

and that since the Council had convened the meeting recognizing, in his view, that the situation constituted a threat to the peace and security of the region, any action against the Embassy of Brazil would constitute a flagrant breach of security. He concluded by urging the

Council to adopt a statement in order to serve as a deterrent against further aggravation of the crisis.³¹¹

³¹¹ S/PV.6192, pp. 2-3. At the conclusion of the meeting, the President invited Council members to informal consultations of the whole to continue their discussion.

Meetings: letter dated 22 September 2009 from the representative of Brazil

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
6192nd 25 September 2009			Rule 37 Brazil (Minister for Foreign Affairs)	Brazil	

Asia

20. The situation in Timor-Leste

Overview

During 2008 and 2009, the Security Council held nine meetings concerning the situation in Timor-Leste, including one private meeting with the troop-contributing countries,³¹² and adopted two resolutions and two presidential statements. During the meetings, the Council discussed the role and functions of the United Nations Integrated Mission in Timor-Leste (UNMIT), the evolving security and political situation in the country and the response to the assassination attempts against the President and the Prime Minister.

The Council also twice extended the mandate of UNMIT, for periods of one year.³¹³

11 February 2008: statement by the President in regard to assassination attempts against the President and Prime Minister

In a statement by the President dated 11 February 2008,³¹⁴ the Council condemned in the strongest possible terms the attempt on the life of the President of Timor-Leste, José Ramos-Horta, and the attack on the convoy of the Prime Minister, Kay Rala Xanana Gusmão, on 11 February 2008 and stressed that they

represented an attack on the legitimate institutions of Timor-Leste. The Council, inter alia, called on the Government of Timor-Leste to bring to justice those responsible for these heinous acts, urged all parties in Timor-Leste to cooperate actively with the authorities in this regard, and to resolve any disputes through political and peaceful means within the framework of the democratic institutions of Timor-Leste.

21 February to 19 August 2008: briefings and statement by the President concerning the response to the assassination attempts

On 21 February 2008, the Council heard a briefing by the Under-Secretary-General for Peacekeeping Operations, who introduced the third report of the Secretary-General on UNMIT.³¹⁵ He informed the Council that since the assassination attempts the security situation had remained calm and that President Ramos-Horta, while still hospitalized, was in stable condition and that doctors were hopeful that he would make a full recovery. He stated that the Parliament had extended the 48-hour state of siege, which imposed a curfew and a ban on public demonstrations, for 10 days. Mechanisms had been established to improve coordination between UNMIT, the international security forces and the Timor-Leste police and military. He stated that it was reassuring

³¹² 6129th meeting, held on 27 May 2009.

³¹³ Resolutions 1802 (2008) and 1867 (2009). For more information, see part X, sect. I, in regard to UNMIT.

³¹⁴ S/PRST/2008/5.

³¹⁵ S/2008/26.

that, following the 11 February events, the Government of Timor-Leste, the Parliament, all political parties, including in the opposition, security institutions and the population at large had responded with calm and restraint and with due respect for the Constitution and the rule of law. While the attacks raised some serious security-related issues, the course of events over the past 10 days had reinforced the importance for UNMIT, in partnership with the Timorese, to continue focusing efforts on the four priority areas outlined in the Secretary-General's report: the review and reform of the security sector, the strengthening of the rule of law, economic and social development and the promotion of a culture of democratic governance. He noted the progress that had been made in developing mechanisms to promote dialogue between the Government, the opposition and civil society. He then updated the Council on the Mission's work, particularly in developing police capacities and transferring responsibility to the National Police of Timor-Leste, and on other work in developing capacity in rule of law. He also underscored the humanitarian and development challenges, particularly those related to internally displaced persons.³¹⁶

The representative of Timor-Leste stressed that after the failed attacks, the Government had taken measures to capture the perpetrators and bring them to justice, in strict observance of the country's Constitution and domestic laws. He maintained that the Government was fully committed to adhering to the highest standards of human rights in its efforts to resolve the situation. He expressed support for a continued United Nations presence, while noting the need to avoid appearing overly dependent on the international community. He also agreed that Timorese leaders had to put aside their political differences and focus on resolving the manifold challenges facing the country, including the challenges of internally displaced persons and petitioners.³¹⁷

All speakers reiterated their condemnation of the 11 February attacks on President Ramos-Horta and Prime Minister Gusmão. Several delegations applauded the swift reaction by neighbouring States, in particular the prompt military and medical assistance extended by Australia. Speakers also agreed that despite the positive developments, including the elections,

Government formation and progress in the security situation, the attacks demonstrated the continued fragility of the situation in Timor-Leste. At the same time, the majority of speakers commended the response to the attacks by the political leadership and the people of Timor-Leste, who had shown restraint and ensured that the situation had remained calm. They stressed that dialogue between the political factions in Timor-Leste remained crucial for the achievement of national reconciliation and for the parties to be able to tackle outstanding issues, including questions relating to internally displaced persons. Many speakers also underlined the importance of continued progress in reforming the security sector and particularly the police force.

On 19 August 2008, the Council heard a briefing by the Special Representative of the Secretary-General and Head of UNMIT, who introduced the fourth report of the Secretary-General.³¹⁸ He noted that the Government had continued to make strides in addressing some of the priority challenges which emanated from the 2006 crisis. On 14 July, former armed forces petitioners started receiving their payments and returning to their homes, and as of 1 August, all petitioners had left the Aitarak Laran camp in Dili. There had also been some progress in returning internally displaced persons and in the review of the security sector. He also noted that in response to the events of 11 February, the Government had decided on a military-police security model in which a joint command temporarily took on internal security responsibilities, particularly in specific areas of the country where the fugitives were. Although that approach had been successful in contributing to the surrender of the fugitives, there had been some concerns about abuses by those forces, particularly the military. He informed the Council that the Government had expressed its desire that the resumption of policing responsibilities by the National Police of Timor-Leste be completed early next year. However, the Special Representative stressed that a flexible timeline for that process, coupled with adherence to mutually determined criteria, would be crucial to ensuring long-term success. Finally, he provided an overview of the other efforts of UNMIT and the Government in

³¹⁸ S/2008/501.

³¹⁶ S/PV.5843, pp. 2-6.

³¹⁷ *Ibid.*, pp. 7-8.

improving rule of law, protection of human rights and development issues.³¹⁹

The representative of Timor-Leste noted that the efforts of the police and military Joint Command established in response to the assassination attempts had carried out its operation without notable violence and with a degree of institutional cooperation that showed the progress in the rebuilding of the two institutions. Acknowledging 44 cases of alleged violations in areas of Joint Command operations, he stressed that the Government was committed to determining responsibility and imposing disciplinary measures to avoid a repetition of such incidents in the future. He also expressed the hope that any discussion of a United Nations police drawdown would be de-linked from the resumption of responsibilities by the National Police of Timor-Leste and that a robust United Nations police presence would be maintained through and beyond the current UNMIT mandate.³²⁰

Speakers welcomed the positive developments in Timor-Leste, but emphasized the need to continue to make progress with the reforms in the security sector and with political reconciliation. Several speakers expressed concern at the reported misconduct by some military and police officers, particularly during the period of operation under the Joint Command and emphasized that now that the state of emergency had ended, all National Police officers reported to the UNMIT Police Commissioner, and the Government needed to draw a clear distinction between the role of the armed forces and that of law enforcement institutions.

At the 5959th meeting, of the same date, the President made a statement on behalf of the Council,³²¹ in which it commended the political leadership and State institutions of Timor-Leste for the rapid, firm and responsible manner in which they had responded to the events of 11 February 2008, that respected constitutional procedures of the country. The Council acknowledged that while progress had been made in the overall security situation in Timor-Leste since the events of May and June 2006, the political, security, social and humanitarian situation in the country remained fragile, and reaffirmed the continued importance of the review and reform of the security

sector as well as the importance of ongoing efforts to reach accountability and justice.

19 February 2009: briefings by the Secretary-General and the President of Timor-Leste

On 19 February 2009, the Council heard briefings by the Secretary-General and the President of Timor-Leste. The Secretary-General stated that by the end of 2008, remarkable progress had been made in addressing the residual problems of the 2006 crisis. The petitioners reached a settlement with the Government and the vast majority of internally displaced persons had returned to their communities without incident. Therefore, the country could finally devote its undivided attention to the essential task of building the strong and durable foundations that were necessary for long-term stability. The Secretary-General emphasized that one of the main priorities in the year ahead was the development of the security sector and a major step in that area would be the gradual resumption of executive policing authority by the national police. He noted that his most recent report included a set of benchmarks for measuring the progress of UNMIT in achieving its mandate, while underlining that a number of fundamental issues would require sustained, long-term attention well beyond the Mission's lifespan.³²²

The President of Timor-Leste informed the Council that Timor-Leste was now at peace, security had drastically improved and the economy was exhibiting real growth of more than 10 per cent at the end of 2008. In his statement, he outlined the budget and economic development plans for the next several years, including a reform of the agriculture sector to boost food production. He noted that 58 out of 60 of the internally displaced person camps had been closed and the rest would be closed in early 2009. In respect of the fight against poverty, he held the view that despite the recent increase in poverty, his country remained on target to achieve the Millennium Development Goals by 2015. Emphasizing that security sector reform was the priority of his presidency, he outlined the improvements made in the police, military and justice sectors. In conclusion, he underscored the importance of assistance from the United Nations, noting that UNMIT had a 75 per cent approval rating and that people were generally pleased

³¹⁹ S/PV.5958, pp. 2-4.

³²⁰ *Ibid.*, pp. 4-6.

³²¹ S/PRST/2008/29.

³²² S/PV.6085, pp. 2-3.

with the functioning of the Government, police and other institutions, which was a major turnaround from 2006.³²³

Speakers welcomed the progress made in Timor-Leste in the wake of the 11 February 2008 attacks, notably the Government's proper handling of the consequences of the 2006 crisis, which had resulted in the reintegration of petitioners into civilian life and the return of a majority of internally displaced persons. Meanwhile, they acknowledged that the young nation still faced many challenges and concentrated their respective remarks on security sector reform, judicial reform and socioeconomic development. In that regard, they welcomed the medium-term strategy contained in the Secretary-General's report, and noted that the Government had accepted the related benchmarks therein. Most speakers agreed that sustained international assistance was required in order for Timor-Leste to address effectively the multifaceted challenges facing it, and welcomed the continued extension of UNMIT.

23 October 2009: briefing by the Special Representative of the Secretary-General

On 23 October 2009, the Council heard a briefing by the Special Representative, who introduced the sixth report of the Secretary-General on Timor-Leste.³²⁴ He noted several major developments since his last report, including the adoption of a national budget and successful organization of elections for community authorities, which demonstrated the improved capacity of the Government to run elections itself. The Special Representative also gave an overview of recent activities of the mission relating to transitional justice, the ongoing handover of policing responsibilities to the National Police of Timor-Leste and other rule of law activities.³²⁵

The Deputy Prime Minister of Timor-Leste observed that the Timorese democracy had been tested in the Parliament following a motion of no-confidence against the Government for having decided to grant freedom to a former militia member. Following a lively

televised debate, the motion had been rejected by a solid majority, and the militia member, rather than being released, had been handed over to the Indonesian Embassy as he was an Indonesian citizen. Outlining his country's progress in the aftermath of the 2006 crisis, the Deputy Prime Minister pointed to the closure of all internally displaced person camps, the reintegration of internally displaced persons and the rebuilding of houses, and the shift in focus towards providing assistance with regard to destroyed possessions and assets. Detailing achievements in security sector reform and socioeconomic development, he stated that while Timor-Leste was now moving away from conflict towards development, it would continue to need a United Nations presence and support up to 2012.³²⁶

Speakers were unanimous in applauding the progress made in Timor-Leste since the crisis of 2006, with several delegates commending the peaceful celebration of the tenth anniversary of the popular consultation that opened the path to independence on 30 August. Many speakers noted the progress in democratic governance, including anti-corruption measures, and welcomed the peaceful and democratic conduct of the 9 October local elections. A number of speakers also welcomed the shift in focus from conflict prevention to more comprehensive development efforts, although several cautioned that poverty and unemployment remained destabilizing factors that the Government should address. Many delegates also welcomed the fact that the security situation remained calm, and particularly noted the progress on the closure of internally displaced person camps and the reintegration of the petitioners. Most speakers also discussed developments in the four pillars of the Mission's mandate (democratic governance, socioeconomic development, security sector reform and the strengthening of the rule of law) and focused on a variety of areas where improvements still needed to be made. With regard to security sector reform in particular, most speakers welcomed the handing-over of policing responsibilities from UNMIT to the National Police of Timor-Leste in three districts and expressed the hope that additional transfers would be forthcoming.

³²³ *Ibid.*, pp. 3-7.

³²⁴ S/2009/504.

³²⁵ S/PV.6205, pp. 2-5.

³²⁶ *Ibid.*, pp. 5-8.

Meetings: the situation in Timor-Leste

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
5833rd 11 February 2008					S/PRST/2008/5
5843rd 21 February 2008	Report of the Secretary-General on UNMIT (S/2008/26)		Rule 37 8 Member States ^a Rule 39 Under-Secretary-General for Peacekeeping Operations	All Council members and all invitees	
5844th 25 February 2008	Report of the Secretary-General on UNMIT (S/2008/26)	Draft resolution submitted by Australia, New Zealand, Portugal, South Africa (S/2008/124)	Rule 37 Australia, New Zealand, Portugal, Timor-Leste		Resolution 1802 (2008) 15-0-0
5958th 19 August 2008	Report of the Secretary-General on UNMIT (S/2008/501)		Rule 37 8 Member States ^b Rule 39 Special Representative of the Secretary-General and Head of UNMIT	All invitees	
5959th 19 August 2008	Report of the Secretary-General on UNMIT (S/2008/501)		Rule 37 Timor-Leste		S/PRST/2008/29
6085th 19 February 2009	Report of the Secretary-General on UNMIT (S/2009/72)		Rule 37 15 Member States ^c	Secretary-General, all Council members, all invitees	
6086th 26 February 2009	Report of the Secretary-General on UNMIT (S/2009/72)	Draft resolution submitted by 9 Member States ^d (S/2009/111)	Rule 37 Australia, Malaysia, New Zealand, Portugal		Resolution 1867 (2009) 15-0-0

<i>Meeting and date</i>	<i>Sub-item</i>	<i>Other documents</i>	<i>Invitations</i>	<i>Speakers</i>	<i>Decision and vote (for-against-abstaining)</i>
6205th 23 October 2009	Report of the Secretary- General on UNMIT (S/2009/504)		Rule 37 9 Member States ^e Rule 39 Special Representative of the Secretary- General	All Council members and all invitees	

^a Australia, Brazil, Japan, New Zealand, Philippines, Portugal, Slovenia and Timor-Leste.

^b Australia, Brazil, Japan, Malaysia, New Zealand, Philippines, Portugal and Timor-Leste (Minister for Foreign Affairs).

^c Australia, Brazil, Cuba, Czech Republic, Indonesia, Ireland, Italy, Malaysia, New Zealand, Norway, Philippines, Portugal, South Africa, Thailand and Timor-Leste (President).

^d Australia, France, Japan, Malaysia, New Zealand, Portugal, Turkey, United Kingdom and United States.

^e Australia, Brazil, New Zealand, Philippines, Portugal, South Africa, Sweden (on behalf of the European Union), Timor-Leste (Deputy Prime Minister) and Thailand (on behalf of the Association of Southeast Asian Nations).

21. The situation in Afghanistan

Overview

During the period 2008-2009, the Security Council held fourteen meetings concerning the situation in Afghanistan, adopting five resolutions and three presidential statements. At the meetings, the Council considered the work and the mandate of the United Nations Assistance Mission in Afghanistan (UNAMA); the United Nations-authorized International Security Assistance Force (ISAF); and the Afghan presidential elections, international coordination and challenges facing Afghanistan, including the Taliban insurgency.

The Council twice extended the mandate of UNAMA for periods of one year.³²⁷ It also twice extended for periods of one year the authorization of ISAF under Chapter VII of the Charter, including authorization for the Member States participating in it to take all necessary measures to fulfil its mandate.³²⁸

The Council went on a mission to Afghanistan from 21 to 28 November 2008.³²⁹

12 March 2008 to 23 March 2009: renewal of UNAMA mandate

On 12 March 2008, the Council heard a briefing by the Under-Secretary-General for Peacekeeping Operations, who introduced the report of the Secretary-General and outlined the challenges facing Afghanistan. He stressed that the world faced an insurgency that had proven to be more robust than expected, while Afghan governmental institutions remained fragile and subject to corruption. A massive illegal drug economy thrived in the context of the State's weak authority and had abetted the insurgency and undermined the State. Finally, he stated that the regional environment was complex and national interests were sometimes pursued at the expense of efforts to support Afghanistan in a coordinated manner. In regard to the mandate of UNAMA, he noted that the current mandate was the product of negotiations with the Government of Afghanistan and key partners that had taken place at the end of 2005 and that it was still sufficiently broad to fulfil their objectives. However, in the light of the evolution of the situation, although

³²⁷ Resolutions 1806 (2008) and 1868 (2009). For more information, part X, sect. II, in regard to the mandate of UNAMA.

³²⁸ Resolutions 1833 (2008) and 1890 (2009). For more information, see part VII, sect. IV, in regard to Article 42 of the Charter.

³²⁹ For more information, see the present part, sect. 40, in regard to Security Council missions.