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PRÊMIO NOBEL DA PAZ

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“Preventing Conflicts,  
Mediating the End of Wars,  
Building Durable Peace”

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Ladies and gentlemen,

It is truly a privilege to be here tonight to share with you my inconsequential reflections on the extraordinarily dangerous times we are living in; how we can do better in preventing social and political tensions from escalating into violent conflicts, how we can improve on mediation strategies and in building durable peace.

Allow me to begin by reminiscing about my own country's experience in **peace building** and **State building**, in **reconciliation** and the unique relationship we developed with the international community.

In September 1999 Timor-Leste was engulfed in widespread violence and destruction following the announcement of the results of the UN-sponsored popular consultation on the status of the country; the scenes in the streets of Dili burning, of looting and killing were relayed instantly to audiences around the world, **shocking and prompting the Security Council to seize of the situation** almost instantly.

In September 1999 sitting in the White House was a good man, brilliant, charismatic and compassionate, in many ways, reminding us of the golden years of John and Robert Fitzgerald Kennedy. His name is Bill Clinton and his leadership was central to the ultimate resolution of the conflict in Timor-Leste.

I also recall the late Richard Holbrooke, almost equally brilliant as his boss, a man with dogged determination whose nomination to the UN post had just been confirmed by the US Senate; he arrived that morning in his new office and I was the first foreign envoy to be entertained by him in his new and pivotal role.

After a brief conversation Richard invited me to walk with him to the UNSC and thus began the negotiations that resulted in the SC endorsing a "**coalition of the willing**" to be led by Australia and Thailand.

There were no lack of countries contributing to the operation; Japan contributed with \$500 million to cover the costs of other less affluent TCCs.

The **behind the scenes negotiations** involved key players, an Indonesian 3-star General Susilo Bambang Yudhoyono (later President), Thai FM Surin Pitsuwan, UN Secretary-General Kofi Annan, Prime Minister and Foreign Minister of Portugal, Antonio Guterres and Jaime Gama.

Bill Clinton phoned the late Kim Dae Jung of ROK and asked him to work on the Chinese and Japanese. SBY worked with Surin to secure as many Asian TCCs as possible so that INTERFET would have Asian faces and not be seen as mainly an Australian operation.

Lessons learned: the power of **world public opinion**, the **specter of Rwanda and Srebrenica** weighing heavily in the minds of SC Members and others, negotiations to secure the **consent** of the main players, namely, Indonesia, **mobilization of TCCs for rapid deployment**; and **hand-over** from the first responders once the security conditions on the ground were secured to a classic **UN Peace-Keeping Force, UNTAET**. INTERFET would not have materialized had Indonesia not acquiesced to it. So again the indispensable principle of **consent** was upheld but **consent** is not a given or easily obtained.

A recurrent **UNSC mistake**: in 1999 the SC was not in mood to authorize a reasonably long UN tutelage of Timor-Leste. Kofi Annan and Sergio Vieira De Mello were literally told in 1999 to **build a State in two years and then leave**.

Excellencies, between the end of 1975 and the late 80's, for about 15 years, I lived in New York and to survive I did occasional menial work here and there; and my preferred eating place was a small Chinese take-away.

I learned a couple of things from the eternally grumpy owner, like how long it took him to have a humble Chinese take-away business turning some decent profit. With his unintelligible English aggravating my own broken English, rendering our short conversations less than informative, I remember him lamenting: "I cook many fly lice (sic) many years, five years, and make vely good money".

The wise Chinese owner of a small take away business said that it took him five years of hard work, morning to night, seven days a week, selling many thousands of "fly lice" dishes before his modest business began to turn some profit.

However, the Security Council told Kofi Annan and Sergio they ought to build a modern functioning State in two years and leave!

Following to the letter a script crafted by the SC, at the stroke of midnight of 19th May 2002, after two years of UN stewardship, the UN flag was lowered and the TL flag hoisted. Sergio Vieira De Mello left the country on 21st May 2002.

**More than 10 years later we are continuing what was started with Kofi and Sergio in 1999-2002 - building the institutions of the State, consolidating the rule of law and building durable peace.**

Excellencies,

**There are no short-cuts to peace and to State building;** peace and the modern, democratic State have to be built **block by block;** in my country we had to **heal the wounds of the body and the heart;** we **honored the victims, we cared for the survivors;** and we decided **not to be a hostage of the past,** not to succumb to anger and hatred.

**Justice postponed is not justice forgotten.** Sometimes retributive justice has to wait for when time is ripe. It might take five, 10, or 20 years for society to see the perpetrators of serious crimes serve time in prison. But **for most Timorese a greater Justice was freedom,** that we are sovereign on the land; and having realized this greater justice we were able to forgive those who did harm to us.

However, there were many who criticized us for not immediately charging down the path of prosecutorial justice; the UN did set up a Serious Crimes Panel, an alternative to an International Ad Hoc Tribunal; International Ad Hoc Tribunals have been set up by the victorious forces who clearly emerged winner in a war.

**When an armed conflict ends through patient negotiations and compromise, justice is often postponed for the blind pursuit of justice can risk undermining the fragile peace.**

An international tribunal was never in the mind of the SC; it would have never secured the required votes in the SC; it was never considered during UATAET's mandate; the Serious Crimes Panel was the alternative. But the moment the UN left our country and dumped on the new fragile State the entire serious crimes files, pressure grew on us to deliver justice. And every year the U.S. State Department and Amnesty International reports criticize TL's "failure" in bringing to justice the perpetrators of the 1999 violence.

We owe much of our freedom to the UN, to Kofi Annan and the many diligent UN specialists in the Department of Political Affairs who for 24 long years with dogged determination explored every opportunity to push the Timor-Leste case.

In his 1997 inaugural speech as UNSG Kofi Annan promised he would work towards a solution to the conflict in Timor-Leste within the first five years of his mandate. By 1999 the people of Timor-Leste were set free.

**We also owe our freedom to the people of Indonesia, particularly its youth, who in 1998-1999 poured into the streets of major Indonesian cities and brought down a 30-year autocratic regime, thus paving the way for Timor-Leste's freedom.**



Timor-Leste is enjoying eight straight years of **political stability** and real **economic growth**; according to the latest World Bank Report TL is among the **six top world performers with 7% growth** this year.

The UNDP Human Development Report for 2014 ranks TL's **HDI at 128 out of 180 countries**, doing better than many older countries in the Asia region. **Life expectancy in 1980 was an astonishing 34,4 years; in 2000 it was 59,9; in 2013 TL expectancy hovers around 68 years.**

Excellencies,

World leaders recently gathered in New York 70 years after the signing of the UN Charter, to evaluate the progress we have made since, and to examine the challenges we are faced with today.

Maintaining international peace and security while reaffirming our faith in fundamental human rights and in the dignity and worth of the human person are still the underlying principles of our common Organization, the United Nations.

But these Nations are rarely “United”. The Organization comprises a constellation of Sovereign States, small and large, rich and poor, with different interests and experiences. And we are very divided. It is not only the U.S., China and Russia that have profound differences over a myriad of issues.

In all regions, deep mutual suspicion, overlapping interests and rivalries between or among neighbours undermine regional integration and cooperation.

Afghanistan, Syria, DRC, South Sudan are some examples of overlapping interests, decades-old suspicion and rivalries impeding a common strategy to assist in stabilising these countries.

These factors contribute to an already complex global social, political and security environment where the changing nature of conflict, often characterized by repeated cycles of violence, weak governance and limited state capacity, and where conflicting parties are increasingly more unstructured and transnational, often motivated by economic, criminal and even extremist aims, pose new challenges to peace and security.

One of these challenges relates to the **protection of civilians**, which is a **core element of the United Nations doctrine** in the pursuit of peace. In fact, it is often the basis of UN Security Council mandates on the use of force.

Timor-Leste saw two United Nations robust engagements; the first a **UNSC-authorized intervention was in 1999 prior to the development of the doctrine of the Responsibility to Protect.**

The Secretary-General and Member States were well aware of the consequences of inaction or an excessively delayed response and on 15 September 1999, compelled by the power of public opinion, the Security Council authorised an **International Force for East Timor (INTERFET)** to **enforce peace and protect civilians**. INTERFET was deployed shortly after, making it the fastest ever deployed coalition of the willing in UN's history.

Some 15 years later Timor-Leste is unquestionably a "success story", from which the international community can draw important lessons, some of the most important being that of intense behind the scene **negotiations** to seek **broad agreement, consent of the parties** and **timely deployment** of the troops with a **clear mandate** and the **tools required** for the execution of the mandate.

Ten years have passed since the 2005 adoption by Heads of State and Government at the UN World Summit of the **Responsibility to Protect doctrine** as the norm regarding the **protection of civilians in armed conflict and the prevention of mass atrocities**. A doctrine developed precisely bearing in mind past failures in responding in a timely fashion to extreme violence against civilians.

**The Responsibility to Protect** is certainly an important milestone for the community of nations but what are we celebrating?

Here allow me to go back to the principles that lay behind the **R2P** as it is now called, and in particular to the moral and philosophical questions that the doctrine tries to address, in responding to violent conflicts and war.

These questions, which can be traced to ancient times, relate to the old philosophical discussion sometimes referred to as the **just war**. In fact, humankind asked itself over and over again when it may be acceptable, or **just** to go to war.

The United Nations' position on war is a normative one, in which the principle of the prohibition on the unilateral use of force is absolute. There are circumstances where the collective use of force may be justifiable, in particular those circumstances related to the protection of human rights and **jus cogens** norms of international law.

The United Nations' position on war is also a political one, since international norms and Security Council Resolutions are only possible through political negotiation and consensus.

*Mutatis mutandis*, as far as the United Nations is concerned, the **just war is one which has been negotiated among states and authorized by the Security Council** in order to deal with extreme circumstances and violent conflict, especially with regard to **protecting civilians from mass atrocities**.

Ladies and Gentleman,

The R2P doctrine has thankfully replaced the more controversial "right to humanitarian intervention", which was based on the **rights of states to intervene** - rather than on the **rights of individuals to be protected** - and in particular on the assumption that states have a right to militarily intervene in certain extreme circumstances to ensure peace, stability and the protection of human rights.

The new R2P doctrine, in fact more compatible with the contemporary UN normative framework, is based on **the rights of individuals, which states have the ultimate responsibility to protect**. When a state is incapable or unwilling to protect their citizens (or individuals otherwise inside sovereign territory and under sovereign influence) from genocide, war crimes or crimes against humanity, then the international community has a responsibility, and even an obligation, to protect such individuals from harm.

This doctrine follows a trend in international affairs, which increasingly recognizes individuals as right-holders, and thus reinforces the already existing body of international human rights and humanitarian law.

But why is it that, in face of such a sophisticated normative framework to protect civilians, we keep failing?

The R2P reflects important progress in international norms regarding the protection of civilians, recognizing the collective responsibility of the international community; however more can be done to effectively protect civilians caught in armed conflict.

**The fact is extreme violence is very often one of the last stages of a crisis.** It does happen too often that when a situation is placed on the agenda of the Security Council and coercive military measures are considered, it means only that we are reaching a point of failure in prevention and mediation.

Existing **early warning mechanisms** should be enhanced but we still lack consistent timely action to support states that are struggling to uphold their primary responsibility to protect. Failing that, we need **timely response with mediation** and other "slightly-coercive" measures (arms embargo, sanctions, peacekeeping with POC mandate etc.). This is all about preventing, rather than halting atrocities after it is too late.



It is thus important to focus on additional instruments to prevent conflict and war, such as early warning, diplomatic action, mediation and prevention.

The real and most meaningful contribution of R2P is precisely in the fact that it places prevention (rather than armed intervention) at the center of the doctrine.

Recently, this issue has been increasingly reported and there is a visible trend in the UN, 70 years after its inception, to move towards more sustainable political solutions.

This trend has also been discussed in the **Report of the High-Level Independent Panel on UN Peace Operations, *Uniting our Strengths for Peace: Politics, Partnerships and People***, which I had the opportunity to present to the UN Secretary-General Ban-Ki Moon in mid June and will be formally submitted to the GA on October 12.

One solution could be not only developing the existing early warning and monitoring mechanisms, but also moving towards **early engagement**.

The UN Charter fully recognizes the authority of the Security Council to allow early engagement in conflict; however this has rarely been the case. The Security Council has traditionally acted only after violence and conflict have occurred and not during the early stages of an emerging crisis.

In 2011, the Secretary-General, in his Report ***Preventive Diplomacy: Delivering Results***, focused on the importance and relevance of diplomacy to prevent and mitigate the spread of conflict. In concrete terms, this may involve better equipping **special political missions** as well as special envoys of the Secretary-General to effectively engage in diplomatic action, within and in coherence with the larger national, regional and international peace efforts.

**Mediation** is also increasingly relevant in the **UN conflict prevention and mitigation strategy**. The United Nations, namely through its Department of Political Affairs, has been supporting relevant stakeholders engaged in waging peace throughout the globe. Regional organizations have also become more engaged and effective in mediation efforts. This has proved to be conducive to encouraging results.

Recent studies demonstrate that ending military coups tends to be successfully resolved by democratic means, in great part due to the efforts of mediators, as well as the work of regional and international organizations.

Also, rather than focusing exclusively on diplomatic or high-level mediation, there is also an urgent need for a more professionalized approach to mediation, to assist the actors involved in peace negotiations efforts.

But these efforts are not sufficient in themselves, it is necessary to address to root causes of conflict. Prevention is the key to avoid crisis escalation. There will be no sustainable peace without long lasting political solutions. These include building equitable, fair and resilient societies, capable of solving disputes peacefully.

Now, of course this is first and foremost a national responsibility. But the international community can help - at the local, national, regional and international levels -, through both state and non-state actors. Together, we can achieve our common aspirations, of a more peaceful and fair world, based on fundamental human rights and in the dignity and worth of the human person.

Excellencies,

Though I am a believer in the fundamental good of human being, I also fear the human capacity for extreme inhumanity. From the time of our ancestors many thousands of years ago till present times human beings have through each passing century, perfected the art and science of war and killing.

The Patriarch of diplomacy, Lakdhar Brahimi, attempted to bring about an end to the carnage in Syria. They pursued the most realistic and reasonable strategy to end the war but neither side was/is prepared to compromise just enough to end the carnage and the destruction of their country.

The tragedy in Syria continues with no light at the end of the tunnel - and it has created conditions for many young people to rise in anger and to seek redress through the same means inflicted on them, on their parents, brothers, sisters, cousins, friends.

Can we prevent social and political tensions from escalating into violent conflicts? Can we do better in bringing parties in a conflict to the table and restore peace? And how can we build durable peace?

In some cases neutral and credible national and/or external actors may be able to discretely or openly influence behavioral change and policies among competing actors, when those involved, are willing to welcome advice. But too often, individual pride and egos bloc friendly, neutral help, domestic or external.

Too often those in power do not have the wisdom and humility of the truly great in embracing the other half who disagree with them. And the opposition overestimate their own power, underestimate their adversary and miscalculate, with excessive demands amounting to an ultimatum for surrender.

**My humble advice: when you are at the top of the mountain, embrace those on the fringes of power and privileges; in victory be magnanimous, embrace the vanquished adversaries; if they are on their knees, help them to their feet, invite them to join in the new enterprise of peace.**

To those in the opposition my advice is, never surrender to violence and hatred; seize every opportunity, enter the political process, and try to advance your interests with patience, through dialogue and persuasion. Maybe the Syrian opposition missed such an opportunity that was available three years ago in the Annan Peace Plan.

There are many simple ways to prevent conflicts and some old tested methods are - genuine, patient dialogue, consultation and empowerment of all, making all feel part of the nation. All it actually requires is serious investment in mechanisms of dialogue; and dialogue means listening attentively and respectfully to the other side, accommodating their views as much as you can.

**In too many countries, leaders view ethnic, religious and cultural diversity as a weakness and a threat to national unity. Rather than embracing diversity as a blessing, they suppress it as a vice. Such leaders oppress particular groups, usually minorities, in the name of an artificial national unity.**

When a particular ethnic/religious minority somehow achieves power, they often build a powerful minority army and intelligence apparatus to protect themselves from the majority.

When I took up my UN assignment in Guinea-Bissau in February 2013, I was aware that I could not in one year fulfill all that was contained in UNSC Res. 2103 (2013) and 2048 (2012). 3/

However, I believed that if I could just restore hope to the people, decrease the atmosphere of fear and tension, and create a habit of dialogue, I would have contributed much.

The Charter says "we the people of the United Nations". Upon arriving in Guinea-Bissau in February 2013 I decided to make UNIOGBIS a truly peoples' UN by travelling across that beautiful country and meet with the poor and the forgotten, making them feel that the UN cared.

I met with community leaders, the Imams, Catholic and Protestants, the bideras (women vendors), and simple farmers, students, youth, academics.

We made those living in remote regions of the country, in the humble tabankas, the forgotten and poor, feel that the UN is close to them; we opened four regional offices without requesting more resources from HQ.

I might have defrauded you today as I could not offer simple recipes for how to prevent conflicts, end wars and build durable peace.

What I know is that peoples are the makers of history but people need leaders; when they are inspired by their leaders, leaders they trust, leaders who preach compassion and reconciliation, people follow, and peace grows.

To prevent conflicts, end wars, heal wounds, reconcile communities and nations, build durable peace, we require leaders with vision, courage, determination, humility and compassion. They are not always there.

Lacking such leaders at community, national, regional and global level, we will not see an end of war and durable peace.

Our United Nations is made of its many constituent parts, and the parts are we the peoples of the world. Sometimes we are well represented, by those we elected. Often, those speaking for us, do not really represent us for they were not freely, democratically elected.

This is our world, our common Home, with its beauty and ugliness. From the ages till this very day, we the inhabitants of this increasingly crowded Planet, not only kill each other but we destroy the natural riches upon which we depend to survive; we manufacture nuclear bombs, chemical and biological weapons to wipe out entire cities and peoples; we poison the water we drink; we dump every conceivable waste in our rivers and seas; we burn forests for short term gains. And we are paying a price for our own irresponsible actions. Future generations will pay an even greater price for past generations and current generations' greed.

Despite this bleak premonition, the story of my country - and my personal experience as a human rights activist, diplomat, Prime Minister and President - has taught me that **we have it within ourselves to alter the course of history**. Human beings (usually men) are the authors of conflicts and wars; and human beings can prevent the outbreak of violent conflicts, negotiate the end of wars and build peace.

End