



# Security Council

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## Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste (for the period from 21 August 2007 to 7 January 2008)

### I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1745 (2007), by which the Council extended the mandate of the United Nations Integrated Mission in Timor-Leste (UNMIT) until 26 February 2008. It covers major developments in Timor-Leste and the implementation of the Mission's mandate since my report of 28 August 2007 (S/2007/513).

2. As of 7 January 2008, UNMIT consisted of a civilian component comprising 341 international staff (123 women), 806 national staff (135 women), 1,480 police officers (77 women) and 33 military liaison and staff officers (all men). My Special Representative, Atul Khare, continued to lead the Mission and to coordinate with all United Nations system actors. He was assisted by two Deputy Special Representatives: Eric Tan Huck Gim for Security Sector Support and Rule of Law (who completed his assignment on 30 November 2007); and Finn Reske-Nielsen for Governance Support, Development and Humanitarian Coordination.

### II. Political developments

#### A. Developments since the inauguration of the new Government

3. The performance of the Parliament, Government and other State institutions in Timor-Leste reflected progress in policy-making and active political debate within democratically-sanctioned arenas. However, persisting differences and lack of cooperation among some political leaders and parties prevented consensus approaches for resolving a number of key issues, including the estimated 100,000 internally displaced persons and the nearly 600 "petitioners" of the Timorese armed forces (Faltil-Forças Armadas de Defesa de Timor-Leste) (see S/2006/628, para. 3, and S/2007/513, para. 9). On 15 September, the Parliament approved the programme (see para. 47 below) of the new Government (formed by the Alliance for a Parliamentary Majority (AMP) led by Prime Minister Kay Rala Xanana Gusmão by a margin of 41 to 23; those voting against included the 21 parliamentarians from the Frente Revolucionária de Timor-Leste (Fretilin), the party with the largest number of seats, which continued to contest the constitutionality of the Government. Among



the short-term priorities identified in the programme are improving security, addressing the internally displaced persons situation, and resolving the cases of the petitioners as well as prison escapee and deserting Military Police Commander Alfredo Reinado of the armed forces (see S/2007/50, para. 10). These priorities are also reflected in the transitional budget for the period from July to December 2007 and the 2008 State budget, approved by the Parliament on 9 October and 28 December 2007, respectively.

4. Parliamentary discussions were generally marked by lively and constructive debate among all political parties, including Fretilin, which participated actively in plenary and committee activities, and offered insightful observations and proposals as well as criticisms of the Government programme and budgets. The Prime Minister and other ministers also engaged in important parliamentary debates, making genuine efforts to address concerns raised by parliamentarians. Parliament President Fernando de Araújo led a multiparty delegation to Indonesia to strengthen relations with the Indonesian Parliament, and participated in an Inter-Parliamentary Union meeting in New York. In addition, three women parliamentarians participated in the fifth Asian-Pacific Women Parliamentarians' and Ministers' Conference in Beijing.

5. District administrations also responded constructively to the challenges of the immediate post-electoral period, particularly the negative fallout from the 6 August announcement on the formation of the new Government that especially affected Baucau, Lautem and Viqueque districts (see S/2007/513, para. 20). These three district administrations, supported by UNMIT, the national police and the armed forces, as well as international security forces, responded with a series of dialogue initiatives to bring opposing stakeholders together. These efforts were assisted by the Fretilin leadership's public rejection of violence as an expression of political discontent. The impact of these initiatives was visible by the end of September, with all schools and local administrative offices having resumed normal functioning and most newly displaced persons having returned to their homes.

6. Following the President's meeting on 19 August with Alfredo Reinado (S/2007/513, para. 18), a directive council for the dialogue process was established by the Prime Minister on 12 October, chaired by the Secretary of State for Security, to coordinate the dialogue initiative to resolve the case of Reinado and his group. Despite efforts by the Government, negotiations with Reinado have not yet yielded tangible results, and there is still no agreement on such key issues as handover of weapons and cantonment arrangements. On 9 and 22 November, Reinado organized gatherings in Ermera district, each attended by crowds of hundreds, including petitioners, some of whom openly carried long-barrel weapons. During the gatherings and in public remarks, Reinado and the petitioners linked their situations and demanded that they be addressed together, although the Government and the President view them as separate issues. A meeting planned for 16 December between the Prime Minister and Reinado did not take place because Reinado failed to appear. The Government's ultimate goal has continued to be Reinado's voluntary surrender and submission to judicial proceedings. Taking account of its mandated task of maintaining public security, UNMIT maintained its position that, given Reinado's written indication of his willingness to submit to justice (see S/2007/513, para. 18), dialogue is currently the preferable means of pursuing that end.

7. The political situation has continued to be fragile. Fretilin continued to consider the AMP-led Government as unconstitutional, referring to it as a “de facto Government” (see S/2007/513, para. 4). This position was reaffirmed at the Fretilin national retreat held from 25 to 28 October, where the party also reiterated its commitment to support peace and national stability. Fretilin leaders have also called for the Government to step down and for early elections to be held in 2009, as conveyed to the Security Council mission (see S/2007/711, para. 5) and myself during recent visits to the country. Despite complaints by some of its members in Parliament of lack of consultation, the Government coalition has maintained its solidarity in votes on major issues.

8. During much of the past year, a primary focus of both the Timorese authorities and UNMIT was on the peaceful conduct of elections. Over the months since elections, there have been increasingly high expectations among the population that the Government will fulfil campaign promises and demonstrate its ability to implement lasting solutions to the numerous challenges facing the country, including widespread poverty and unemployment and other socio-economic problems. While the programme and budgets developed by the Government and constructively debated in Parliament reflect commitment to assume responsibilities, the Government will now need to harness and strengthen capacities to implement budgeted activities, for which assistance will continue to be required. In going forward, it is important for all parties to acknowledge that political differences should not preclude cooperation in resolving pressing issues and supporting the State-building process in order to promote the greater interests of Timor-Leste. At this critical juncture, increased national consensus and sustained international support are essential to consolidate the gains of the past year and ensure that a culture of democracy and good governance is fostered in Timor-Leste.

## **B. Support for dialogue and reconciliation**

9. My Special Representative continued to emphasize the need to address critical political and security-related issues through inclusive and collaborative processes in his separate weekly meetings with the President and the Prime Minister and his regular meetings with the Parliament President. Since the formation of the new Government, my Special Representative, in supporting a meaningful and constructive role for the opposition, also held weekly meetings with the Secretary-General of Fretilin, former Prime Minister Mari Alkatiri. In addition, he held monthly meetings with representatives of civil society. The immediate post-crisis problems facing Timor-Leste — such as the internally displaced persons, petitioners and the fugitive Reinado — are among the regular topics of discussions. In these forums, my Special Representative has continued to urge the Timorese leadership and other stakeholders to pursue peaceful dialogue and to avoid violent means to resolve differences.

10. As at 7 January 2008, 16 meetings of the High-level Coordination Committee and 13 meetings of the Trilateral Coordination Forum had been held (see S/2007/50, paras. 7 and 40, and S/2007/513, paras. 5 and 27). They continue to be valuable forums for collaboration and consensus-building between UNMIT and the Government on security and other key issues facing the country. UNMIT also continued its monthly meetings (now 10) with the leaders of all political parties, including those without parliamentary representation. These provided important

opportunities for parties to discuss issues of concern and to hold each other accountable to commitments embodied in the political party accord, including adhering to principles of good governance, ensuring a meaningful and constructive role for the opposition and civil society, guaranteeing not to politicize State institutions such as the armed forces, the national police and the public administration, and condemning all forms of violence. Women's non-governmental organizations continued to play an important role in promoting dialogue and reconciliation among both women and men, including through the 16 days of activism against gender violence campaign and the national workshop on involving men in ending violence against women. The United Nations system is also supporting the Government's new national recovery strategy, which focuses on community dialogue as one of its five priorities (see para. 52).

11. District administration personnel and the national police, supported by UNMIT police, initiated a series of dialogues in the eastern districts after the violence there in August 2007 (see para. 5). President José Ramos-Horta supported these reconciliation efforts through visits to Uatolari subdistrict in Viqueque on 23 October and to Lautem and Baucau districts from 5 to 8 November. The President again visited Baucau and Viqueque districts, from 18 to 21 December. UNMIT provided support for these efforts through visits by my Special Representative to Baucau and Viqueque districts, and by facilitating dialogue between political parties in districts that faced security problems (including Baucau and Ermera).

12. During a number of high-level visits, the international community conveyed its sustained commitment to Timor-Leste, while emphasizing the need for enhanced dialogue and reconciliation among political leaders and parties in order to collaborate in addressing the challenges facing the country. The President made visits to Portugal and Singapore, and several high-level delegations visited Timor-Leste. A Security Council mission visited Timor-Leste for the first time since the restoration of its independence, from 24 to 30 November, and, in its report (S/2007/711) highlighted key concerns and issues facing the country. The mission urged the Timorese political leaders to work together to tackle those issues in a coordinated way in the national interest, and stressed the need for continued dialogue at the national and community levels to foster greater political consensus and defuse existing tensions. Similar appeals were made during visits of the President of the European Commission, the Prime Minister and the Minister for Foreign Affairs of Australia, the Minister for Foreign Affairs of Brazil, the Minister of Finance of Norway and the Secretary of State for Cooperation and Foreign Affairs and the Secretary of State for Defence of Portugal. During visits of my Special Representative to European Union institutions in Brussels and Strasbourg and to Japan and the United States of America, discussions underlined the need for sustained international support to strengthen State institutions and the rule of law, and to help build a culture of democratic governance, in order to resolve the problems confronting this young country.

13. I had the pleasure of visiting Timor-Leste on 14 and 15 December to convey to the Government and population that the United Nations remained fully committed to efforts to bring sustainable peace and stability, rule of law, democratic governance and socio-economic development to the country. While I commended the Timorese people for making significant advances over the past year, including the peaceful conduct of elections, I made a strong appeal to the leadership and other interlocutors

to confront the serious challenges still faced in a unified manner. I emphasized that a number of the root causes of the crisis had not been fully addressed, including political divisions, weak institutions (particularly the security forces) and widespread poverty and unemployment, which is especially high among the youth. I also expressed concern that the country had not resolved some grave issues remaining from the crisis which continue to contribute to a volatile security situation, such as the internally displaced persons, petitioners and the fugitive Reinado. I thus appealed to the Timorese leadership, political parties and civil society to intensify efforts towards national dialogue and reconciliation in order to bridge divides and tackle the country's many challenges in a coordinated way to promote national interests. At this critical juncture, I emphasized the need for all Timorese to work closely together — including the Government and Fretilin — to address priority needs and maintain stability and to strengthen democratic governance and respect for the rule of law.

14. I was encouraged that the Timorese leaders and other interlocutors focused on the urgent need to improve security conditions as well as to enhance dialogue among the political leadership in order to collectively address the country's short- and long-term challenges. Timorese interlocutors, including Fretilin, expressed appreciation for the good offices efforts of UNMIT, but appealed for further assistance to enhance dialogue among the leadership in order to facilitate consensus approaches for addressing the country's problems, including those relating to internally displaced persons, petitioners and Reinado. I have asked my Special Representative, in consultation with the Timorese leadership, to consider additional measures to facilitate inclusive approaches for addressing these pressing problems, taking into account the fact that on 14 December Fretilin sent a letter to me with some proposals, as well as the efforts of the President and the Prime Minister to engage with Fretilin and others in resolving these problems.

### **C. Support for capacity-building for electoral institutions and processes**

15. Following the successful conduct of the 2007 elections, the country's leaders have stressed the need to strengthen the basic infrastructure and capacity of the electoral institutions and to review the legal framework for elections. The National Electoral Commission and the Technical Secretariat for Electoral Administration developed their medium- and long-term strategic plans with United Nations assistance. The UNMIT electoral team, together with United Nations Development Programme (UNDP) experts, assisted these institutions and the Government-led Committee for the Revision of the Electoral Laws in training and ongoing efforts to reform the electoral framework. UNMIT and UNDP also supported the electoral institutions in organizing an operational-level coordination meeting with donor countries and international non-governmental organizations. In addition, to support efforts to enhance the role of women in the country's electoral processes, UNMIT organized a workshop to discuss relevant United Nations guidelines.

### **III. Restoration and maintenance of public security**

#### **A. Security developments**

16. With the completion of the elections and the departure of the fifth formed police unit from Portugal dedicated to electoral security, UNMIT police strength decreased from 1,641 at the end of July to 1,480 (77 women) by 7 January 2008. Of these, 886 officers (including 139 in the Malaysian formed police unit, 141 in the Portuguese formed police unit, and 30 in the Pakistani formed police unit) were deployed in Dili and 594 to other districts (including 140 in the Bangladeshi formed police unit (114 in Baucau and 26 in Viqueque) and 109 in the Pakistani formed police unit (79 in Bobonaro and 30 in Covalima)). UNMIT police continued to perform the mandated task of interim law enforcement, while also substantially increasing efforts to support the training, institutional development and strengthening of the national police (also see para. 25).

17. After the outbreak of violence in the eastern districts in August (see S/2007/513, para. 20), the overall security situation throughout the country improved, with no major security incidents or spikes in violence occurring. The incidence of serious crimes such as murder, abduction and rape also decreased, from about nine per month during the previous reporting period to about five in the current period. This positive trend is due in large part to the strategic approaches adopted by the UNMIT police and the national police of improved information gathering, targeted patrolling of problem areas and community policing to prevent crimes, with special attention given to areas identified as particularly volatile. For example, from 21 to 24 November, following information received locally, the UNMIT police, working alongside national police officers and assisted by the international security forces, successfully conducted a weapons recovery operation in Dili's troublesome Bairo Pite area. Recovered weapons included bows and arrows, machetes, slingshots, knives, spears and homemade guns. The good cooperation between the police and local community officials was essential to the success of this effort.

18. The good offices and dialogue efforts of the national leadership and UNMIT also contributed significantly to the improvement of the security situation (see paras. 9 and 10), as did the rejection of violence by the Fretilin leadership. The incidence of daily public disturbances has been reduced by about one third during this reporting period, although they continue to pose a problem for maintaining public security, especially in Dili. Many of these disturbances involve incidents such as rock-throwing and assaults related to youth groups fighting amongst themselves or targeting others. There could be a rise in such security incidents should the situation in the internally displaced person camps deteriorate with the onset of the rainy season.

19. UNMIT contributed to the ongoing good cooperation between border agencies of Timor-Leste and Indonesia, principally through the facilitation efforts of its military liaison officers. These officers also continued to facilitate close collaboration between UNMIT and the international security forces as well as the Timorese armed forces.

20. The positive impact of police efforts in reducing the rate of serious crimes, on the one hand, and the still daily occurrence of public disturbances related to youth

group fighting, on the other, reflect the need for a continued strong UNMIT police presence (including the four formed police units) to maintain stability until the national police develops adequate capacities. To this end, UNMIT police will increasingly shift the focus of its efforts to the reform and rebuilding of the national police. In the meantime, UNMIT police will continue to assume the important role of interim law enforcement to ensure stability. As the security situation is still fragile, there remains the possibility of spikes in violence, particularly in connection with unresolved issues relating to Reinado and the petitioners. Fretilin's continued pronouncements that the Government is unconstitutional further contributes to general apprehension and uncertainties among some elements of the population regarding the security environment. Strengthened advocacy and civic education programmes to reduce the occurrence of violence by youth and martial arts groups, as well as gender-based violence, are vital.

## **B. Support and institutional strengthening of the security institutions**

21. The registration, screening and certification programme for the national police proceeded in accordance with the policing arrangement concluded by the Government and UNMIT in December 2006 (see S/2007/50, para. 33, and S/2007/513, para. 25). On 1 December 2007, the registration of all officers was completed, except for 88 who failed to register and are no longer considered part of the police service. All 3,108 registered officers (570 women) had completed the screening process as at 7 January 2008. Of the 3,108 screened officers, 186 (42 women) successfully completed both the provisional certification course and the six-month mentoring process and became fully certified officers. Another 1,503 (271 women) are provisionally certified (having passed the provisional certification course) and are in the mentoring stage. On the other hand, 296 (22 women) require further investigation due to allegations of criminal acts or human rights violations which will be adjudicated by the Timorese-led police evaluation panel. The remaining 1,123 screened officers are either undertaking, or waiting to take, the provisional certification course. As adequate training facilities were not available in some locations, UNMIT established mobile teams to provide the provisional certification course; instruction has been completed in Ermera and Manatuto districts and will be in Liquiça and Baucau districts by the end of January. To expedite instruction for officers in the remaining districts, UNMIT is discussing with the Government whether these mobile teams should be enhanced.

22. During recent months, UNMIT encountered increasing challenges to the mentoring process for the national police. Some police officers, especially in the districts, have resisted supervision and mentoring by UNMIT police as they consider themselves ready to assume increased operational responsibilities, although the majority of officers have been cooperative and are willing to undergo all requirements of the certification process. Further, a number of Timorese leaders, including the Prime Minister, the Secretary of State for Security and the General Commander Designate of the national police, have publicly raised concerns regarding the pace of the certification process and have appealed for increased operational tasks to be given to national police officers as well as accelerated handover of policing responsibilities in the districts. In addition, some concerns have been raised regarding the inadequate number of UNMIT police with appropriate training skill sets.

23. There are also various factors that have an impact on the ability of UNMIT police to conduct mentoring. The relatively low number of UNMIT police officers deployed in the districts, particularly in remote areas, makes mentoring there more difficult than in Dili. The high turnover of UNMIT police officers through rotation further affects mentoring efforts, although comprehensive mentoring guidelines have been developed for uniformity in approach. Also, given the focus on the task of maintaining security during the elections, most police officers deployed to UNMIT had operational, rather than training and mentoring, experience. Efforts are being made to enhance UNMIT police capacities to provide training and mentoring for the national police, including through an augmented training-of-trainers approach and by requesting contributing countries to deploy more officers with specialized training and mentoring skills. In addition, an independent ongoing evaluation of the Vulnerable Persons Unit of the national police, supported by the United Nations Children's Fund (UNICEF), has highlighted the need for deploying additional officers to UNMIT with training and experience in dealing with gender-based crimes, particularly given the Unit's critical role in protecting women and children who continue to bear the brunt of the violence. Of course, further efforts are needed to address gender-based violence at all levels, including through training of all national police and UNMIT police officers on the special needs of women and investigative techniques for gender-based crimes as well as through improving victim access to judicial recourse.

24. The rebuilding of the national police as an impartial, professional and reliable police service, with sustainable systems and processes, is a long-term undertaking. The current stringent standards for certification must not be lowered. The fact that, since 1 January 2007, there have been 234 cases of misconduct among the 3,108 screened police officers highlights the need for continued close mentoring and guidance from UNMIT police. It is encouraging, though, that all 186 fully certified national police officers have been considered to perform well and that none have been involved in misconduct to date.

25. In view of progress in the registration, screening and training of national police officers, UNMIT has started to discuss with the Government the process of the phased transfer of law enforcement responsibility to the national police, although there are particular concerns regarding its still weak logistical capabilities (including lack of sufficient facilities, vehicles and communication equipment). In accordance with the policing arrangement, and the reform, restructuring and rebuilding plan being negotiated with the Government, the schedule for handover depends on the status of (a) the certification programme; (b) the achievement of benchmarks and performance targets set out in the reform, restructuring and rebuilding plan; and (c) the security situation. Taking account of these factors, a phased handover of districts and/or special police units is projected to begin in April 2008, with the Rapid Intervention Unit likely to be the first unit to be declared fully operational. Thereafter, depending on progress, it is envisaged that handover could proceed at the rate of one district every two months, starting with Dili district. The schedule will also take account of the outcome of a "pilot handover" of three police substations in Dili to commence in January 2008. However, some UNMIT police officers will be required to remain in handed-over districts in order to provide continuing advice and support to the national police officers and to liaise with and report to UNMIT police headquarters in Dili.



26. The armed forces also made valuable contributions to public security by assisting the UNMIT police and the national police in the maintenance of law and order in the eastern districts during and after the August 2007 unrest, and by maintaining static security at some key installations in Dili. Nevertheless, in some instances, Timorese soldiers assuming static security tasks fired warning shots in violation of the rules of engagement, and occasional disputes emerged between individual military and police members. The armed forces command was responsive when UNMIT raised concerns regarding these incidents. However, their occurrence highlights the need to further improve relations between the security forces as well as to strengthen institutional policies and procedures appropriate for a military force in a peacetime setting, as part of a holistic approach to security sector reform. In order to help address some of these concerns, in December UNMIT initiated training for armed forces personnel on national and international human rights standards, principles regarding the use of force, and command responsibility to ensure respect for human rights standards. The joint national police/armed forces parades and collaboration on activities to celebrate independence day on 28 November reflect continuing efforts to institutionalize cooperative relations between the Timorese armed forces and police service.

### **C. Comprehensive review of the security sector**

27. There are also broader challenges to be addressed in the security sector as a whole, including the need to improve inter-operationability between the security institutions, increase operational capabilities, strengthen legal frameworks, and enhance civilian oversight mechanisms, all of which will be further considered during the ongoing security sector review process. The process started in December 2006 in the context of the Security Sector Review Joint Working Group co-chaired by senior representatives of relevant ministries and UNMIT (see S/2007/50, para. 38, and S/2007/513, para. 28). Since the 2007 elections, the President, with the agreement of the Government, has taken a proactive role in the security sector review process within the framework of a three-tier coordination structure established in August, which is jointly led by the President, the Parliament President and the Prime Minister.

28. UNMIT continues to be fully involved with this coordination mechanism to support the review process, including through the provision of policy advice and technical assistance. UNMIT began preparations for a Government-led country-wide survey to ascertain the views of the Timorese population on the security sector, which is financially supported by the Government of Norway through UNDP. UNMIT also continued to foster the involvement of relevant national stakeholders, such as the Parliament, civil society, the church and academia, in the review process. Security sector reform issues are also among the topics regularly discussed in my Special Representative's meetings with the Timorese leadership and opposition as well as in the High-level Coordination Committee meetings.

## **IV. Promotion of human rights and the administration of justice**

### **A. Support for the monitoring, promotion and protection of human rights**

29. In November, UNMIT released a report on human rights developments in Timor-Leste covering the period from August 2006 to August 2007. The report noted that the citizens of Timor-Leste enjoyed a range of fundamental human rights, including freedom of speech, freedom of assembly and freedom of religion. The report also highlighted that, since August 2006, important progress in the promotion and protection of human rights had been achieved in a number of areas, including the holding of peaceful elections widely regarded as free and fair, strengthening of capacities in the judicial system, initiation of judicial processes relating to crimes committed during the 2006 crisis, and expanded monitoring and investigative activities of the Provedoria for Human Rights and Justice. However, the report also emphasized that considerable challenges remained to be addressed to ensure the safeguarding of human rights, including, inter alia, ensuring adequate standards of living (e.g., housing, basic services and employment), combating domestic and gender-based violence, and creating conditions for the voluntary and peaceful return of internally displaced persons. The need for increased access to justice and protection of the population in the districts, and for strengthened accountability for cases of misconduct among the security forces, was also highlighted. The report also presented a set of recommendations aimed at assisting both Timorese institutions and civil society in strengthening the promotion and protection of human rights in the country.

30. Despite serious resource constraints of the judicial system, notable progress was made in establishing accountability for serious criminal offences committed during the 2006 crisis, in line with the recommendations of the Independent Special Commission of Inquiry report (see S/2007/50, paras. 18-24). On 29 November 2007, four soldiers were found guilty of involvement in the shooting deaths of eight national police officers on 25 May 2006. On 3 October, Vicente da Conceição, also known as “Rai Los”, was arrested by UNMIT police with support from the international security forces, pursuant to an arrest warrant issued by the Dili District Court for his alleged involvement in an armed confrontation with members of the armed forces on 24 and 25 May 2006 that resulted in nine persons killed. In another important development, fugitive Reinado and 16 others were indicted for manslaughter, attempted manslaughter, rebellion and weapon charges, with the trial scheduled for 24 January 2008.

31. The trials held thus far, including those of the former Minister of the Interior and the former national police deputy commander of Dili district in the first half of 2007 (see S/2007/513, para. 30), were important signals to the population that Timor-Leste is committed to applying the law in an impartial manner and to combating impunity. Cooperation from the national police and armed forces during these proceedings has been positive, including the public acceptance by the armed forces Commander of the 29 November guilty verdict against the four Timorese soldiers.

32. In conjunction with the International Day for the Elimination of Violence against Women, the Office of the Secretary of State for Promotion of Equality launched the 16 days of activism against gender violence campaign, supported by

the United Nations Development Fund for Women (UNIFEM), UNICEF, the United Nations Population Fund (UNFPA) and the International Organization for Migration (IOM). The campaign culminated on Human Rights Day on 10 December. Following a submission by the United Nations country team to the UNDP Millennium Development Goals Achievement Fund, a three-year project of \$5.9 million on supporting gender equality and women's human rights in nation-building of Timor-Leste was approved, to be jointly implemented by UNDP, UNICEF, UNFPA, IOM and UNIFEM. The project will aim to reduce violence against women by addressing issues relating to sexual violence and abuse and to ensure protection, the legal means to fight abuse and access by victims to the justice system. In addition, in November, the Government and the Office of the United Nations High Commissioner for Human Rights (OHCHR) signed a technical cooperation project for 2008-2009 aimed at strengthening the capacity of State institutions and civil society to promote and protect human rights, including those of women.

33. As a positive development, there are increasing indications that the Parliament will discuss "Chega!", the final report of the Commission for Reception, Truth and Reconciliation of Timor-Leste submitted in October 2005. Constructive debate on follow-up to the report's recommendations would indicate Parliament's commitment to fostering justice. The last two rounds of hearings of the Timor-Leste-Indonesia Commission of Truth and Friendship were held in September and October 2007 in Dili and Jakarta, respectively. The final report of the Commission is due in February 2008.

34. UNMIT continues to give high priority to its zero tolerance policy on sexual exploitation and abuse as well as the need for all personnel to maintain the highest standards of integrity and discipline. In addition to providing induction and regular training for all United Nations personnel on the prevention of sexual exploitation, abuse and harassment in the workplace, UNMIT began special training sessions for national staff to ensure that they are fully aware of their rights and duties. All UNMIT police officers received training in the prevention of sexual exploitation and abuse and in other conduct and discipline issues immediately upon arrival in the Mission. UNMIT also conducted monthly reviews of off-limit locations. These efforts have resulted in a decrease in the number of conduct and discipline cases. During the reporting period, three alleged sexual exploitation and abuse cases were reported. Two cases involved allegations against UNMIT police officers, which investigations found to be unsubstantiated. The investigation of the third case involving an international civilian staff member is ongoing.

35. UNMIT also strengthened its HIV/AIDS awareness programme. An HIV/AIDS session is included in the Mission's induction course, in which 1,010 personnel had participated as at 7 January 2008. Of the 15 UNMIT-trained peer educators, 8 are women. UNMIT also installed 78 condom dispensers at various United Nations facilities. In November, voluntary testing and counselling became available for United Nations personnel.

## **B. Support for capacity-building and strengthening of the justice sector**

36. The new Government has focused renewed attention on the need to strengthen the justice system, including through accelerating the permanent deployment of judiciary staff to the districts, where permanent courts now function in Baucau, Covalima and Oecussi. This deployment, supported by UNDP, contributes to better access by the population to the justice system. Moreover, the 2008 budget includes a significant increase in the allocation for the justice sector. The Minister of Justice requested UNMIT assistance in drafting a legal framework to formalize traditional justice mechanisms, that remain outside the formal justice system. The Government is also preparing other key legislation, including on domestic violence and witness protection, with technical assistance from UNMIT, UNFPA, UNICEF and UNDP. A number of United Nations partners, including UNIFEM, UNFPA, UNICEF, UNDP, OHCHR and UNMIT, supported the preparation of the Government's first report on the Convention on the Elimination of All Forms of Discrimination against Women, which is awaiting Government approval.

37. An independent midterm evaluation mission (of international and national experts) conducted a comprehensive assessment of the UNDP justice sector support programme in order to measure progress in strengthening capacities of national judicial institutions since early 2006. In its report, the mission recommended that the involvement of national judiciary staff be further strengthened, and that international actors gradually relinquish line functions to concentrate on training and mentoring, which was fully endorsed by UNMIT and UNDP. The mission also highlighted the continued need for the support of the international community to the justice sector given its resource constraints and the backlog of cases. It is encouraging that national judges are increasingly responsible for cases, as seen in the Dili District Court where national judges decided 151 criminal cases, compared with 146 decided by international judges over the period from January to December 2007. A second group of 12 Timorese judicial personnel graduated from the Legal Training Centre at the end of 2007, joining the 27 national judges, prosecutors and public defenders who graduated in June (see S/2007/513, para. 35).

38. Gender-based violence continues to be an issue of serious concern, which warrants increased attention and support by national stakeholders and international partners alike. UNIFEM undertook a baseline study on the prevalence of and attitudes towards sexual and gender-based violence, which will serve as the basis for identifying appropriate community-level support required by women to prevent such violence and to respond to the needs of victims. UNFPA, together with the Office for Promotion of Equality, strenuously advocated for approval of the draft domestic violence law, which has been harmonized with the new Penal Code. To promote access to justice through the dissemination of legal information, UNMIT and UNDP organized several public meetings on justice-related issues in the districts in October.

39. The new Government also focused its attention on strengthening the prisons system (see S/2007/513, para. 38). Gradual but steady progress is being made in the corrections sector with the joint support of UNMIT and UNDP. A strategic plan has been approved by the Minister of Justice. The refurbishment of Becora Prison has been substantially completed, and that of Gleno Prison will commence in early 2008. The Minister of Justice has signed a memorandum of understanding with the

Government of Brazil for the initiation of a vocational training programme at Becora Prison to develop the trade skills of inmates, as well as the establishment of a vocational training centre which will, among other things, train prison staff as workshop trainers.

40. Efforts continued to consolidate and strengthen national mechanisms for human rights protection and the promotion of justice. UNMIT, in collaboration with OHCHR, assisted the Provedoria for Human Rights and Justice in establishing an advisory council comprised of representatives of diverse groups, including religious communities, women, handicapped persons and businesses. This facilitated the admission of the Office of the Provedoria to the Asia-Pacific Forum for National Human Rights Institutions in September 2007. The Office of the Provedoria organized a human rights monitoring mission to Viqueque subdistricts, and also presented a monitoring analysis with recommendations for improving conditions in police detention centres in Dili. UNMIT provided technical assistance to non-governmental organizations to improve their ability to make effective use of a database of alleged human rights violations established and managed by a non-governmental organization in 2005. In December 2007, a manual (in the Tetum language) on monitoring economic, social and cultural rights in Timor-Leste was launched by UNMIT, designed to assist civil society and other national actors.

41. Given the importance of ensuring that staff of the Office of the Provedoria possess sufficient skills to deal with human rights complaints, UNDP and OHCHR prioritized investigation skills in their joint project on human rights capacity-building of the Provedoria. Regular training sessions were delivered to the Office of the Provedoria in the areas of investigation skills and constitutional and criminal procedures, with technical assistance provided by the World Bank. UNIFEM also conducted training on the Convention on the Elimination of All Forms of Discrimination against Women for the Office of the Provedoria. This assistance has been instrumental in preventing any backlog of cases in the Office of the Provedoria and sustaining the population's trust in the institution through the timely conclusion of investigations. In collaboration with the National Institute of Public Administration, UNIFEM supported the integration of modules on the Convention in the course curricula for civil servants. Under a memorandum of understanding between the Government of Timor-Leste and the Victorian Institute of Forensic Medicine of Australia for the investigation of the Santa Cruz massacre of 12 November 1991, forensic training will also be provided to 10 national police officers, with the support of UNMIT police officers with forensic expertise.

42. Based on consultations, it is expected that UNMIT and the Government of Timor-Leste will soon sign an agreement concerning assistance to the Office of the Prosecutor-General of Timor-Leste to complete outstanding investigations of the former Serious Crimes Unit. With this agreement, the UNMIT serious crimes investigation team will gain access to the former Serious Crimes Unit archives and databases. UNMIT has started preparing plans to conduct investigations in an organized and effective manner.

## **V. Support for the “compact”, democratic governance, socio-economic development and humanitarian assistance**

### **A. Support for the “compact” process**

43. The Government has concluded intensive consultations on a draft “compact” document, with more than 1,000 national and international stakeholders taking part in different dialogue forums. Based on the feedback given, a series of recommended short-, medium- and long-term actions and strategies were proposed in each of the six priority areas (see S/2007/513, para. 40). They form the basis of the compact operational framework, which essentially serves as a resource-coordination tool that also identifies gaps where additional international assistance may be needed. The United Nations country team included the compact as a basis for formulating the United Nations Development Assistance Framework for 2009-2013. On 31 October, the Council of Ministers endorsed the compact, which is expected to be launched at an international development partners’ meeting in early 2008.

### **B. Enhancing democratic governance**

44. Efforts by UNMIT and the United Nations country team as well as development partners continued to support the four organs of sovereignty (presidency, parliament, executive and judiciary), civil society and the media to foster a culture of democratic governance. With the aim of strengthening the country’s system of checks and balances, UNDP continued to provide support to the Office of the President to increase its effectiveness, including through the development of processes to improve its agenda management and coordination and communications capacities. In October, UNMIT and UNDP undertook a joint organizational analysis mission to support the Office of the Prime Minister and the Ministry of Foreign Affairs. Advice was provided to the Parliament by UNMIT and through the UNDP parliament support project, which deployed four legal advisers who helped the new parliamentarians during critical legislative processes, including those leading to approval of the Government programme and the 2007 transitional and 2008 State budgets. UNDP and the United Nations Capital Development Fund continued to support Government strategies for local governance, including the completion of national consultations on the reorganization of administrative structures. In addition, UNIFEM and UNDP, in collaboration with the Parliament, provided assistance to finalize plans for the establishment of a gender resource centre at the Parliament aimed at providing substantive support to the efforts of women parliamentarians, particularly to pursue issues to further women’s empowerment and gender equality.

45. To promote responsible citizen involvement in and understanding of governance processes, UNMIT worked closely with UNDP in training-of-trainers sessions with 13 civic education groups throughout the country. The training covered such issues as the role of State institutions and citizens’ rights and responsibilities. UNDP is also supporting a programme of dialogue between local non-governmental organizations and Government officials in five districts. In addition, UNDP and UNMIT provided assistance to the one existing national radio and television station as well as 15 community radio stations to strengthen their

technical capacities and reach, including through programming and logistical support, leading to all becoming fully operational.

46. Support continued to be provided to political parties through three UNDP-supported district resource centres in Baucau, Bobonaro and Oecussi. UNDP also initiated a training and capacity-building programme focused on strengthening the institutional capacities of political parties, and their understanding of party roles and responsibilities in a democratic system. UNIFEM, in collaboration with Forum Tau Matan and the National Directorate for Public Administration of the Ministry of State Administration, conducted workshops on Timor-Leste's Constitution with women representatives in village councils.

### **C. Socio-economic development**

47. In its programme, the Government indicated its commitment to promoting development and tackling poverty and other socio-economic concerns, including unemployment, which continue to be major causes of instability in Timor-Leste. The programme's longer-term priority areas are: (a) economic growth; (b) reform of State management; (c) qualification of the youth and development of national human resources; (d) solidarity, health and social protection; (e) infrastructure and improvement of the quality of life; (f) promotion of equality and tolerance, and of internal security, and strengthening of democracy; and (g) national defence and foreign policy. The 2008 budget of about \$348 million reflects these priorities, as well as those of the compact. United Nations agencies, funds and programmes, together with the international financial institutions, worked closely with ministries in support of the budget preparation process; a training session on gender-responsive budgeting was also sponsored by UNIFEM and UNMIT for women parliamentarians and representatives of non-governmental organizations. United Nations agencies are also providing support to the Government in the preparation of the second national development plan. In addition, preparation of the 2009-2013 United Nations Development Assistance Framework for Timor-Leste began in collaboration with the Government, non-governmental organizations, donor partners and the international financial institutions. From initial consultations, priorities have emerged in the areas of democratic governance, sustainable growth and basic social services, together with the need to address cross-cutting requirements relating to gender, youth, capacity development and human rights.

48. In support of recovery efforts and the Government priority on human resource development, UNDP and the International Labour Organization (ILO) supported capacity development for the Secretariat of State for Vocational Training and Employment to enhance employment opportunities for young people in Timor-Leste. Labour-intensive techniques were introduced, piloted and incorporated into the design and implementation of public works in all districts. UNFPA provided technical, financial and logistical support to the Ministry of Health in its efforts to increase the capacities of health workers at the district level, specifically for family planning and basic emergency obstetric care. About 210 health workers throughout all districts were trained to provide reproductive health services to the population.

49. As another Government priority area, the improvement of rural livelihoods is a key focus of support by United Nations agencies, funds and programmes. To enhance food security, the Food and Agriculture Organization of the United Nations

(FAO) initiated the distribution of high-yield maize seeds to 21,000 rural households affected by civil unrest, drought and/or local locust infestation. The World Health Organization (WHO) and FAO also provided technical assistance to the Government for the development of a project for the prevention and control of avian flu, focusing on awareness-raising at the district level, with support from the Governments of Australia and the United States of America. The Global Fund to Fight AIDS, Tuberculosis and Malaria approved two projects for the control of malaria, totalling US\$ 6 million and \$7 million, respectively.

#### **D. Humanitarian assistance**

50. About one tenth of the population (100,000 persons) remains displaced — 30,000 in Dili and 70,000 in the districts — and lives in poor conditions in camps or with host families. Key ministries, United Nations agencies, non-governmental organizations, and international organizations undertook joint efforts to map the needs, capacities and contingency stocks available in preparation for the rainy season and a possible emergency flood situation. At 7 January 2008, approximately 1,700 tents had been replaced and 4,500 tarpaulins distributed in 31 internally displaced persons camps in Dili. Preparations are ongoing, including elevating tents, securing septic tanks, cleaning public drainage and distributing tarpaulins. Vice Prime Minister José Luís Guterres and my Deputy Special Representative Reske-Nielsen convened a high-level meeting on rainy season preparedness on 14 November, which included representatives of ministries, United Nations partners, UNMIT and other international organizations. Support was also provided by UNMIT and humanitarian partners to the Government to improve the existing contingency plan for country-wide disaster preparedness and emergency response. In addition, UNMIT undertook multimedia campaigns in support of humanitarian efforts, and two mobile teams distributed updated information for 147 message boards in internally displaced persons camps around the country.

51. The World Food Programme (WFP) undertook an emergency food security assessment in Dili aimed at ascertaining the number of food-insecure people in internally displaced persons camps and among the non-internally displaced persons population, so that options could then be identified to help restore longer-term food security. The assessment revealed that 50 per cent of current recipients of food distributed in internally displaced persons camps are not food insecure, and that 50 per cent of the surveyed population in Dili is food insecure and in need of assistance. As modalities are being developed to phase out food assistance to non-food insecure internally displaced persons, the Government and United Nations agencies are identifying programmes to assist food-insecure people (including among internally displaced persons and the general population in Dili) in order to restore food security to them. Some of those programmes, however, may require the continuation of food distribution for a short period of time. Continued assistance was also provided to displaced women and children by other United Nations country team partners, including UNICEF and UNFPA.

52. To ensure effective coordination of humanitarian activities, a newly established Humanitarian Coordination Committee, chaired by the United Nations Humanitarian Coordinator, brought together representatives of United Nations partners, non-governmental organizations and international organizations. The Committee and the Integrated Humanitarian Coordination Team (comprising staff of



UNMIT and the Office for the Coordination of Humanitarian Affairs), regularly interacted with Government representatives to assist with the formulation of a national recovery plan and to ensure linkages with international assistance projects. On 9 October, a high-level retreat brought together senior Government officials, UNMIT, United Nations agencies, non-governmental organizations and international organizations to address immediate humanitarian needs. The Council of Ministers adopted a national recovery strategy which was launched on 17 December. United Nations partners also continued to provide support for longer-term efforts in a number of critical areas, including for strengthening the legal framework for land and property rights; developing durable solutions to the housing crisis; community reconciliation; compensation packages for the return and reintegration of internally displaced persons; and livelihood programmes to improve opportunities for vulnerable groups. The UNICEF development of materials for child protection focal points and support teams within internally displaced persons camps and communities led to better access to information on child safety and protection issues and enhanced child protection activities. Psychosocial services and conflict-resolution initiatives were also implemented, which contributed to bringing an increased sense of normalcy in the daily lives of children.

## **VI. Financial aspects**

53. The General Assembly, by its resolution 61/249 C, appropriated \$160.6 million for UNMIT for the period from 1 July 2007 to 30 June 2008. Should the Security Council approve my recommendation for a one-year extension of the UNMIT mandate (see para. 56), the cost of the operation and maintenance of the Mission during this period will be limited to resources approved by the General Assembly. As at 30 September 2007, unpaid assessed contributions to the Special Account for UNMIT amounted to \$82.7 million. The total outstanding assessed contributions for all peacekeeping operations at that date amounted to \$2,785.7 million. In accordance with the quarterly payment schedule, reimbursement of formed police unit costs has been made for the period up to 31 August 2007, while payments for equipment owned by formed police units covered the period up to 30 September 2007.

## **VII. Observations**

**54. The functioning of the Parliament, Government and other State institutions demonstrates progress in building on the gains of the peaceful electoral process as well as a commitment to restore normalcy following the 2006 crisis. However, the first year of the new Government and Parliament remains a delicate time for the country. The population has high expectations for tangible improvements in the quality of their daily lives, still marked by widespread poverty and unemployment. While the approval of the Government programme and budgets are important first steps towards fulfilling campaign promises, implementation will now be critical. State institutions will need to strengthen capacities, systems and procedures to effectively carry out planned strategies and activities, which will require continued international assistance.**

55. Despite an improvement of the overall security situation throughout the country and other advances, Timor-Leste continues to face enormous challenges, as noted by the Security Council mission that visited the country in late November. The most visible reminders of the 2006 crisis, particularly the petitioners, internally displaced persons and the fugitive Reinado, have become even more prominent during the reporting period and continue to constitute potential destabilizing elements. Further, persisting differences among political leaders and parties have prevented consensus approaches for resolving these and other pressing issues. As highlighted by the Security Council mission, unless the differences among the Timorese leaders are resolved, political uncertainty will persist, together with the prospect of renewed violence and bloodshed (see S/2007/711, para. 24). Intensified efforts to promote dialogue to defuse existing tensions and foster greater political consensus, as well as the strengthening of inclusive democratic processes, will thus be essential for achieving sustainable stability and prosperity in Timor-Leste.

56. The Security Council mission also highlighted that rebuilding the population's confidence in the State institutions is among the critical challenges facing the country, along with those relating to internally displaced persons, security sector reform, economic development, restoring stability, strengthening democratic institutions and improving governance and the rule of law (see S/2007/711, paras. 22 and 23). As conveyed by my Special Representative to the Council in September 2007, and as I reiterated during my December visit to Timor-Leste, UNMIT, in partnership with the Timorese, has particularly focused its efforts during the post-electoral period on four priority areas: review and reform of the security sector, strengthening of the rule of law, economic and social development and promoting a culture of democratic governance. However, as these are complex undertakings requiring long-term commitment, and as much remains to be done in these and other areas of the broad mandate given to UNMIT, I propose a mandate extension for a further 12 months at the present composition and strength.

57. Given the continuing fragile environment in Timor-Leste and the level of confidence among the Timorese population in their security institutions, one of the most critical institutions warranting sustained assistance is the national police service. Despite considerable progress in the screening and mentoring process, the national police force requires further training, institutional development and strengthened capacities to be in a position to assume full responsibility for dealing with potentially volatile security situations. UNMIT police officers, particularly those in formed police units, have continued to be required to respond to group fighting and public disturbances, and have in large part contributed to the relatively stable security situation and the drop in serious criminal offences, with the support of the international security forces. The daily occurrence of public disturbances, however, further highlights the need for a continued UNMIT police presence to perform interim law enforcement until the national police force is fully reconstituted.

58. Upon completion of the 2007 elections, UNMIT police devoted increasing attention to the reform and rebuilding of the national police, including discussions with the Government on the eventual handover of policing responsibility. The progress in the phased handover of policing responsibility will be one of the key elements in determining what future adjustments will be

needed in the Mission's police strength. In order to conduct a thorough assessment of the requirements of the national police as well as possible adjustments needed to UNMIT police skill sets, I intend to send an expert mission to UNMIT in the first quarter of 2008, as suggested by my Special Representative. To facilitate the handover process through adequate mentoring of the national police, I am encouraging contributing countries to offer officers with the required training expertise.

59. In conjunction with continued assistance to strengthen the national police, there is a vital need, as elaborated above, for sustained support to further build capacities in the justice sector, including for follow-up to the recommendations of the Commission of Inquiry. UNMIT has played an important coordination and facilitation role vis-à-vis the Government, UNDP and other key partners to strengthen judicial institutions and address gender and juvenile justice issues. The capacities of the national judicial and corrections institutions, however, are still insufficient to meet the country's needs, with the substantial case backlog as just one example. Continued support from UNMIT, together with that of UNDP and other partners, is necessary to consolidate and build on the gains made thus far to ensure sustainable development of the sector.

60. In highlighting the need for intensified collaborative efforts by the Timorese to tackle the enormous challenges still facing the country, it should also be recognized that success is not measured simply in terms of whether all pressing problems are resolved quickly. Many of the tasks required to be undertaken to implement sustainable solutions will require both short- and longer-term efforts. Success should also be measured by the way in which challenges are addressed, including whether policy- and decision-making by State institutions is made through constructive and broad debate as well as transparent and accountable processes, and development of consensus, or at least compromise, approaches. Although there may be continuing differences of political views within Timor-Leste, the ability to address the country's problems and strengthen the State's foundations will depend on all of Timorese society unifying to rise above partisan considerations in order to promote national interests.

61. With the manifold challenges ahead, this is a critical moment for the United Nations to reaffirm its continued commitment to Timor-Leste. All Timorese interlocutors conveyed to both the Security Council mission and to me their desire for the United Nations to remain in the country to provide the assistance needed at this vital stage. The Mission's integrated "one United Nations system" approach has been valuable in harnessing coordinated support for the efforts of the country's leaders and institutions to meet priority needs. A continuation of the integrated Mission is crucial not only to ensure that the gains of the past year are not jeopardized, but also to support Timorese-owned solutions and self-reliance in addressing the many challenges ahead.

62. In conclusion, I want to thank my Special Representative, Atul Khare, for his leadership and to congratulate all the men and women of UNMIT and the United Nations country team for their dedication and determined efforts to advance the cause of peace and stability in Timor-Leste.