heavily on reconciliation process than others. Another issue is how to deal with serious crimes identified in CAVR's inquiry but outside the current mandate of Timor Leste's Serious Crimes Process. Further, there is much to be done by CAVR about the repatriation of refugees in West Timor and meeting victim needs, such as psychological care.

In this section, the Timor Leste's experience of bringing to justice serious crimes and reconciling divided communities has been discussed. Given the discussion so far, it could be argued that Timor Leste's experience is unique but has promise of offering some precious lessons for similar conflict-stricken regions or countries. Hybrid court is an accelerating trend in the world to reinforce justice mechanisms in countries with poor judicial resources. Timor Leste's experience could be useful in countries like Cambodia where similar hybrid trials have been planned. In addition, the CAVR is Asia's first truth commission, and it holds out promise of being a model case from which other Asian societies could learn.

Justice and Problems with the Judiciary

The (re)constructed judiciary system has already progressed to some degree, but any measure of success is still a long way off. So far, the CAVR and the Serious Crimes Panel have been useful and apparently successful mechanisms, however the problems are substantial and significant. One of the first problems that were encountered was deciding between the various legislative options to use in drafting Constitutional and the ordinary law. A somewhat problematic solution was chosen, namely, after the draft of the Constitution, which is based in the Portuguese Constitution, the ordinary law was made to follow Indonesian ordinary law.

A more recent and practical issue is the lack of competent native people to run the judicial system; with a low rate of literacy and precarious universities Timor Leste faces a serious difficulty to educate within a short period of time so many needed jurists. Timor Leste has not had time yet to train the required competent people, and it has not had the time to create its own academic staff. Moreover the disparity between the international prosecution teams and the mainly Timor Lesteese defenders is obvious. They are quite young and they have not practices law before. Additionally, Timor Leste lacks infrastructure needed to run judicial institutions. The country does not have enough buildings in proper conditions for use as courts and even prisons. Problems such as lack of communication between prisons and the court, no public listing of court schedules, and the difficulty of accessing written copies of

judgments and other public court documents compound these issues.¹⁹

To alleviate this problem of a lack of competent and qualified people to run the judiciary, Timor Leste has been offered and received support from the International Community, through United Nations, which has been sending judges, lawyers and prosecutors from various parts of the world to try to establish and stabilize the system during this transition period. Despite the fact that these people are competent and capable, it has been very complicated to proceed with such a task. One should bear in mind that all of these staff have different legal backgrounds and come from vastly differing judicial systems, complicated by the fact that some of them have minimal understanding of Timor Leste's history.

In the seemingly basic issue of language of operation, the judiciary system has been facing great difficulties. The misunderstandings and misconceptions in the courtroom are extensive, which of course brings serious problems to accomplishing the difficult task of offering fair judgments. Sometimes it is necessary to retain various translators, as for instance the accused speaks Tetum, the judge and the lawyers English and the prosecutor Portuguese. Moreover the translators are not professionally qualified and they have to do work for all the aspects of the Department of Justice. Obviously the difficulties of communication are very problematic and an obstacle to the effective running of the system.

In a nutshell Timor Leste needs more funding and resources from the International Community to solve some of the above mentioned problems, as the primary issue in the short term seems to be lack of monetary resources and the reluctance of foreign governments to donate money for such purposes. Specifically, money should be focused on building infrastructure but also to urgently create efficient schools of Law.

Traditional Law and Its Integration Into the Judicial System

Traditional law has proven to be of continuing relevance throughout and beyond the periods of Portuguese colonial and Indonesian occupation. Local legal systems such as "Taru Bandu" or "Biti Boot" have been the basis of the traditional legal system for centuries. Generally it seems that the community defends the need of maintaining these legal systems due to the fact that people know and trust how these systems work in opposition to the formal legal system, which people argue without fully understanding.

At the grassroots level the idea is that these traditional laws must remain again because they are known and mainly because they are an inheritance, as this system ruled successfully their grandparents lives, it is assumed that it must rule their lives as well, emphasizing the

¹⁹ Caitlin Reiger, "The Timor Leste experiment with International Justice", Conference Justice in the Balance – Military Commissions and International Tribunals in a Violent age". 16 March 2002;

idea of custom as the main source of the judiciary system and place of formal law. Nonetheless, the local law is mainly about the compensation for losses incurred in order to accomplish social and communal harmony.²⁰

The problems, however, with such traditional law systems are numerous, for instance at the level of semantics. In the case of rape of an unmarried woman, the man is expected to marry her. However, rape does not mean necessarily, according to the traditional law, violent sexual abuse against a woman's will, but it is understood as a sexual relationship against the social order, meaning what is said to be "good" by the community, whereas the issue of violence and violation of the rights to one's own body is less important.²¹ Basically, it is the aggression against the social order, which corresponds to the disturbance of the peaceful life of the community, that is heavily punished.²² This is the reverse of the formal system, for which the individual is of primary value and around which rights and privileges are dispensed.

In a meeting we had in the Appeals Court one could notice that some of the main actors of the judicial system agree with the importance of this traditional law, however ascribing it a role only during the transitional process in assisting the building up of new judicial institutions. To be more precise, our group found out that certain judges defend the idea that in the preliminary phase it is important these traditional laws in order to make the judicial system take-off, mainly to solve small crimes and indictments. Nevertheless, they argue that it should not be used for serious crimes, and should at some point be fully subsumed by the formal legal system based on the western legal tradition.

In our point of view, and after what we noticed in the field, traditional law still plays a very strong role, but it is very difficult to reconcile it with the formal legal system. Many women and human rights groups favor the abolition of local legal systems due to their contradiction with Human Rights international standards, mainly due to the fact that these systems are rooted in sexual discrimination. However a successful abolishment would need a quick and impossible metamorphosis of the entire social structure. Another possibility would be the integration of local laws into written law, however it is very difficult to identify features of the local law appropriate to this integration due to the differences and ambiguities among the traditional systems from village to village. Nonetheless the application of local law in the transitional period -while an official system is created and awareness and education of it being undertaken- seems to be the most balanced solution.

²⁰ Tanja Hohe and Rod Nixon, "Reconciling Justice, Traditional Law and State Judiciary in Timor Leste", United States Institute of Peace, January 2003;

²¹ Tanja Hohe and Rod Nixon, "Reconciling Justice, Traditional Law and State Judiciary in Timor Leste", United States Institute of Peace, January 2003;

²² *Idem*

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Review of UNDP and IOM Activities

Housam DARWISHEH and Anara SALAMTOVA

Introduction

As elsewhere in post-conflict areas, in Timor Leste International development organizations have found themselves faced with the challenges posed in the rehabilitation and reconstruction of the country. The rebuilding of war-torn societies, reintegration of refugees, displaced persons and ex-combatants, maintenance of peace and prevention of the eruption of violence in areas of unrest are all taking place on their development agendas.

During the trip to Timor Leste our Research Team had the opportunity to meet with UNDP program staff and visit program sites. In addition to that, the Resident Representative of IOM made a presentation about IOM programs in Timor Leste. This particular paper contains important information gathered during the Research Trip and is based on the presentation materials and reports that were made available to the team by the respective presenters.

I. United Nations Development Program

UNDP fielded an Emergency Response Division (ERD) mission in Timor Leste in September 1999. A UNDP country office was established officially in November 1999. In early 2001, UN Transitional Administration in Timor Leste (UNTAET) appointed UNDP as a focal point for capacity building. As the transition of the country from a post-conflict situation to a stable development path continues, the Government of Timor Leste has undertaken serious efforts in development planning and has designed a road map for achieving national development targets from 2003-4 to 2006-7. The UNDP programs and projects are designed to be an integral part of the national effort and aim to support activities that are clearly the priorities of the National Development Plan¹.

In Timor Leste UNDP's approaches in different periods of time since 1999 differed substantially. In the period of 1999-2002 UNDP implemented Emergency relief phase focusing on basic infrastructure rehabilitation, institution building and policy support, community recover based on the UNDP Administrator's note. During 2002-2004 Transition phase, in accordance with National Development Plan and UNDAF, UNDP has to focus its projects in Governance and capacity development, poverty reduction and community development, environment and natural resources management. Starting from 2004 UNDP changed its approach to sustainable development strategy and will adjust focuses in accordance with changing needs of the government and resources available.

¹ The role of the United Nations in Peacekeeping and Peacebuilding in Timor-Leste, Dr. Sukehiro Hasegawa, 26 November 2004, p.6.

Visit to UNDP Program Office

Our Research Team visited one of the UNDP Program offices located in Dili: Office of Recovery, Employment and Stability Program for Ex-combatants and communities in Timor-Leste (RESPECT). In the program's office Program Manager and other program staff made comprehensive presentations and explained about current and planned program activities, main partners as well as implemented projects. Here is brief information about UNDP RESPECT Program.

The **RESPECT Program** is a UNDP two-years program with total budget USD 3.99 million. Among the main partners of the UNDP RESPECT program is the Secretariat of State for Labor and Solidarity, Ministry of Development and Environment. The Government of Japan along with the Government of the Kingdom of Thailand has been providing financial support for the program implementation. This program addresses the social and economic integration of the most vulnerable groups of society, including ex-combatants, veterans, widows and unemployed youth by providing short, medium and long term employment and sustainable livelihood opportunities.

The RESPECT program provides employment for unskilled and semi-skilled community people in three key areas: agricultural development and reforestation activities; community level infrastructure rehabilitation activities; vocational training and technical support for self-employment. These opportunities are in line with one of the most important goals, poverty alleviation, which has been highlighted as a key component of the Millennium Development Goals. All the activities are interlinked and possess short, mid and long-term social and economic impacts.

With the objective of promoting local participation and national ownership at all levels this program involves national partners for the projects implementation. Starting from the approval till the practical implementation of field level activities UNDP program works in close collaboration with local institutions. Thus, The Program Steering Committee and Program Working Committee, which approve large-scale projects and provide overall guidance, consist of representatives from the Ministries and State Secretariats, district administrators and the UNDP.

Currently, the UNDP RESPECT program implements three types of projects: National level projects, District level projects and Small-scale projects. *National level projects* are selected by Program Working Committee based on the government's priorities, in line with the National Development Plan, and total budget is estimated for U\$S 1.16 million (U\$S 10,000 per project). Projects are selected by the Program Working Committee, based on the

government's priorities, in line with the National Development plan. After approval by relevant ministries and Program Working Committee the governmental institutions, NGOs, or churches usually implement selected projects. *District level projects* focuses on agricultural development, reforestation, rehabilitation of basic infrastructure and vocational training. Up to date, 211 district-level projects are under implementation in 13 districts with total budget for U\$S 665,663 and creating employment opportunities for 16,830 community members. These projects support initiatives of women organizations with an accent on vocational training aiming to empower vulnerable community members including widows. *Small-scale project* proposals submitted by community members, are selected by the District RESPECT Committee, which includes the District Administrator, representatives from Church, and civil society organizations.

Among the completed projects are *Maliana II Irrigation Rehabilitation Project, Rehabilitation of Luggaza Bridge, Irrigation Project at seical Up, Fatumaca Technical School Assistance Project and Agricultural Training for Agricultural Ermera*. Total budget of completed 5 projects is U\$S 298,280. These projects benefited directly more than 1375 community members including unemployed youth and ex-combatants trough provision with employment and training opportunities.

Visits to Project Implementation Sites

Our Research Team visited three UNDP RESPECT project sites to see how UNDP projects are being implemented in practice and to learn what community people think and feel about projects.

Tasi Tolu Peace Park Project

Tasi Tolu Peace Park Project is a national project under the Government of Timor Leste, Ministry of Agriculture, Forestry and Fisheries (MAFF), supported by UNDP. It is part of UNDP RESPECT Program, funded by the Government of Japan.

Duration: 15 months (June 2004 – September 2005).

Total budget: U\$S 150.000

Main objectives of Tasi Tolu Peace Park Project:

1. To reforest 40 hectares of the mountain side of the Tasi Tolu with important local species adoptable to the area.
2. To build the capacity of the members of the local community in order for them to become partners in the rehabilitation of the area.
3. To generate employment to organized community groups throughout reforestation activities.
4. To protect the area from further degradation and ensure ecologically balanced

environment in the reforested area.

Briefing on the Campaign:

On the 23rd of November Research Team participated on the Joint Environmental Campaign in the Tasi Tolu village. It was type of the usual Awareness Campaigns which UNDP Project is organizing in line with the Project Document. On that day more than 300 community people participated in the Campaign, most of them were young people from Universities and schools. During the event participants discussed environmental problems of the Tasi Tolu village and shared their ideas about possible activities, which can prevent further devastation of the area. Young people expressed willingness to participate in the UNDP project and mentioned about their particular contributions for the project implementation. Some of the participants raised essential issues of future collaboration between community people and government institutions.

It is important to remark on the general high level of interest from the side of young people in regards to the current developments of their country and the sense of responsibility for the future of the country.

Metinaro National Garden of Victims of War

Metinaro National Garden of Victims of War Project is a national project run by the Government of Timor Leste, Secretariat of the State for Labor and Solidarity, Secretariat of State for Public Works, Division of Environment supported by UNDP. It is part of UNDP RESPECT Program, funded by the Government of Japan and Government of Thailand.

Duration: 7 months (start July 2004).

Total budget: U\$S 211.750

Main objectives:

1. To establish a garden for the memory of the victims of war of Timor Leste.
2. To provide short-term employment opportunities for vulnerable groups of people.
3. To erect a monument recognizing the fallen independence fighters.

Briefing on the visit:

Place for the establishment of the Metinaro Garden is located in Dili district, Metinaro sub-district, it is high in the mountains. The project aims at providing support to the Timorese community, by achieving recognition and reintegration of former fighters and their families. The Timorese society has called for nation-wide recognition of fallen independence fighters, who participated in the country 24-years struggle for independence. Commemorating independence and peace through the provision of a physical space for reflection will help the community to come together to participate in special events and commemorations. A monument will be erected to honor those who lost their lives during the

struggle for independence and will contribute to the process of healing for those who lost family members during the war. The Garden will include a semi-circular monumental wall, which embraces a twenty-four meter circular space. There will be a chapel with capacity of 300 people and two ossuary buildings, housing the bones of 600 people who died fighting for independence.

At the moment of visit about 20% of work has been completed and 25 ex-combatants were working at the Garden construction despite of the hot weather and difficult conditions. It is important to notice that project provides job opportunities for large range ex-combatants using the scheme of rotation labor.

Hadadin Tais Cooperative Micro-Project

Hadadin Tais Cooperative Micro-Project is a micro project implemented by a national NGO that specializes in original handicrafts made from traditional Timor Lesteese woven cloths and is supported by UNDP.

Duration: 6 months (Feb 2004 - July 2004).

Total budget: U\$S 7, 671

Main objectives:

1. Provide training for widows and young women to preserve local traditional weaving and handicrafts
2. To extend knowledge and skills in handcrafting.
3. To provide of livelihood to trainers and students whilst harnessing local markets to create sustainable income.

Briefing on the visit:

Hadadin was formed by Elda Fereira in 1989 to enable Timor Lesteese women to generate income during the difficult years of Indonesian occupation. At that time, the NGO provided refuge to young people involved in the urban clandestine movement. In the new, independent Timor Leste, Hadadin aims to contribute to fair and equitable economic development for women in all districts. The organization involves 60 women from different districts -Dili, Ermera, Bobonaro, Baucau, Liquica-. Hadadin differs from other Tais groups in that it comprises women from different families and districts. The Organization aims to expand membership beyond traditional geographical and family limitations.

Women weave Tais on traditional hand looms in a labour intensive process. The Tais is then sent to Hadadin`s central workshop in Dili, where it is sold in it`s original form, or sewn into a wide range of useful products and clothing. Hadadin supplies members with cottons/dyes and runs training courses in sewing and new weaving techniques. Members receive 25% of the

sale price for their work. The remaining 75% is used to purchase materials, run the central workshop, and to cover administration and transport expenses. Products are sold in Dili and through volunteer networks in Australia and Japan. At the moment of the visit many young women and widows were enthusiastically working at their usual working places. In such a difficult time in Timor Leste this type of women and youth organizations aimed at income-generating activities should be strongly supported by National Government and International donors.

II. International Organization for Migration

IOM in Timor Leste has been engaged heavily in a repatriation of refugees since 1999 and has broadened its mandate to include population stabilization through the rehabilitation and construction of education and health facilities, infrastructure projects that promote a high degree of community participation and the reintegration of ex-combatants.

IOM's range of current and completed activities in Timor Leste are detailed below.

1. Return of refugees

IOM first started its operations in Timor Leste on October 8th, 1999 alongside *UNHCR* to ensure the safe and orderly return of the refugees who were displaced into West Timor, other parts of Indonesia, Australia, Mozambique and Portugal. Supported by *ECHO* and Governments of Australia, Japan, Portugal, Norway, Germany, the Netherlands, the UK and USA, IOM arranged land, air and sea transportation to Timor Leste, medical checks and transport to final destinations for the returnees. As of November 2004, IOM has organized the return of 196,290 persons.

2. Assistance to community stabilization in Timor-Leste

It is two-year EURO 3.1 million project, it provides support to rural communities in Baucau, Viqueque and Lautem districts and contributes to ongoing efforts by the Government to reduce poverty and promote growth in rural areas. The project supports the creation of "Community Management Committees" to promote project sustainability. Capacity building component provides training and organizational development support for local development partners in each of the three districts.

3. Counter Trafficking activities

IOM is working in close partnership with the Government to combat Human Trafficking in Timor Leste and the region. UN/UNMISSET Counter-Trafficking Working Group under the chairmanship of the Government was established to provide a coordinated response for human trafficking cases, information sharing amongst Government, UN and other development partners. IOM is a key participant and current Secretariat of the Counter-Trafficking Working Group. Through the working group IOM arranged for an IOM

counter trafficking expert to provide technical support to the Working Group, to investigate the current extent of human trafficking in the country.

4. Emergency Food Aid to Drought Victims

IOM assisted the National Disaster Management Organization to provide 5,500 metric tons of food aid to 83 sucos most affected by two consecutive years of drought. A joint WFP/FAO emergency needs assessment mission carried out in late 2003 estimated that 110,000 people would require emergency food aid in order to prevent hunger and further deterioration in their nutritional status during the months of January to March 2004.

5. Building Empowerment, Leadership, and Engagement (BELE)

BELE was a USAID/OTI funded community development project that aimed to empower communities through engaging local participation in project identification, selection, implementation, and to assist in the rehabilitation of socio-economic infrastructure at the grass-root level. It was implemented in eight of 13 districts of Timor Leste. In total, 120 projects were implemented with a project budget of U\$S 400,000. BELE relied on volunteer labor and promoted a high level of community participation.

6. Community Assistance to Population Stabilization (CAPS)

This Program was funded by Government of Japan and USAID/OTI. IOM worked closely with local communities in eight districts to provide technical assistance, logistical support and materials for the rehabilitation and reconstruction of basic community socio-economic infrastructure. Individual project budgets ranged from U\$S 5000 to over U\$S \$40,000 and included rehabilitation of schools, clinics, marketplaces, water supplies, village administration buildings, roads, bridges and irrigation systems, as well as support for the development of community economic enterprises, such as workshops and co-ops.

7. UNICEF-Funded School rehabilitation

UNICEF requested assistance of IOM in the re-roofing of 32 primary schools in the Oecussi enclave and 18 schools in Bobonaro district.

8. FALINTIL Reinsertion Assistance Programme (FRAP)

This Program was funded by USAID/OTI, World Bank and the Government of Japan and was designed to support the social and economic integration of 1308 FALINTIL guerrilla fighters. It initially provided monthly payments to help meet basic family needs and then went on to assist the start up of income generating activities. The program employed ex-FALINTIL soldiers as liaison officers to work with the veterans in the communities.

9. Canadian Assistance to Demobilization in Timor-Leste (CADET)

CIDA funded program was designed to complement FRAP by integrating 274 ex-FALINTIL in

the district of Ermera and by implementing community based reintegration projects in Ermera and Manufahi districts. Wide range of community people participated and benefited from the social infrastructure projects. Job training and health education, benefited ex-fighters and their wives, but are expected to benefit wider community when they put their skills and knowledge into practice.

10. Oral History project – “Stand Your Ground” (Tuba Rai Metin)

The project was followed on from FRAP and was developed as a radio program that told the story of the resistance through the voices of those who participated.

11. Photographic exhibition

IOM and Veterans Association of the Resistance tracked down many pictures from individuals, organizations and others and made them available to the people of Timor Leste on the exhibition as part of the independence celebrations.

IOM has established a wide geographic reach throughout the districts of Timor Leste. Combined with its logistic support base, excellent community networks and good relationships with the new government, IOM is in a strong position to continue its infrastructure development work and to begin addressing those migration issues that are identified as priorities by the government.

III. Lessons Learned

1. National capacity-building must be a core priority of all donor policies in Timor Leste; the international community should be aware of the danger of fostering Timor Leste's dependence on the international donors. The sudden and drastic increase in international aid and support threatens to create dependency on international support and undermine Timor Leste's efforts to assume ownership of the reconstruction program.
2. Ultimate success of the projects should be measured by the level of sustainability. In Timor Leste, under the Indonesian dominations the Timor Lesteese were excluded from skilled positions and consequently it is clearly seen that the lack of local technical and management expertise could risk failure once the international community left the country. Therefore, it is necessary to elaborate well-designed concept of capacity-building at all levels based on assessment of existing skills and needs.
3. From the very first days projects should be designed with a comprehensive assessment of the needs of the community people. Projects should be needy to the community people, only then they will be committed and will be ready to voluntarily contribute labor and other resources.
4. In Timor Leste where we have seen that many programs are multi-donor and multi-sectoral, responsibilities for donor coordination and resource mobilization should be clearly defined and agreed upon the outset. It will help to make effective use of

international financial support, to cover larger target groups and avoid overlapping and duplication of programs.

5. It is obvious that after completion of the projects physical infrastructure should be maintained and operated, while also sustainability is an essential issue. In the current situation of Timor Leste with the lack of material and financial resources responsibilities for further maintenance and operation should be defined prior to the implementation.
6. One of the strengths of Timor Lesteese society is its strong spirit of independence and this must be nurtured. High level of interest from the side of young people in the current developments of their country and the sense of responsibility for the future of the country should be harnessed and properly directed by international organizations and national institutions for betterment of life in the country.
7. Economic growth and employment generation hold a key to a successful process of peace-building. As we have seen UNDP programs are targeting their activities on the entire communities and it makes program implementation easier and avoids opposition from community members.
8. In post-conflict countries like Timor Leste, women and youth organizations aiming at income-generating activities should be strongly supported by all stakeholders interested in the post conflict recovery and sustainable development of the country. Thus, at the moment organizations at the grass-root level need more training on income-generating activities and access to credit schemes.

Ex-Combatant Research

KAWAMURA Kosuke and SATO Yoko

Introduction

The international community has recognized that the treatment of ex-combatants is important in any post-conflict society. So the Demobilization, Disarmament and Rehabilitation (DDR) programs started to be implemented in post conflict countries to minimize the potential risk caused by ex-combatants.

In Timor Leste, the international effort has been made to help ex-combatants reintegrate into society. Timor Leste was a case where local rebels triumphed politically, rather than by stalemate among adversaries, in the sense that they got independence and the Indonesian army withdrew from there. So the demobilization and disarmament could be implemented relatively smoothly. However the reintegration became the big issue, because of the scarce job opportunities.

In this section we show the results from our project of interviewing ex-combatants in Timor Leste. Firstly, we show the purpose of the project, secondly the research design, its implementation and the results of the project. Then, we put forward the problems we faced in so doing and failures in our research. And lastly we show some general implications from the reintegration program in Timor Leste. Our field trip had both an educational purpose and a research purpose and thus we would like to share the lesson we learnt there for future researchers.

Interview Purpose

When we made our research design, we assumed the total sample size to be around 150 ex-combatants. In this design, three concrete goals were set up. The first was to record their military profile during the resistance movement. Although that is important to understand their motivations and basic needs and improve reintegration program, these questions come from our academic interests to reveal what was going on at the field of rebellion. Because of the limited time for each interview, we had to cut most questions in this section and leave only some basic ones in our questioner.

The second goal is to assess how well the reintegration program is working. Big efforts are being done in order to assess the reintegration program, but most of them are written from the supply-sider's view point. We need to know whether ex-combatants really got reintegrated and whether it was really thanks to the reintegration program from their own point of view. Thus the evaluation from the demand side is needed for that purpose. The best way is the regular tracing survey of ex-combatants. We hoped this interview will become a starting point

for future research.

Our final aim is about understanding their personal opinion on justice and reconciliation in Timor Leste. Reconciliation is one of the hottest issues in Today's Timor Leste. We had speculated to find the ex-combatants to be the 'hardest-liners' in the public opinion because they fought directly against those to be forgiven. However we found some systemic variation in their attitudes, which constitutes interesting data to continue to search on the causes of this variation, that is, who are more likely to 'forgive' in comparison to others.

Research Design

The target group is, of course, ex-combatants in Timor Leste. In our case, the ex-combatants are limited to the member of Falintil -the rebel group for the independence-. Actually they are not the only ex-combatants in Timor Leste but they were the only possible researchable targets in our trip. Before our trip, the sample size was supposed to be 10 to 20 interviews per student during our visit and thus a total amount of around 100 interviews would be done and then further interviews would continue to take place by Timor Lesteese students from Timor Leste University. At that time, interviews in our trip could be regarded as the sampling tests for the interviews followed later. During our trip the actual sample size was only 19 ex-combatants, while the rest of the planned interviews had to be cancelled.

Please see the Appendix for the Questionnaires and Answer Sheets. Basically we set up two possible dependent variables. One is Reintegration and the other is Reconciliation. Our independent variables are their occupation and income. The political and social reintegration is a big issue in post-conflict societies, thus we speculated that this would not be the case in Timor Leste because our targets are the 'heroes' of the nation. In terms of reconciliation, other independent variables are their attitudes to Indonesia, refugees in West Timor, Timor Lesteese officials under Indonesian rule and the amnesty law for war-related criminals.

Independent variables range broadly, including political, military, economic, and social variables. We set up the basic personal profiles, such as their birthplace, educational levels and their war related victims, in the first section of our questionnaire. In the second section, we briefly asked their military profiles, such as dates and reasons for joining and quitting and their experience at combat. In the third section, we asked about their experience in the reintegration program. In the final section, we set up questions to find their political identification, if any. Finally we also tried to collect some general information like their evaluations for reintegration program, traditional law and their opinion about life in Timor Leste after independence was achieved, and their current problems.

Preliminary Concerns

We had some worries about certain problems we could come across before visiting Timor Leste. Actually these concerns really harmed our data collection in the field and our efficient field research. Thus we put forward the problems we encountered and the lessons to be learned for future research. The first, and crucial, problem was the limited source of information. Our project started in October and we only had about two month until our departure. We collected the information from existing literature, internet, and expertise. But still the shortage of information was crucial, especially the situation of reintegration program in Timor Leste, which made it difficult to make an appropriate questionnaire. It would have been more enriching if we had had better information and connection with the local organizers of this program who really know about reintegration program in Timor Leste.

The second worry we had was the lack of opportunities to talk with the local interviewers –who are to continue the research once we return to Japan-, This interviewers –students from Timor Leste University- served us as interpreter in our trip and are meant to continue doing more interviews after our visit. We could know that they were students of the National University of Timor Leste and fluent English speakers. But we did not have opportunities –due to shortage of time- to communicate with them about the purpose and contents of our field research.

The third problem we encountered is that we had very limited information about how many ex-combatants would really have our sample and how they would be chosen. Had we known the sampling size would be so small, we would have done a more accurate design questionnaire to get qualitative information rather than quantitative. The samples are somehow biased in the choosing process that makes our analysis imprecise. Although random sampling is difficult, we would have liked to know more about sampling process so as to better know the potential source of bias in advance. Finally, we realized the difficulty to find good measures for some variables. For example, how could we measure nepotism? It may be strongly correlated to job hunting. If so, to lack this variable might lead to a wrong inference in evaluating the economic reintegration program.

Implementation

Before implementing the interviews, we got a briefing from UNDP officer about the reintegration program in Timor Leste, which is called REPECT project. The RESPECT project consists of variety of sub-projects, including community building, the vocational training and investment on construction. Our assumption of the reintegration program was limited to the vocational training. We wanted to assess its impact on the sustainable ex-combatants' employment. But after the briefing we recognized the problem of our assumption to evaluate the reintegration program.

We conducted our interviews on November 23rd and 24th. On the 23rd, eight ex-combatants were interviewed at the workshop for reforestation project organized by RESPECT (UNDP). On 24th, our interviews were conducted in the construction site of the Metinaro Garden of Victims of War Project. All eleven interviews took place there. This is one of the reasons why we consider our sample to be biased. This is because especially at the construction site, most ex-combatants are temporal workers there. But it is also important that we recognize the source of bias.

One crucial problem in the field trip was that we got no ex-combatant who took vocational training of the reintegration program. Those who joined the reintegration program were temporal workers at the construction site.²³ This *ruined* our research, since facts didn't match our design to evaluate the effect of the reintegration program. Another problem was, as mentioned before, the scarce time. Our schedule was tight enough not to allow much for the interviews. We also recognized the paradoxical nature of our interviews. If we could finish our interview just in the assumed time limit, it would mean that it was too short for the followed interviews without translation.

Results

As explained above, the size of our sample became too small for the inference statistics. However we will show some descriptive statistics here. Although our target was the *ex-combatants*, 7 people out of the 19 we interviewed had never experienced an active combat, while other 3 were engaged in the active combat for less than one year. It is difficult to define ex-combatants especially in cases like Timor Leste where the warfare was carried out for at least one guerilla group, and not only by state organized armies. Even if they were not fighting in the jungle, a lot of civilian people provided food, information and shelter to the rebels. This civilian support is crucial to the guerilla, though a very risky activity under a repressive regime such as the Indonesian one under General Suharto. Some interviewees told us that they were involved in the struggle by providing information, some cooking for combatant and so on.

It is hard to get the fixed employment rate in Timor Leste. Most of interviewee did not have any fixed employment. Most of them complained about to the current situation, especially in regards to unemployment (14 out of 17).²⁴ However this information is no surprising because

²³ We should be careful that the temporal work could have the aspect of the vocational training as the on-the-job-training.

²⁴ The other 3 told that they had no problem, so all who had complains told about unemployment. We could not reach that question in the other 2 interview because of the shortage of time.

most of our sample was taken while we visited the construction site and interviewed temporal laborer on one day. In terms of their educational level, only 2 of them finished high-school. 12 interviewees have never received any education and the other 4 quit at some point of the elementary education. 14 out of 19 were illiterate. The low level of education could have even worse effects on future development.

It was surprising that only 4 out of 17 answered that they were interested in politics even if they fought for the independence of Timor Leste. Their attitudes towards the reconciliation were dispersed. In terms of attitude to the amnesty, for example, only 5 of them agreed with indiscriminate amnesty; only 5 of them agreed on an Amnesty for light criminals; 3 of them disagreed with any kind of amnesty. And 4 of them answered they didn't know what should be done with the militias.

Implications for Reintegration

Our interviews showed that "ex-combatants" ranges from a decade-long combat fighter to noncombatant supporter like cook. In addition, some ex-combatants left Falintil a decade ago. It indicates that they have been "reintegrated" into the society and have lived a civilian life for a decade. Although the concept of ex-combatant is not solemnly defined, there are a great number of "ex-combatants" in Timor Leste.²⁵ This vague definition might allow too many people to be acknowledged as "ex-combatant." Then it could cause the misidentification of who is really vulnerable in the society and lead to the inefficient use of the international aid for this particular group. While there are other vulnerable people, like returned refugees or war widows, in the county, the resources could be used for "ex-combatants."

As for reintegration projects, it is indispensable to identify ex-combatants in order to support them. They are targeted because they are often found to be unskilled and marginalized by their communities because of their service. Life in rebellion deprives them of educational and vocational facilities other than military skills. It could compel them to remain in poverty despite their dedication to independence, which all Timor Lesteese enjoy today. In this sense, the reintegration program is the "reward" or "compensation" for those who sacrificed their lives for the country.

The reintegration of ex-combatants is also important because they are often seen as potential threats to the stability of the society. Political leaders might try to mobilize the frustrated ones for his/her interest which could lead to social disturbances and instability. Of course, they are not the only possible target to be mobilized.²⁶ But they need a special treatment

²⁵ It is said that around 22000 ex-combatants are still in Timor Leste, but only 300 of them were involved in the combat more than nine years.

²⁶ The unemployed youth are often pointed out as target as well.

because of their special skill, the combatant skill. In this sense, the reintegration program is the “price” to pay for the future stability of society. If the program is regarded as the reward, those who were not involved in active combat could be included in the beneficiary group because they contributed to their cause in different ways. Still it is important to evaluate each person’s contribution in order to avoid exaggerations. However if the program as the “price” for future stability, it should be reconsidered why the general citizens are distinguished from those ex-combatants who do not possess military skills. Unemployment is a generalized problem in Timor Leste, rather than the unique problem for ex-combatants.

The definition and the identification of ex-combatants are significant because they draw the line between the beneficiaries and non-beneficiaries of the reintegration program. It could serve incentive to exaggerate, or even fabricate, their contribution in order to get the benefit. The selection of beneficiaries also could be the hotbed of corruption and vested interest. So we also should be careful not to make it corruptive and nepotistic.

The reintegration of ex-combatants is a complex process including political, economic and social dimensions. The process influences further beyond the individual target, to more general issues like harmony for the recipient community and the stability for the country. In the case of Timor Leste, political and social reintegration does not seem to matter, while economic reintegration definitely seems to matter the most in this case. However, the survey shows that the employment opportunity is quite limited. Most ex-combatants had either irregular job or are unemployed.

It is difficult to evaluate the success of the reintegration process of ex-combatants. Although the reintegration program has started recently -January 2003-, the criteria still has to be further developed so as to set a realistic and appropriate goal for the reintegration program. If the criterion is the financial independence and the self-sustainable form of employment, our interviews show a pessimistic view. But we should know that this criterion for the “reintegrated” situation is pretty hard to attain even for the ordinary public in Timor Leste.

From Reconstruction to Development - A Human Security Perspective

Since Human Security characterized is by its human-centered approach, it has been installed in 1994 by UNDP; issues of “the seam” from humanitarian aid, reconstruction, to development have been dramatically improved. In the case of Timor Leste, the reintegration program run by UNDP plays significant role to bridge reconstruction to development phase without “the seam” by focusing on the stability of the society which is the basement of development.

However, one of the biggest challenges in Timor Leste is the high rate of unemployment. The labor market is over-supplied today and the situation is expected to get worse, taking account

of the population growth in Timor Leste. Economical development is desired, especially in the area of intensive workforce sector. Without the job opportunities, the reintegration program could be useless even if it includes a high quality of vocational training.

The large scale of construction of infrastructure is very useful for the future development of the country and also has positive effect on the increase of demand in the labor market. Still it is questionable how useful it is for the direct purpose of the reintegration program, which is the self-sustainable form of employment.

Some interviewees complained about the lack of vocational training in the reintegration program. The interview was carried out in Peace Park Project and at the reforestation workshop, where no interviewees had been trained. There were interviewees who had never heard about the vocational training program. The vocational training should be reinforced in the reintegration project, as it holds a key factor to the sustainability of ex-combatants' financial independence after this project would be completed.

Current Needs and International Involvement

Azeez OKUNLOLA

Introduction

The earlier sections highlighted many of the problems and needs that Timor Leste is facing in various areas. In this last section, we will concentrate on one issue that came up in almost all the meetings and research we did in Timor Leste, that of a tremendous lack of human resources and organizational capacity. Despite the fact that Timor Leste has now been an independent nation since May 2002, the fledgling nation can show little so far in terms of achievements and some would argue not very rosy future prospects. The country of course is still quite new, and moreover it has been virtually impossible for Timor Leste to set the pace of its own national development. This created a chance for international organizations like the United Nations, World Bank, IMF, ADB, NGOs and other donors to take control of Timor Leste's development process. Most importantly, Timor Leste's lack of capacity does not allow it take on the task of nation-building at the moment. International organizations are currently in control of various sectors in order to further educate the local personnel that will be in charge in the future. This is very important because after the foreign experts working for these sectors leaves Timor Leste, the trained local personnel can continue where the experts stopped.

In short, capacity building is very vital towards the survival of Timor Leste especially in the age of technological advancement around the world. Already, Timor Leste is behind almost all countries in the area of technology so building the local capacity, the people of Timor Leste can speed up the development of Timor Leste. Training people for restoring sustainable agriculture and growing industry are especially vital to the survival of Timor Leste. Agriculture and industry should also be the areas of focus both by the government and donors in Timor Leste. After the 1999 crisis, Timor Leste was on the brink of starvation but the donors and other international organizations came to the aid of Timor Leste. This should be a lesson for the government of Timor Leste to pay more attention to agriculture. Timor Leste should not be overly dependent on imported goods because the future consequences could be enormous. If Timor Leste rely on certain imported goods, the fall in trading price of such commodities will make it almost impossible to import from abroad and it will adversely affect the lives of the people of Timor Leste. Considering the potential effect of importing in Timor Leste, the government and the donors need to strengthen both the agriculture and the industrial sectors.

Education is another vital area that both the donor and the government of Timor Leste should pay more attention. The present educational level in Timor Leste cannot successfully support the capacity building process. Instead, necessary reforms in education can later reinforce the

capacity building process. Although, others might think that developing the infrastructures is more important at this stage, it is important for the growth of Timor Leste but through education the local capacity can be built for the purpose of self-reliance. This will eliminate the present reliance on foreign experts.

It is important for the competent people of Timor Leste to take control of the development of their country after building the local capacity. The priority areas of Agriculture, Industry, and Education will be further expounded below with an emphasis on how the International Community can best assist Timor Leste as the near and longer terms, especially after the probable winding down of the UNMISSET mission later this year.

Agriculture

Presently, Timor Leste still depends on import of food from abroad. About 80% of the population of Timor Leste is employed in the agricultural sector. This does not seem to help the current poverty level in the country. Another problem is the farmers focus on one cash crop that is, crop that can be exported to earn foreign currency. In the case of Timor Leste, coffee is the main cash crop. Coffee can be a good source of foreign currency earning but the farmers need to diversify the production of cash crop. That is, other cash crops should be produced in case there is a slump in the trading prices of coffee, which is the main export commodity. The government and farmers can avoid this risk by planting other cash crops and food crops for local consumption.

Industrial Development

There is heavy dependence on imported goods in Timor Leste. This would not encourage or support the local industries in the country. The government of Timor Leste and the donors should also focus on this sector. The main industries in Timor Leste are the printing, soap manufacturing, handicraft and cloth woven. These four different industries cannot sustain the national economy so there is a need for diversifying the industrial sector. That is, both the government and the donors should invest in other industrial areas.

Education

Education is vital towards preparing for capacity building. The international and domestic education in Timor Leste should be fully utilized in order to raise experts for the future. The competent Timor Leste students should be encouraged to study abroad through scholarships programs. Easy accessibility to scholarship programs information should be provided at schools by the foreign embassies in Timor Leste. It is important to study in more developed countries and apply the knowledge towards the uplifting of Timor Leste. The domestic education needs to be standardized to ensure quality education, which would help in capacity building of Timor Leste. The government of Timor Leste should encourage schooling by

making education compulsory and also subsidizing the school fees. Education can also be in form of vocational training programs for contractors. These training programs would support local capacity instead of awarding contracts to multinational firms abroad. The same work can be done in Timor Leste if there is adequate training.

Conclusion

In order for the local capacity of Timor Leste to be fully built, all the above-mentioned areas need to be addressed. Education is indispensable for any nation to develop and agriculture must be seriously considered. The government and the farmers of Timor Leste should diversify their export commodity, which is the main stay of the economy. Food crops, which are consumed locally, should not be ignored because importing foodstuffs will eventually diminish the foreign currency earnings and the local consumption would be insufficient.

Investors should invest in Timor Leste's economy but the government must provide the necessary facilities to attract foreign investors like good communication systems and security for the investors. The justice system needs to be independent and also encourage the citizens to participate and identify the legal issues that are common in the society. The citizens must trust the judicial system in order to cooperate with its decisions. If all these areas are well addressed by both the government and donors, the people of Timor Leste would be self-reliant and demand their due respect from the outside world.

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APPENDIX

Questions for Officials, NGOs, and Academics

Main Theme: Reconciliation Within and Between Timor-Leste and Indonesia

Topic to Explore

Target Questions

Interpersonal
Reconciliation



Judicial Issues



Security

1. In your opinion, what are the feelings and needs of the people of your country concerning reconciliation?
2. How do people from Timor-Leste view Indonesians outside of West Timor, and how do Indonesia's view people from Timor-Leste?
3. What is the general perception regarding the ongoing war crimes investigation and litigation activities (of the CAVR, SCU, Special Panels for Serious Crimes, and the Indonesian Ad Hoc Tribunal)?
4. How do people think of 'justice' in your country?
5. How can the CAVR be effective without a clear Amnesty Law?
6. More generally, can the reconciliation process be successfully carried out within the domestic judicial systems of Timor-Leste and Indonesia, and without extradition of indicted individuals?
7. How can the rule of law, which relies upon security, confidence in the judicial system, and especially social cooperation, be established without clear treatment of past crimes and without clear amnesty declarations for reintegration of individuals?
8. Has customary law, in other words, traditional dispute resolution customs like Taru Bandu, contributed to the reconciliation process?
9. Is it possible to institutionalize customary law to bypass the need for a general amnesty provision and to build confidence in and lend credibility to the judicial system and security forces?
10. Do recent crime and violence statistics reflect a lack of confidence in law and order, or that people are taking vengeance for past crimes?



International
Reconciliation

11. Are the police forces and the army trusted and respected, and what do you think about the recent reports of police corruption or misconduct?
12. What is the current situation regarding Demilitarization of the Border and the refugee population on the West Timor side?
13. What consequences will the departure of the UN troops without having established a soft border with West Timor have on the reconciliation process within Timor-Leste, and between Timor-Leste and Indonesia?
14. What is the best way to deal with the armed militias and refugees stationed close to the border on the West Timor side, and what do you think will actually happen?
15. Now that Indonesia and Timor-Leste have begun a process of mutual recognition and relationship building, what are the remaining impediments to reconciliation and cooperation, for example, on the issue of extradition?
16. What consequences will Indonesia's activities in Aceh and other conflict regions have on the reconciliation process with Timor-Leste?
17. What impact have international organizations or members of the international community had in this reconciliation process, and what role should they play going forward?

Ex-combatant Questionnaire and Answer Sheet

Ex-Combatant Questionnaire

Section A - Personal Data

- A1 Sex
- A2 Date of Birth / Age
- A3 Place of birth
- A4 Place of residence before military activity
- A5 Current place of residence
- A6 Marital status
- A7 Size of Immediate Family
- A8 Religion
- A9 Languages spoken (in order of fluency)
- A10 Languages able to read and write
- A11 Highest level of education
- A12 Occupation before joining military activity
- A13 Current occupations/jobs
- A14 Monthly income
- A15 People supported with this income
- A16 Regularly accessed media

Section B - Personal Military History

- B1 Date of joining (first) fighting division
- B2 Reason for joining
- B3 Did you experience a lot of active combat?
- B4 Sources of income during military activity
- B5 Date of leaving (last) fighting division
- B6 Reason for leaving
- B7 Did you lose many close friends/relatives during (all) the conflicts?

Section C - Reintegration Program

- C1 Status of participation in this program
- C2 How did you find out about this program?
- C3 Date of joining this program
- C4 Feels more comfortable socially and psychologically after joining this program
- C5 Participation in any other programs
- C6 Participation in job training before this program
- C7 Topics and Dates of last job training before this
(the rest of this section is about question C7)

- C8 Complete/Incomplete (why?)
- C9 Provider of Job Training
- C10 Quality of training
- C11 Quality of training materials
- C12 Quality of trainers
- C13 Felt prepared for work after training
- C14 Feels skills gained are/will be employable
- C15 Employment gained after training (if no, why?)
- C16 Type of employment gained
- C17 How employment was found
- C18 Was the type of job related to the skills learned in the job training?
- C19 Dates of employment

Section D - Independence and Reconciliation

- D1 Which date do you think is best for the "Independence Day" of Timor Leste?
- D2 Are you satisfied with independence? (why or why not?)
- D3 What are the major difficulties in your life right now?
- D4 Are you interested in politics or political parties? (if yes, and if it is possible, try to get some details)
- D5 Do you think it is a good idea to use traditional laws, like Taru Bandu, for the future? (why or why not?)
- D6 How do you feel about the people of West Timor and Indonesia as your neighbors?
- D7 How do you feel about Timor Lesteese who worked for the Indonesian government before independence?
- D8 Do you think the refugees in West Timor will return to Timor Leste? (if yes, do you agree with their return?)
- D9 Do you agree to amnesty for all people who committed crimes during the conflicts? (if not strong agreement, how should the government treat people who have committed small crimes? serious crimes?)
- D10 Do you have any other comments you would like to make before we end this interview?

Section E - End of Interview (to be completed by interviewer after thanking interviewee and translator)

- E1 Was the interviewee distracted during the interview? (if yes, describe.)
- E2 Was the interviewee willing to share information? (describe)
- E3 Was anyone uncomfortable during the interview? (if yes, describe.)
- E4 Did the interview end before completion? (if yes, why?)
- E5 Please give any other comments you have about this interview.

Ex-Combatant Answer Sheet

Interviewer: Survey #/ID: Date:
Translator: Start Time: Finish
Time:
Interviewee: Location - District:
Project/Sponsor: Village:

Section A - Personal Data

A1 Male Female

A2 Day Month Year / Age

A3 Village District

A4 Village District

A5 Village District

A6 Single Separated Divorced Widowed Married (# of times , # current spouses)

A7 # Adults/Relation # Children/Relation/Age

A8

A9

A10

A11 yrs primary/secondary/tertiary completed

A12

A13

A14

A15 # of Adults # of Children

A16 Radio Station/Show

Newspaper

A17 Magazine/Other

Section B - Personal Military History

B1 Day Month Year

B2

B3 Yes No (if no, non-combat duties)

B4

B5 Day Month Year

B6

B7 Yes No Other

Section C - Reintegration Program

C1 Official Participant Visitor

C2

C3 Day Month Year

C4 Strongly Agree / Disagree / Neither

C5 Yes No Don't Know

C6 Yes (types) None
(reason)

C7 Topic

From To

C8 Complete Incomplete (reasons)

C9 IGO Government NGO

C10 Very Good Good OK Bad Very Bad

C11 Very Good Good OK Bad Very Bad

C12 Very Good Good OK Bad Very Bad

C13 Strongly Agree / Disagree / Neither

C14 Strongly Agree / Disagree / Neither

C15 Yes No (reason)

C16 Position Hours Per Week

C17 Training Program Other

C18 Closely Related Related Unrelated

C19 From To

Section D - Reconciliation and the Future

D1 Definitely Nov 28 Hope for Nov 28 Definitely May 20 Hope For May 20
Either

D2 Very Satisfied / Unsatisfied / Neither

D3

D4 Very Interested / Uninterested / Neither

D5 Strongly Agree / Disagree / Neither

D6

D7 Can / Cannot trust them Should be punished Don't Know Other

D8 Yes (Strongly Agree / Disagree / Neither) No Don't Know

D9 Strongly Agree / Disagree / Neither Small Crimes Serious
Crimes

D10

Section E - End of Interview

E1 Yes No Don't Know

E2

E3 Yes No Don't Know

E4 Yes No Don't Know

E5

Project 3: TUFU-PCS MOFA Peace-building and Conflict Prevention Symposium

- Theme: Frontiers of Peace-building and Conflict Prevention
- Date: February 5th and 6th, 2005
- Venue: Tokyo University of Foreign Studies Campus, Fuchu-shi, Tokyo-to, JAPAN
- Format: An open symposium designed for students and the general public to provide an idea of the types of topics and issues being studied within the recently initiated “Master's Program for Peace and Conflict Studies” at the Tokyo University of Foreign. The symposium was conducted d in Japanese and was aimed at cultivating the public’s awareness of Peace Building and Conflict Prevention at the grass-roots level.
- Participants: 62 members of the public from surrounding areas and around Tokyo
- Proceedings: The Peace-building and Conflict Prevention Symposium presented the frontiers of current research on Peace-building, Conflict Prevention, and Regional Conflict Studies in a manner that could be easily understood by those unfamiliar with the field. Substantial time was set aside for discussion so that the participants could be fully engaged in the topics being presented. The discussion included not only question and answer sessions between the speakers and audience, but also allowed the speakers to exchange questions and answers with each other. In this way, both the lecturers and the participants were able to work together towards achieving and a better understanding. Generally, at symposiums the lecturers leave after their own lecture, but at this event, the lecturers from TUFU (Tokyo University of Foreign Studies) remained present throughout the entire symposium so that discussions were richer, more comprehensive and maintained a sense of continuity. We believe that the people who attended the symposium were able to reach a level of understanding at which they can discuss with others the main issues surrounding ongoing regional conflicts in the world today and the efforts of Peace-building and Conflict Prevention being undertaken to remedy them.

Schedule

5 th February, 2005 (Sat) * Moderator: NAKAYAMA, Chikako		
10:30 - 10:40	Opening Address	IKEHATA, Setsuho, President
10:40 - 10:50	Introduction	Moderator
10:50 - 12:00	Keynote Speech	“Why religions can impede peace?” MACHIDA, Soho
12:00 - 13:30	Lunch Break (Poster displays are in session at Room #224.)	
		<i>Common Theme:</i> <i>Research Visit to East Timor & Cambodia – Transitions from Conflict to Peace</i>
13 : 30 - 13 : 40	Introduction	Moderator
13 : 40 - 14 : 00	Student Report (East Timor)	“Observation Report of Peace Projects in East Timor” Housam Darwisheh & Azeez Okunlola (PCS Students)
14 : 00 - 14 : 10	Q&A	
14 : 10 - 14 : 30	Student Report (Cambodia)	“Observation Report of Peace Activities in Cambodia” Fernando Palacio & Naoaki Shirota (PCS Students)
14 : 30 - 14 : 40	Q&A	
14 : 40 - 15 : 00	Break	
		<i>Common Theme:</i> <i>Japan and International Cooperation for Peace-building and Conflict Prevention</i>
15 : 00 - 15 : 10	Introduction	Moderator
15 : 10 - 15 : 30	Keynote Report	“International Cooperation and Support by the Japanese Government” AIKAWA, Kazutoshi (U.N. Policy Div., Foreign Policy Bureau, MOFA)
15 : 30 - 15 : 50	Keynote Report	“Bridging the Field of International Cooperation and Aid Agencies - JICA” WATANABE, Masao (Director, JICA Hachioji International Center)
15 : 50 - 16 : 00	Comment	
16 : 00 - 16 : 20		MACHIDA, Soho Q&A / Discussion
16 : 20 - 16 : 40	“Message for Those Who Aim to be Involved in International Cooperation” AIKAWA (Foreign Ministry), WATANABE (JICA) Q&A	
17 : 00 - 19 : 00	Reception at the University Restaurant	

6 th February, 2005 (Sun) *Moderator: FUNADA-CLASSEN, Sayaka		
10:30 - 10:40	Introduction	Brief explanation about the session.
10 : 40 - 11 : 20	Lecture 1	<i>Common Theme:</i> <i>Exploring Co-existence Among Different Peoples for Conflict Prevention</i> "The Ethnic Problem for the Kurds in Turkey" HAZAMA, Yasushi (JETRO IDE / TUFS)
11 : 20 - 11 : 30	Q&A	
11 : 30 - 12 : 10	Lecture 2	"Peace Process in North Ireland – Victory Over Violence and Division" YOON, Hae Young (TUFS)
12 : 10 - 12 : 20	Q&A	
12 : 20 - 12 : 40	Discussion	General Discussion
12 : 40 - 14 : 00	Lunch Break	
14 : 00 - 14 : 15	Introduction	<i>Common Theme:</i> <i>Various Actors Relating to Peace-building, Conflict Resolution and Prevention: Reconsideration of Japan's Role for International Cooperation</i> "Various Actors Involved in Peace-building" FUNADA-CLASSEN, Sayaka
14 : 15 - 14 : 30	Panel Report 1	"International Contributions of Norway" WIGGEN, Per (Second Secretary, The Royal Norwegian Embassy)
14 : 30 - 14 : 50	Panel Report 2	"Issues for Peace-building - Based on Discussions in Canada" TAKAHASHI, Kiyotaka (Japan International Volunteer Center)
14 : 50 - 15 : 10	Panel Report 3	"Japanese NGOs Working on Peace-building" OSA, Yukie (Advisor, Japan Platform)
15 : 10 - 15 : 20	Comment	HAZAMA, Yasushi
15 : 20 - 15 : 30	Comment	YOON, Hae Young
15 : 30 - 16 : 00		Q&A / Discussion
16 : 00 - 16 : 20	"Message for Those Who Aim to be Involved in International Cooperation" WIGGEN / TAKAHASHI / OSA Q&A	
16 : 20 - 16 : 30	Closing Address	FUNADA-CLASSEN, Sayaka

Lecture Details

Day 1 (February 5, 2005)

Keynote Speech - "Why religions can impede peace?"

MACHIDA, Soho (TUFS)

There has been an outbreak of serious conflicts all over the world, with most of the fighting between different religions. Religions that are supposed to save the spirit of human beings, and bring peace to society are bringing on bloodshed more like a nightmare. But WHY? There is a religious belief even behind Neo-conservatives of America, a political power that pursues a unilateralist path. What is happening in Afghanistan and Iraq is nothing more than a clash between religious fundamentalism of Islamic militants and the secular fundamentalism that lies at the heart of the American culture. Then WHAT IS RELIGION? Would religion contribute to world peace, or would it lead us to destruction? We need to review the reality of religion and to explore the truth behind these conflicts, something which can not be realized through the media. The true cause of these conflicts, however, is in human nature. It is something that we all have, regardless of religion or race. Discussing peace without identifying what human nature is will just lead us to nowhere.

Common Theme:

Research Visit to East Timor & Cambodia - Transitions from Conflict to Peace

Student Report: "Observation Report of Peace Projects in East Timor"

Reporters: Housam Darwisheh, Azeez Okunlola, others

➤ **Economic Overview:**

Main industry: agriculture GDP per capita: \$478

There are oil resources in the border area of Australia but they are currently under dispute. Among the whole population of 800,000, 400,000 are under the poverty line.

About 32000 refugees fled to West Timor during the conflicts.

➤ **History:** Soon after East Timor declared itself independent from Portugal in 1974, it was occupied by Indonesian forces. In 2002, East Timor was finally recognized as an independent state.

➤ **Activities of CAVR – making preparations to receive refugees from West Timor**

♦ **Truth Seeking/Community Reconciliation**

Establishing truth-telling mechanism, and mediating between victims and perpetrators to reach agreements.

- ♦ Recommendations to Government
Write up reports on reconciliation and promote citizens' understanding through mass media.
- ♦ Center for Reconciliation
Former colonial prison is now being used as a facility to hear and report confessions and testimonies of lesser crimes.
- **Support provided by UNDP: RESPECT**
 - Purpose:** Facilitate the stability of post-civil war communities
Support the social reintegration of ex-combatants
Programs are classified as Central level (over \$100,000) and District level (up to \$10,000)
 - ♦ District Level: Currently, 211 projects are in progress, such as agricultural development and reforestation, infrastructure rehabilitation and vocational training.
 - ♦ Central Level: Constructing national parks and monuments, and commemorating the victims/soldiers.

Future prospects:

- ♦ Peaceful reconciliation and stability
- ♦ Develop a system where refugees in West Timor may return with a sense of security
- ♦ Building human capacity – not to rely on foreign manpower in specialized fields such as judiciary.
- ♦ Maintaining cultural traditions – provide support in the production of TAIS (weaving)
- ♦ Domestic Development Plans to reduce poverty

Student Report: “Observation Report of Peace Activities in Cambodia”

Reporters: Fernando Palacio, Naoaki Shirota

- **Geography:** Historically, Cambodia was under the influence of neighboring countries such as Thailand, Vietnam and China.
- **French influence:** Respect for culture/official language
- **Purpose of this research visit:**
 - ♦ Affirm the theoretical framework of ‘Culture of Peace’
 - ♦ Assess how civil conflict affected the general public and its culture
 - ♦ Look into the present state of the Khmer Rouge
 - ♦ Observe the process of democratization and peace-building
- **Survey:** Interviews with NGO staff, discussion with local students, inspections of marketplaces, farming villages, archaeological sites and museums.

➤ **Findings about Peace-building:**

- ♦ Domestic efforts and international assistance
NGOs and the UN are providing support in the areas that can't be covered by the government or other domestically based efforts.
- ♦ Rebuilding trust
Rebuilding trustworthy relationships destroyed by the betrayal system during Khmer Rouge and its military education.
- ♦ Education
Apart from public education, informally educate people of the truth of Khmer Rouge, human rights and respect for others.
- ♦ Building of a judicial system
Foster judicial specialists and bring human rights violators to justice at the international tribunal.
- ♦ Development
Rebuild government trust and reduce poverty and crime
- ♦ Democratization
Decentralize authority and foster social participation
- ♦ Provide counseling services to victims of genocide, demilitarize and remove land mines, promote women's participation, prevent violence and conflict, and promote communication and mutual understanding

Common Theme

Japan and International Cooperation for Peace-building and Conflict Prevention

International Cooperation and Support by the Japanese Government

AIKAWA, Kazutoshi (U.N. Policy Div., Foreign Policy Bureau, MOFA)

Effort on International peace-building and conflict prevention by the U.N.

Policy department of MOFA started at the time of Okinawa Summit.

➤ **Importance of Peace-building and conflict prevention**

- ♦ The belief that
the situation where conflicts are occurring in various parts of the world is itself a threat
has become stronger since 9.11
- ♦ Strategy changes in Bush Administration
From no military intervention to active intervention in Iraq and Afghanistan

- ♦ Conflicts leading to Threats

[Example]:

Somalia - Terrorists hiding under anarchy

Possibility of Somalia citizens becoming the victim of terrorism.

Japan - Threat by the neighboring authoritarian country to keep the country secure, peacemaking has become very important

➤ **Current situation**

- ♦ Shift in the PKO activity:

Cease-fire surveillance - maintaining security and restoration of civil order during the instable period of post-conflict.

- ♦ Rapid increase of civilians from UNHCR, UNICEF and NGOs becoming victims.
- ♦ Demands to do more than Cease-fire surveillance. It is now necessary to put efforts also into peace-building, securing human rights, returning refugees, and building the new nation.

What is the process of peace-building?

- ♦ Reaching the peace accord,
- ♦ Holding a democratic election to hold an assembly
- ♦ Establishing the constitution.

Even after the above process, activity continues through removing weapons and landmines.

➤ **Japan's contribution to Peace-building and conflict prevention**

Contribution of Wisdom:

Strict Observance of 3 Principles of Arms Embargo and 5 Principles of ODA

- ♦ Weapons spreading in Africa – weapons being cheaper than lunch
 - ▲ Owing to the mass export of weapons by industrial nations other than Japan
- ♦ Problems arising from the strict observance on Arms Embargo

[Example]

Removing of the chemical weapons of the former Japanese Army in China

▲ Bringing in the Gas mask to China may infringe on the principle.

Exporting tools to remove the landmines to each country may also infringe on the principle, but currently, things have become rather receptive on this point.

Contribution of mankind:

- ♦ Sending manpower necessary for technical assistance and peach-building
 - With the support of the government, energetic NGOs with high capability on deployment are working actively.

- ▲ East Timor: building roads and bridges → enhancing lively exchanges of personnel which leads to peace-building

Contribution of Money:

- ◆ Contributions to Bilateral ODA and other international organizations
 - ▲ Fall of the largest aid giver: Down drift in the contribution amount
 - The amount may fall below those of England, Germany and France soon.
 - ▲ DDR: disarming → leading to social rehabilitation – Japan taking the initiative in Afghanistan
 - Difficulty of exercising DDR from the end of the conflict until election.
 - “Sword Hunting” under the stable situation would be the ideal situation.

➤ **Constraints imposed on Japan**

- ◆ Not going into dangerous places, not to invest in the power structure of military and polices.
 - ▲ How could we ensure the security during dangerous times?
 - We can't pursue peace-building activities that rely on military forces.
 - [Example] in Iraq: Activities are limited to noncombat areas
 - Securities are maintained by the Dutch forces
- ◆ Never giving money to the military forces / JICA unable to enter the district where the travel warning is in force
 - ◆ Only people with no organization background will enter such district
 - People with no means of self-defense will be the first to enter the danger zone.
 - ◆ Unable to give away money (salary) to socially rehabilitate the combatants.
 - (Difficult to apply ODA to such program)

Conclusion:

Contributions are being made even under the constraints imposed by each principle.

Bridging the Field of International Cooperation and Aid Agencies - JICA
WATANABE, Masao (Director, JICA Hachioji International Center)

How shall we put peace-building and conflict prevention into action?

➤ **General framework of ODA and the Ogata's theory**

“Human Security” as the main pillar

- ◆ Selection and Concentration – deciding that is most important
- ◆ Readiness
- ◆ Principle of on the scene – deciding and placing manpower on the scene

- ♦ Working on new challenges – peace-building and conflict prevention
- ♦ Not only assisting in establishing organizations and systems, but also supporting to secure the security of the people on the scene
- **The Efforts of JICA on peace-building**
 - ♦ Dispatching manpower to universities, and holding research groups – nurturing specialists on peace-building.
 - ♦ Raising issues on the study of peace-building – would it be established as a science, or would it only end as recounting of events (good practice)
 - ♦ If it would not stand as science, it would take much time to reach our purpose of human security.
- **Comparing Emergency Aid and Conflict Prevention/Peace-building**
 - ♦ Different Area of Operation:
 - Emergency Aid: restricted to natural disaster
 - Peace-building: Infinite – whatever situation where safety is being disturbed.
 - ▲ Emergency Aid:
 - Mitigation – not yet exercised → difficult to predict disaster
 - Direct Action → Rescue, medical aid, scientific research
- **Challenges arising when applying emergency aid methods to peace-building**
 - ♦ Since every issue can be the causes of every situation, we must take measures assuming various situations.
 - ♦ Difficult to prevent conflicts
 - ♦ Necessary to make clear distinction between rehabilitation and development but also to make a linkage between the two.
 - ♦ Much higher percentage of the Political intervention (especially conflict prevention)

Conclusion

Even for JICA, conflict prevention and peace-building is a new topic and much can't be covered by the traditional means. If field-oriented JICA and Universities with academic background could cooperate, someday, interdiscipline and the local districts may come to hands together to yield good results.

«Questions and Answers»

Q: Don't the US-Japan Joint Development and export plan of Missile interfere with the principle of arms embargo?

A: The principles I mentioned today were of those relative to peace-building. Although there is no international regulation imposing on small weapons, Japan still do not trade arms, and that is regarded as contribution. But security of Japan is another story.

Q: You said that JICA is now working on Peace-building. Would that be executed on a project basis as JICA has traditionally been doing, or somehow more developed?

A: My personal view is that even if we continue to provide technical assistance, it must be something that would satisfy the whole stakeholder, something like the participation-type. And at the same time, we must find a new way of cooperation to aim at peace-building.

Q: Do you think Conflict prevention could stand as an academic study?

A: Yes, it would. On a macro view, we need to let the political leaders know where the country stands on the civilization point of view. On the micro view, overcoming the problems of education and poverty may become the shortcut to conflict prevention. We can discuss how to edit textbooks, and teaching methods for teachers, we may also provide academic view to discussions on the reduction of asset allocation (distribution of estate to children). We need to provide opinions that are not impractical and coordination between academicians are in necessity. Although its scale is small, there are cases that are already in practice.

Q: If an actor from another country under peace-building operation were attacked, would the actor from Japan be able to aid them based on the right of collective defense?

A: If such case could be defined within the range of self-defense, there is no need to apply the right of collective defense. If the attack were taking place in a distance, it would be another story.

Q: How do you define Peace?

A: The most important point is that there is no conflict, at least there is no danger, and that children can attend schools. The situation where every person can enjoy education and participate in the political process is also the basic factor of peace. Protection of human rights and the right of existence of the socially vulnerable is not being jeopardized are also the important factor.

A: Poverty eradication has been the main issue. Clean water and electricity, at least children can attend schools. Fathers were able to bring home some money, however small they may be. This is the first step, and the starting point towards peace.

A: I do not think peace as no war. The recognition that we are all existing under much larger scale would be the first indication of peace. Harmonizing with nature is what peace is all about.

◀Messages to Those Who Aim to be Involved in International Cooperation▶

AIKAWA:

Participating at an international institution specializing on Humanitarian and refugees

issues would require going to tough areas. The most important thing is to be able to protect oneself under any conditions. In order to communicate, English is also a necessity, along with understanding of the local language, and being aggressive. In other words, knowing who you are, and how to communicate, and always reminding yourself that you are a Japanese, are what you need most in participating on global cooperation.

WATANABE:

Up until few years ago, the projects JICA was pursuing were rather closed. But now, the projects are more grass-rooted relating directly to citizens. We get an offer from the NGO, then we materialize it, and the local NGO people would work on it. This is how it works now. Technical assistances are now oriented towards the citizens, NGO and the local people.

MACHIDA:

Objective way of thinking is to analyze something objectively by stepping away from it. Internalized way of thinking is not to sit on the sidelines but to feel as the same human beings the pain that people are suffering from and to be prepared to share it with them. Having them both is what is required for global cooperation activities.

Common Theme:

Exploring Co-existence among Different Peoples for
Peace-building and Conflict Prevention

“The Ethnic Problem for the Kurds in Turkey”

HAZAMA, Yasushi (JETRO IDE / TUFSS)

Republic of Turkey, which was established after the disintegration of the Ottoman Empire, defined its citizens as Turkish, and denied the existence of multi-ethnicity. Resistance of Kurds who were dissatisfied with it, was strictly forced down under the one-party dictatorship. As democratization progresses after the start of multiparty system in 1946, by late 1960s, Kurdish nationalism gained its power with leftist ideology. It, however, was suppressed again after the coup of 1980. All that was left was PKK. Nevertheless, after the Gulf crisis and the Gulf War etc, Turkish government officially admitted the existence of Kurd, allowing their activities for political parties. Moreover, in recent years, while PKK are becoming undermined due to the capture of the party leader in 1999, Turkish government, since it is the condition for joining the EU, is empowering Kurd cultural rights.

1. View on Ethnic Conflict Issues:
Grievance, mobilization and opportunities
2. Background of Kurdish Ethnic Issues in Turk:
Disintegration of Multiethnic Empire and Building of Homogeneous Nation
3. Armed Struggle and Activities for Political Parties:
Kurdish Nationalism Movement in and after 1980

Peace Process in Northern Ireland - "Victory Over Violence and Partition"

YOON, Hae Young (TUFS)

Current Situation : Image as "War Zone" → Redevelopment after the Conflict

➤ **Background of Northern Ireland Conflict**

30 years conflict in northwest Ireland

Historical relationship with UK → Background of England's colonial rule to Ireland

Inflow of Protestant settlers caused religious conflict

19th century – Upsurge of Irish nationalism

Partition of Southern Ireland – South (Acquisition of self-government)

North (Remain UK territory)

Issue – Political status on attribution → Denominational opposition, institutional racism to Catholic citizens

➤ **Experience of Violence, and Divided Society**

- ♦ Actor of conflict – Armed organization (IRA, UVF, UFF etc), UK army

Experience of conflict – Immediate experience (Physical and psychic aftershock, economical and social damage)□

Differences depending on areas and social classes etc.

- ♦ Divided society – Residential area, education, workplace, marriage

Northern Ireland Conflict is not a "religious war" - Various factors are involved in a complicated way.

"Catholic" "Protestant" → Different Ethnicity

➤ **Becoming a New Society**

Peace building - necessary to supplement each other

Approach to connect communities:

Education, relationship between communities, public policy

Obstruction to peace process and new issues

Disarmament issue, parole issue, expansion of social divide, increase of migrant

Efforts for "common ownership" of society based on regional diversity

<Questions and Answers>

Q: It is said that the problem in Northern Ireland is not religious war, but is caused by complicated factors. However, can we say that it is definitely not religious war?

A: Most religious wars are caused not only by differences of religious sect. Conflict arises from various factors. In Ireland, being Catholic or Protestant implies not only to historical and/or religious background, but also to political stances.

Q: Is there anyone who insists on independence of Northern Ireland?

A: There were people who insisted on independence of Northern Ireland. However, due to the small population and the small land size, the fact is that they need cooperation with UK. Thus, the desire of their independence is hardly realized

<Other Comments>

Prescriptions for Conflict Prevention (by Mr. Hazama)

- Academic prescription
- Prescription as government
- Prescription for actors

Peace Building and Conflict Prevention (by Ms. Yoon)

- Which position and view should you take?
- Importance of remaining neutral, and taking the view from neutral stance

Common Theme

***Various Actors Relating to Peace-building, Conflict Resolution and Prevention;
Reconsideration of Japan's Role for International Cooperation***

"What are "Conflict Resolution, Conflict Prevention and Peace-building?"

FUNADA-CLASSEN, Sayaka (TUFS)

➤ Phases and Actors surrounding Conflict (on the above point of view)

Before and immediately after the outbreak

Recognition of the parties and other factors (earlier warning)

Approach to deterrence by having minorities groups who are highly dissatisfied

After the outbreak: Peace Intervention, Exercise of Force

➤ Conflict from the warring parties' point of view

The After-effects: such as influx of weapons, divided societies, weapon residue etc.

➤ Importance of NGO

Difficulties of maintaining stable condition in society before and during wars, as well as during peace process

Roles after peace agreement: Lifting strength, disarmament and collections,

social reintegration of discharged soldiers, return of displaced person

Peace building by elections

Shortcomings in UN: Since they budget per process, long-term projects with local size are difficult to conduct.

Conclusion

- ♦ There are various phases and actors at all the stages from outbreak to peace.
- ♦ Roles of local organizations are increasing, and investment by each country is increasing due to their functional enhancement.
- ♦ NGO is involved in not only coping with emergencies, but also all the process.
- ♦ Adjustment among actors are in progress, but there are also many issues that needs to be organized.

"Norway's Contribution to Peace-building and Conflict Prevention"

WIGGEN, Per (Second Secretary, The Royal Norwegian Embassy)

- **Norway's Role as Peace Intermediary:** Supporting the PKO by NGO, Humanitarian Activities, Development Activities etc.
 - ♦ Aid volume with the share at 0.9% of GDP
 - ♦ Close relationship and cooperation with NGO for many years
 - ♦ Progress of peace and settlement process originated in activities of churches, research institutes, trade unions etc.
 - ♦ Worldwide experiences and wide knowledge to sites.
 - ♦ Existence of consensus to international peace in political scene.
- **Difficulties of Long-lasting Resolution:** The parties seek beneficial and reasonable resolution for both in war situation.
 - ♦ Importance of having no colony and rights
 - ♦ Maintenance of harmonious relationship with dominant countries without pressure for agreement.
- **Norway's Role as Intermediary for Peace Building:**
 - ♦ Supporting negotiations between the parties.
 - ♦ Securing of appropriate observation
 - ♦ Indication of specific dividend on distribution of peace

Norway highly appraises the relationship with Japan, and wishes to proceed peace building further with Japan.

"Importance of harmonizing process between superior and parties on peace building"

TAKAHASHI, Kiyotaka (Japan International Volunteer Center)

Along the political process, peace would not be realized without the citizen's acceptance.

- **JVC's activities** — In 9 Asian countries mainly in Indochina, as well as Afghan, Iraq, and Palestine.

Peace building and conflict prevention in a way that is uniquely Japanese could be possible, but further discussion is necessary.

- **Practice in Canada:** Regular consultation for peace building, and discussions on its direction
 - ◆ Focus on mine-eliminating, from setting of treaty to human security and peace building, and from individual problems to solution
 - ◆ Focus on problems of children, women, and ethnic minorities who are most likely to become victims and the weakest from outside threat
- **Practice in UK (Oxfam)**
 - ◆ In UK, the expression "conflict reduction" is used instead of "peace building".
 - ◆ Control of externally pressed impression with the expression "peace building", and of justice of force and arms
- **Features of Present Conflict**
 - ◆ Continuous conflict without clear start and end, just like waves
 - ◆ Economic factors of structural crisis
 - ◆ Conflict effecting our daily life
 - ◆ Necessity of sensitivities with our support to peace building
- **Improvement of Sensitive Approach to Conflict**
 - ◆ Discussion about importance of prevention, recognition of the warring parties, justice of intervention, importance of human right etc.
 - ◆ Whether the most important resource "trust on country" is disturbed by SDF dispatch or not.
- **Fundamental Rule and Limitation on Japan's Support**
 - ◆ The conscious of necessity of politicians, and appropriate politicians
 - ◆ No overall view
 - ◆ Discussions at JICA and MOFA: No announcement of policies to outside, no attention to citizen's intention, no clear answer
 - ◆ Unclear vision at discussions among NGO and citizens, and also no unified opinion
 - ◆ Lack of strategies

- ♦ SDF dispatch to Iraq: In relations with humanitarian support, relation with peace constitution
 - ♦ No rules and tools of communication: Lack of political consideration and ex-post evaluation at both JICA and NGO
 - ♦ It is necessary to increase ODA budget, prevent exercise of force, and satisfy principles
- **Expansion of International Discussions after 9.11**
- ♦ Report by high level panel, which was presented at the UN Advisory Committee in December, 2004: Threat which global community would face
 - ♦ Poverty problem as the most crucial problem among mass destruction, terrorism, poverty, infection disease, and environmental deterioration
 - ♦ Japan's position: Focusing on becoming the permanent member of the Security Council, but not on poverty problem
 - ♦ Difference in awareness of threat between North and South
 - ♦ Necessity of establishment of UN police force and permanent peace building committee
 - ♦ Focus on connection not only with the Security Council, but also Economic and Social Council
 - ♦ Human Rights Committee members to all the UN countries

What stance Japan would take? : Cooperating with NGOs, and the security proposed by the high-level panel is required.

“Japanese NGO's Working on Peace-building - the Former Yugoslavia, Afghanistan, etc.”
OSA, Yukie (Advisor, Japan Platform)

- **Activities of Association for Aid and Relief - Japan in former Yugoslavia**
- ♦ Support in neutral from the start of conflict: People who receive few supports
 - ♦ Coexistence among staff
 - ♦ Support people with disabilities

Practice of direct involvement: Kosovo

The first stage: Support to Albanians

The second stage: Support to Serbian

- ♦ Distribution of firewood, secondhand cloths shop
- ♦ Cleaning
- ♦ Dispatch short-term interns to the field

- ♦ Factors to be improved: Fund shortage for security measures etc. just after the conflict, earlier termination due to lack of backup by Tokyo
- **Elimination of landmines in Afghanistan**
 - ♦ Problem positioning for the process of peace, politics, and humanitarian support, not only security and warlike areas
 - ♦ Re-employment of soldiers for elimination of landmines
 - ♦ Possibilities of information supplement of mine-eliminating and minefield to be indication of intention
 - ♦ Problem to be solved: Possibility of landmine becoming political issues
 - ♦ Role of Japan NGO: Investigation to identify minefield, elimination, education for avoidance and re-employment of discharged soldiers

<Discussion>

HAZAMA: I understand that there are 3 roles which Norway performs for peace building. I wonder how Norway have the people at grassroots level know about peace dividend. For example, in order to lead the Oslo Agreement to success, what activities Norway conducted to inform Palestinians?

WIGGEN: As you know, peace dividend are not working well under the Oslo Agreement. In any peace process, Norway utilizes development assistance as a donor at the same time as negotiation, and helps development assistance for peace with other donors. In Palestine, Norway has given government support to establish schools. In Sri Lanka, Norway is also giving development assistance with Japan

HAZAMA: I think there are differences between “peace building” and “peacekeeping”. How would you describe the differences ?

TAKAHASHI: I would say that “peacekeeping” is the situation just after conflicts, while “peace building” is a comprehensive idea at a little later time. Building is to institutionalize constantly stable situation, and to proceed nation building such as organizing judicial systems, and to establish reasonable government to realize peaceful society. On the other hand, peacekeeping is to maintain stable condition.

YOON: What does “neutrality” mean? For example, in Northern Ireland, most of people are considered to be belonging to either divided society. In that situation, what is the position of the people who work for peace building? Sometimes it is hard to have correct understanding of either position when we are in a neutral position. If you have that kind of experience, please give some comments.

WIGGEN: It is essential to present that you are in neither position, when you are in a neutral position. All the process I talked about today tends to be considered as

being in government position. It is also important to demonstrate your performance as non-governmental activities, in order to keep balance.

TAKAHASHI: There is some doubt whether neutrality is existing in the true sense of the term. Just like the Crusades overlooked the slaughter of the Jews at the World War II, sometimes discussion about neutrality does not make sense. I think it is more important to identify the justice of international intervention than discussing about neutrality. In case of JVC, there is a fundamental rule in order to realize fair support as its neutral position; not to arm, not to come close to armies, to communicate with citizens as much as possible, to give grass-roots support regardless of military and political matters, and not to come close to superiors. It is an open question whether the government could give support in that position.

OSA: Doctors Without Borders and other people are making an accusation for abuse of human rights regardless of neutrality. Understanding of neutrality differs from place to place. The problem for NGO is that, if they make an accusation against incursion to the world, they can't stay there anymore, which means they can't continue their assistance activities. NGO's mission includes many things, although they are also non-governmental organization. If their main objective is to stay closer to the citizens, they would need to remain quiet. However, if their objective is to discuss further, accusation could be necessary. In addition, some people are considering that NGO should not take neutral position.

FUNADA: There are two words to describe so-called "neutral" in English, which are "neutral" and "impartial". We were told that "impartial" is to be applied to NGO staff. In many countries, I think the word "impartial" which more implies "justice" is more common in the world.

<Questions & Answers>

Q: It is said that Japan has no clear vision. On the other hand, what is Mr. Takahashi's vision?

A: It is most important that we do what we can do now. If there is no clear vision, it is necessary to realise it first, and then think of it until you get it. It is essential to form a vision with resources Japan already has, such as the Peace Constitution. Roles to treat global threat, and fight to poverty problem that would have been resulting in death with 30,000 people a day, would be also strategies. For example, if 560 billion dollars could be spent a year to the problem, it is estimated that the problems of poverty, AIDS, infection disease etc. would be all solved. It could be a vision for Japan to make some contribute in that way.

Q: It was mentioned that assistance for the parties are important. Isn't there any case that

the assistance could cause time wasting or expansion of damages, such as absolute leaders in Pol Pot or Africa?

A: It takes time to understand the parties. In fact, in some places such as Palestine, there are certainly some people who desire peaceful world, and they are making effort even it might be small. This is what NGO can do to search those people and support them. Although it takes time, however, we would like to continue our support in that way if we can do anything for them. The end of Cambodian civil war would have caused by fatigue of the parties. We could do something for them to ease actor's fatigue and support them.

◀Messages to Those Who Aim to be Involved in International Cooperation▶

WIGGEN:

It is most important to have interest in any international activities, and learn languages and cultures of the area you would like to work in. In addition, expert knowledge is also essential. Any area of expertise is useful, as various experts are needed to support peace and international cooperation activities. There would be very few chances to work at an international cooperation organization, due to so many applicants. In order to gain experience in the field, volunteer activities at NGO etc would be recommended. In Norway's international contributions, the experiences of various people are the most resource.

OSA:

The important things for those wishing to work for international cooperation are to specify area and position. For, example, if you are wishing to be involved in medical area, you need to study medicine. Also, what position you would like to be in: government, NGO, or UN? Everything is very much different depending on your choice of area and position. Although you can also change those later on, it is certainly worth considering it at earlier stage.

TAKAHASHI:

I wish younger people to think about conflict, because it would be a good start to think of the society at the same time. If you think of a rule to communicate and understand mutually in society through your thought of peace building and conflict prevention, you would be able to know what to be done now.

FUNADA:

Involvement in current African issues means to be involved in peace building and conflict prevention, even if the area of your involvement is not having conflict presently. As discussed today, we could not consider it as "peace" even having no conflict. If people suffer from hunger and/or violence, it would not be peace. We need to think about what condition would be peace in daily life.

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Peace and Conflict Studies

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