



**REGULATION NO. 1999/2
ON THE ESTABLISHMENT OF
A NATIONAL CONSULTATIVE COUNCIL**

The Special Representative of the Secretary-General (hereinafter: Transitional Administrator),

Pursuant to the authority given to him under United Nations Security Council resolution 1272 (1999) of 25 October 1999,

Taking into account United Nations Transitional Administration in East Timor (UNTAET) Regulation 1999/1 of 27 November 1999 on the Authority of the Transitional Administration in East Timor,

For the purpose of establishing a consultative mechanism that ensures the participation of the East Timorese people in the decision-making process during the period of the transitional administration in East Timor,

Promulgates the following:

Section 1
National Consultative Council

1.1 A National Consultative Council (hereinafter: the Council) is hereby established to provide advice to the Transitional Administrator on all matters related to the exercise of the Transitional Administrator's executive and legislative functions, as provided for in UNTAET regulation 1999/1 of 27 November 1999.

1.2 The Council shall be the primary mechanism through which the representatives of the people of East Timor shall actively participate in the decision making process during the period of the United Nations Transitional Administration in East Timor, and through which the views, concerns, traditions and interests of the East Timorese people will be represented.

1.3 The Council shall be a joint consultative forum of representatives of the East Timorese people and UNTAET. It shall in no way prejudice the final authority of the Transitional Administrator in exercising the responsibilities vested in UNTAET under Security Council resolution 1272 (1999), as specified by UNTAET Regulation No. 1999/1.

Section 2 Composition

- 2.1 The Council shall consist of 15 members.
- 2.2 The East Timorese members shall include
- (a) Seven (7) representatives of the National Council of East Timorese Resistance (hereinafter: CNRT);
 - (b) Three (3) representatives of political groups outside the CNRT, which were in existence prior to 30 August 1999, the date of the popular consultation in East Timor;
 - (c) One (1) representative of the Roman Catholic Church in East Timor.
- 2.3 The number of members from the representations indicated in Section 2.2 (a) and (b) of the present regulation, and their proportion, shall broadly reflect the results of the popular consultation of 30 August 1999.
- 2.4 In addition, the Council shall include the Transitional Administrator and three (3) other UNTAET members, to be selected by the Transitional Administrator.
- 2.5 The members of the Council shall be appointed by the Transitional Administrator. The East Timorese members of the Council, however, shall only be appointed after consultation with the representations indicated in Section 2.2 of the present regulation.
- 2.6 The Council shall be chaired by the Transitional Administrator, or, in his absence by a person designated by the Transitional Administrator.

Section 3 Recommendations by the Council

- 3.1 The Council shall make policy recommendations on significant executive and legislative matters.
- 3.2 In making policy recommendations, the Council shall strive to reach consensus. After making all reasonable efforts to achieve such consensus, the Transitional Administrator shall make such decisions as necessary to ensure the fulfillment of the mandate given to UNTAET under Security Council resolution 1272 (1999).

Section 4 Consultation with civil society groups

The Council shall establish mechanisms for consulting with the East Timorese civil society, including religious groups, women, and youth. The details of such a mechanism shall be regulated in the rules of procedure, provided for under Section 9 of the present regulation.

Section 5 Joint Sectoral Committees

- 5.1 The Council shall create joint sectoral committees (hereinafter: the committees) to enhance its capability to provide adequate advice to the Transitional Administrator. The committees shall be composed of East Timorese and international experts.

5.2 Without prejudice to the creation of additional committees, the committees to be established shall cover the following sectors:

- a. Agriculture
- b. Education
- c. Environment
- d. Finance and Macro-Economics
- e. Health
- f. Human Rights
- g. Infrastructure
- h. Local Administration
- i. Natural Resources

5.3 The committees shall consider issues referred to them by the Council, and make recommendations on these issues for consideration by the Council.

5.4 The committees may also, upon their own initiative, make recommendations to the Council, based on their assessment and expertise in their respective sectors.

Section 6

Oath or solemn declaration

6.1 Upon appointment, each member of the Council shall make the following oath or solemn declaration before the Transitional Administrator:

"I swear (solemnly declare) that in carrying out the duties entrusted to me as a member of the National Consultative Council,

I respect and will act in accordance with the outcome of the popular consultation of 30 August 1999.

I will promote the development of democratic institutions for an independent East Timor and support the work of the United Nations Transitional Administration in East Timor; and

I will actively participate in the work of the Council and, at all times, promote respect for human rights and democratic principles. I will perform my duties without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or any other status.

I will reject the use of violence as a political means and I will endeavor to ensure that violence is never again used in East Timor".

6.2 After having completed the oath (or the solemn declaration) orally, each member of the Council shall submit a signed copy of the above declaration to the Transitional Administrator.

Section 7

Removal and replacement

7.1 If, at any point in time, the Transitional Administrator becomes aware of evidence that any of the members of the Council has violated the principles enshrined

in the oath, the Transitional Administrator may, after consulting the other member of the Council remove such members from the Council and appoint a replacement, in accordance with the present regulation.

7.2 In the event of the resignation or death of a member, the Transitional Administrator shall appoint a new member to the Council, in accordance with the present regulation.

Section 8
Sessions of the Council

8.1 The Council shall meet regularly and shall deliberate in plenary session, after establishing the necessary quorum as specified in the rules of procedure, provided for in Section 9 of the present regulation.

8.2 The Transitional Administrator, as the chairperson of the Council, shall convene plenary sessions of the Council and prepare their agenda, after consultation with the members of the Council, as and when necessary, but no less than once every fortnight.

Section 9
Rules of procedure

The Council shall, at its first meeting, adopt its own rules of procedure.

Section 10
Technical support

The Transitional Administrator shall provide the necessary technical and logistical support to the Council, including a secretariat and meeting facilities.

Section 11
Entry into force

The present regulation shall enter into force on 2 December 1999.

Sergio Vieira de Mello
Transitional Administrator