

Endorsed the recommendation of the Secretary-General for reconfiguring the Mission; and decided that MINUSTAH should consist of a military component of up to 7,060 troops of all ranks and of a police component of a total of 2,091 police;

Expressed its full support for the Special Representative of the Secretary-General for Haiti;

Reaffirmed its call upon MINUSTAH to support the constitutional and political process under way in Haiti;

Requested that MINUSTAH continue its support of the Haitian National Police as deemed necessary to ensure security in Haiti;

Requested MINUSTAH to remain engaged in assisting the Government of Haiti to reform and restructure the Haitian National Police;

Requested MINUSTAH to provide technical expertise in support of the efforts of the Government to pursue a comprehensive border management approach;

Requested the United Nations country team, and called upon all relevant humanitarian and development actors, to complement security operations undertaken by the Government of Haiti with the support of MINUSTAH with activities aimed at effectively improving the living conditions of the populations concerned, and requested MINUSTAH to continue to implement quick-impact projects;

Condemned any attack against MINUSTAH personnel;

Requested MINUSTAH to continue to pursue its community violence reduction approach;

Reaffirmed the human rights mandate of MINUSTAH;

Strongly condemned the grave violations against children affected by armed violence, as well as widespread rape and other sexual abuse of girls, and requested MINUSTAH to continue to promote and protect the rights of women and children;

Called on the United Nations system and the international community, in cooperation with the Haitian authorities, to devise and support a renewed aid coordination system;

Requested the Secretary-General to continue to take the necessary measures to ensure full compliance of all MINUSTAH personnel with the United Nations zero-tolerance policy on sexual exploitation and abuse, and to keep the Council informed, and urged troop-contributing countries to ensure that acts involving their personnel are properly investigated and punished;

Also requested the Secretary-General to report to the Council on the implementation of the mandate of MINUSTAH semi-annually and no later than 45 days prior to its expiration.

## Asia

### 23. The situation in Timor-Leste

#### **Decision of 14 May 2004 (4968th meeting): resolution 1543 (2004)**

On 13 February 2004, the Secretary-General submitted to the Security Council a special report on the United Nations Mission of Support in East Timor (UNMISSET).<sup>1</sup> In the report, he observed that in view of the formidable challenges that remained at the end of the current UNMISSET mandate on 20 May 2004, further assistance would be essential to consolidate and build upon the gains that had been made in an atmosphere of peace and security. He recommended the extension of UNMISSET for a further year, in a reduced size and with a modified mandate. He also recommended that a security force be deployed to provide protection for military liaison officers.

<sup>1</sup> S/2004/117, submitted pursuant to resolution 1410 (2002).

At its 4913th meeting,<sup>2</sup> on 20 February 2004, the Council included the report of the Secretary-General in its agenda. The President (China) drew the attention of Council members to a letter dated 11 February 2004 from the representative of Portugal,<sup>3</sup> in which the President of Portugal indicated his support for a post-UNMISSET United Nations presence that continued to include a military force; and to a letter from the representative of Timor-Leste,<sup>4</sup> requesting the extension of the presence of a United Nations battalion of peacekeeping forces in Timor-Leste beyond May 2004 in the light of the general volatility in the region and the

<sup>2</sup> During this period, in addition to the meetings covered in this section, the Council held meetings in private with the troop-contributing countries to UNMISSET, pursuant to resolution 1353 (2001), annex II, sections A and B. The meetings were held on 6 May 2004 (4963rd), 11 November 2004 (5074th) and 16 May 2005 (5179th).

<sup>3</sup> S/2004/108.

<sup>4</sup> S/2004/114.

lack of readiness of the current forces of the country to deal independently with internal tensions. The Council heard a briefing by the Under-Secretary-General for Peacekeeping Operations. The Council members made statements, as did Australia, Fiji, Indonesia, Ireland (on behalf of the European Union),<sup>5</sup> Japan, Malaysia, New Zealand, Portugal, the Republic of Korea, Singapore, the Syrian Arab Republic, Thailand, Timor-Leste and the Executive Secretary of the Community of Portuguese-Speaking Countries.

Introducing the report of the Secretary-General, the Under-Secretary-General observed that although Timor-Leste had made remarkable progress, the line of true self-sufficiency had not yet been crossed. He reported that the continued presence of a small peacekeeping operation for an additional one-year consolidation phase was essential to reinforce and strengthen what had been achieved to date. He viewed further provision of assistance to the public administration as urgent. He contended, furthermore, that continued international assistance was crucial to the conduct of serious crime investigations and proceedings, to show the Council's determination to address the issue of impunity. To promote calm at a time of potential volatility and provide security, protection and extraction for United Nations personnel, he advocated the retention of a small military presence after May 2004.<sup>6</sup>

Speakers in general welcomed the progress achieved by Timor-Leste in the areas of public administration, efforts to address serious crimes, internal security and the further strengthening of the relationships between Timor-Leste and Indonesia and in the region. Speakers agreed on the need to consolidate and expand on the achievements by Timor-Leste and UNMISSET over the past 18 months and agreed that further assistance to Timor-Leste after 20 May 2004 would be required in such areas as the judicial system, administrative structures and the maintenance of security. Speakers concurred in their assessment that Timor-Leste had reached a critical juncture and that the international community should continue to work in

<sup>5</sup> Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Estonia, Hungary, Iceland, Latvia, Liechtenstein, Lithuania, Malta, Norway, Poland, Romania, Serbia and Montenegro, Slovakia, Slovenia, the former Yugoslav Republic of Macedonia and Turkey also aligned themselves with the statement.

<sup>6</sup> S/PV.4913, pp. 2-6.

concert towards helping the institutions of Timor-Leste to attain full-fledged sufficiency. As pointed out by the representative of Brazil, the fact that Timor-Leste was a remarkable success story for the United Nations should not be overestimated by the international community, and much remained to be done.<sup>7</sup> The representative of Algeria believed that it was the duty of the international community to continue to support that young State during the crucial stage of the establishment of its institutions.<sup>8</sup> The representative of Timor-Leste accepted that his Government bore some responsibility for its shortcomings and weaknesses, but noted that the country had been independent for less than two years. He pointed out that none of the members of his Government had governed before, and that training had been lacking, especially in the justice sector, where the police in particular needed strengthening.<sup>9</sup>

Some speakers shared concern at the security situation, which remained at risk owing to, inter alia, destabilizing groups which continued to operate across the border in West Timor.<sup>10</sup> Others emphasized the need to strengthen the rule of law and address human rights violations, including assisting in completing investigations of crimes committed in 1999 and rooting out corruption.<sup>11</sup> Many speakers urged Timor-Leste and Indonesia to reach early agreement on their land border. The representative of Indonesia, in that connection, noted that the Joint Ministerial Commission had established several working groups to deal with border issues, trade and finance, legal matters, educational and cultural affairs, and transport and telecommunications.<sup>12</sup> A number of speakers expressed hope that a solution concerning approximately 28,000 refugees on the western part of the island would soon be achieved,<sup>13</sup> although the representative of Indonesia contended that

<sup>7</sup> Ibid., pp. 6-8.

<sup>8</sup> Ibid., p. 14 (Algeria).

<sup>9</sup> Ibid., p. 20.

<sup>10</sup> Ibid., p. 7 (Brazil); p. 8 (France); p. 12 (Spain); and p. 29 (Portugal).

<sup>11</sup> Ibid., p. 7 (Brazil); p. 10 (Chile); p. 11 (Philippines); p. 13 (Romania); p. 15 (United Kingdom); p. 18 (United States); p. 23 (Ireland, on behalf of the European Union); p. 25 (New Zealand); p. 27 (Japan); p. 30 (Thailand); and p. 33 (Republic of Korea).

<sup>12</sup> Ibid., p. 28.

<sup>13</sup> Ibid., p. 12 (Spain); p. 13 (Russian Federation, Romania); p. 14 (Algeria); p. 15 (United Kingdom); p. 29 (Portugal); and p. 34 (Fiji).

the remaining East Timorese were not refugees, but had opted to stay in Indonesia and were now being processed as its citizens.<sup>14</sup>

Against this background, delegations voiced support for the recommendation of the Secretary-General, and the appeal by Timor-Leste, that the UNMISET mandate be extended for a further 12-month consolidation phase, in a reduced size and with a modified mandate. Speakers concurred that an immediate pullout of the international military and police presence would create a security vacuum in the country. Many speakers fully supported the proposals of the Secretary-General, including the proposal that UNMISET retain a military component with a reduced size,<sup>15</sup> and, in that regard, the representative of Spain pointed out that maintaining a military component would undoubtedly reduce the risk of destabilizing incidents.<sup>16</sup> A number of representatives underscored the fact that the Government of Timor-Leste had expressed the wish for the continued presence of a United Nations peacekeeping force in the country.<sup>17</sup> The representative of Pakistan and the Executive Secretary of the Community of Portuguese-Speaking Countries highlighted the deterrent value of such a component,<sup>18</sup> and other speakers observed that the military component represented a comparatively modest effort which could have a crucial impact, in line with reality on the ground.<sup>19</sup>

In contrast, the representative of Australia reiterated the view of his Government that an armed, emergency backup United Nations police response unit could help Timor-Leste to address its security challenges, which were internal and therefore required a

police rather than a military response. The proposed unit would serve an essential complementary role to any peacekeeping presence, while day-to-day and executive policing would be the sole responsibility of the Government of Timor-Leste.<sup>20</sup> Concurring that the security threats to Timor-Leste were mostly of an internal dimension, some speakers supported the Australian proposal.<sup>21</sup> At the same time, the representatives of Germany and Australia expressed readiness to join a consensus on a peacekeeping force as suggested by the Secretary-General, including the military component.<sup>22</sup> For his part, the representative of Timor-Leste contended that a police force did not offer the same deterrence and credibility as a military force, which would provide time and space to the country to strengthen its defence and police forces.<sup>23</sup>

The representative of France, stressing the importance of defining a clear exit strategy, stated that the new UNMISET timetable should not exceed one year and affirmed that a precise schedule should be laid down for troop reductions up to the final withdrawal.<sup>24</sup> The representative of Fiji also emphasized that a timeline aiming at an end to the Mission must be respected.<sup>25</sup> The representative of the United States stated that any assistance in civil administration beyond May 2005 would be provided through normal bilateral and multilateral donor support, rather than through a United Nations peacekeeping operation.<sup>26</sup> It was the belief of the representative of Timor-Leste that the policing and defence responsibilities could be taken over by his country by May 2005.<sup>27</sup> However, the representative of the Russian Federation stated that Timor-Leste was yet another example of the fact that the process of establishing Statehood was extremely complex and labour intensive and could not be artificially squeezed into rigid existing patterns and frameworks.<sup>28</sup>

On 29 April 2004, the Secretary-General submitted to the Council a report on UNMISET,<sup>29</sup> in

<sup>14</sup> Ibid. p. 28.

<sup>15</sup> Ibid., p. 7 (Brazil); p. 10 (Chile); p. 11 (Philippines); p. 12 (Spain); p. 13 (Russian Federation); p. 14 (Romania); p. 16 (Benin); p. 17 (Angola); p. 19 (Pakistan); p. 22 (Singapore); pp. 23-24 (Ireland, on behalf of the European Union); p. 24 (New Zealand); p. 27 (Japan); p. 29 (Portugal); p. 30 (Thailand); p. 31 (Malaysia); p. 32 (Syrian Arab Republic); pp. 33-34 (Fiji); and p. 34 (Community of Portuguese-Speaking Countries).

<sup>16</sup> Ibid., p. 12.

<sup>17</sup> Ibid., p. 13 (Russian Federation); p. 16 (Benin); p. 23 (Ireland, on behalf of the European Union); p. 27 (Japan); p. 32 (Syrian Arab Republic); and p. 33 (Fiji).

<sup>18</sup> Ibid., p. 19 (Pakistan); and p. 35 (Community of Portuguese-Speaking Countries).

<sup>19</sup> Ibid., p. 14 (Romania); p. 17 (Angola); p. 22 (Singapore); and p. 24 (New Zealand).

<sup>20</sup> Ibid., pp. 25-26.

<sup>21</sup> Ibid., p. 9 (Germany); p. 15 (United Kingdom); and p. 18 (United States).

<sup>22</sup> Ibid., p. 9 (Germany); and p. 25 (Australia).

<sup>23</sup> Ibid., p. 20.

<sup>24</sup> Ibid., p. 8.

<sup>25</sup> Ibid., p. 33.

<sup>26</sup> Ibid., p. 18.

<sup>27</sup> Ibid., p. 21.

<sup>28</sup> Ibid., p. 13.

<sup>29</sup> S/2004/333, submitted pursuant to resolution 1410 (2002).

which he further developed his proposals for the Mission's consolidation phase, including a new recommendation for the establishment of an international response unit for emergency circumstances. While extraordinary progress had permitted a swift downsizing in the international presence on the ground, the Secretary-General again recommended the extension of UNMISSET for a further one-year consolidation phase to sustain, strengthen and build upon the gains made and thereby permitting Timor-Leste to attain self-sufficiency. For this, he proposed three programmes supporting public administration and justice, the development of law enforcement, and security and stability. He pointed out that the provision of support through peacekeeping could meet only the most urgent of the country's requirements, and that it must be complemented and built upon by bilateral and multilateral support, if real progress was to take place.

At its 4965th meeting, on 10 May 2004, the Council included the report of the Secretary-General in its agenda. The Council heard a briefing by the Special Representative of the Secretary-General for Timor-Leste. Statements were made by all members of the Council<sup>30</sup> and by Australia, India, Indonesia, Ireland (on behalf of the European Union),<sup>31</sup> Japan, New Zealand, Norway, Portugal, Singapore and Timor-Leste.<sup>32</sup>

The Special Representative of the Secretary-General introduced the report and elaborated on the various elements of the mandate pertaining to external and internal security and support for public administration, such as developing national police capacities, the presence of the military component of UNMISSET and the bilateral relationship between Timor-Leste and Indonesia. He reported that through its institution-building and capacity-building activities, UNMISSET had contributed significantly to the viability and political stability of the State institutions of Timor-Leste. He considered a robust exit strategy to

ensure sustainability to be the major challenge during the consolidation phase of the Mission. The Special Representative of the Secretary-General also stated that considerable progress had been made in the orderly downsizing of the Mission.<sup>33</sup>

Speakers in general welcomed the significant progress achieved in Timor-Leste, as outlined in the report of the Secretary-General,<sup>34</sup> including the largely calm security situation; the continuing positive relationship between Timor-Leste and Indonesia; ongoing development of the country's public administration; and promulgation by the Government of an organic law and disciplinary code for the Timorese police and an organic law for the Timorese defence forces. At the same time, speakers agreed that much remained to be done and concurred with the Secretary-General that UNMISSET should be extended with a modified mandate and reduced personnel for another year to cross a critical threshold of self-sufficiency and to consolidate gains made during the two years since the Mission had been established. In particular, they agreed that UNMISSET would continue to provide solid support to Timor-Leste's fledgling public administration and security institutions, and support the country in establishing a strong judicial tradition with emphasis on human rights and the rule of law. Speakers therefore particularly welcomed the Secretary-General's recommendation of a programme of support to public administration and justice. Speakers also maintained that substantial progress was only possible in line with economic and social development. The representative of the United Kingdom emphasized that a smooth build up in the governance capacity of Timor-Leste was necessary for a smooth UNMISSET drawdown.<sup>35</sup>

The representative of France noted that special attention should be given to combating impunity for serious crimes committed in 1999,<sup>36</sup> and a number of speakers welcomed the work of the Serious Crimes Unit.<sup>37</sup> The representative of the United States believed that the Unit should maintain close adherence to its completion strategy, ending investigations no later than

<sup>30</sup> Brazil also spoke on behalf of the Community of Portuguese-Speaking Countries.

<sup>31</sup> Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Liechtenstein, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

<sup>32</sup> Timor-Leste was represented by its Senior Minister and Minister in the Presidency of the Council of Ministers.

<sup>33</sup> S/PV.4965 and Corr.1, pp. 3-6.

<sup>34</sup> S/2004/333.

<sup>35</sup> S/PV.4965 and Corr.1, p. 9.

<sup>36</sup> *Ibid.*, pp. 8-9.

<sup>37</sup> *Ibid.*, p. 9 (United Kingdom); pp. 13-14 (United States); p. 23 (Ireland, on behalf of the European Union); and p. 28 (New Zealand).

November 2004, in order to conclude all its trials by no later than May 2005. He added that the international community, together with the United Nations, should consider an international truth commission as a means of achieving accountability and, ultimately, reconciliation in Timor-Leste by resolving outstanding cases.<sup>38</sup> Some speakers expressed support for the resolution of outstanding justice issues for less serious crimes through the parallel work of the Timor-Leste Commission for Reception, Truth and Reconciliation.<sup>39</sup>

Many delegations voiced concern at the precarious security sector, as the national police of Timor-Leste continued to suffer from a number of institutional weaknesses. In that regard, some speakers expressly welcomed the proposed deployment of an international response unit of 125 gendarmerie, along with the earlier proposed military component of 310 troops, to form a two-element security force, providing backup support to the Timor-Leste security forces in emergency situations.<sup>40</sup>

The representative of the United States asserted that the Mission should end no later than May 2005, at which time the Government should resume full responsibility for its own security, while continuing to receive support from elsewhere in the United Nations system and from other members of the international community.<sup>41</sup> Similarly, the representative of Japan saw the necessity to conclude during this period the transition from the phase of peacekeeping operations for conflict resolution to the next phase of development activities, conducted through bilateral channels or relevant international institutions.<sup>42</sup> The representative of India agreed that multilateral assistance of the current scale would also have to be substituted progressively by bilateral and regional cooperation.<sup>43</sup>

At its 4968th meeting, on 14 May 2004, the Council once more included in its agenda the report of the Secretary-General of 29 April 2004 on UNMISSET.<sup>44</sup> The President (Pakistan) drew the attention of the

Council to a draft resolution;<sup>45</sup> it was put to the vote and adopted unanimously as resolution 1543 (2004),<sup>46</sup> by which the Council, *inter alia*:

Decided to extend the mandate of UNMISSET for a period of 6 months, with a view to subsequently extending the mandate for a further and final period of 6 months, until 20 May 2005;

Decided also to reduce the size of UNMISSET and revise its tasks, in accordance with the recommendations of the Secretary-General in section III of his report of 29 April 2004;

Decided, accordingly, that the mandate of UNMISSET should consist of the following elements, as outlined in the report of the Secretary-General of 29 April 2004: (a) support for the public administration and justice system of Timor-Leste and for justice in the area of serious crimes; (b) support to the development of law enforcement in Timor-Leste; and (c) support for the security and stability of Timor-Leste;

Decided also that internationally accepted human rights principles should continue to form an integral part of training and capacity-building carried out by UNMISSET.

The representative of Brazil stressed that the resolution was a clear commitment by the international community to peace and security in a country that was only two years of age and that he was sure that this one-year consolidation phase of the United Nations presence in Timor-Leste would be of the utmost importance to the development of Timor-Leste, its own capabilities and self-sufficiency.<sup>47</sup>

**Decision of 16 November 2004 (5079th  
meeting): resolution 1573 (2004)**

On 13 August 2004, the Secretary-General submitted a progress report on UNMISSET.<sup>48</sup> He reported that since April 2004 the Government of Timor-Leste had taken several important steps towards reaching a critical threshold of self-sufficiency. It had adopted additional legislation and successfully assumed the responsibility for its internal and external security, while its public administration, law enforcement agencies and armed forces had all continued to develop and mature. At the same time, it was clear that much remained to be accomplished during the remaining months of the UNMISSET mandate, and that the extent of progress would depend

---

<sup>38</sup> *Ibid.*, p. 14.

<sup>39</sup> *Ibid.*, p. 13 (Chile); p. 23 (Ireland, on behalf of the European Union); p. 28 (New Zealand); and p. 30 (Norway).

<sup>40</sup> *Ibid.* p. 7 (Russian Federation); p. 22 (Singapore); and p. 29 (Australia).

<sup>41</sup> *Ibid.*, p. 13.

<sup>42</sup> *Ibid.*, p. 24.

<sup>43</sup> *Ibid.*, p. 26.

<sup>44</sup> S/2004/333.

<sup>45</sup> S/2004/383.

<sup>46</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

<sup>47</sup> S/PV.4968, pp. 2-3.

<sup>48</sup> S/2004/669, submitted pursuant to resolution 1543 (2004).

upon joint efforts by Timor-Leste, UNMISSET and the international community.

At its 5024th meeting, on 24 August 2004, the Council included the report of the Secretary-General in its agenda. The Council heard a briefing by the Assistant Secretary-General for Peacekeeping Operations. Statements were made by all members of the Council and by Australia, Indonesia, Japan, Malaysia, the Netherlands (on behalf of the European Union),<sup>49</sup> New Zealand, Portugal and Timor-Leste.

Introducing the report of the Secretary-General, the Assistant Secretary-General reported that, except for a few minor incidents, the situation in Timor-Leste had remained stable and largely peaceful during the reporting period. With regard to the functioning of the democratic process, the smooth conduct of the registration of voters for the first elections in Timor-Leste since independence was an encouraging development. While Timor-Leste was making steady progress towards achieving self-sufficiency, it would continue for some time to require international assistance — both financial and human resources — to implement the legislation it had adopted and to enhance the effectiveness of key institutions of State and Government. Reporting on the progress made in the three programme areas of the UNMISSET mandate, the Assistant Secretary-General said that the recruitment of civilian advisers to support public administration had been completed. There was a shortage of qualified personnel in the public administration and justice sectors as well as in the Timorese national police and the defence forces. As many of the indicted persons were still outside Timor-Leste and had not been brought to justice regarding serious crimes committed in 1999, the serious crimes process might not be able to fully respond to the desire for justice of those affected by the violence in 1999 within the limited time frame and resources that remained available. The Assistant Secretary-General indicated that the development of the defence forces, which also continued to suffer from a lack of proper training and equipment and a very limited logistical capability for deployment, would continue to depend

on external support through the provision of equipment and training.<sup>50</sup>

Speakers welcomed the steps taken by the Government towards self-sufficiency during the first part of the consolidation phase. In particular, they highlighted the Government's assumption of responsibility for internal and external security, the adoption of a number of fundamental laws, the steps taken in the area of electoral registration and the establishment of the Office of the Provedor for Human Rights and Justice. At the same time, they pointed to deficiencies in capacity-building.

Speakers also commended the support provided by UNMISSET in the three programme areas set out in resolution 1543 (2004), paragraph 3. In terms of support for the public administration and justice system (Programme I), some representatives hailed the improvements in the capacity and structure of public administration, but agreed with the Secretary-General, who pointed out in his report<sup>51</sup> that in addition to having civil servants prepared for leadership roles, the right personnel also needed to be available for mid-level management posts.<sup>52</sup> The representative of the United States noted the critical need for the UNMISSET civilian advisers to transfer their skills to their counterparts in Timor-Leste before May 2005.<sup>53</sup>

Several speakers noted with concern the lengthy delays in the administration of justice, and agreed that additional capacity needed to be developed. In that regard, some speakers pointed to the measures adopted by the Council of Coordination of the Justice System which had led, *inter alia*, to the establishment of a judicial training centre to help develop the human resources necessary for a functioning judiciary.<sup>54</sup> Speakers expressed support for the assistance provided by UNMISSET through the Serious Crimes Unit. Highlighting the strategy prepared by the Unit, which aimed to complete judicial rulings on requests for arrest warrants by May 2005 for all those indicted but whose cases were not yet before the court, the representative of Chile took note of the fact that the body might not be able to complete its work in the

---

<sup>49</sup> Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Liechtenstein, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

<sup>50</sup> S/PV.5024, pp. 2-5.

<sup>51</sup> See S/2004/669, para. 11.

<sup>52</sup> S/PV.5024, p. 5 (Chile); and p. 16 (Spain).

<sup>53</sup> *Ibid.*, p. 7.

<sup>54</sup> *Ibid.*, p. 5 (Chile); p. 8 (United States); and p. 10 (United Kingdom).

allotted time frame and within current resources, and that accordingly, the Council should not rule out the need to take additional measures in the future.<sup>55</sup> Calling for some level of accountability for the atrocities committed in 1999, several speakers were deeply concerned at whether the recent rulings by an appeals court in Indonesia and the ad hoc tribunal process could provide a full and credible accounting for the abuses that had occurred.<sup>56</sup> Some called for continuing support from the international community<sup>57</sup> or offered to lend support.<sup>58</sup> The Assistant Secretary-General noted that the Secretary-General had asked the United Nations High Commissioner for Human Rights to prepare a report on progress to date in the serious crimes process, in both Indonesia and Timor-Leste. On the basis of that report, he believed, decisions could be taken to ensure that the serious crimes process moved forward and that impunity did not prevail.<sup>59</sup>

In terms of support to the development of law enforcement (Programme II), speakers welcomed the work done by the national police, but stressed the need for ongoing training, in particular with regard to achieving greater professionalism, efficiency and responsibility and a strong emphasis on respect for human rights.

With regard to support for security and stability (Programme III), speakers welcomed the relative calm that prevailed in Timor-Leste. At the same time, some emphasized the importance of paying attention to such areas of concerns as smuggling, illegal trafficking and border crossings.<sup>60</sup>

While noting that no decision would be taken by the Council before November, the representative of Australia was of the firm view that UNMISSET should continue in its current form through May 2005, as he was not in favour of an early withdrawal or downsizing of the Mission's police or military elements.<sup>61</sup>

Speakers also stressed the importance of Timor-Leste attaining a level of economic development that would make it possible to overcome poverty and unemployment. While highlighting the assistance programmes by the United Nations, the Bretton Woods institutions and several bilateral donors, speakers were unanimous in their appeal to the international community to provide more and continued financial support to Timor-Leste to facilitate its transition from peacemaking to peacebuilding. In that connection, the representative of Pakistan advocated examining the possibility of setting up a composite committee with representation from the Security Council, the Economic and Social Council and the General Assembly to coordinate and oversee international support for Timor-Leste.<sup>62</sup>

In regard to bilateral relations for Timor-Leste, the majority of speakers looked forward to the early finalization of the maritime boundary between Timor-Leste and Australia, and an agreement on the sharing of petroleum and natural gas resources in the region. They believed this to be essential for Timor-Leste in order to fully exploit its economic potential. Speakers also stressed the importance of a strengthened bilateral relationship between Indonesia and Timor-Leste. Specifically, they welcomed the progress already made between the two countries in reaching agreement on the demarcation and management of their common border, and looked forward to a definitive agreement being reached in the near future.

On 9 November 2004, the Secretary-General submitted to the Council a progress report on UNMISSET.<sup>63</sup> In the report, which reviewed the activities of UNMISSET since August 2004, he included recommendations on the basis of the findings of an integrated technical assessment mission that had visited Timor-Leste in October 2004. The mission had concluded that, despite the notable advances achieved during the UNMISSET consolidation phase, Timor-Leste had not yet reached the critical threshold of self-sufficiency. The public administration — particularly the finance, banking and justice sectors — remained weak and fragile. The Secretary-General concluded that the situation on the ground did not warrant any modification of the Mission's tasks as mandated by the Council in resolution 1543 (2004). In the current circumstances,

<sup>55</sup> *Ibid.*, p. 6.

<sup>56</sup> *Ibid.*, p. 8 (United States); p. 10 (France, United Kingdom); p. 14 (Germany); p. 21 (Netherlands, on behalf of the European Union); p. 23 (Japan); and p. 24 (New Zealand).

<sup>57</sup> *Ibid.*, p. 9 (Brazil); p. 15 (Romania); p. 21 (Netherlands, on behalf of the European Union); and p. 24 (New Zealand).

<sup>58</sup> *Ibid.*, p. 16 (Spain).

<sup>59</sup> *Ibid.*, p. 4.

<sup>60</sup> *Ibid.*, p. 6 (Chile); p. 9 (Brazil); and p. 15 (Romania).

<sup>61</sup> *Ibid.*, p. 20.

<sup>62</sup> *Ibid.*, p. 7.

<sup>63</sup> S/2004/888, submitted pursuant to resolution 1543 (2004).

any change of the composition or size of UNMISSET, including those of the police and military components, could compromise its ability to carry out its responsibilities.

At its 5076th meeting, on 15 November 2004, the Council included the report of the Secretary-General in its agenda. The Council heard a briefing by the Special Representative of the Secretary-General for Timor-Leste. Statements were made by all members of the Council and by the representatives of Australia, Indonesia, Japan, Malaysia, the Netherlands (on behalf of the European Union),<sup>64</sup> New Zealand, Portugal, Singapore, Thailand and Timor-Leste.

Introducing the Secretary-General's report, the Special Representative of the Secretary-General reported that Timor-Leste had remained stable and peaceful, with one exception when Timorese police officers had used excessive force on 20 July in arresting peaceful demonstrators, mostly former independence fighters. Significantly, however, the Timorese leadership had taken immediate initiatives to address the grievances of members of the former resistance and other disgruntled groups. He noted that preparations for the first Suco local elections had progressed further, and the National Electoral Commission was deliberating upon the procedures that would allow the commencement of polling.

Reporting on setbacks encountered during the reporting period, he informed the Council that the National Parliament had failed to select the Provedor for Human Rights and Justice and had yet to complete its deliberations on the reports submitted by the Commission for Former Combatants Affairs and the Commission for Veterans Affairs. Border demarcation talks had not resulted in a final agreement, as expected earlier. Turning to the issue of bringing to justice the perpetrators of the atrocities committed in 1999, the Special Representative of the Secretary-General stated that the serious crimes process would be unable to respond fully to the desire for justice for all the victims in view of the limited time and resources available.

In regard to the status of the implementation of the UNMISSET mandate, the Special Representative

noted that while training of the national police of Timor-Leste continued, key challenges remained, including a lack of professional expertise and, in some officers, a lack of respect for human rights. While the capacity of the Timorese defence force had continued to grow, he noted that the Force remained hampered by a lack of experienced personnel and limited logistic capacity. In addition, the Timorese border security agencies did not yet have the capacity to manage border affairs by themselves.

Reiterating the recommendation of the Secretary-General that there be no modification to UNMISSET tasks nor any reduction in its size, the Special Representative turned to the increased focus required to implement the Mission's transition strategy in the coming six months. In that respect, he reported that UNMISSET was redoubling its efforts to increase Timorese involvement and ownership of the three programme operations. Further, he reported that he had constituted eight working groups to identify specific measures required for a smooth transition from peacekeeping operations to more traditional nation-building and sustainable development assistance.

Speakers supported the recommendation of the Secretary-General to extend the mandate of UNMISSET with its current tasks, configuration and size for a further and final six-month period until 20 May 2005. They generally stressed the importance for UNMISSET to devise and implement an effective exit strategy that would ensure a seamless transition upon its departure, as recommended in the report of the Secretary-General. According to the representative of Angola, the strategy would be based on increased ownership and involvement of the Timorese in public administration, justice, law enforcement and national security.<sup>65</sup> At the same time, as also noted by the representatives of the Philippines and the United Kingdom, the Mission would have to mobilize bilateral and multilateral partners whose assistance would be crucial in further efforts towards a sustainable development assistance framework.<sup>66</sup> Other speakers stated that UNMISSET should focus on preparing and implementing its exit strategy, while aiming at increasing Timorese ownership but also requiring sustained bilateral and multilateral international assistance after the departure of UNMISSET. The representative of New Zealand

---

<sup>64</sup> Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Liechtenstein, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

<sup>65</sup> S/PV/5076, p. 11.

<sup>66</sup> *Ibid.*, p. 8 (United Kingdom); p. 11 (Angola); and p. 13 (Philippines).



particularly emphasized the importance of a transition strategy in the justice sector.<sup>67</sup> The representative of Malaysia expressed the view that the next six months would be crucial with respect to ensuring that the withdrawal of UNMISSET would not have a significant impact on the proper functioning of the Government of Timor-Leste. He therefore called for a thorough and comprehensive assessment regarding that country's self-reliance.<sup>68</sup>

In the view of the representative of Timor-Leste, the establishment of the eight working groups, which were given the task to ensure a smooth transition from peacekeeping and peacebuilding to sustainable development, was a timely initiative that would contribute to finding the most appropriate exit strategy,<sup>69</sup> and it was welcomed by a number of speakers.<sup>70</sup> The representative of Indonesia stated that the efforts of the working groups could create an opportunity to successfully complete the UNMISSET mandate within a secure time frame.<sup>71</sup> The representative of the Russian Federation emphasized that UNMISSET should give maximum attention to preparing an exit strategy.<sup>72</sup>

Many speakers welcomed the strengthening of relations between Timor-Leste and other States of the region, particularly Indonesia, and hoped for further progress with Indonesia and Australia on finalizing maritime boundaries and land border demarcation.

At its 5079th meeting, on 16 November 2004, the Council once more included in its agenda the report of the Secretary-General on UNMISSET.<sup>73</sup> The President (United States) drew the attention of the Council to a draft resolution;<sup>74</sup> it was put to the vote and adopted unanimously and without debate as resolution 1573 (2004),<sup>75</sup> by which the Council, inter alia:

Decided to extend the mandate of UNMISSET for a final period of 6 months until 20 May 2005;

Decided also to maintain current tasks, configuration and size of UNMISSET in order to allow it to complete key tasks of its mandate and consolidate gains made thus far;

Requested UNMISSET to focus increasingly on implementing its exit strategy, particularly with a view to ensure increasing involvement and ownership of the Timorese in the Mission's three programme areas;

Urged the donor community to continue providing its indispensable assistance to Timor-Leste;

Urged, in particular, United Nations development and humanitarian agencies and multilateral financial institutions to start immediately planning for a smooth transition, in Timor-Leste, from a peacekeeping operation to a sustainable development assistance framework.

**Decision of 28 April 2005 (5171st meeting):  
resolution 1599 (2005)**

On 18 February 2005, the Secretary-General submitted to the Council a progress report on UNMISSET.<sup>76</sup> In the report, the Secretary-General recommended maintaining a United Nations mission with a scaled-down structure for a period of up to 12 months, until 20 May 2006, as the withdrawal of UNMISSET would have a potentially negative impact on the security and stability of the country as well as on the proper functioning of State institutions.

At its 5132nd meeting, on 28 February 2005, the Council included the report of the Secretary-General in its agenda. The Council heard a briefing by the Special Representative of the Secretary-General for Timor-Leste. Statements were made by all members of the Council and by Australia, Indonesia, Luxembourg (on behalf of the European Union),<sup>77</sup> New Zealand, Portugal, Singapore, Thailand and Timor-Leste.<sup>78</sup>

Introducing the Secretary-General's report, the Special Representative of the Secretary-General reported that tangible progress had been achieved by holding local elections, strengthening relations with neighbouring countries and building democratic institutions. He reported, however, that the most demanding challenge was the land-border demarcation

---

<sup>67</sup> Ibid., p. 24.

<sup>68</sup> Ibid., p. 26.

<sup>69</sup> Ibid., p. 18.

<sup>70</sup> Ibid., p. 13 (Philippines); p. 15 (Spain); p. 19 (Indonesia); p. 22 (Japan); and p. 24 (New Zealand).

<sup>71</sup> Ibid., p. 19.

<sup>72</sup> Ibid., p. 15.

<sup>73</sup> S/2004/888.

<sup>74</sup> S/2004/901.

<sup>75</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

---

<sup>76</sup> S/2005/99, submitted pursuant to resolution 1573 (2004).

<sup>77</sup> Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Norway, Romania, Serbia and Montenegro and the former Yugoslav Republic of Macedonia aligned themselves with the statement.

<sup>78</sup> Timor-Leste was represented by its Senior Minister and Minister for Foreign Affairs and Cooperation.

negotiations. According to the findings of the transition working groups, major challenges remained in four areas: security and stability; the development of police capability; public administration and the justice system; and human rights and the promotion of good governance. Since all of those areas were important in the post-conflict situation, the Special Representative of the Secretary-General maintained that if the United Nations totally withdrew the military liaison officers and police trainers upon completion of the UNMISSET mandate, Timor-Leste might face insurmountable challenges on its path towards peace and stability.

He therefore endorsed the recommendation of the Secretary-General to extend the mandate of UNMISSET for a period of up to 12 months until 20 May 2006, albeit in an appropriately scaled-down form, noting that the period could be shortened if sufficient bilateral and multilateral support was forthcoming.<sup>79</sup>

The representative of Timor-Leste also appealed to the Council for an extension of the UNMISSET mandate. In regard to the presence of military liaison officers, he stated that they were needed to provide further training to the Timorese Border Patrol Unit and that national security agencies were not in a position to guarantee the safety and security of liaison officers. At the same time, he expressed an openness to discuss arrangements with any country in the region offering or willing to offer stand-by arrangements for evacuation and other logistical support. In regard to the training of Timorese police officers, the representative considered it essential to retain the 62 police trainers deployed in those areas where multilateral and bilateral assistance was unlikely to become available at that time. The same was true for civilian advisers, who were needed to strengthen the institutional capacity of State institutions. If Timor-Leste was to rely exclusively on bilateral funding, it would be in a very dire situation with regard to ensuring the functioning and capacity-building of its institutions. He went on to brief the Council on the joint efforts of his Government and Indonesia to resolve the reported human rights violations in 1999 and reported that the land border demarcation talks between the two countries had made progress in record time, and had now reached some 96 per cent completion. Elaborating on the new Truth and Friendship Commission, he said that the initiative was unique, as it was the first time in modern history that two countries previously in conflict

had decided to deal with issues of violence through a joint truth and reconciliation commission.<sup>80</sup>

Speakers acknowledged the tangible progress achieved in Timor-Leste since 1999, but at the same time noted that progress was not sufficient and saw the need for ongoing international assistance after 20 May 2005, particularly for the public administration, judicial institutions and security forces. In that connection, several speakers expressed support for or took note of the Secretary-General's suggestion to extend the mandate of UNMISSET for another year in a scaled-down configuration.<sup>81</sup> Supporting a continued United Nations presence, several delegations stressed the need for a smooth transition from peacekeeping to a sustainable development framework which focused on capacity-building.<sup>82</sup> The representative of the United Kingdom held that the successor to UNMISSET should be a small, tightly focused political mission with a clear and achievable exit strategy.<sup>83</sup> The representative of the United States advocated the conclusion of UNMISSET as scheduled in May 2005, as there was no longer a threat to international peace and security requiring a peacekeeping operation. He was open to exploring the establishment of a special political mission for a discrete, limited period.<sup>84</sup>

In terms of the areas requiring ongoing support, speakers expressed particular concern over the limited progress in the delineation of the common land border between Indonesia and Timor-Leste. While praising improved relations between the two countries, speakers urged both countries to reach final agreement as soon as possible, thereby improving border management and control. Speakers also welcomed the establishment of a bilateral Truth and Friendship Commission to deal with the human rights abuses perpetrated in 1999, and in that connection reiterated their support for the commission of experts established by the Secretary-General to explore further ways to address impunity.

<sup>80</sup> *Ibid.*, pp. 5-10.

<sup>81</sup> *Ibid.*, p. 11 (Japan); pp. 11-12 (Russian Federation); p. 13 (Argentina); p. 15 (Greece); p. 16 (Philippines); p. 17 (Algeria, United Republic of Tanzania); p. 23 (Benin); p. 25 (Luxembourg, on behalf of the European Union); p. 26 (Singapore); p. 27 (Portugal); and p. 30 (Thailand).

<sup>82</sup> *Ibid.*, p. 11 (Japan); p. 12 (United Kingdom); p. 14 (Denmark); p. 19 (Brazil); p. 20 (United States); p. 21 (France); p. 24 (Australia); and p. 31 (New Zealand).

<sup>83</sup> *Ibid.*, p. 12.

<sup>84</sup> *Ibid.*, p. 20.

<sup>79</sup> S/PV.5132, pp. 2-5.

At the 5171st meeting, on 28 April 2005, the President (China) drew the attention of the Council to the report of the Secretary-General on UNMISSET<sup>85</sup> and to a draft resolution.<sup>86</sup> The draft resolution was adopted unanimously and without debate as resolution 1599 (2005),<sup>87</sup> by which the Council, *inter alia*:

Decided to establish a one-year follow-on special political mission in Timor-Leste, the United Nations Office in Timor-Leste (UNOTIL), which would remain in Timor-Leste until 20 May 2006;

Decided also that UNOTIL would have the following mandate: (a) to support the development of critical State institutions through provision of up to 45 civilian advisers; (b) to support further development of the police through provision of up to 40 police advisers, and support for development of the Border Patrol Unit through provision of up to 35 additional advisers, 15 of whom might be military advisers; (c) to provide training in observance of democratic governance and human rights through provision of up to 10 human rights officers; and (d) to monitor and review progress in (a) through (c) above.

**Decision of 12 May 2006 (5436th meeting):  
resolution 1677 (2006)**

On 12 May 2005, the Secretary-General submitted to the Council an end-of-mandate report on UNMISSET,<sup>88</sup> in which he reviewed the activities of UNMISSET since his previous report, dated 18 February 2005<sup>89</sup> and described preparations for the implementation of the mandate of UNOTIL.

At its 5180th meeting, on 16 May 2005, the Council included in its agenda the report of the Secretary-General dated 12 May 2005. The Council heard a briefing by the Assistant Secretary-General for Peacekeeping Operations. Statements were made by all members of the Council and by the representatives of Australia, Indonesia, Luxembourg (on behalf of the European Union),<sup>90</sup> Malaysia, Portugal and Timor-Leste.

Introducing the report of the Secretary-General, the Assistant Secretary-General highlighted some notable political developments, such as the peaceful and orderly holding of local elections in the eastern districts of the country and continued improvement in relations between Timor-Leste and Indonesia. However, a border incident underscored the continued need for a United Nations presence to facilitate interaction between the Border Patrol Unit and the Indonesian military. Similarly, he noted that the Rapid Intervention Unit still relied to a large extent on the advice of the UNMISSET civilian police component. While local ownership had been enhanced and further progress had been achieved towards the consolidation of the State institutions of Timor-Leste, the functioning of the judicial system continued to depend on the support of international advisers. He observed that a withdrawal of UNMISSET contingents could have implications for the security of United Nations personnel.<sup>91</sup>

Speakers in general welcomed the progress achieved during the final consolidation phase of UNMISSET, including the peaceful holding of elections; the improvement of relations with neighbouring States, particularly Indonesia; the improvement of security; progress in institution-building; and the promotion of democracy and human rights. They pointed out, however, that much more remained to be done, if Timor-Leste was to achieve sustainable self-sufficiency. Stressing the need to fight impunity and bring the perpetrators of the serious crimes committed in 1999 to justice, they looked forward to the report of the Commission of Experts appointed by the Secretary-General. In view of the report's release after the closure of UNMISSET, the representative of the United States supported a delay in the liquidation of the Serious Crimes Unit until the Council could consider the Commission's recommendations.<sup>92</sup> The representative of the Philippines believed that there was ample opportunity for complementarity between the work of the Commission of Experts and the work of the Truth and Friendship Commission,<sup>93</sup> and other speakers encouraged coordination between both to ensure that justice was done.<sup>94</sup>

<sup>85</sup> S/2005/99.

<sup>86</sup> S/2005/267.

<sup>87</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

<sup>88</sup> S/2005/310, submitted pursuant to resolution 1573 (2004).

<sup>89</sup> S/2005/99.

<sup>90</sup> Albania, Bulgaria, Croatia, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

<sup>91</sup> S/PV.5180, pp. 2-5.

<sup>92</sup> *Ibid.*, p. 11.

<sup>93</sup> *Ibid.*, p. 5.

<sup>94</sup> *Ibid.*, p. 9 (Romania); p. 12 (Argentina); and p. 18 (Luxembourg, on behalf of the European Union).

The representative of Indonesia highlighted both countries' responsibility to address the reported human rights violations of 1999 within the Truth and Friendship Commission, which he believed remained the best mechanism to provide an acceptable solution. He looked forward to the positive contributions of the Commission of Experts to the work of the Truth and Friendship Commission in bringing closure to that residual issue.<sup>95</sup>

In addition, speakers emphasized the need to further improve and strengthen relations between Timor-Leste and Indonesia as well as between Timor-Leste and Australia. They recognized the continuing need for international assistance and welcomed the succession of UNMISSET by UNOTIL, with its focus on peacebuilding and development. The representative of the United Kingdom noted that, with the establishment of UNOTIL, United Nations activities in Timor-Leste moved into a new phase and that the Organization would now be in a position to refocus and concentrate its efforts on areas where the people of East Timor still required targeted assistance.<sup>96</sup> The representative of China expressed the hope that, UNOTIL would be clear about its direction and would focus on transferring management experience and other skills to ensure that a fully independent professional Timorese management team was in place at an early date.<sup>97</sup> At the same time, some speakers stressed the need to secure bilateral and multilateral assistance beyond the support provided by UNOTIL.<sup>98</sup>

The representative of Japan believed that peacekeeping operations must have clear completion strategies and that recipient countries of such operations should keep that point in mind and make the utmost effort to attain self-sufficiency. Praising the efforts of the United Nations in Timor-Leste, he stated that he hoped that other peacekeeping operations would redouble their efforts to fulfil their mandates in accordance with completion strategies appropriate to the specific situations on the ground.<sup>99</sup> The representative of Denmark supported an approach based on national ownership that placed the people of Timor-Leste in the

driver's seat, and therefore welcomed the fact that the number of international United Nations advisers would be reduced over the coming months to give room for the Timorese to assert their leadership.<sup>100</sup>

The representative of Timor-Leste, while pointing to the absence of provision for a backup security force in resolution 1599 (2005), and recognizing his country's insufficient capacity, reaffirmed his country's commitment to peace and stability, as well as to the protection of United Nations personnel. He reaffirmed the commitment of both Timor-Leste and Indonesia to resolve the remaining issues of mutual concern. He indicated that his Government was carefully studying the Australian proposals on the maritime boundaries, to achieve a fair and just agreement.<sup>101</sup>

On 18 August 2005, the Secretary-General submitted a progress report on UNOTIL,<sup>102</sup> in which he covered major developments on the ground since his end-of-mandate report on UNMISSET<sup>103</sup> and described the activities undertaken by UNOTIL since its inception.

At its 5251st meeting, on 29 August 2005, the Council included the report of the Secretary-General in its agenda. The Council heard a briefing by the Special Representative of the Secretary-General for Timor-Leste. Introducing the report of the Secretary-General, the Special Representative maintained that the overall situation in Timor-Leste had remained calm and stable, and that relations between Timor-Leste and Indonesia and between Timor-Leste and Australia continued to improve. He reported that as a result of the support to critical State institutions by civilian advisers, Timorese counterparts had increased their ownership of the functional responsibilities. Nevertheless, there was a lack of a minimum national capacity in such highly technical and specialized sectors as justice and finance. Police training advisers had begun a training programme for the Border Patrol Unit, and human rights officers had been assigned to national State institutions to strengthen their capacity to protect and promote human rights at all levels. After the closure of the serious crimes process, he reported that an agreement on the preservation of serious crimes records had currently been discussed. The

---

<sup>95</sup> *Ibid.*, pp. 19-20.

<sup>96</sup> *Ibid.*, p. 13.

<sup>97</sup> *Ibid.*, p. 7.

<sup>98</sup> *Ibid.*, p. 6 (Philippines); p. 8 (United Republic of Tanzania); p. 9 (Romania); p. 17 (Australia); p. 17 (Luxembourg, on behalf of the European Union); p. 21 (Malaysia); and p. 22 (Portugal).

<sup>99</sup> *Ibid.*, p. 6.

---

<sup>100</sup> *Ibid.*, p. 16.

<sup>101</sup> *Ibid.*, pp. 22-23.

<sup>102</sup> S/2005/533, submitted pursuant to resolution 1599 (2005).

<sup>103</sup> S/2005/310.

Special Representative of the Secretary-General then made clear that, in the absence of a United Nations security force, the security and safety of United Nations personnel remained a major concern and a challenge to UNOTIL.<sup>104</sup>

On 17 January 2006, the Secretary-General submitted a progress report on UNOTIL,<sup>105</sup> in which he, *inter alia*, outlined the ongoing plans for the transition from UNOTIL to a sustainable development framework. He observed that despite the remarkable achievements made by Timor-Leste since 1999, the situation in the country remained fragile. Crucial State institutions, in particular the justice sector, remained weak, in large part owing to a lack of qualified human resources, and time would also be required for democratic governance and human rights to take root in the country. Therefore, the Secretary-General strongly believed that while the future of the country rested with the Timorese people and their Government, the international community should remain engaged in Timor-Leste beyond the expiration of the mandate of UNOTIL on 20 May 2006.

At its 5351st meeting, on 23 January 2006, the Council included in its agenda the above-mentioned report of the Secretary-General. The President (United Republic of Tanzania) drew the attention of the Council to a letter dated 20 January 2006 from the Prime Minister of Timor-Leste requesting the establishment of a special political office in Timor-Leste with the components of electoral assistance, civilian advisers and police training.<sup>106</sup> The Council heard a briefing by the Special Representative of the Secretary-General for Timor-Leste. Statements were made by all members of the Council and by the representatives of Australia, Austria (on behalf of the European Union),<sup>107</sup> Brazil, Papua New Guinea, Portugal and Timor-Leste.

Introducing the report of the Secretary-General, the Special Representative noted that, during the past five months, UNOTIL civilian advisers had accelerated their efforts to transfer skills and knowledge, and that

their Timorese counterparts were now demonstrating increased ability and willingness to carry out their duties. However, national capacities in highly technical areas, such as justice and finance, remained extremely weak, so that international advisory support, especially in those two areas, would be required for some years to come. Furthermore, the Special Representative maintained that human rights activities would need continued attention by the international community. With regard to UNOTIL support to the national police, a border incident had prompted UNOTIL to refocus attention on enhancing the professionalism of the Border Patrol Unit. He then drew attention to an electoral needs assessment mission which had concluded that, for forthcoming elections of the National Parliament and Presidency in 2007 to be free and fair, Timor-Leste needed the assistance of the international community and a strong political presence. The Special Representative recommended that the Council, taking into account the newly emerging political and security situation, examine carefully a request from the Government of Timor-Leste for the establishment of a special political office.<sup>108</sup>

The representative of Timor-Leste stated that the recently concluded report of the Commission for Reception, Truth and Reconciliation needed to be evaluated not only from the perspective of exposing the truth regarding human rights violations, but also from the perspective of reconciliation, which had been a long-standing process for the people of Timor-Leste. Turning to achievements and challenges in Timor-Leste, he acknowledged the criticism levelled at the national police and the shortcomings in the justice sector. Against the backdrop of upcoming parliamentary and presidential elections, he proposed that the Council consider, as requested by the Prime Minister of Timor-Leste,<sup>109</sup> establishing a follow-on special political office in Timor-Leste.<sup>110</sup>

Speakers in general were encouraged by the significant positive developments in Timor-Leste, including the submission of the report of the Commission for Reception, Truth and Reconciliation to the Secretary-General. They applauded the improved relations between Timor-Leste and Indonesia, with the establishment of the bilateral Commission for Truth and Friendship being of particular importance, and

<sup>104</sup> S/PV.5251, pp. 2-5.

<sup>105</sup> S/2006/24, submitted pursuant to resolution 1599 (2005).

<sup>106</sup> S/2006/39, annex.

<sup>107</sup> Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Norway, Romania, Serbia and Montenegro, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

<sup>108</sup> S/PV.5351, pp. 2-4.

<sup>109</sup> See S/2006/39, annex.

<sup>110</sup> S/PV.5351, pp. 4-9.

looked forward to the report of the Secretary-General on justice and reconciliation in Timor-Leste. Speakers commended the agreement between Timor-Leste and Australia on sharing oil and gas revenues. However, they noted that, in spite of all the progress made, further assistance was required. They agreed that the need to secure the long-term success of the State-building process was a central task that lay ahead, for which the 2007 presidential and parliamentary elections would be a milestone. To that end, the majority of speakers expressed their support for the establishment of a special political office in Timor-Leste, as a follow-on to UNOTIL. Several speakers expressed the view that any continued United Nations presence should be small, to enable the Timorese to be in the driver's seat in the future development of their country.<sup>111</sup> Stating that the request by Timor-Leste was perfectly legitimate, the representative of France maintained that the structure needed to be appropriate and functional.<sup>112</sup> The representative of the United States held that ending UNOTIL did not mean ending assistance to Timor-Leste, promising to ensure that the Government of Timor-Leste would continue to receive assistance from the United Nations Development Programme, the World Bank and a variety of bilateral donors.<sup>113</sup>

The issue of impunity was brought up by a number of speakers,<sup>114</sup> with some emphasizing that reconciliation must not mean that the most serious crimes escaped unpunished.<sup>115</sup>

On 20 April 2006, the Secretary-General submitted to the Council his end-of-mandate report on UNOTIL,<sup>116</sup> in which he proposed the establishment of a follow-on integrated United Nations office, in response to the request made by Timor-Leste.<sup>117</sup>

At its 5432nd meeting, on 5 May 2006, the Council included the report of the Secretary-General in its agenda. The Council was briefed by the Special Representative of the Secretary-General for Timor-Leste. Statements were made by all members of the Council and by Australia, Austria (on behalf of the European Union and the countries aligning themselves with the statement), Brazil, Indonesia, Malaysia, New Zealand, Portugal, Singapore, Thailand and Timor-Leste.<sup>118</sup> The President (Congo) drew attention to a letter dated 10 April 2006 from the Chargé d'affaires a.i. of Timor-Leste, transmitting a letter dated 2 April 2006 to the Secretary-General concerning the post-UNOTIL United Nations presence in Timor-Leste.<sup>119</sup>

In his briefing, the Special Representative of the Secretary-General reported that the situation in Timor-Leste had changed rapidly since the issuance of the most recent report of the Secretary-General<sup>120</sup> two weeks earlier. He drew the attention of the Council to the demonstrations by 594 dismissed soldiers of the Timorese defence force, who had demanded that an independent commission be established to address the issue of discrimination and investigate their grievances. After four days of peaceful demonstrations, a mob of "non-594" youths and some political elements had attacked the Government office building, and the Government of Timor-Leste had then been forced to deploy its military to restore order. The Special Representative of the Secretary-General remarked that while property damage was minor, the psychological impact on the people had been immense. In that regard, he said that 14,000 people had sought refuge in churches and other public buildings, and that more than 1,000 family members of local UNOTIL staff had taken refuge at UNOTIL headquarters. UNOTIL estimated that five persons had been killed and at least 60 had been injured. The Special Representative noted, in reference to the UNOTIL capacity-building programme for State institutions, that a sustainable development assistance framework had been completed in almost all areas. While progress had been made in training the national police of Timor-

<sup>111</sup> Ibid., p. 10 (Denmark); p. 13 (Slovakia); p. 16 (United Kingdom); p. 22 (United Republic of Tanzania; Austria, on behalf of the European Union).

<sup>112</sup> Ibid., p. 14.

<sup>113</sup> Ibid., p. 21.

<sup>114</sup> Ibid., p. 10 (Denmark); p. 13 (Slovakia); p. 14 (France); p. 21 (United States); p. 22 (United Republic of Tanzania); and p. 23 (Austria, on behalf of the European Union).

<sup>115</sup> Ibid., p. 13 (Slovakia); p. 14 (France); and p. 23 (Austria, on behalf of the European Union).

<sup>116</sup> S/2006/251 and Corr.1, submitted pursuant to resolution 1599 (2005).

<sup>117</sup> Letter dated 17 January 2006 from the Prime Minister of Timor-Leste (S/2006/39, annex); letter dated 2 March

2006 from the Minister for Foreign Affairs of Timor-Leste (S/2006/157, annex); and letter dated 2 April 2006 from the President of Timor-Leste (S/2006/230, annex), all addressed to the Secretary-General.

<sup>118</sup> Timor-Leste was represented by its Senior Minister and Minister for Foreign Affairs and Cooperation.

<sup>119</sup> S/2006/230.

<sup>120</sup> S/2006/251 and Corr.1.

Leste, he called on the international community to provide the police with further intensive training and to help to strengthen its Professional Ethics Office and other human rights mechanisms. He stated that the establishment of an integrated United Nations office after the completion of the UNOTIL mandate and the continued presence of the United Nations police were of utmost importance to support Timor-Leste in maintaining peace and stability, in particular with a view to conducting free and fair national elections in 2007.<sup>121</sup>

The representative of Timor-Leste favoured a small but robust United Nations presence in the country from May 2006 to May 2007 as a follow-on to the successive United Nations missions there and hoped that the Council would consider his country's request to that end. He described the recent violence in Dili as a wake-up call for his Government and the international community, and expressed the belief that urgent preventive measures were needed to prevent a relapse into violence and instability. In the many days of dialogue with the leaders of the ex-military group that had sparked the incident, those leaders had expressed a willingness to cooperate with the Government. It was his view, however, that the ex-military organizers had lost control of the demonstration, which had been taken over by others who had hijacked their agenda. He assured the Council that the Government was moving swiftly to prepare for the upcoming elections and, in that regard, cited pertinent reasons for the establishment of an integrated office, including the fragile political environment; the challenge to upholding internal stability, the rule of law and respect for human rights before, during and after the elections; the creation of a secure environment, including in the border region; and the acute need for continued international assistance to the justice sector. The representative of Timor-Leste concluded by reiterating that the proposal contained in the report of the Secretary-General represented the bare minimum that Timor-Leste required, and in the light of the latest developments, requested once again a robust international police force of at least a company strength, with appropriate logistical means, during the period leading up to the national elections.<sup>122</sup>

<sup>121</sup> S/PV.5432, pp. 2-5.

<sup>122</sup> Ibid., pp. 5-10.

Most speakers supported the recommendation of the Secretary-General for a continued United Nations presence in Timor-Leste, since peace and democracy were yet to be consolidated, and expressed the belief that the support of the international community would be indispensable in preparing for the 2007 presidential and parliamentary elections and to fully build up State institutions. The representative of the United States, on the other hand, believed that a follow-on United Nations presence, regardless of how well thought out it could be, would not be timely at the present moment. He was of the view that a simple one-month rollover of the Mission's existing mandate would give the situation in Timor-Leste time to settle down and provide the Council with the time to consider the situation further.<sup>123</sup>

While agreeing that Timor-Leste had made strong progress towards being self-reliant and welcoming the advances in its relations with Indonesia, most speakers acknowledged that, as had been evidenced by the recent violence, the country remained fragile and required continued support from the international community. Speakers agreed that, as the Secretary-General noted in his report, serious challenges remained in the areas of defence, police, justice, human rights, border patrols and public administration. Some representatives held that the recommendations of the Secretary-General were the minimum required for Timor-Leste, as the Council must act in the context of a long-term plan.<sup>124</sup> The representative of France believed that a follow-on mission should also have a human rights section to pursue matters related to justice and reconciliation.<sup>125</sup>

The representative of Australia said that it was essential to recognize that the many challenges facing Timor-Leste, including the recent unrest, were domestic in nature and that assistance should be focused on helping the people of Timor-Leste to develop sustainable institutions and policies that supported Timor-Leste's new democracy, its political stability, the rule of law, the future security of its people and economic growth.<sup>126</sup>

<sup>123</sup> Ibid., p. 16.

<sup>124</sup> Ibid., p. 12 (Argentina); p. 22 (Congo); p. 26 (Portugal); and p. 29 (Brazil).

<sup>125</sup> Ibid., p. 13.

<sup>126</sup> Ibid., p. 27.

The representative of Indonesia stated that the delineation of the remaining one per cent of the land border was expected to be completed by August, and that cooperation on border security continued to be strengthened.<sup>127</sup>

At its 5436th meeting, on 12 May 2006, the Council again included in its agenda the end-of-mandate report of the Secretary-General on UNOTIL.<sup>128</sup> The President (Congo) drew the attention of the Council to a draft resolution;<sup>129</sup> it was put to the vote and adopted unanimously and without debate as resolution 1677 (2006),<sup>130</sup> by which the Council, *inter alia*:

Decided to extend the mandate of UNOTIL until 20 June 2006;

Requested the Secretary-General to provide the Council by 6 June 2006 with an update on the situation in Timor-Leste and the role of United Nations in Timor-Leste following the expiration of the mandate of UNOTIL with a view to taking further action on the subject.

**Decision of 25 May 2006 (5445th meeting):  
statement by the President**

At its 5445th meeting, on 25 May 2006, the Council included in its agenda a letter from the Secretary-General addressed to the President of the Council,<sup>131</sup> transmitting a letter from the President, Prime Minister and Speaker of the National Parliament of Timor-Leste, in which they reported that Timor-Leste had requested assistance from the Governments of Portugal, Australia, New Zealand and Malaysia in sending defence as well as security forces to Timor-Leste as a matter of urgency, in view of the deterioration of the internal security conditions in that country, and had requested the Secretary-General to take steps in order to obtain international support to the assistance to be extended by the aforementioned countries. The President (Congo) drew attention to four letters addressed to him: a letter dated 24 May 2006 from the representative of New Zealand,<sup>132</sup> which referred to the unstable situation in Timor-Leste and a request made by Timor-Leste to provide international

assistance to help re-establish security and confidence in the country, and requested the Council to give urgent attention to the matter; a letter dated 25 May 2006 from the representative of Australia,<sup>133</sup> in which, further to his letter of 24 May 2006, he reported that Australia had responded positively to the formal written request from Timor-Leste and had agreed to provide appropriate assistance to support the country's defence and security forces to re-establish and maintain public order; a letter dated 25 May 2006 from the representative of Portugal,<sup>134</sup> transmitting a letter dated 24 May 2006 from the Minister for Foreign Affairs, reporting that Portugal, in coordination with Australia, Malaysia and New Zealand, had agreed to deploy a multinational security force in response to the request made by Timor-Leste, and stating that such a deployment would benefit from an expeditious decision by the Council confirming its full international authority; and a letter dated 25 May 2006 from the representative of New Zealand,<sup>135</sup> transmitting a statement released by the Prime Minister of New Zealand on 26 May 2006, announcing the initial deployment of New Zealand aircraft and personnel to Darwin in response to the situation in Timor-Leste.

The President (Congo) made a statement on behalf of the Council,<sup>136</sup> by which the Council,<sup>137</sup> *inter alia*:

Expressed its deep concern at developments in Timor-Leste, recognized the urgency of the deteriorating security situation and condemned acts of violence against people as well as destruction of property;

Urged the Government of Timor-Leste to take all necessary steps to end the violence;

Urged all parties in Timor-Leste to refrain from violence and to participate in the democratic process;

Welcomed the positive responses made by the Governments concerned and fully supported their deployment of defence and security forces to urgently assist Timor-Leste in restoring and maintaining security;

Looked forward to close cooperation between UNOTIL and the forces of the Governments concerned;

---

<sup>127</sup> *Ibid.*, p. 33.

<sup>128</sup> S/2006/251 and Corr.1.

<sup>129</sup> S/2006/290.

<sup>130</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

<sup>131</sup> S/2006/319.

<sup>132</sup> S/2006/320.

<sup>133</sup> S/2006/325.

<sup>134</sup> S/2006/326.

<sup>135</sup> S/2006/327.

<sup>136</sup> S/PRST/2006/25.

<sup>137</sup> The representatives of Australia, Malaysia, New Zealand, Portugal and Timor-Leste were invited to participate in the meeting but did not make statements.



Welcomed the initiatives of the Secretary-General, including his intention to send a special envoy to Timor-Leste in order to facilitate the political dialogue;

Requested the Secretary-General to follow closely the situation in Timor-Leste and to report on developments, as necessary.

**Decision of 20 June 2006 (5469th meeting):  
resolution 1690 (2006)**

At its 5457th meeting, on 13 June 2006, the Council heard a statement by the Secretary-General and was briefed by the Special Envoy of the Secretary-General for Timor-Leste. Statements were made by all members of the Council and by Australia, Austria (on behalf of the European Union and the countries aligning themselves with the statement), Brazil, Fiji, Indonesia, Malaysia, New Zealand, the Philippines, Portugal, the Republic of Korea, Singapore and Timor-Leste. The President (Denmark) drew the attention of the Council to a letter dated 13 June 2006 from the Secretary-General addressed to the President of the Security Council,<sup>138</sup> transmitting a letter dated 11 June 2006 from the President, the President of the National Parliament and the Prime Minister of Timor-Leste requesting the Council to establish immediately a United Nations police force in Timor-Leste to maintain law and order in Dili and other parts of the country as necessary, until the Timorese police had undergone reorganization and restructuring to act as an independent and professional law enforcement agency.

The Secretary-General deplored the recent events in Timor-Leste, which had shown shortcomings on the part of the Timorese leadership as well as on the part of the international community in inadequately sustaining the nation-building process. He stated that it was clear that tremendous work lay ahead, but that the United Nations was determined not to abandon the Timorese people at this critical time of need. The Secretary-General noted that he had received a letter from the Government of Timor-Leste that invited the United Nations to set up an independent special inquiry commission into the incidents on 28 and 29 April and on 23, 24 and 25 May and other issues related to the crisis. He announced that he would request the United Nations High Commissioner for Human Rights to take the lead in establishing such a commission.<sup>139</sup>

The Special Envoy of the Secretary-General, who had visited Timor-Leste from 29 May to 7 June, reported that the Council of State and Superior Council for Defence and Security of Timor-Leste had agreed on an action plan for the political leadership to address the security crisis. The President had assumed the main responsibility for defence and security in close collaboration with other senior leaders, and the Timorese leadership was working closely with the international military and police forces deployed in the country. The Special Envoy of the Secretary-General pointed out that the most serious cause of the recent unrest concerned the security sector, with political cleavages between the police and military, as well as internally in each institution. In addition, the East-West friction, as ostensibly a central factor in the crises in the army, and in the defence and police forces, was likely the most dangerous cleavage for national unity. In regard to the role the Timorese wanted the United Nations to play in the future, the Special Envoy of the Secretary-General noted the request made to the Secretary-General to assure accountability and investigate human rights violations during the recent uprisings. He also found a consensus that the United Nations should play a major role in organizing the 2007 elections and ensuring that they would be free and fair, in reviewing and ensuring restoration of the security sector and in generating international support to State institutions, as well as a desire for the United Nations to offer its good offices in fostering political and community reconciliation.<sup>140</sup>

The representative of Timor-Leste held that the work of the United Nations and the international community, together with the Timorese, had taken root in the form of State institutions that had the capacity to continue operations, even at the height of the crisis. The affected areas were limited primarily to Dili, with the other 12 districts functioning normally and the border between Indonesia and Timor-Leste remaining calm. He informed the Council of the steps taken by the Government to commence an all-inclusive dialogue within two weeks, in parallel to the independent special inquiry commission which his country had requested. As for a future United Nations presence, the representative of Timor-Leste believed that UNOTIL should in due course be replaced by a United Nations-mandated peacekeeping force which should comprise a greater number of countries in the region. He

<sup>138</sup> S/2006/383.

<sup>139</sup> S/PV/5457, pp. 2-3.

<sup>140</sup> *Ibid.*, pp. 3-6.

maintained that the time frame for such a force should be long enough to enable State institutions to move beyond the fragile stage.<sup>141</sup>

Speakers commended the quick action of the four-country stabilization force of Australia, Malaysia, New Zealand and Portugal, while stating that stabilizing Timor-Leste would require the efforts of the whole international community, particularly the Council, to halt the violence and relaunch the national reconciliation process. They welcomed the timely humanitarian assistance provided and, in the light of more than ten thousand internally displaced persons, urged that the call for further such aid be heeded.

There was agreement among speakers that a continued United Nations presence was needed in Timor-Leste, in the areas of election assistance, rule of law, national reconciliation, the strengthening of democracy and capacity-building. However, opinions on a future international presence after the termination of UNOTIL differed. The representative of Australia believed that while an international presence in Timor-Leste would be needed for some time, the stabilization force did not need to be brought under direct United Nations mandate, as he wanted the United Nations to be free to focus on the long-term needs of Timor-Leste through a new Council-mandated mission. The new mission should be established under Chapter VII of the Charter and be mandated to facilitate political dialogue and reconciliation, restore the confidence of the people and strengthen the justice system.<sup>142</sup> The representative of Portugal stated that the current turmoil showed the need for renewed long-term involvement by the United Nations in Timor-Leste. In defining the future mandate of the United Nations presence in Timor-Leste, he called for first and foremost listening to the views of the Timorese in order to respect Timorese ownership. He emphasized that Timor-Leste was not a failed State but that it was in a deep political crisis which was having very serious security and humanitarian repercussions.<sup>143</sup> Several representatives called for a thorough needs assessment, including social and economic problems, for consideration of future options.<sup>144</sup> In that regard, the representative of France

warned against premature or poorly planned withdrawal and held that one lesson learned from the recent events was the need for in-depth analysis of political problems in Timor-Leste.<sup>145</sup>

Some speakers considered the deployment of a “full-fledged” or “robust” peacekeeping operation to be the appropriate response.<sup>146</sup> According to the representative of Argentina, it was increasingly clear that a continued presence of international military and, above all, police troops would be essential in the months to come, in particular with respect to the general elections to be held in 2007. He held that the Council should not rule out a priori the possibility of including military and police components in the mandate of the successor mission to UNOTIL.<sup>147</sup> The representative of the United Kingdom supported a United Nations policing and political mission,<sup>148</sup> and several representatives supported an expanded United Nations presence, including a robust police component.<sup>149</sup> While awaiting the recommendations of the Secretary-General on United Nations engagement post-UNOTIL, some representatives were in favour of a technical rollover.<sup>150</sup>

At its 5469th meeting, on 20 June 2006, the Council included in its agenda a letter dated 13 June 2006 from the Secretary-General to the President of the Security Council,<sup>151</sup> and a letter dated 13 June 2006 from the representative of Timor-Leste addressed to the Secretary-General.<sup>152</sup>

<sup>141</sup> Ibid., pp. 6-9.

<sup>142</sup> Ibid., pp. 9-11.

<sup>143</sup> Ibid., p. 11.

<sup>144</sup> Ibid., p. 12 (New Zealand); p. 13 (Malaysia); p. 15 (United Republic of Tanzania); p. 17 (Ghana); and p. 18 (Japan).

<sup>145</sup> Ibid., p. 22.

<sup>146</sup> Ibid., pp. 13-14 (Malaysia); p. 16 (Peru); p. 26 (Brazil); and p. 30 (Singapore).

<sup>147</sup> Ibid., p. 15.

<sup>148</sup> Ibid., p. 24.

<sup>149</sup> Ibid., p. 25 (Denmark); and p. 28 (Philippines).

<sup>150</sup> Ibid., pp. 18-19 (Japan); p. 20 (China, United States); p. 24 (United Kingdom); and p. 25 (Denmark).

<sup>151</sup> S/2006/383, transmitting a letter dated 11 June 2006 from the President, the President of the National Parliament and the Prime Minister of Timor-Leste addressed to the Secretary-General.

<sup>152</sup> S/2006/391, transmitting a letter dated 8 June 2006 from the Minister for Foreign Affairs and Cooperation and Minister for Defence of Timor-Leste on the establishment of an independent special inquiry commission to review the incidents of 28 and 29 April and 23 to 25 May 2006 and other related events or issues that contributed to the crisis.

The President (Denmark) drew attention to a draft resolution,<sup>153</sup> which was adopted unanimously and without debate as resolution 1690 (2006),<sup>154</sup> by which the Council, *inter alia*:

Decided to extend the mandate of UNOTIL until 20 August 2006;

Requested the Secretary-General to provide to the Council by 7 August 2006 a report on the role for the United Nations in Timor-Leste following the expiration of the mandate of UNOTIL, taking into account the current situation and the need for a strengthened presence of the United Nations.

**Decision of 18 August 2006 (5514th meeting):  
resolution 1703 (2006)**

On 8 August 2006, the Secretary-General submitted to the Council a report on Timor-Leste,<sup>155</sup> which presented recommendations on the future role of the United Nations in Timor-Leste. He recommended the establishment of a United Nations multidimensional, integrated mission in Timor-Leste for an initial period of 12 months, which required a strong civilian component, including a United Nations civilian police element of substantially greater strength than in UNOTIL, with the support of a small United Nations military component. The Special Representative, who would also serve as the head of mission, would liaise with the Timorese authorities and other stakeholders, international and regional organizations, international financial institutions, bilateral and multilateral donors and the diplomatic community, and provide good offices to the Timorese authorities at all levels, as required.

At its 5512th meeting, on 15 August 2006, the Council included the report of the Secretary-General in its agenda and heard a briefing by the Special Envoy of the Secretary-General for Timor-Leste. The Council also had before it the report of the Secretary-General on justice and reconciliation for Timor-Leste.<sup>156</sup> The President (Ghana) also drew attention to two communications from Timor-Leste.<sup>157</sup>

Statements were made by all members of the Council, by the representatives of Australia, Brazil, Cape Verde, Cuba, Finland (on behalf of the European Union),<sup>158</sup> Indonesia, Malaysia, New Zealand, the Philippines, Portugal, Singapore and Timor-Leste,<sup>159</sup> and by the Executive Secretary of the Community of Portuguese-Speaking Countries.

Elaborating on the Secretary-General's recommendations, the Special Envoy of the Secretary-General stressed that establishment of a larger mission after successive downsizing should not be seen as a reversion to an earlier stage of United Nations engagement in Timor-Leste or the State-building process in Timor-Leste. To the contrary, the proposals were aimed at establishing a more effectively coordinated partnership between Timor-Leste and the international community, which would be Timorese-led. He indicated that the key roles to be played by such a mission were in the most crucial areas of the security sector, the administration of justice and the functioning of democratic institutions. For the first year of the mission, he foresaw that assisting and ensuring the credibility of the 2007 elections would be a central task. A review of the whole security sector was required to clarify the roles of the defence force and the police in relation to each other, together with strengthened ministries of interior and defence. He noted that the demand for accountability as part of the necessary basis for reconciliation was a strong one, and that the crucial work of the Independent Special Commission of Inquiry for Timor-Leste would provide an objective starting point to that end. He urged the Council to support the recommendations for a new mission which corresponded to the appeal of Timor-Leste's Government and people.<sup>160</sup>

<sup>153</sup> S/2006/414.

<sup>154</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

<sup>155</sup> S/2006/628, submitted pursuant to resolution 1690 (2006).

<sup>156</sup> S/2006/580.

<sup>157</sup> S/2006/620, letter dated 4 August 2006 from the representative of Timor-Leste addressed to the President of the Council, transmitting a letter of the same date from the Prime Minister of Timor-Leste on the

establishment of a new integrated United Nations peacekeeping mission in Timor-Leste; and S/2006/651, letter dated 14 August 2006 from the representative of Timor-Leste addressed to the Secretary-General, transmitting a letter dated 9 August 2006 from the Prime Minister on the executive policing authority of the United Nations.

<sup>158</sup> Bosnia and Herzegovina, Bulgaria, Croatia, Iceland, Liechtenstein, Montenegro, Norway, Republic of Moldova, Romania, Serbia, the former Yugoslav Republic of Macedonia and Turkey aligned themselves with the statement.

<sup>159</sup> Timor-Leste was represented by its Minister for Foreign Affairs and Cooperation.

<sup>160</sup> S/PV.5512, pp. 2-4.

While welcoming a gradual return to peace, speakers stressed that the security and political situation of Timor-Leste remained fragile and noted that many challenges remained, including addressing the root causes behind the recent violence. In that connection, speakers generally supported the recommendations of the Secretary-General for a multidimensional integrated mission in Timor-Leste, noting that it was in line with the request made by the Government. They underscored the need to strengthen what had been achieved, noting that the future United Nations mission would need to be sufficiently large to effectively address such urgent issues as training of the national police and support for the 2007 elections. Many speakers welcomed the proposal by the Secretary-General for a compact between the Government of Timor-Leste and the international community to reorient the national economic plan of Timor-Leste and help to build the capacity of State and Government institutions. At the same time, speakers concurred with the Secretary-General's observation that the United Nations should fully respect the sovereignty of Timor-Leste, noting that it was essential that the process be led by the Timorese themselves. Referring to the prevailing climate of fear, some representatives expressed concern about the humanitarian situation of more than 150,000 internally displaced persons<sup>161</sup> and the issue of widespread weapons which could be used in further actions of destabilization.<sup>162</sup> The representative of the Philippines said that the new mission should serve as an early warning device to alert the Timorese to potential crises.<sup>163</sup>

The representative of Timor-Leste concurred with the recommendations of the Secretary-General. He affirmed that the recommendations, including in relation to a small United Nations force, were important and the best option with which to face the current crisis. He expressed the view that the proposed new mission should also provide assistance in the

design of poverty reduction and economic growth policies and strategies.<sup>164</sup>

While there was a broad agreement on the need for the police component in the new mission, divergent opinions were heard on how to handle its military component. Several speakers believed that having both a large police presence and a smaller military component under United Nations command were essential, as proposed by the Secretary-General, as those two elements would help to restore stability and law and order.<sup>165</sup> The representative of Japan preferred the utilization of international security forces over a military component under United Nations command, to ensure operational effectiveness.<sup>166</sup> The representative of the United Kingdom was of the view that putting in place the force-generation mandate of a United Nations force would inevitably be time-consuming and unnecessary, given the presence on the ground of the partners and the requirements for the interim.<sup>167</sup> The representative of the United States did not see a need for United Nations troops, noting that security concerns in Timor-Leste were internal and stressing that the international security force that was already in place was well-equipped, well-staffed and prepared to respond to any need for military action.<sup>168</sup> In contrast, the representative of Greece stated that bilateral arrangements were not a viable long-term solution to reinforce security.<sup>169</sup> The representative of New Zealand was comfortable with the recommendations contained in the report and held that as New Zealand was one of the contributors to the current stabilization force, it was important that the military presence in Timor-Leste, however it evolved, enjoyed broad-based support and clearly recognized international legitimacy.<sup>170</sup> The representative of Australia said that while his country was gradually drawing down its troops to the international stabilization force as conditions in Timor-Leste improved, it was nevertheless prepared to continue to provide forces for the policing and military tasks. To permit the effective

<sup>161</sup> Ibid., p. 12 (Russian Federation); p. 17 (Ghana); p. 19 (Finland, on behalf of the European Union); and p. 21 (Portugal).

<sup>162</sup> Ibid., p. 8 (China); p. 12 (Russian Federation); p. 19 (Finland, on behalf of the European Union); p. 21 (Portugal); and p. 31 (Australia).

<sup>163</sup> Ibid., p. 26.

<sup>164</sup> Ibid., pp. 18-19.

<sup>165</sup> Ibid., p. 7 (Congo); p. 8 (China); p. 12 (Russian Federation); p. 13 (Greece); p. 14 (Peru); p. 16 (Slovakia, Ghana); pp. 20-21 (Singapore); p. 22 (Portugal); p. 25 (Brazil); and p. 28 (Cape Verde).

<sup>166</sup> Ibid., p. 11.

<sup>167</sup> Ibid., p. 6.

<sup>168</sup> Ibid., pp. 13-14.

<sup>169</sup> Ibid., p. 13.

<sup>170</sup> Ibid., p. 30.

functioning of the forces, he stressed the preference for regional participation in such a force, providing both a rapid deployment capacity and security, and that it was important for the Council to provide the force with authority under Chapter VII.<sup>171</sup> The Executive Secretary of the Community of Portuguese-Speaking Countries drew attention to the Community's adoption of a political declaration in which it had offered to assist in the establishment of a new United Nations mission in Timor-Leste, and had expressed the willingness of its members to participate in the mission.<sup>172</sup>

As the justice sector and police had been most affected during the recent crisis, many speakers endorsed the recommendations of the Secretary-General on justice and reconciliation, including the proposed re-establishment of a capacity to investigate the serious crimes of 1999. They agreed that assistance should be provided to the Timorese to settle questions of human rights abuses and provide redress for victims.

At its 5514th meeting, on 18 August 2006, the Council again included in its agenda the report of the Secretary-General of 8 August 2006.<sup>173</sup> The President (Ghana) drew attention to the report of the Secretary-General on justice and reconciliation for Timor-Leste;<sup>174</sup> to a letter dated 4 August 2006 from the representative of Timor-Leste addressed to the President of the Security Council;<sup>175</sup> and to a letter dated 9 August 2006 from the representative of Timor-Leste addressed to the Secretary-General.<sup>176</sup>

The President also drew the attention of the Council to a draft resolution;<sup>177</sup> it was put to the vote and adopted unanimously and without debate as resolution 1703 (2006),<sup>178</sup> by which the Council, *inter alia*:

Decided to extend the mandate of UNOTIL until 25 August 2006.

<sup>171</sup> *Ibid.*, pp. 31-32.

<sup>172</sup> *Ibid.*, pp. 32-33.

<sup>173</sup> S/2006/628.

<sup>174</sup> S/2006/580.

<sup>175</sup> S/2006/620.

<sup>176</sup> S/2006/651.

<sup>177</sup> S/2006/660.

<sup>178</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

**Decision of 25 August 2006 (5516th meeting): resolution 1704 (2006)**

At its 5516th meeting, on 25 August 2006, the Council again included in its agenda the report of the Secretary-General of 8 August 2006.<sup>179</sup> The President (Ghana) drew attention to the report of the Secretary-General on justice and reconciliation for Timor-Leste.<sup>180</sup> He also drew attention to a draft resolution;<sup>181</sup> it was put to the vote and adopted unanimously and without debate as resolution 1704 (2006),<sup>182</sup> by which the Council, *inter alia*:

Decided to establish a follow-on mission in Timor-Leste, the United Nations Integrated Mission in Timor-Leste (UNMIT);

Affirmed that the Council should consider possible adjustments in the Mission structure, including the nature and size of the military component, taking into account the views of the Secretary-General;

Decided that UNMIT should be headed by a Special Representative of the Secretary-General, who should direct the operations of UNMIT and coordinate all United Nations activities in Timor-Leste;

Called upon the international security forces to fully cooperate with and provide assistance to UNMIT for the implementation of the mandate;

Called upon all parties in Timor-Leste to cooperate fully in the deployment and operations of UNMIT and the international security forces.

**Decision of 22 February 2007 (5634th meeting): resolution 1745 (2007)**

On 1 February 2007, the Secretary-General submitted his report on UNMIT for the period from 9 August 2006 to 26 January 2007,<sup>183</sup> in which he supported the extension of the UNMIT mandate for a period of 12 months with no major changes until after the forthcoming elections. However, to strengthen security for the critical electoral process, he supported the request by the Government that an additional formed police unit be deployed. The unit would be based in Dili to support the existing formed police units and respond specifically to possible incidents that might arise in the potentially volatile western districts

<sup>179</sup> S/2006/628.

<sup>180</sup> S/2006/580.

<sup>181</sup> S/2006/686.

<sup>182</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

<sup>183</sup> S/2007/50, submitted pursuant to resolution 1704 (2006).

adjacent to the capital, in particular during the pre- and post-electoral period.

At its 5628th meeting, on 12 February 2007, the Council included the report of the Secretary-General in its agenda and heard a briefing by the Special Representative of the Secretary-General for Timor-Leste. Statements were made by all members of the Council and by the representatives of Australia, Brazil, Germany (on behalf of the European Union),<sup>184</sup> Japan, New Zealand, the Philippines, Portugal, Singapore and Timor-Leste.<sup>185</sup>

Noting that Timor-Leste was preparing for its first national elections since independence, the Special Representative of the Secretary-General stressed that security remained a critical element for the success of the electoral process, and that while the situation was showing some signs of improvement, it remained fragile. In that regard, he favoured the deployment of an additional formed police unit for the pre-electoral and immediate post-electoral periods. He commended the recent conclusion of the Memorandum of Understanding between the Government of Timor-Leste, the Government of Australia and the United Nations that established a Trilateral Coordination Forum to enhance security coordination in Timor-Leste. He also praised the Government of Timor-Leste for having initiated the review of the security sector and expressed the hope that the recommendations of the Independent Special Commission of Inquiry would soon be implemented. Noting that the development and the strengthening of democracy would require the continued support of the international community, the Special Representative highlighted, in particular, the recommendation of the Secretary-General to extend UNMIT for an additional 12 months.<sup>186</sup>

Although the arrangement between the United Nations and the Government of Timor-Leste on public security had addressed issues of police reform, the representative of Timor-Leste requested that the Council consider deploying an additional formed police unit owing to the continuing fragile situation in Timor-Leste. He noted that his Government, supported

by the United Nations, had made security sector reform a priority. Referring to the justice sector, he noted that the system was overstretched and not prepared to deal with the current post-crisis scenario. He requested the United Nations to enhance its principal framework of assistance to respond to the immediate needs of justice delivery. Highlighting the need for a long-term commitment by the United Nations in Timor-Leste to enable lasting peace in his country, which was at a critical juncture, the representative of Timor-Leste urged the Council to extend the UNMIT mandate for another 12 months.<sup>187</sup>

Speakers shared the assessment by the Secretary-General that the overall situation in Timor-Leste had improved since UNMIT had been established. However, they agreed that many challenges still remained to be faced to prevent a relapse into conflict and achieve sustainable development. They noted that the security situation remained fragile and the lack of progress in the judicial system and the fight against impunity remained a concern. Speakers stressed that it was crucial to prepare proper conditions for holding the upcoming presidential and parliamentary elections. With Timor-Leste being at a critical juncture, they shared the view that the country needed strong continued support from the international community. Speakers therefore supported the recommendation of the Secretary-General for the extension of the mandate of UNMIT for 12 months. The representative of South Africa believed that the UNMIT mandate should also be strengthened,<sup>188</sup> and many speakers explicitly supported the deployment of an additional police unit before the elections.<sup>189</sup> Stressing that viable peace could be achieved only in a secure environment, a number of speakers welcomed the establishment of the Trilateral Coordination Forum between the Government of Australia, the Government of Timor-Leste and the United Nations to enhance security activities in preparing for the elections.<sup>190</sup> Several speakers emphasized the need to build an effective Timorese national police capable of

<sup>184</sup> Albania, Bosnia and Herzegovina, Croatia, Iceland, Norway, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine aligned themselves with the statement.

<sup>185</sup> Timor-Leste was represented by its Prime Minister.

<sup>186</sup> S/PV.5628, pp. 2-5.

<sup>187</sup> *Ibid.*, pp. 5-10.

<sup>188</sup> *Ibid.*, p. 14.

<sup>189</sup> *Ibid.*, p. 17 (Indonesia); p. 18 (Panama); p. 19 (France); p. 21 (Belgium); p. 22 (Peru); p. 26 (Japan); p. 28 (Singapore; Germany, on behalf of the European Union); p. 30 (Portugal); and p. 31 (Philippines).

<sup>190</sup> *Ibid.*, p. 15 (South Africa); p. 21 (Belgium); p. 24 (Slovakia); p. 26 (Japan); p. 28 (Germany, on behalf of the European Union); p. 30 (Portugal); and p. 33 (Brazil).

addressing the security challenges, and the need for security sector reform,<sup>191</sup> including the future direction and shape of the Timorese defence force. The representative of the United States expressed concern that the presence of armed soldiers of the Timorese armed forces had served to heighten the sense of insecurity among the Timorese people and urged the Government to ensure that the Timorese military assumed an appropriate profile. He noted that the United Nations police continued to have the Council's mandate to provide interim law enforcement and public security in East Timor.<sup>192</sup>

Many delegations reaffirmed the continuing need for accountability and justice,<sup>193</sup> and a number of speakers supported the timely implementation of the recommendations of the Independent Special Commission of Inquiry.<sup>194</sup> The representative of the United States urged UNMIT to complete the investigation of crimes committed in the country in 1999, observing that justice delayed too long could become justice denied.<sup>195</sup> In that context, several speakers concurred with the Secretary-General that justice was an essential precondition for sustainable national reconciliation.<sup>196</sup>

At its 5634th meeting<sup>197</sup> on 22 February 2007, the Council again included in its agenda the report of the Secretary-General on UNMIT.<sup>198</sup> The President (Slovakia) drew attention to a letter dated 21 December 2006 from the representative of Timor-Leste addressed to the Secretary-General.<sup>199</sup>

He then drew the attention of the Council to a draft resolution;<sup>200</sup> it was put to the vote and adopted unanimously and without debate as resolution 1745 (2007), by which the Council, *inter alia*:

Decided to extend the mandate of UNMIT until 26 February 2008;

Decided to increase the authorized force strength of UNMIT by up to 140 police personnel;

Urged the development partners, including the United Nations agencies and multilateral financial institutions, to continue providing resources and assistance for the preparations for the upcoming elections, and other projects towards sustainable development, and called upon the international donor community to consider contributing generously towards the 2007 consolidated appeal for Timor-Leste;

Requested UNMIT fully to take into account gender considerations as a cross-cutting issue throughout its mandate, and further requested the Secretary-General to include in his reporting to the Council progress on gender mainstreaming throughout UNMIT.

**Decision of 23 May 2007 (5682nd meeting):  
statement by the President**

At the 5682nd meeting, on 23 May 2007,<sup>201</sup> the President (United States) made a statement on behalf of the Council,<sup>202</sup> by which, the Council, *inter alia*:

Welcomed the announcement of the results of the presidential elections in Timor-Leste and congratulated Mr. Jose Ramos-Horta on his election as President, and looked forward to working with the new Government to help to build a better future for Timor-Leste;

Expressed its concern over the still fragile and volatile security, political, social and humanitarian situation in Timor-Leste; and emphasized the importance of all parties continuing to work together in a spirit of cooperation and compromise in order to consolidate progress made by Timor-Leste in recent years and to enable the country to move to a peaceful and more prosperous future;

and the Prime Minister of Timor-Leste concerning the unstable security conditions in some areas of the country, requesting that UNMIT be reinforced by an additional formed police unit from the Guarda Nacional Republicana of Portugal to ensure that the presidential and legislative elections were held in a secure and peaceful environment.

<sup>200</sup> S/2007/98.

<sup>201</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

<sup>202</sup> S/PRST/2007/14.

---

<sup>191</sup> *Ibid.*, p. 19 (France); p. 20 (Congo); p. 22 (Peru); pp. 22-23 (United Kingdom); p. 24 (Slovakia); pp. 25-26 (Australia); p. 27 (Singapore); p. 28 (Germany, on behalf of the European Union); p. 32 (New Zealand); and p. 33 (Brazil).

<sup>192</sup> *Ibid.*, p. 12.

<sup>193</sup> *Ibid.*, p. 11 (Italy, United States); p. 13 (Qatar); p. 28 (Germany, on behalf of the European Union); and p. 32 (New Zealand).

<sup>194</sup> *Ibid.*, p. 11 (United States); p. 12 (Ghana); p. 19 (France); p. 20 (Congo); p. 21 (Belgium); and pp. 21-22 (Peru).

<sup>195</sup> *Ibid.*, p. 11.

<sup>196</sup> *Ibid.*, p. 12 (Ghana); p. 19 (France); p. 21 (Belgium); p. 24 (Slovakia); and p. 30 (Portugal).

<sup>197</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

<sup>198</sup> S/2007/50, submitted pursuant to resolution 1704 (2006).

<sup>199</sup> S/2006/1022, transmitting a letter from the President of Timor-Leste, the President of the National Parliament

Expressed its continued support for the work of UNMIT under the leadership of the Special Representative of the Secretary-General for Timor-Leste, Mr. Atul Khare, and encouraged UNMIT, in accordance with its mandate, to continue to cooperate and coordinate with United Nations agencies, funds and programmes, as well as all relevant partners, to support the Government of Timor-Leste.

**Decision of 10 September 2007 (5740th meeting): statement by the President**

On 28 August 2007, the Secretary-General submitted a report on UNMIT.<sup>203</sup> He observed that the successful completion of presidential and parliamentary elections indicated that the efforts to overcome the 2006 crisis were making progress. He also reported that weaknesses in the judicial sector undermined public confidence in other rule-of-law institutions, including the police. UNMIT, together with other international partners, would continue to support the judicial sector, as well as other efforts to strengthen human rights and the rule-of-law. He also observed that humanitarian challenges linked to the prolonged crisis of internally displaced persons remained. For the remaining mandate period, the focus of UNMIT would begin shifting from interim law enforcement to support for police reform, restructuring and rebuilding, taking account of the prevailing law and order situation; this work would be done within the context of wider security sector reform, which would be a continuing UNMIT priority.

At its 5739th meeting, on 10 September 2007, the Council included the report of the Secretary-General in its agenda and heard a briefing by the Minister for Foreign Affairs and Cooperation of Timor-Leste. He stated that the presidential and legislative elections were the first national elections run by the Timorese, and an important assertion of their ability to exercise their independence. He emphasized that with the extensive support of UNMIT, the presence of international observers and the International Stabilization Force, the elections were peaceful, free, fair and transparent, as well as a demonstration of the people's hope, confidence and enthusiasm. Taking into serious consideration the recommendations of the Independent Electoral Certification Team, he was aware that the benchmarks underpinning the certification exercise were only partially met in some cases and expressed a commitment

---

<sup>203</sup> S/2007/513, submitted pursuant to resolution 1745 (2007).

to addressing his country's shortcomings in those areas in order to improve the conduct of future elections. He stressed that fragile institutional structure was the major challenge, still in need of substantial guidance and assistance. However, he made clear that the Government of Timor-Leste remained primarily responsible for delivering assistance and protection to its people. As the consolidation of the State's institutional framework was a long and difficult process, the Minister for Foreign Affairs and Cooperation asked the Council to give consideration to the possibility of extending the UNMIT mandate until 2012. While agreeing with the Secretary-General that a mission with a peacebuilding mandate should subsequently be created and stay in place for five additional years, he stressed that a peacekeeping mission would need to be in place longer than 2010.<sup>204</sup>

At its 5740th meeting, on 10 September 2007,<sup>205</sup> the Council again included in its agenda the report of the Secretary-General on UNMIT.<sup>206</sup> The President (France) made a statement on behalf of the Council,<sup>207</sup> by which the Council, *inter alia*:

Welcomed the formation of the new Government in Timor-Leste;

Emphasized the need for all parties to resolve any disputes through exclusively peaceful channels and within the framework of democratic institutions and called upon the people of Timor-Leste to refrain from violence and work together in order to ensure security;

Called upon the Government, Parliament, political parties and the people of Timor-Leste to work together and engage in political dialogue and consolidate peace, democracy, the rule of law, sustainable social and economic development and national reconciliation in the country; reaffirmed the need for justice and accountability, and underlined the importance of the implementation of the recommendations of the Independent Special Commission of Inquiry report of 2006;

Welcomed the report of the Secretary-General on the work of UNMIT; encouraged UNMIT to continue to cooperate and coordinate with the United Nations agencies, funds and programmes as well as all relevant partners to support the Government of Timor-Leste in implementing a national development plan.

---

<sup>204</sup> S/PV.5739, pp. 2-5.

<sup>205</sup> The representative of Timor-Leste was invited to participate in the meeting but did not make a statement.

<sup>206</sup> S/2007/513, submitted pursuant to resolution 1745 (2007).

<sup>207</sup> S/PRST/2007/33.