



THE SECRETARY-GENERAL

Security Council
DPKO

20 May 2009

Dear Mr. President,

I have the honour to refer to Security Council resolution 1867 (2009) of 26 February 2009 on the situation in Timor-Leste. By that resolution, the Security Council underscored that the concept of operations and rules of engagement for the military liaison group and the police component of the United Nations Integrated Mission in Timor-Leste (UNMIT) need to be regularly updated as necessary and be fully in line with the provisions of this resolution. The resolution also requested me to report to the Security Council and troop and police contributing countries within 90 days after the adoption of the resolution.

As Security Council resolution 1867 (2009) did not make any changes to the roles and tasks of the military liaison group, no adjustments were required to the military concept of operations. The concept of operations of the police component, however, has been carefully reviewed by the Department of Peacekeeping Operations and UNMIT to meet the requirement of the mandate of the Mission, as outlined in Security Council resolution 1867 (2009).

This resolution supports the gradual resumption of policing responsibilities by the Polícia Nacional de Timor-Leste (PNTL) through a phased approach, while emphasizing that the PNTL must meet the criteria mutually agreed between the Government of Timor-Leste and UNMIT. To ensure that the process is jointly owned and implemented, Prime Minister Kay Rala Xanana Gusmão and my Special Representative concluded an agreement on 13 May 2009, which provides a basic framework for the resumption process and respective roles and responsibilities of the PNTL and UNMIT police, in accordance with the agreement concluded on 1 December 2006 entitled "Arrangement on the restoration and maintenance of public security in Timor-Leste and on assistance to the reform, restructuring and rebuilding of the PNTL and the Ministry of the Interior supplemental to the Agreement between the United Nations and the Democratic Republic of Timor-Leste on the Status of the United Nations Integrated Mission in Timor-Leste (UNMIT)", and further to paragraph 5 of Security Council resolution 1867 (2009) and paragraph 22 of my 9 February 2009 report on UNMIT (S/2009/72).

His Excellency
Mr. Vitaly I. Churkin
President of the Security Council
New York

29-05288

In line with this agreement, a revised concept of operations for the police component of UNMIT is being prepared and close to finalization. It provides clear strategic objectives as well as the necessary operational guidance for the smooth implementation of the process of gradual resumption of policing responsibilities by the PNTL. It also clearly sets out the gradual change in roles and responsibilities of the PNTL and UNMIT police, whereby the latter will assume an increasing role in monitoring, advising and providing operational support to the PNTL.

The rules of engagement for the police component did not require any revisions at this point in time as the UNMIT police will continue to have significant responsibilities for interim law enforcement, until the PNTL is fully reconstituted.

In close consultation with UNMIT, the Department of Peacekeeping Operations will continue to review, on a regular basis, the concept of operations and the rules of engagement to ensure that they adequately reflect the evolving situation as the resumption process progresses, in order to enable UNMIT to carry out its mandate in the most effective manner. The Department of Peacekeeping Operations will keep Security Council members as well as troop and police contributing countries informed.

Please accept, Mr. President, the assurances of my highest consideration



BAN Ki-moon



To: Deputy Secretary-General,

Please find attached for your approval and Secretary-General's signature, a letter addressed to the President of the Security Council reporting on the review of the concept of operations for the police component of UNMIT.

The Political Unit has read the draft text and considers it appropriate for the signature of the SG.

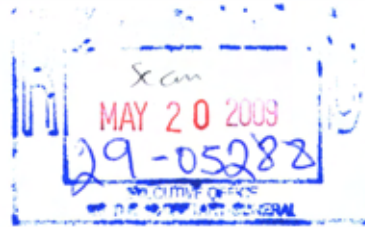
A handwritten signature in dark ink, appearing to read 'N. Haysom', followed by a horizontal line.

Nicholas Haysom
20 May 2008

cc: VN, KWS

29-05288

**ACTION
COPY**

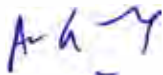


**Priority
Unclassified**

Note to Mr. Nambiar

Letter from the Secretary-General to the Security Council President further to United Nations Security Council resolution 1867 (2009) on Timor-Leste

1. We are attaching, for the approval of the Secretary-General, a draft letter to the Security Council President reporting on the review of the concept of operations for the police component of the United Nations Integrated Mission in Timor-Leste (UNMIT).
2. In its resolution 1867 (2009) of 26 February 2009, the Security Council underscored “the need for the concept of operations and rules of engagement [for the UNMIT military liaison group and police component] to be regularly updated as necessary and to be fully in line with the provisions of this resolution”. It also requested the Secretary-General “to report on them to the Security Council and troop and police contributing countries within 90 days after the adoption of this resolution”. While no changes were required to the military concept of operations, revisions to the concept of operations of the police component are being finalized, with the view to ensuring the smooth implementation of the process of gradual resumption of policing responsibility by the Polícia Nacional de Timor-Leste (PNTL), in accordance with resolution 1867.
3. With the meeting of the Security Council and troop and police contributing countries scheduled for 27 May, we would be grateful to obtain the approval of the Secretary-General as soon as possible, so that the letter can be issued prior to the meeting.


Alain Le Roy
19 May 2009

cc: Ms. Malcorra
Mr. Pascoe

**Security Council**

Distr.: General
26 February 2009

Resolution 1867 (2009)

**Adopted by the Security Council at its 6086th meeting,
on 26 February 2009**

The Security Council,

Reaffirming all its previous resolutions and statements on the situation in Timor-Leste, in particular its resolutions 1599 (2005) of 28 April 2005, 1677 (2006) of 12 May 2006, 1690 (2006) of 20 June 2006, 1703 (2006) of 18 August 2006, 1704 (2006) of 25 August 2006, 1745 (2007) of 22 February 2007 and 1802 (2008) of 25 February 2008,

Welcoming the report of the Secretary-General of 4 February 2009 (S/2009/72),

Reaffirming its full commitment to the sovereignty, independence, territorial integrity and national unity of Timor-Leste and the promotion of long-term stability in the country,

Welcoming the improvements in the political and security situation in Timor-Leste, which has recovered from the 2006 crisis and the events of 11 February 2008, and *noting* that the current political and security situation, although generally calm, remains fragile,

Welcoming the Government sponsored six-week nationwide weapons collection campaign which ended on 31 August 2008 with the support of the United Nations Integrated Mission in Timor-Leste (UNMIT) and the international security forces and the destruction of the collected weapons on the United Nations Day of that year,

Commending the political leadership and state institutions of Timor-Leste for restoring and securing stability, and *welcoming* the return of a significant number of internally displaced persons and the disbandment of the "petitioners" group, while *recognizing* the importance of additional measures to achieve meaningful reconciliation and their reintegration into their respective communities,

Reiterating its call on the leadership and other stakeholders in Timor-Leste to continue to pursue peaceful dialogue and to avoid violent means to resolve differences,



of protection of human rights and national reconciliation in the country, and *reaffirms* its full support for the continued efforts of the SRSG aimed at addressing critical political and security-related issues facing the country, including enhancing a culture of democratic governance, through inclusive and collaborative processes, including the expanded High-Level Coordination Committee and the Trilateral Coordination Forum;

3. *Requests* UNMIT to extend the necessary support, within its current mandate, for local elections currently planned for 2009, responding to the request from the Government of Timor-Leste, and *encourages* the international community to assist in this process;

4. *Reaffirms* the continued importance of the review and reform of the security sector in Timor-Leste, in particular the need to delineate between the roles and responsibilities of the Falintil-Forças de Defesa de Timor-Leste (F-FDTL) and the PNTL, to strengthen legal frameworks, and to enhance civilian oversight and accountability mechanisms of both security institutions, and requests UNMIT to continue to support the Government of Timor-Leste in these efforts;

5. *Supports* the gradual resumption of policing responsibilities by the PNTL beginning in 2009 through a phased approach, while emphasizing that the PNTL must meet the criteria mutually agreed between the Government of Timor-Leste and UNMIT as set out in paragraph 21 of the report of the Secretary-General to guarantee the PNTL's readiness for the resumption of such responsibilities in any given district or unit, and *requests* the Government of Timor-Leste and UNMIT to cooperate with each other to implement the resumption process, and requests UNMIT to continue to ensure, through the presence of UNMIT police component and the provision of support to the PNTL, the maintenance of public security in Timor-Leste, which includes interim law enforcement and public security until the PNTL is fully reconstituted;

6. *Underscores* the need for the concept of operations and rules of engagement to be regularly updated as necessary and to be fully in line with the provisions of this resolution, and *requests* the Secretary-General to report on them to the Security Council and troop and police contributing countries within 90 days after the adoption of this resolution;

7. *Requests* UNMIT, working with partners, to intensify its efforts to assist with further training, mentoring, institutional development and strengthening of the PNTL with a view to enhancing its effectiveness, including with respect to addressing the special needs of women;

8. *Reaffirms* the importance of ongoing efforts to achieve accountability and justice, and *underlines* the importance of the implementation by the Government of Timor-Leste of the recommendations of the United Nations Special Commission of Inquiry report of 2006 (S/2006/822), including paragraphs 225 through 228 of the report;

9. *Underlines* the importance of a coordinated approach to the justice sector reform, based on needs assessment, and the ongoing need to increase Timorese ownership and strengthen national capacity in judicial line functions, including the training and specialization of national lawyers and judges;

10. *Emphasizes* the need for sustained support of the international community to Timor-Leste to develop and strengthen its institutions and further build capacities in the justice sector;