33

Reconstructing Timor-Leste: The World Bank's Trust Fund for East Timor

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The Trust Fund for East Timor (TFET) was a key component of the World Bank's post-1999 engagement with Timor Leste. Bringing together a total of US$178 million from eleven donors, including the Bank, the TFET financed 22 projects and, equally as important for its promoters, acted as a coordinating mechanism that attempted to reduce project duplication. (World Bank 2000[a]; 2006[a]) For actors, especially Timorese nongovernmental organisations (NGOs) and civil society organisations (CSOs), contemplating future dealings with the Bank, the TFET provides a useful insight the World Bank's engagement with, and influence on, the reconstruction process in post-crisis environments.

On the back of a necessarily brief history of the World Bank's involvement in post-crisis reconstruction generally, and the TFET in particular, this study argues that Timorese actors looking to work with the Bank should consider the following issues:

That the World Bank's organisational incentives and cultures appear, superficially at least, to remain significant drivers of that organisation's behaviour, even in post-crisis environments. It is not entirely clear, however, as to the degree to which these drivers influence Bank decisions on the legitimacy of local actors as partners in post-crisis/development planning;

That the Bank and official donors share foundational, and mutually reinforcing, assumptions over the benefits of controlling community-based input into reconstruction and development decision-making in post-crisis situations.

While these historical findings might provide disincentives for Timorese NGOs and CSOs to build working relationships with World Bank, it is important to recognise that opportunities for valuable strategic engagement with both the Bank and official donors may also exist. The key message Timorese actors would do well to take from the TFET experience is that, when it comes World Bank-managed trust funds, the Bank has an inherent resistance to community consultation on financial governance, but is open to developing partnerships around project implementation. The Bank's interpretation of its role as trustee, supported by donors, pushes it to control potentially 'disruptive' community input on resource governance, but to allow for reasonably open 'operational' consultation within that framework. Timorese NGOs or CSOs have to appreciate how this can restrict their ability to act as the representative 'voice' of their communities in higher-level governance structures, and then weigh that against the benefit of having at least some influence on project-level resource expenditure.

The World Bank in Post-Crisis Reconstruction

Over the past twenty years the World Bank has consistently argued that it assists countries make the transition from post-crisis reconstruction to longer-term development in a way that increases their resilience to future crises. Less idealistically, it has justified its involvement by noting that the transition out of crisis 'is a particularly suitable time for radical [neoliberal] policy reform', and presents an opportunity for countries to qualify as recipients of Bank grants and borrowers of Bank loans. (Scanteam/Norway 2007[a], 18-19; Azam et. al. 1994)

The World Bank's preferred instruments for post-crisis reconstruction are Multi Donor Trust Funds (MDTFs). The Bank has administered 12 post-crisis MDTFs, amounting to US$4.2 billion in donor and Bank contributions. These funds have been established in key sites of post-conflict and disaster reconstruction such as Timor Leste, Afghanistan (US$2.2 billion), Aceh (US$656 million), Iraq (US$477million), Sudan (US$611 million), Sierra Leone (US$40 million) and West Bank and Gaza (US$583 million). (World Bank 2006[b])

What are these instruments? First and foremost, they are trust funds where the Bank acts as trustee for money committed by other donors. For an MDTF to be established, agreement on its terms

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must first be reached between the Bank, interested bilateral donors, and the local governments or accepted authorities. Donors provide the bulk of the funds and the Bank provides the financial management systems, a trust fund secretariat, governance structures to ensure funds are disbursed on projects that meet both government targets and their own, and access to government decision-makers in the small-group settings of fund committees. (World Bank 1997[a]; 1997[b]).

MDTFs are governed through central committees comprised of representatives from the Bank, donors and governments/national authorities. These committees evaluate project proposals prior to making a decision on whether or not to fund them. Donors usually contribute a pre-determined amount (often in the order of US$10 million) to be granted a seat on a committee and to have voting rights, with either one vote per member or weighted voting based on the level of contribution. (Scanteam/Norway 2007[b])

Post-crisis MDTFs, unlike other Bank-managed funds, allow the Bank to implement projects financed by the funds it also supervises, so long as it abides by its own financial administration requirements. (World Bank 1997; 2007[a]; 2007[b]) It is for this reason that MDTFs have been described, somewhat ironically, by a Bank manager as 'slush funds' for the Bank's use in post-crisis reconstruction activity.[2] Balanced against this, the Bank insists that its financial administration practices accord with International Public Sector Accounting Standards and the International Financial Reporting/Accounting Standards, covering such activities as financial statement presentation, cash flows measurement, contract structuring, and project budgeting. (World Bank 2007[c]; International Federation of Accountants 2007)

That these standards are not always fully upheld, or capable on their own of ensuring financial governance best practice, has recently been highlighted in Timor. The allegations laid against the Timorese Minister for Finance that she failed to follow appropriate procedures when hiring external consultants under the World Bank-funded Planning and Financial Management Capacity Building Program emphasise the need for organisational integrity beyond formal standards (Holland and March 2009).

This highlights the challenge the Bank faces in ensuring the financial probity of reconstruction trust funds in risk-filled environments while also allowing for sufficient flexibility to accommodate the involvement of a range of development actors. The few available surveys of MDTFs focus on this dilemma, with the more critical querying the Bank's capacity to respond to this challenge. (Phung and Bauer 2004; Davis 2008) Underpinning these criticisms are some of the cultural-structural concerns other critics often raise to explain the World Bank's inertia on organisational reform more generally: the ontological dominance of economic growth narratives; the epistemological dominance of economic reasoning; the organisational incentives favoring loan-making, and principal-agent tensions between contributing governments and the Bank's management. (See Bebbington et. al 2004; Weaver and Leiteritz 2005; Park 2005) The following discussion of the TFET tests the degree to which such criticisms hold.

The Trust Fund for East Timor

In the aftermath of the violence and destruction of private and public property that accompanied the Timor Leste referendum process, a Joint Assessment Mission (JAM) consisting of officials from the World Bank, the ADB, the UN, and donors, as well as Timorese representatives, took place between 20 October and 15 November 1999. (Scanteam/Norway 2007[b], 196) In response to the JAM directives, the TFET was established under a US$10 million grant from the Bank, eventually becoming a multi-donor fund involving 10 donors in addition to the Bank. (World Bank 1999; Schenk 2004)

The Bank claims that it engaged productively with the Timorese leadership during the management of the JAM. 23 of the 60 JAM members were Timorese, of which 8 were members of the National Council of Timorese Resistance (CNRT), the others being independent sectoral experts, usually expatriates, nominated by the CNRT. No direct NGO and CSO representation was present on the JAM, and there was only limited community consultation (in large part because of the swiftness of the assessment process). (Cliffe 2000) The reportage of the time showed both Xanana Gusmao and Jose Ramos Horta regarded with favour the actions of the World Bank. (Santina 1999) This support had ebbed even before 1999 drew to a close, with Gusmao publically saying that the Bank was pushing its own

[2] Author interview August 2007

agenda on reconstruction without sufficiently accounting for the wishes of the Timorese people. (Daley 1999) The then head of the Bank mission in Timor, Sarah Cliffe, argued that the reporting of Gusmao's comments misrepresented the reality and that, '…a survey of Timorese team members [on the JAM] by their own co-ordinators showed that they wished the joint assessment model to be repeated in other aid programming missions.' (Cliffe 2000, 240).

A key Timorese player in the reconstruction debate was Emilia Pires (2007), now Timor's Minister for Finance and previously the Timorese Head of National Planning and Development and a member of the CNRT. She confirms that the Bank approached the Timorese leadership in 1999 and established an informal working relationship with them, including paying for five Timorese economists to go to Washington and receive training in reconstruction and financing. Pires also agrees that, over the initial reconstruction period, the Bank was far more consultative than the UN's Department of Peace Keeping Operations and the UN Transitional Authority for East Timor. However, she notes that towards the end of 1999, 'The perception grew that the Bank had adopted the driver's seat of our planning processes, and this was accompanied by a loss in confidence in our own ability to drive the car again.' (Pires and Francino 2007, 125)

While it appears that the World Bank exceeded the UN in its willingness and capacity to engage with Timorese leadership, the evidence suggests there was little discussion between the Bank and the CNRT over TFET, and certainly no clear communication as to what would be the fund's key governing institution. The outcome of this lack of communication was an initial failure to allow representation by Timorese leaders on the main governance body of the TFET, the Donors Council.

As with the leadership, no Timorese CSO or NGO representation was provided for on the Donors Council. In addition, no mention is made in the available documentation of the Bank directly consulting groups operating at the time of the TFET formation. Rohland and Cliffe (2002) indicate that there was, at best, only limited consultation via the CNRT. The clear message that comes through the World Bank's reporting of the time, as well as the evaluations conducted after the event, and interviews run by the current author, was that Timorese civil society was seen by the Bank, not to mention the UN and official donor agencies, as having only 'weak capacity'. (See Scanteam/Norway 2007[b]; Phung and Bauer 2004; Traub 2000; Moxham 2005) It appears that all potential NGO/CSO partners (such as the East Timor National NGO Forum or the local members of the East Timor Action Network (ETAN)) were perceived by the Bank as too 'political', or insufficiently versed in the procedures of international development, or unable to prove to the satisfaction of the Bank their status as 'legitimate' voices of the Timorese community. (See Hohe 2002).

The key Timorese 'Bank Watch' NGO, La'o Hamutuk (established in 2000 and connected with ETAN), argued that the Bank's non-consultative approach regarding the establishment of the fund, and its organizational reluctance to improve its knowledge of, and engagement with, Timorese civil society, has been ongoing over the life of the TFET.[3] It also pointed out that, while general policy interaction between the Bank and NGOs has improved more recently, the Bank supports NGOs primarily when it suits its own strategic interests in respect of the Government of Timor Leste (GOTL). (La'o Hamutuk 2000; Neves 2006; 2007)

The World Bank's Timor country office acknowledges the early problems with NGO engagement, but argues that a contributing factor was significant antipathy toward local CSOs and NGOs from Fretilin (as the government and, earlier, as a key player in the CNRT). It also emphasized that it has since built relationships with both local and international NGOs in sectors such as education and health, with the Bank and NGOs sometimes presenting a united front to the GOTL on sectoral issues of joint concern.[4] While that may be the case, the six-monthly TFET written updates produced by the World Bank show that, although the Donors Council engaged in considerable discussion of community-oriented activities, such as the building of community health clinics and schools and infrastructure, they never addressed directly the issue of community consultation in respect of TFET goals or processes. (World Bank 2000[b]; 2003; 2004[a]; 2005[a]; 2006[a])

When it came to the design and implementation of TFET projects, the Bank was clearly influential, no more so than in the first months of the fund where several major programs were initiated by the Bank and the Asian Development Bank, a TFET partner agency, without broad consultation. Scanteam/Norway

[3] Author interview 11 July 2007.

[4] Author interview 10 July 2007.

2007[b], 204-205) Even after the project process became more formalized – and Timorese input was sought (although, according to Timorese officials, often 'at the last minute') (Phung and Bauer 2004, 75-76) – that influence remained. In addition, all project proposals, nominally coming from UNTAET, and then, later, from the GOTL, had to be written up in the manner of Bank Project Information Documents (PIDs) and approved by the Bank's Country Director before undergoing the Bank-managed appraisal process. The Bank's Timor country office produced the necessary PIDs and Project Appraisal Documents (PADs).[5] Following the appraisal process and Donor Council agreement, final approval was required from the Bank's Regional Vice President. (World Bank 2000[a])

The extent to which the Bank's institutional priorities impacted on the project process can be seen in the experience of the Community Empowerment and Local Governance Project (CEP), which was instigated by the Bank and was one of the first projects to receive TFET funding. Adapted by the Bank from the pre-existing Indonesian Kecamatan Development Project (KDP), it was a 'community-driven development' program that delivered block grants to communities, who then decided on the direction of their expenditure via democratically elected CEP councils. The hope was that this would not only foster respect for democratic processes at the local level, but would also accord with 'best practice' community development. (World Bank 2005[b];2006[c]).

Various NGO and donor reviews of the CEP argue that, for the communities involved there was little doubt that this was a 'Bank project' that existed alongside of, but was not integrated with, UNTAET capacity-building programs. (Rolling Think Tank Initiative 2004; Moxham 2005; Phung and Bauer 2004) La'o Hamutuk ventured that the reason for this lay with the considerable '… tensions between CEP structures and traditional decision-making mechanisms' (La'o Hamutuk 2000, 6).

The Bank's emphasis on the timely distribution of funds via the CEP council structures appears to have trumped its consideration of existing political institutions, or an allowance for greater levels of deliberation. Its own evaluation of the project branded it as 'unsatisfactory', and agreed that the CEP councils were regarded by the recipient communities primarily as the means by which to access Bank funds. (World Bank 2006[d]) This knowledge appeared to bring with it little change in behaviour, however, as the failure to involve NGOs and civil society groups in the design of the initial CEP was an issue even in the third iteration of the project: the CEP III pre-appraisal mission consisted entirely of World Bank consultants. (World Bank 2002)

Phung and Bauer (2004) (whose research was undertaken on behalf of the European Commission) make the point that, although the CEP cluster was roundly criticized, it did enable resources to reach a large number of communities, and that other, less extensive and ambitious TFET projects, such as the Agriculture Rehabilitation Projects, have exhibited better consultation practice. Recent efforts of the GOTL's Ministry for State Administration to revitalize a CEP-style program have also indicated that the community-level decision-making structures established by the Bank's earlier program may be sturdier than was originally thought.

Finally, reports and interviews provide little indication that donors were dissatisfied with the varying levels of community engagement evidence in the World Bank's management of the TFET. Instead, the general sense has been that the TFET approach was seen as the 'least bad' alternative for managing wide-spread reconstruction. More to the point, donors appear simply to have lost interest in the fund once their support had been committed and they were satisfied that it would be distributed in a manner that met their basic accountability standards. The Scanteam/Norway (2007[b]) report notes this, as does an Australian National Audit Office (2003) report, and it was also commented on by Bank staff in Dili, who noted low donor concern in project reporting and review missions in the latter part of the TFET.[6]

By way of contrast, evidence from other, more recent MDTFs indicates that the Bank has, since the inception of the TFET, gradually developed its trust fund management so as to permit civil society representation (if not full voting power) on MDTF governing bodies. (World Bank 2004[b]; Davis 2008) There have also been improvements in the way in which community complaints are handled. (See Multi Donor Fund for Aceh and Nias 2007) On the other hand, the Bank has not encouraged greater community participation in the determination of MDTF structures and management modes, nor has it significantly

[5] Ibid.

[6] Author interview 10 July 2007

reworked its community-development models (which remain focused on KDP/CEP style approaches). (Social Development Department 2006)

Conclusion

The above discussion of the TFET provides clear evidence of the Timorese community's low level of engagement with the World Bank in the post-referendum/reconstruction period. What is less easy to determine is whether the Bank's reluctance to explore more consultative governance structures should be attributed to internal institutional and organizational-cultural factors alone. Complicating the analysis is the fact that the TFET diverged from the Bank's usual loan-based work in that it was grant-funded, involved a multiplicity of donors, was conducted in a post-emergency environment with pressing timelines, and was structured as a trust fund that outside partners entered on the expectation of certain Bank actions and processes. The incentive structures were therefore of a different kind to those at play in the formation of the Bank's more usual Country Assistance Strategies – and it is those instruments which have been the object of most critical institutional and organisational studies.

There is considerable justification, however, for arguing that restrictions on community engagement in the TFET case owed at least as much to the attitudes of donors as to the Bank's own institutional drivers. The donors' reluctance to challenge in a significant way any of the TFET's governance structures and procedures speaks to the depth of their concern that local corruption and aid mis-use would derail reconstruction efforts. This is a concern that can be seen in their development assistance programs more broadly, but which is thrown into sharper relief in post-crisis situations where the sovereignty of beneficiary countries is weakened or incomplete. It is also indicative of the non-consultative behaviour that occurs when outside agents assume that conflict or natural disaster creates a *tabula rasa* on which their own assistance narratives can be written. Rather than opening the door for greater experimentation in participatory aid delivery, post-crisis environments appear to provide the rationale, or excuse, for strengthened World Bank and donor control over aid delivery at the expense of community-level consultation.

These findings raise at least two important issues for Timorese NGOs and CSOs to consider before making a decision on whether or not to engage directly with the World Bank. First, they must be prepared to play two and three level 'games' between the local communities they claim to represent, the Bank and its donor agency partners, and also the national government. Such activity requires the institutional and personnel capacity to translate between different ontologies, epistemologies and languages (including international 'bureaucrat-ese'). It might also entail linking in with northern NGO networks in order to help develop such capacity – something which then creates a whole new set of 'translation' demands.

Second, there is always the risk that NGOs will be used by the Bank in its own multi-level games, especially its attempts to shift the national government's position on contested policy issues. This highlights how, for local NGOs and CSOs, moving from outside advocacy to inside engagement carries with it both opportunities and threats. Understanding the historical record of the Bank's interaction with Timorese actors during the post-1999 reconstruction period is only a first, but necessary, step in such organisations making an appropriate decision on whether or not to alter the nature of their engagement with the World Bank.

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