

BETWEEN THE CROCODILE¹ AND THE KANGAROO: UNTAET² AS A FOREIGN POLICY ACTOR AT THE TIMOR SEA

ENTRE O CROCODILO E O CANGURU: A UNTAET COMO ATOR DE POLÍTICA EXTERNA NO MAR DE TIMOR

ENTRE EL COCODRILO Y EL CANGURO: LA UNTAET COMO ACTOR EN LA POLÍTICA EXTERIOR EN EL MAR DE TIMOR

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ABSTRACT

The dream of an independent East Timor was abruptly interrupted by the violent and illegal Indonesian occupation in early 1975, a fact which led to almost complete destruction of the country and the need for an unprecedented multilateral effort to reconstruct it in different dimensions. The challenge of the United Nations Transitional Administration in East Timor (UNTAET) to turn ruins and ashes in a viable state was driven beyond their original functions set out in the mandate approved by the UN Security Council. The performance of UN Mission as a foreign policy actor marks a unique moment to study the discipline. Taking the contributions of Goldstein and Keohane as primary reference it is possible to analyze the behavior of the actors involved and the role of ideas and interests of the different parties in the formulation and operation of the initiatives developed in negotiations to redefine the terms of exploitation of the Timor Sea.

Keywords: Foreign Policy. Ideas. Timor-Leste. Transitional Administration. United Nations.

RESUMO

O sonho de um Timor-Leste independente foi abruptamente interrompido pela violenta e ilegal ocupação indonésia no início de 1975, fato que levou a quase que total destruição do país e a necessidade de um esforço multilateral sem precedentes para sua reconstrução em diferentes dimensões. O desafio da Administração Transitória das Nações Unidas em Timor Leste (UNTAET) de transformar ruínas e cinzas em um Estado viável foi conduzido para além de suas funções originais estabelecidas no mandato aprovado pelo Conselho de Segurança das Nações Unidas. A atuação da missão como ator de política externa marca um momento singular para o estudo da disciplina. A partir das contribuições de Goldstein e Keohane é possível analisar o comportamento dos atores envolvidos e o papel das ideias e dos interesses das diferentes partes no processo de formulação e operação das iniciativas desenvolvidas nas negociações para redefinição dos termos de exploração do Mar de Timor.

Palavras-chave: Política externa. Ideias. Timor-Leste. Administração Transitória. Nações Unidas.

RESUMEN

El sueño de un Timor Oriental independiente fue abruptamente interrumpido por la violenta e ilegal ocupación de Indonesia a principios de 1975, un hecho que llevó a la destrucción casi total del país y a la necesidad de un esfuerzo multilateral sin precedentes para su reconstrucción en diferentes dimensiones. El desafío de la Administración Transitoria de las Naciones Unidas para Timor Oriental (UNTAET) de transformar ruinas y cenizas en un estado viable fue impulsado más allá de sus funciones originales establecidas en el mandato aprobado por el Consejo de Seguridad de la Organización de Naciones Unidas. El desempeño de la misión como un actor en la política exterior marca un momento singular para estudiar la disciplina. A partir de las contribuciones de Goldstein y Keohane es posible analizar el comportamiento de los actores involucrados y el papel de las ideas e intereses de las diferentes partes en el proceso de formulación y operación de las iniciativas desarrolladas en las negociaciones para redefinir los términos de la explotación del mar de Timor.

Palabras clave: Política exterior. Ideas. Timor Oriental. Administración Transitoria. Naciones Unidas.

¹ One of the legends on the origins of Timor Island says that it appeared from the petrification of a crocodile, the animal that is the symbol of the country and which is very common, especially in the beaches of the south coast.

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I INTRODUCTION

The study of International Relations is focused on policies created in/by major powers. The most recognized analysts, the most imitated theories, the most frequent objects of analysis are turned towards the United States and Europe. Nowadays, emerging powers and States with high economic-growth and military expenditure levels have been attracting the attention of the international community and arousing academic interest towards the BRICS⁴, for instance. In a smaller scale it is possible to identify works that address international action in small States, usually related to their behavior in the face of constraints caused by large States.

The logic regarding the focus of academic efforts in the powers, however, does not apply to the present article. Its aim is to address a peculiar moment in East-Timor foreign policy, a small country located between Asia and Oceania. Having received international recognition recently, Timor has a population of around 1.2 million people, its Gross Domestic Product (GDP) totaled US\$1.63 billion in 2013 and it was the 128th country in the Human Development Index (HDI) rank, considered as medium level, in the same year.

What would justify the choice of such a small

the authorization given to the mission to use all necessary means to restore the country's independence, and the action of a UN peace-keeping mission in the fertile foreign-policy ground of a country undergoing reconstruction. Albeit not being unprecedented phenomena, their exceptionality draws our attention.

The present article proposes a reflection on the role of non-state players as foreign-policy operators, having as starting point Keohane's and Goldstein's contribution to foreign-policy analysis, using the perception that ideas directly contribute to the cause impact in the decisions made and the results obtained. It is worth pointing towards the Weberian line of thought that connects ideas and interests in equal conditions as cause elements in the analysis of human action, and sustains the case analysis in question (GOLDSTEIN; KEOHANE, 1998). The path to this decision process passes through East Timor, a case that deserves a more detailed contextualization given the idiosyncrasies not only of the country, but of all the complex web of interests that would collide with the oil negotiations in which the Transitional Administration would take part from 1999 to 2002.

The first section of the present article will address the historical dimension of the Timor issue, presenting the Portuguese colonial structure on the island of Timor, the later fight for self-determination and the creation of liberation movements, the declaration of Independence, followed by the invasion and indiscriminate use of violence by Indonesia, until the resuming of international pressure, followed by the referendum and the new wave of destruction that led to the United Nations intervention.

The second part of the article introduces the political structure responsible for the transition of East Timor from an undetermined territory divided between the colonial Portuguese possession and the alleged condition of Indonesian province to the status of independent State. It is worth highlighting the issue concerning the viability of the State as indicative element of the building of interest by international players that governed East Timor during the transitional administration.

The third section discusses the construction process of UNTAET as foreign policy player, indicating that this attribution is not simply adjacent to the rules of the Security Council mandate. The following section introduces the case that motivates the analysis, which is the dispute for the Sea of Timor and its implications regarding the relationship of Indonesia, Australia, East Timor and the Transitional Administration.

The foreign policy evolution is discussed in section five of the present article, presenting ideas, beliefs and principles that guide the behavior and actions of operators regarding the negotiations with Australia as from 1999. The following section puts into perspective UNTAET's actions, discussing the role of ideas in the formulation and operation of foreign policy.

Figura 1: Mapa de Timor-Leste.



Fonte: Pereira Gomes (2000)

country among so many available objects of analysis? East Timor is a relevant study case for several International Relations fields, particularly due to the violent Indonesian invasion in 1975 and its interurrences. The present article analyzes the establishing of a Transitional Administration,

⁴ Group of emerging countries composed by Brazil, Russia, India, China and South Africa.

2 TIMOR AND BARBARIANISM

East Timor is a former colony discovered by the Portuguese in 1512. The country's occupation occurred in a slow and gradual manner as its importance was relatively low compared to the other Portuguese overseas territories. Colonial economy was based in the exploration of sandalwood and subsistence farming. After Holland started to expand its empire towards Asia, and due to the significant reduction of Portuguese response capacities, the island of Timor ended up divided into two portions, the Portuguese being left with the eastern part and a small enclave on the north of Western Timor which marks the site where 16th century explorers landed. (DURAND; MENDES, 2010; XIMENES BELO, 2012).

The first independence movements in Timor date from the 19th century, but the main occurrences were the Manufahi Revolt, in 1912, and the 1959 Revolution, both of which were defeated by Portuguese colonial forces. After the fall of the Salazarian regime in 1974, the political situation in Timor became undefined (XIMENES BELO, 2012; ALKATIRI, 2012). The pressure for decolonization became stronger every day with the growth of groups in favor of independence. Also in the beginning of the 1970's, Francisco Xavier do Amaral led the creation of the Timorese Social Democrat Association (ASDT), which gave rise to the strongest of all movements, the Independent East-Timor Revolutionary Front (FRETILIN) that preached total rupture with the colonial model and the installation of a Marxist regime in the country (DURAND; MENDES, 2010).

With the purpose of calming the political tension among the different ideological groups, governor Mário Lemos Pires called municipal elections in the beginning of 1975. During the election FRETILIN candidates received expressive voting and won in the majority of the districts. The parties in favor of Portugal (Timorese Democratic Union) and of the annexation to Indonesia (Timorese Popular Democratic Association) questioned the results, and the outcome was an armed conflict between members of different parties.

The victory of FRETILIN combatants potentialized the struggle for independence, which was declared in November 1975. Due to its communist orientation, the arrival of FRETILIN into power was seen with reservation by Washington, Jakarta and Canberra. Amidst the expansion of other communist threats and at a significant moment in the Cold War, Indonesia was left with the mission of suppressing communist expansion in East Timor. Less than ten days after the declaration of independence by FRETILIN, Indonesian troops invaded the country, with tacit agreement of the USA, and started the occupation that would last two decades and cause the death of almost one third of the local population; it was one of the largest genocides occurred after World War II (RAMOS HORTA, 2000).

The repeated reports about the use of violence during the Indonesian occupation are a sign of the degree of humiliation and suffering imposed upon the Timorese population. International response was quite intense in the first two years of occupation, including the approval of a resolution that demanded a peaceful solution. The theme, however, gradually left the list of priority issues of the United Nations Security Council, especially considering the Cold War scenario in which a territory such as East Timor aroused practically no attention from political players⁵.

At a moment when Timor was an insignificant issue in the international agenda, the visit of Pope John Paul II, in 1989, encouraged Timorese resistance. The religious link was used as a restriction instrument to the imposition of Indonesian values upon the population. The escalate of guerilla actions resulted in an increase of violence against the civilian population, which culminated in the Santa Cruz Massacre, in November 1991 (TIMOR..., 2001).

The disclosure of images showing the killing of innocents that pleaded for their lives reignited the movement against the Indonesian occupation and it gradually gained an outstanding place in multilateral forums. The violence by Indonesian soldiers against civilians on pilgrimage to honor one of the many victims shocked the world, and echoed especially in Portugal, which was officially still the colonial power in Timor. Portugal started to question the Indonesian position and used the signature of the Maastrich Treaty the following year to transform the theme into an important issue for European foreign policy, despite the restrictions of the British government.

A few months after the massacre, "Kay Rala Xanana" Gusmão, one of the main Timorese guerilla leaders, was arrested. International mobilization for his liberation and for the country's independence gained supporters throughout the planet. With the growing interest in the Timorese issue, the leadership role of José Ramos Horta and of Bishop Carlos Filipe Ximenes Belo in the negotiations for independence resulted in their winning the Nobel Peace Prize in 1996 for their work in the building of a peaceful solution for the Timorese conflict. The following year, Asian economies suffered a major shock as speculative capitals left and the crisis led to popular demonstrations in Indonesia, culminating in the fall of president Suharto's administration and the return of the democratic regime to the country. The sequence of events created the conditions for successful international negotiations towards the liberation of East Timor.

The agreement signed by the governments of Indonesia and Portugal and the United Nations led to a referendum to establish if East Timor would remain an Indonesian province or would have its independence re-established. The popular consultation was to be organized

⁵ Between 1977 and 1998 the Security Council did not approve any resolution at all related to the East Timor issue.

by the United Nations, according to resolution 1246, and set for August 30, 1999 (PEREIRA GOMES, 2001).

80% of the votes were in favor of the separation from Indonesia, and a surge of violence followed the referendum. Local militia in favor of the autonomy and members of the Indonesian army attacked the civilian population and destroyed nearly 80% of all the country's physical infrastructure. Besides that, they obliged hundreds of thousands of Timorese to move. After almost a week of confrontation, resolution 1264 was approved by the UN Security Council, establishing the deployment of a peace-keeping force to restore order in the new country, the so-called INTERFET⁶ (PEREIRA GOMES, 2001).

The presence of international troops headed by Australia made it possible to minimally stabilize the Timorese territory. However, since there was still no governability situation, the United Nations had to accept to take on full management of East Timor by means of an exceptional-character mission. This was not a first-time experience, if we consider the newly created UNMIK⁷ in Kosovo, but while in the Balkans the success expectation for the mission was restrained by the pressure from the Serbian government, in Timor the possibilities were clearer, since even Indonesia was willing to cooperate with the Transitional Administration and establish peaceful relations with the country that would come into existence in 2002 (SHOESMITH, 2007).

3 THE TRANSITIONAL ADMINISTRATION

Following the establishment of a military stabilization force, the UN approved resolution 1272 which created the United Nations Transitional Administration in East Timor (UNTAET), with full powers to "govern" the country and build the necessary conditions, structuring the institutions to deliver the self-determination demands of the population until the restoration of the country's independence in May 2002 (FARIA, 2011).

Such framework transferred to the UN the responsibility to shape the entire state system. The mandate of the Transitional Administration mission was composed of six tasks. Such tasks included the need to ensure security and the respective maintenance of law and order in East Timor; the creation of an administrative structure, the provision of public services such as education, health and social security, the coordination of humanitarian aid efforts, with the assurance of their efficient distribution, the building of the path to self-determination compliant with the terms of the 1999 referendum, and the creation of the basic conditions so that the new State could thread

its way towards sustainable development over the next decades.

In the East Timor case, fulfilling the demands established in the mandate meant the need for social stability and physical reconstruction of the infrastructures destroyed after the referendum. The lack of minimum conditions conveys a unique degree of difficulty in the history of the UN. In the face of such challenge, it was left to the UN the task to mobilize some of its best political, economic and staff resources, despite even the financial constraints imposed by the member States (FARIA, 2011). Facing both praise and criticism, the Transitional Administration acted for almost 32 months having as priority the building process of the State and the transition of power to the hands of the Timorese people. The pressure derived from the local political and social spheres, as well as from the United Nations structure, account for the priority given to such issues. The priorities were defined to face the institutional void and contemplate the various demands, having the mandate as key reference (SIMIÃO; SILVA, 2007).

Having received the authorization to use all necessary means to fulfil the mandate approved by the Security Council, UNTAET established the National Consulting Board (CCN) composed by local political and religious leaderships who would work directly with the mission. The objective of Sérgio Vieira de Mello, special representative of the Secretary General in the country, was to empower the local population by way of a representation as diversified as possible and seek its involvement in the decision processes amidst a scenario of humanitarian emergency (WEISS, 2007).

According to Peter Galbraith, the question was more complex, since even the CCN members had difficulty following the formulation process of UNTAET regulations. The anxiety of the Timorese people to control their destiny would collide with the technical and bureaucratic aspects of the mission. Meanwhile, as much as the Head of Mission tried to make decisions based in a consensus with the CCN, many members did not have enough management experience and this further constrained their capacity to influence the decision processes and would limit the advancement towards empowerment.

Thus, the path chosen by UNTAET was to revise the political structure of the mission, splitting the cabinet among Timorese and international personnel. The Consulting Board would be dissolved and in its place there would be a National Legislative Council, with more representativeness and a larger number of members, but maintaining similar functions as those of the preceding body. The mission would advance into a second moment for the creation of a cabinet composed almost exclusively by Timorese people, but still headed by Vieira de Mello. The last transitional ministry started operations following the negotiations conducted by Galbraith and Alkatiri.

⁶ International Force for East Timor

⁷ United Nations Interim Administration Mission in Kosovo

4 UNTAET AS FOREIGN POLICY PLAYER

The logic of preference formation in the case of UNTAET talks directly with the future success perspectives in the East Timor nation-building process. The historical moment of the conflict escalate in Timor is linked to the dissemination of concepts, like that of bankrupt States, which marginalize conflict-targeted countries that are permeated by the incapacity of domestic structures to provide security and other public assets to their nationals (GHANI; LOCKHART, 2009; MORGAN, 2006).

The need to make the mandate viable and ensure the success of an innovative initiative as the Transitional Administration would get UNTAET's political players to distance themselves from the traditional neutrality of the United Nations missions and take the lead to defend the interests of what came to be the Timorese State. This change in attitude marks the occurrence of an unprecedented phenomenon, the performance of part of the organization as formulator and deliverer regarding foreign policy (FARIA, 2011).

In the face of several dimensions that directly touched the paths to the success of the mission and of independent Timor, economic viability was an element of substantial importance. In a country where over 70% of the population was rural, with a small agriculture-oriented territory, extractivism was the major income source.

The lack of definition regarding the status of the Sea of Timor and its exploration by Australia, as well as the expectation that international agreements supported a renegotiation of the terms in favor of Timor, were the opportunity for the UNTAET political core to choose a priority to be worked externally, with a high probability of success and relatively low political risk (SIMIÃO; SILVA, 2007).

The definition of the negotiation process between UNTAET and the Australian government was in the hands of three individuals. Sergio Vieira de Mello, head of mission, would talk directly to the Secretary General and, following the guidelines given by New York, would define the limits of action for his assistant for political issues, Peter Galbraith. This was an American diplomat that had been chosen by Vieira de Mello himself as his political advisor. Galbraith's experience came from a history of services rendered to the State Department, in Croatia, during the Balkans conflict in the beginning of the 1990's (GALBRAITH, 2013).

The legitimacy of the performance of both men was provided by the constant participation of a local leader, Mari Alkatiri, Secretary General of FRETILIN and one of the historical leaders of Timorese resistance

in exile. During the 20 years in Mozambique, Alkatiri was always directly involved in the complex effort to submit the Timorese issue for discussion in international forums. When he returned to Timor, he was part of one of the most prominent leadership groups in the country, alongside José Ramos Horta and Xanana Gusmão.

One can say that Galbraith had great autonomy in the formulation of the guidelines and, according to the words of the diplomat, he built a solid friendship with Alkatiri, who was part of the UNTAET delegation in the negotiations, although he was only a member of the National Consulting Board. It was clear that the presence of a Timorese in the decision making process met the demands of the mission regarding internal legitimacy and the strengthening of the self-governing ability. Regarding Vieira de Mello, his interventions were always punctually made, usually supporting Galbraith's and Alkatiri's positions and serving as a pillar among the pressure Australians exercised in different diplomatic environments (FARIA, 2011; GALBRAITH, 2013).

According to Galbraith (2013) himself, it was important to isolate oneself from the New York bureaucratic structures, leaving those in the hands of the head of mission. The autonomy that Vieira de Mello received from the UN Secretary General at the time, Kofi Annan, was another key element according to the UNTAET operators. Annan's even more emphatic commitment with the success of the mission, after the well-known failures of the Organization in Rwanda, and the trust he had in his representative paved the way for Galbraith to take the lead in the discussion on the Sea of Timor with the Australians.

6 THE SEA OF TIMOR AND ITS DISPUTES

The discussion about the terms of the Sea of Timor exploration precede the Indonesian occupation on the eastern side of the island. This process started back in the 1960's and referred mainly to the need Australians had of better conditions in the terms defined in the Geneva Convention on the Law of the Sea of 1958. The interest concerning the north coast of the Australian territory was intensified after the discovery of oil and gas in the region in the beginning of the 1970's (ALKATIRI, 2012).

In order to provide better guarantees to investments needed for the exploration of the Sea of Timor riches, the Australian government sought a definition with nearby countries. A conference resulted from that and, later on, a meeting of Heads of State for the signature of the so-called Timor Gap Treaty, in October 1972, that established the maritime boundaries between the Indonesian islands and Australia.

Figura 2: Timor Gap.

Fonte: Durand e Mendes (2010).

The agreed gap in the division line between Indonesian and Australian territory concerned the eastern portion of the Sea of Timor, the half of the island that was still governed by Portugal during that period. Negotiations between Australians and Portuguese directly involved the Minister of Foreign Affairs, Rui Patrício, and the governor of Timor, José Nogueira Pires, and were concluded without the parties having reached an agreement. For the Portuguese, the issue was the lack of agreement regarding the location of the line, much closer to the Timorese territory. Portugal believed that Timor and Australia were located on the same continental shelf which, according to the Law of the Sea, meant the establishment of a line halfway between the two territories. The proposal of the Timor Gap was broadly unfavorable to the interests of the European country, which thus rejected the treaty (ALKATIRI, 2012).

After the Indonesian invasion, the complementation of the Timor Gap could only happen if Australia recognized Timor as Indonesian territory, which implied in political costs that Canberra had no intention of accepting. Amidst so many disputes and lack of definition regarding Timor after the invasion, there was a common position shared by Portuguese, Timorese and Indonesians: that of not extending the Timor Gap line.

Only years later, in 1989, did Australia and Indonesia sign the treaty that establishes three exploration areas, an exclusive area for Indonesia/Timor, a joint exploration area and an exclusive area for Australia. The terms of the bilateral action were defined parallel to the recognition by Australia of the Indonesian annexation. At the same period oil and gas exploration in Sea of Timor fields was significantly extended and the division of the exploration profits was done in equal terms, half for each State (ALKATIRI, 2012).

After international pressure for the independence of East Timor started once more and Xanana Gusmão was arrested in 1992, Australian emissaries went to Indonesia

to try to find out the Timorese leader's position regarding Timor Gap. The issue divided the forces of resistance since a large part of the exiled Timorese rejected the agreement, whereas some guerilla members led by Gusmão waded with the acceptance of the historical terms in exchange for Australian support for the Timorese cause in international organizations. Xanana himself reviewed his position later on when international mobilization transcended Indonesian resistance power.

Actually, when the United Nations established UNTAET there was consensus among Timorese leaderships that the terms of the treaties signed between Australia and Indonesia in 1972 and 1989 were unacceptable and should be revised. But when would it be possible to forward such issue if East Timor was not an internationally recognized State yet (FARIA, 2011)?

6 GALBRAITH, ALKATIRI AND UNTAET'S FOREIGN POLICY

According to Galbraith (2013), Timor Gap figures called the attention of the UNTAET members for their magnitude in relation to Timorese economy. The discovery of new fields with large gas-producing capacity represented a possibility of increasing East-Timor revenues in over 100%. The country was the poorest in Asia and had a GDP of about US\$ 200 million in 1999. The new Bayu-Undan field had an annual production estimated in the same value as the Timorese gross domestic product.

The Australian position was to keep the agreement signed with Indonesia and East Timor would then start receiving the amount corresponding to half the joint exploration area. The issue that raised doubts in the UNTAET operators concerned the validity of the divisional parity. In Galbraith's opinion (2013), Indonesia would accept the division for lack of alternatives in face of the entire problem that the Timor case would represent in international courts of law. The Australians used the illegal status of the Indonesian occupation to propose an agreement with terms that were harmful to Indonesia, especially since the establishment of the Law of the Sea of 1982.

The pressure exercised by Australia led the United Nations to accept the fact that during UNTAET's mandate the terms would remain the same as the ones of the agreement with Indonesia. The adjustment proposed by Australia, however, allowed the Timorese to renegotiate the agreement in case they considered it harmful to national interests. For Galbraith, it was clear that the intention of the Australian government was to prevent the discussion to acquire a multilateral shape since, after the restoration of East-Timorese independence, the negotiation would be bilateral, i.e., in much more satisfactory conditions to Canberra.

The continuation of Timor Gap meant that it was

up to UNTAET to assign a new representative regarding the joint exploration area. It was a strategic position as it further restrained the possibility of external influence in the sense that the oil resources financed a large part of Timorese bureaucracy. If his opinion was not heard in the maintenance of the oil agreement for the duration of the mission, Galbraith (2013) convinced Vieira de Mello to nominate him as representative, which further strengthened the UNTAET operator's capacity in the negotiations with Australia.

Another Galbraith insight regarding the hydrocarbon issue was that the negotiation capacity in favor of East Timor would be better if the discussions took place before the independence. For the diplomat, the United Nations bargain capability was incomparably greater than that of the small and recently acknowledged East Timor. Besides, if the new country came to be without a previously accepted agreement, the options in the negotiations table would be restricted to the maintenance of the 1989 treaty or to a period of absence of regulations about the region until the parties reached an agreement, which would weaken the Timorese economic situation (GALBRAITH, 2013; ALKATIRI, 2012).

When he accepted the condition of participating in the management of the Sea of Timor resources, Galbraith demanded from the Australians a definition of the terms for the post-UNTAET period. The first reaction of the Australian government was that of astonishment and of exercising pressure in all the existing forums against the partial position of the mission. Canberra believed that the terms of the agreement were the base for any renegotiation. The impasse lasted almost a year with the substitution of Australian negotiators and overturns in the country's position.

Look, we will continue with this treaty till independence, but after the independence date, under no circumstances, will East Timor go on with this treaty, the Indonesia-Australia treaty was considered illegal, Indonesia had no basis to negotiate on this area, Australia had no claims, we would like to have maritime boundaries, and we would like them to be right in the middle (GALBRAITH, 2013, p. 264, tradução nossa) (Translator's Note: free translation of quote).

Galbraith's and Alkatiri's declarations for international investors, showing that the treaties in force were not compliant with the standards of International Law, finally inverted the logic of pressure and put the Australians in jeopardy of not getting the investments for the recently discovered fields. It was the opening Galbraith needed to "convince" Canberra of the need to build a new treaty for the maritime boundaries (GALBRAITH, 2013; ALKATIRI, 2012).

The last attempt of Australians to avoid the new negotiation process was to try to exclude Galbraith

from UNTAET. Unsuccessful appeals were made to the Secretary General and to the US State Department. Australian mobilization ended up by strengthening the position of the American diplomat with the other Timorese leaders that were following the process at a distance (GALBRAITH, 2013).

The new agreement was signed in July 2001 by Galbraith and Alkatiri and would go into force symbolically on May 20, 2002, the date of the restoration of Timorese independence. According to the treaty, Timor would be entitled to 90% of the resources coming from the joint exploration area. The Timorese would also define the terms of the taxation for companies operating in the joint exploration region. After the treaty was signed, Galbraith detached himself from the mission. Two months later, Sérgio Vieira de Mello would begin the 2nd Transitional Administration, exclusively formed by Timorese ministers, and which would mark the beginning of a new phase for the transitional administration (GALBRAITH, 2013; ALKATIRI, 2012).

7 THE UNTAET "MODEL" AND THE ROLE OF IDEAS ACCORDING TO KEOHANE AND GOLDSTEIN

The foreign policy formulation process for negotiations between UNTAET and Australia was focused on Galbraith and Alkatiri, where the first had the frontline role in the relationship with the Australians. The Timorese leader supported the American diplomat both on the domestic level, ensuring that his steps were aligned with Timorese expectations, and on the international level, by highlighting that Galbraith was a necessary instrument at that moment and for the East Timorese possibilities in terms of international performance.

Regardless of the partnership, which both considered as advantageous and well-succeeded, the low institutionalization level at UNTAET and at Timorese political groups, as well as the legitimacy of both men for those groups they represented, enabled the decision process to be almost always focused on this bipolar or, occasionally, tripartite logic, with the inclusion of Vieira de Mello in the discussions and, as defined by Galbraith, as representative of UNTAET in the joint exploration area in the Sea of Timor. However, only Galbraith and Alkatiri signed the treaty in 2001, which reinforces the preeminence of both men since the formulation till the delivery of the foreign policy guidelines (GALBRAITH, 2013; ALKATIRI, 2012).

If we take a closer look at the definition process of UNTAET's options in this new facet of the mission, we can observe that its formulators would build what Keohane and Goldstein (1998) defined as the "road map", derived from the ideas that provide support to arguments and to the performance of foreign policy operators. It is

clear that for both the best conditions for the success of the various outlined objectives are conjugated while the mission is still in force. With its link with the values, the logic of the ideas as foundation for the path to be threaded in the foreign policy action is united with the relationship between preferences and values.

When one sees politics as an arena where the players face continuous uncertainty regarding their interests and how to maximize those, the need for ideas to act as “road maps” becomes evident. Ideas serve the purpose of guiding behaviors under conditions of uncertainty, establishing cause standards or compelling ethical or moral motivations towards action (GOLDSTEIN; KEOHANE, 1998, p. 302, tradução nossa) (Translator’s Note: free translation of quote).

Likewise, the counterpart’s behavior throughout the negotiation rounds indicated a clear intention of demobilizing the available instruments for UNTAET and being able to ensure advantageous negotiation terms, dealing directly with post-independence Timor. The idea regarding the way through which Australians acted was a key part in the construction of the “road map” that would characterize Galbraith’s and Alkatiri’s political movements.

According to Keohane and Goldstein (1998), ideas give more clarity to the foreign policy outlined objectives. Their influence is owed to the way they affect the outcome in negotiations where balance is absent. And, at the same time, they define the possibilities that are established to enable operators to seek their objectives. For the authors, “ideas help ordering the world. By ordering the world, ideas can shape agendas, which can deeply shape results” (GOLDSTEIN; KEOHANE, 1998, p. 301) (Translator’s Note: free translation of quote).

It is also possible to resume the authors’ quote on the formation of the so-called focal points, as there is a correlation between the Transitional Administration and Timorese leaderships. The focal points also derive from ideas of decision makers. In the case in question, international and Timorese players used the institution to be able to perform in better support and success conditions (GOLDSTEIN; KEOHANE, 1998).

Ideas can be important exactly because unique forecasts cannot be generated by just analyzing strategic interests and interactions. (...) The set of objective restrictions and opportunities are not the only thing that guides the action; individuals count on their beliefs and expectations when they choose from a series of viable results (GOLDSTEIN; KEOHANE, 1998, p.303, tradução nossa) (Translator’s Note: free translation of quote).

The role of ideas as focal points allows us to watch the building of likely alternatives in the performance process of foreign policy players in the issue in question. If we put into perspective the performances of Galbraith

and Alkatiri in the light of the thinking of Goldstein and Keohane, the idea of justice as a value is associated to the interests of both in the structuring of foreign policy actions amidst their Australian antagonists.

The third concept worked by the authors, that of institutionalized ideas, is the most complex for this case. As UNTAET puts all its efforts towards reverting the unbalance that will occur in the case of a bilateral negotiation between Australia and East Timor, there is the perspective that the concept cannot be applied since the ideas established in the institution consider the sovereign equality of the States. Although it is a guideline of the international system, recent decades have witnessed the creation of new principles that slowly act to restrict the blockades derived from the inequality among States. Instruments such as the Generalized System of Preferences, that works amid the equality of the Most Favored Nation Clause, reinforce the view that facing inequality is gradually becoming institutionalized as idea and resulting into better interaction possibilities in the international environment (GOLDSTEIN; KEOHANE, 1998).

When collective action requires persuasion rather than mere coercion, and when consistency of policy is demanded on the basis of principles institutionalized in the form of rules, reasons must be given for proposed course of action; when reasons are required, ideas become important (GOLDSTEIN; KEOHANE, 1998, p. 304).

In the case of UNTAET, the idea of limiting inequality in the negotiating capabilities of Timor and Australia would have the organization acting both as mediator and as part of the process. This explains the Australian position of repulsion regarding the “interference” of the United Nations. Were it not for the support of the International Law and the concern of investors regarding the legal status of the region, the success chances of UNTAET’s intervention would have been minimal. Calculating the possibilities of success makes it easier to replace the neutrality praxis by a political positioning connected to the value of facing inequality.

As pondered by the authors, ideas do not disregard the role of the interests presented by the parties. As much as one might consider the commitment of UNTAET with the future of East Timor, it has to be made clear that the success of the mission and its recognition are directly tied to the steps the country would take after the conditions left by the Transitional Administration. In this sense, Galbraith’s repeated immersions in the international performance theme also have to do with maximizing success perspectives. But this does not invalidate the role of ideas – they are associated to interests and fulfil the role of strengthening the decisions made (GOLDSTEIN; KEOHANE, 1998).

8 FINAL CONSIDERATIONS

An international organization acting as foreign policy player, performing in negotiations with a member country on behalf of another member country. This intricate combination was the object of the analysis proposed in the present article. Keohane and Goldstein were chosen because these authors are able to conciliate the relevance of ideas and the role of interests. Ideas are essential to understand this rare phenomenon in what foreign policy is concerned. Interests move players, as much as they might be apparently acting out of their jurisdiction. When developing the role of ideas and conciliating the rationality of interest, Keohane and Goldstein build an approach that is very close to Galbraith's and Alkatiri's performances. Even if their formal condition did not allow them to act in terms of foreign policy, their ideas and the application of these ideas forged the path that had to be followed in the pursuit of common and individual interests.

The challenge of submitting Timorese interests and those of UNTAET itself against demands and postures of Australia, a regional power with a history of collaboration with the initiatives of the United Nations and its agencies, is discussed. It is worth highlighting the dynamics of the construction of an institutional framework and a performance model amidst the different interests of the players involved.

East Timor, the small island in the crossroads between Asia and Oceania, is a land of contrast and surprises. What other country would allow a study on the foreign policy of an international organization? In Timor the realities are quite distinct and the case concerning UNTAET as foreign policy player, or that of its political representative, portraits such peculiar realities.

As the object of analysis, East Timor offers historical events like the Transitional Administration, the 2006 and 2008 institutional crises, the massive international presence mainly in the capital city, as well as high growth levels, and economic dependence on oil, among other aspects. The country is not much studied yet by the Brazilian academia, but deserves attention for the magnitude of political and social events related to the main International Relations themes.

REFERENCES

- ALKATIRI, M. **Timor-Leste, o caminho do desenvolvimento**: os primeiros anos de governação. Lisboa: Lidel, 2005.
- _____. **Timor-Leste**. Entrevistadores: Guilherme Moreira Dias, Verônica Lima, Daniel De Lucca e Camila Tribess. [S.l.], 2012.
- DURAND, F.; MENDES, P. R. **Timor-Leste**: país no Cruzamento da Ásia e do Pacífico: um atlas histórico-geográfico. Lisboa: Lidel, 2010.
- FARIA, V. S. **O desempenho da administração transitória das Nações Unidas em Timor-Leste**: um estudo e análise do mandato de segurança das Nações Unidas segundo a Resolução N. 1272 de 1999. Braga: Editora da Universidade do Minho, 2011.
- GALBRAITH, P. W. **Foreign affairs oral history project**. Entrevistador: Charles Stuart Kennedy. [S.l.]: The Association for Diplomatic Studies and Training, 2013.
- GHANI, A.; LOCKHART, C. **Fixing failed States**: a framework for rebuilding a fractured world. Nova Iorque: Oxford University Press, 2009.
- GOLDSTEIN, J.; KEOHANE, R. O. Ideas and foreign policy. In: Viotti, P.; Kauppi, M. **International relations theory**: realism, pluralism, globalism and beyond. Boston: Longman, 1998. p. 297-306.
- PEREIRA GOMES, J. J. **O referendo de 30 de agosto de 1999 em Timor Leste**: o preço da liberdade. Lisboa: Gradiva, 2001.
- MORGAN, P. M. **International security**: problems and solutions. 1 ed. Thousand Oaks: CQ Press, 2006.
- RAMOS-HORTA, J. Communication from Kissinger to Albright: the US and East Timor. **Pacifica Review: Peace, Security & Global Change**, [S.l.], v. 12, n. 1, p. 77-80, 2000.
- SHOESMITH, D. The Crisis in Timor-Leste - Understanding the Past, Imagining the Future. In: SYMPOSIUM THE CRISIS IN TIMOR-LESTE: UNDERSTANDING THE PAST, 2006, Darwin, AU. **Proceedings...** Darwin, AU: Charles Darwin University Press, 2007.
- SIMIÃO, D. S.; SILVA, K. C. **Timor-Leste por trás do palco**: cooperação internacional e a dialética da formação do Estado. Belo Horizonte: Editora UFMG, 2007.
- TIMOR Lorosae: o massacre que o mundo não viu. Direção: Lucélia Santos. Barueri: Europa Filmes, 2001. Documentário.
- VAN EVERA, S. **Guide to methods for students of Political Science**. Ithaca: Cornell University Press, 1997.
- WEISS, T. **Humanitarian intervention**: ideas in action. Londres: Polity Press, 2007.
- XIMENES BELO, C. F. **Antigos reinos de Timor-Leste**. Porto: Porto Editora, 2012.

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