



**EUROPEAN UNION**

# Election Experts Mission to Timor-Leste

## **FINAL REPORT**

EC Specific Contract No. 2018/396253

April/May 2018



# EUROPEAN UNION



## EARLY LEGISLATIVE ELECTIONS

TIMOR-LESTE

12 MAY 2018

*FINAL REPORT*

**European Union Election Experts Mission**

16 April - 26 May 2018

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## 1. EXECUTIVE SUMMARY

- The 2018 East Timorese early legislative elections were called for by President Lú-Olo on 7 February to overcome the political and economic stalemate in which the country found itself after the 2017 legislative elections, where the Government failed to have its programme and budget approved by Parliament. Despite an unprecedentedly tense campaign environment, harsh criticism by the main election contenders, and budgetary constraints, the National Election Commission (CNE) and the Technical Secretariat for Electoral Administration (STAE) were able to deliver transparent, well-managed and credible elections.
- The legal framework for the 2018 legislative elections was the same as the one for the 2017 elections, except for two amendments concerning new rules for voter registration and operational procedures for elections. While the legal framework is in line with international obligations and allows for inclusive and transparent elections, it is incomplete and contains inconsistencies, in part due to the successive introduction of amendments to laws and regulations after each election. A comprehensive review of the legal framework and the creation of a single, consistent Electoral Code, available in the two official languages, would enhance legal certainty during elections. Furthermore, the legal provision guaranteeing the delivery of a copy of the voter register to all parties should be regulated in a way that preserves the constitutional protection of personal data and ensures information integrity.
- Four newly-established coalitions and six political parties submitted their candidacies for the legislative elections to the National Parliament. The Court of Appeal rejected two of the parties' candidacies for not fulfilling the legal requirements, as they had not taken part in any election in the last five years and therefore had lost their legal status as political parties. Compared to 2017, the publication of the complete list of all candidates by STAE was a significant improvement in terms of transparency and is in line with international best practices for elections.
- Candidates pledged to keep peace and stability during the election campaign by signing a National Pact for Peace and Unity and could exercise their rights to freedom of association, movement and expression without restrictions. However, the Revolutionary Front for an Independent Timor (Frente Revolucionário do Timor-Leste Independent, FRETILIN) and the newly formed coalition Alliance for a Progressive Change (Aliansa Mudansa Ba Progresu, AMP) conducted constant personal attacks against each other during the campaign. After the campaign ended on 9 May, both the AMP and FRETILIN raised doubts about the impartiality of the CNE and STAE though without providing solid evidence and hence threatening to undermine a long-held confidence in the electoral management bodies by all parties.
- The use of state resources in the campaign is strictly prohibited by law. However, as observed in previous elections, the misuse of state vehicles for campaign activities continued to be a practice during the 2018 legislative elections. The principle of impartiality of public entities towards candidates is a constitutional obligation and the participation of civil servants in campaign during working hours is prohibited by law. Investigations regarding alleged breaches of these regulations start only after the elections. This makes the implementation of the legal provisions ineffective since it

fails to correct infringements of the law in a timely manner and could potentially unbalance the campaign in favour of some contestants.

- The laws regulating campaign finance do not ensure a level playing field. They do not set ceilings on contributions or on campaign expenses, fail to specify which contributions are illegal, and do not establish sanctions for infractions. The CNE, which is the body responsible for monitoring campaign funding, could be given clear competencies to enforce the legal provisions regarding campaign finance.
- Media monitoring by the Press Council during the elections revealed three major problems regarding media coverage of the election campaign: a pronounced bias of some private and party audio visual media, despite media's legal obligation to be impartial and independent in their coverage of the campaign; the unbalance of party advertising, which favoured contenders with access to the most resources; and the use of social media to conduct attacks against the political rivals and the electoral management bodies, rather than to inform the electorate.
- Electoral preparations were transparent and efficient, despite budgetary constraints. Both sensitive and non-sensitive materials were produced and delivered on time to polling centres before polling started on 12 May. According to national and international observer groups, voting took place in a generally peaceful atmosphere and in an orderly manner throughout the day and across the country, despite minor procedural problems, such as a superficial checking for ink on voters' fingers; a very proactive role of party agents helping voters, which goes beyond the duties' of party agents; and the polling officers' failure to warn voters that they could not use their mobile phones inside the polling stations. Observers considered vote count and tabulation as smooth and transparent at the polling station, municipal and national levels.
- The legal framework provides opportunity to lodge complaints and appeals during all stages of the electoral process. During the campaign, CNE received two complaints filed by FRETILIN and one by AMP. Before the legal deadline to challenge the final tabulation of national results, FRETILIN and AMP filed complaints against preliminary results at two polling centres. Both complaints were decided by the CNE in the presence of party agents and observers. On 19 May, FRETILIN lodged an appeal with the Court of Appeal against the CNE's provisional tabulation of national results. On 23 May, the Court of Appeals dismissed the appeal.
- In accordance with the EU EEM's mandate, this report contains an assessment of the status of the recommendations formulated by the European Union Election Observation Mission to Timor-Leste 2017 (EU EOM 2017) and offers five new recommendations based on the EEM 2018's findings. Despite the brief time elapsed since the 2017 legislative elections, six of the recommendations by the EU EOM 2017 have been implemented, while other fifteen remain relevant.

The EU EEM considers that eight of the recommendations could be given priority due to their special importance. Four of them (number 1, 2, 3 and 7) remain from the 2017 EU EOM report, while the remaining four (number 4, 5, 6 and 8) reflect new priorities based on the EEM 2018 observation:

1. Consolidating electoral legislation into a single Electoral Code and Regulation.
2. Restoring CNE's competence as the supervisory body to approve regulation of the electoral laws.
3. Amending the legal framework for campaign finance to ensure a level playing field, giving the CNE a clear mandate and competencies to supervise campaign finance.
4. Transferring the CNE's mandate to monitor media conduct during elections to the Press Council and giving the CNE the competence to enforce media rules and to impose sanctions on media outlets breaching the laws during elections.
5. Ensuring that appropriate procedures are put in place to ensure the right to vote for hospital patients and staff, as well as for voters who are on duty outside their sucos on Election Day for duly justified professional reasons.
6. Amending the provision guaranteeing the delivery of the voter register to all parties by STAE so that it specifies the format of the voter list to be delivered, the information that must be included in the list, and the deadline to be met by STAE to produce it. The delivery of the voter register to parties must ensure the parties' right to information while guaranteeing the constitutional protection of personal data.
7. Introducing measures to improve gender parity.
8. Introducing measures to improve the exercise of the right to vote by persons with disabilities.

## **2. BACKGROUND**

Following an invitation to observe the 2018 early legislative elections in the Republic of Timor-Leste, the European Union deployed an Election Experts Mission (EU EEM) on 16 April. The EU EEM comprised one political-electoral analyst and a legal analyst, who were based in Dili. The analysts met with East Timorese political parties and election authorities, members of civil society and observer groups, as well as representatives of diplomatic missions, among others. The EEM observed campaign activities and electoral preparations in Dili and seven other municipalities (Bobonaro, Liquiçá, Ermera, Aileu, Manauto, Baucau and Lautem). On 12 May, the EEM observed voting operations in Dili, and remained in Timor-Leste until 26 May to observe the adjudication of post-electoral complaints and appeals.

The EEM's mandate was to assess all aspects of the electoral process in light of international commitments and national legislation. Moreover, the mission assessed the implementation of recommendations by the 2017 EU EOM and encourages further actions for their implementation. The findings of the EEM will provide information for eventual EU projects to support electoral reform.

## **3. POLITICAL CONTEXT**

On 22 July 2017 Timor-Leste held its third legislative elections since the country gained independence in 2002. The Revolutionary Front for an Independent East Timor (Frente Revolucionário do Timor-Leste Independente, FRETILIN) won the elections with 168,480 votes, which granted the party 23 of the 65 seats in Parliament, ten seats short of an absolute majority. The National Council of the Timorese Resistance (Conselho Nacional da Reconstrução Timorense, CNRT) came second with 167,345 votes and 22 seats. The other parties entering the Parliament were the People's Liberation Party (Partido da Libertação Popular, PLP), with eight seats; the Democratic Party (Partido Democrático, PD), with seven; and the Party for the Enhancement of Timorese National Unity (Kmanek Haburas Unidade Nasional Timor Oan, Khunto), with five. Ten days after the elections, Xanana Gusmão resigned as CNRT's secretary general, declaring that CNRT would become a constructive opposition and leaving the way clear for a government led by FRETILIN.

In September 2017, FRETILIN's Secretary General, Mari Alkatiri, was sworn in as prime minister of a FRETILIN-PD coalition cabinet. On 19 October, the Parliament rejected the government's programme. According to article 112 of Timor-Leste's Constitution, a new rejection of the government's programme would automatically entail the government's fall. Despite reiterative requests by the opposition parties, the government refused to resubmit the programme for Parliament's approval, alleging that the Constitution did not explicitly oblige it to do so. On 20 November, CNRT, PLP and Khunto, which had already started to work together under the name Parliamentary Majority Alliance (Aliança de Maioria Parlamentar, AMP), refused to debate the budget in Parliament and jointly filed a no-confidence motion, but the issue was never included into the parliament agenda.

After holding talks with all political groups, President Lú-Olo dissolved the Parliament on 26 January 2018, and on 7 February called for early legislative elections on 12 May in order to overcome the political deadlock. AMP questioned Lú-Olo's impartiality, arguing that he must have given the opposition the opportunity to build a stable government before calling for early elections.

The 12 May legislative elections were the first early elections ever held in Timor-Leste. They were conducted in an unprecedentedly tense political atmosphere. Constant verbal attacks conducted by the two largest contenders, FRETILIN and AMP, against each other obscured the debate about the political platforms.

### ***Electoral system***

The 65 members of Parliament have a 5-year mandate and are elected in one single national constituency through a plurinomial closed-list proportional representation system. The lists submitted for the elections must contain 65 primary and 25 reserve candidates and include at least one woman in every three candidates. The D'Hondt highest average formula is used for the allocation of seats. The threshold for the contestants to obtain seats is legally set at four per cent of the valid vote.

Article 99.5 of the Constitution states that in case of dissolution the newly elected National Parliament starts a new term, “whose duration is increased as necessary to complete the period corresponding to the ongoing legislative session at the time of the election”<sup>1</sup>. As the 2018 legislative election was the first early election in Timor-Leste’s history, it is unclear for East Timorese stakeholders whether this means that the five-year term will start to count down when the new Parliament is inaugurated or should rather be considered as part of the first years’ term of the Parliament constituted in 2017.

### ***Political actors***

Six parties and four coalitions submitted legislative candidacies to the Supreme Court of Justice (Supremo Tribunal de Justiça, SCJ) to contest the 12 May legislative elections before the deadline expired on 21 March. The Court of Appeal (Tribunal de Recurso, CoA), which assumes the SCJ’s functions while it is not established, approved all four coalitions, but only four out of the six parties (see below section 5, ***Registration of Political Parties and Candidates***). The final number of contenders was the smallest ever in any legislative election in Timor-Leste, representing a significant decrease compared to the twenty parties and one coalition that competed in the 2017 legislative elections.

The parties on the ballot list were FRETILIN, PD, the Patriotic Hope Party (Partido Esperanza da Pátria, PEP) and the Republican Party (Partido Republicano, PR). Neither PEP nor PR had exceeded the four per cent threshold to enter the Parliament in the 2017 legislative elections. Other than Alliance for a Progressive Change (Aliansa Mudansa Ba Progresu, AMP), the coalition of all opposition parties with seats in Parliament after the 2017 legislative elections (i.e. CNRT, PLP and Khunto), three other newly-formed coalitions were on the ballot: the Social Democratic Movement (Movimentu Social Demócrata, MSD), the National Development Movement (Movimentu Dezenvolvimentu Nasional, MDN), and the Democratic Development Front (Frenti Dezenvolvimentu Demokrátiku, FDD)<sup>2</sup>.

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<sup>1</sup> “No caso de dissolução, o Parlamento Nacional eleito inicia nova legislatura, cuja duração é acrescida do tempo necessário para se completar o período correspondente à sessão legislativa em curso à data da eleição.”

<sup>2</sup> The MSD is comprised by Christian Democrat Party (Partido Democracia Cristã PDC), Socialist Party of Timor (Partido Socialista de Timor, PST), Social Democratic Party (Partido Social Democrata, PSD), and the Centre for Social Democratic Action (Partido Centro Ação Social Democrata Timorense (CASDT). MDN was made up by Timorese Popular Monarchy Association Party (Partido Associação Popular Monarquia Timorense, APMT), Aileba People’s Liberation Party (Partido Liberta Povo Aileba, PLPA), Maubere People’s Liberation Movement Party (Partido Movimento da Libertação do Povo Maubere,



#### **4. LEGAL FRAMEWORK**

In line with the assessment conducted by the 2017 European Union Election Observation Mission (EU EOM) to Timor-Leste, the legal framework still provides a good basis for democratic, competitive and credible elections. Overall, the Timorese legal framework is in line with international obligations and allows for inclusive and transparent elections. The short time period elapsed since the 2017 legislative elections, did not allow for an exhaustive review of the legal framework, which remained dispersed, incomplete and inconsistent, as assessed by the EU EOM 2017. A comprehensive review of the legal framework and the creation of a single, consistent Electoral Code, which is available in the two official languages, Tetum and Portuguese, would contribute to greater confidence in the legal framework.

##### ***Constitution and International Commitments***

The Constitution of the Democratic Republic of Timor-Leste (2002) incorporates the rights contained in the Universal Declaration of Human Rights. It guarantees and protects fundamental rights, such as the rights of expression, assembly, association and movement, and provides for the promotion of equality in the exercise of civil and political rights and non-discrimination based on gender for the access to and participation in political life.

As a member of the United Nations, Timor-Leste has signed and ratified the most relevant international treaties related to human rights and fundamental freedoms including the International Covenant on Civil and Political Rights, the International Convention on the Elimination of Racial Discrimination, the Convention on the Elimination of all forms of Discrimination against Women, the Convention on the Rights of the Child, the Convention Against Torture, the International Covenant on Economic, Social, and Cultural Rights, and the Convention on the Protection of the Rights of all Migrant Workers and Members of their Families, but not the Convention on the Rights of Persons with Disabilities.

Two institutions have the constitutional mandate to oversee and report on Human Rights and Governance related issues, namely the Ombudsman's Office for Human Rights and Justice (PDHJ) and the Anti-Corruption Commission (CAC), the latter of which has the specific mandate of combating corruption. Both institutions have competencies to undertake investigations and denounce misconducts and crimes to the Office of the Attorney General.

##### ***Electoral Legal Framework***

Aside from the Constitution, the East Timorese legal framework for the legislative elections includes the Law on the Election of the National Parliament (2006, amended in 2011, 2012 and 2017), the Law on the Election of the Electoral Administration Bodies (2006, amended in 2007 and 2016), the Law on Political Parties (2004, amended in 2016), and the Media Law (2014), as well as various regulations. Moreover, chapter IV of the Penal Code establishes fourteen electoral crimes.

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MLPM) and National Unity of Timorese Resistance (Partido Unidade Nacional Democrática da Resistência Timorense, UNDERTIM). Finally, FDD was made up by Unity for Democratic Development Party (Partido Unidade Desenvolvementu Demokrátiku (PUDD), Timorese Democratic Union (União Democrática Timorense, UDT), Front for Change (Frenti Mudança, F-M), and National Development Party (Partido Desenvolvementu Nacional, PDN).

The 2018 early legislative elections were governed by the same legal framework as the 2017 elections except for a 2018 March decree (No.4/2018) introducing amendments to decrees No.19/2017 on out-of-country voting and No.21/2017 on organisational and operational procedures of the elections.

The amendment of decree No. 19/2017 on out-of-country voting established the opening of three new polling stations in Porto (Portugal), Dungannon and Oxford (both in the United Kingdom) in addition to those already existing for the 2017 legislative elections in Australia (Darwin, Melbourne and Sydney), South Korea (Seoul) and the United Kingdom (London). This provision was questioned by some interlocutors for being too expensive considering budgetary restrictions and the small number of Timorese voters living in these cities. However, 6,245 were registered in the out-of-country eight polling stations, which represents a 194% increase in the number of voters registered abroad since 2017 (2,125). Turnout figures of the out-of-country voting were also significantly larger: 73.32% of the voters registered abroad cast their vote in 2018, as opposed to 51.27% in 2017. This increase could be explained at least by two reasons: an efficient voter register's update by STAE and an intense campaign abroad by the two main election contenders.

Amendments to decree No.21/2017 concerned four articles on organizational and operational aspects of the elections. Article 2 allowed voters living in the new sucos<sup>3</sup> created in 2017 (Decree No.16/2017) and who did not change their registration data to vote in their former suco. Article 3 added three new ways to report a change of residence to change the registration data, aimed at facilitating that students vote on the location where they study. Formerly, in order to vote where they studied, students had to submit a declaration issued by the head of the suco where the students usually resided<sup>4</sup>.

The amendment to article 3 led other national institutions to formally request from STAE that their staff could vote in the place where they were based for work purposes on Election Day. These institutions included the Catholic Church, the Ombudsman for Human Rights and Justice (Provedoria dos Direitos Humanos e Justiça, PDHJ), the Press Council (Conselho de Imprensa, CdI) and media companies. A few days before the end of the update of the voter register, STAE declared that the provision concerned exclusively the students. The coalition AMP lodged an appeal with the CoA on the unconstitutionality of article 3 of the decree, which was ruled as unconstitutional by the CoA. The CoA's ruling, however, was not published before Election Day on Timor-Leste's official gazette and will only enter into force for the next elections (see below section 14. *Complaints and appeals*).

The amendment to article 31 establishes new rules for the authorisation of assisted voting for voters with disabilities who request it. According to the new rules, the polling station's secretary had to approve the assistance of a person freely designated by the voter only in the presence of the political party agents accredited in that polling station. This amendment is as an improvement in terms of facilitating people with disabilities the right to cast a free vote.

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<sup>3</sup> The suco is the East Timorese smallest administrative subdivision.

<sup>4</sup> According to the new provision, for the 2018 legislative elections this declaration could be issued by the Chancellor of the University, the General Director of Post-Graduate Studies of the Ministry of Education and Culture, with exception of the University of Timor-Leste (UNTL) students, and the Dean of the College of Engineering, Sciences and Technology of the UNTL in Hera.

Finally, article 44 introduced new procedures for voting in hospitals and prisons, which had neither been effective nor inclusive in previous elections, especially in hospitals. Following the amendment, the hospital directors had to send two lists to STAE, one with the names of doctors and nurses working on Election Day, and another with the name of the patients and the name of one person who would assist the patient to vote, and who could also cast his/her vote, not later than 10 days before the Election Day. The requirement was also extended to prison directors, who had to send a list of the names of the prisoners and prison staff working on Election Day.

In spite of the new provision, polling operations at the hospitals did not work well, as many staff members and patients were not on the lists sent to STAE and therefore were not able to vote. This caused protests and mistrust towards STAE by hospital staff and patients.<sup>5</sup> The amendment to article 44 should be reconsidered in future elections. Hospital staff works in shifts and patients quickly check in and out of hospitals, and therefore it is unrealistic to close an accurate voter roll ten days before Election Day. This problem could be solved by manually adding to the voters roll the names of hospital workers, patients and one accompanying person, so that they can exercise their right to vote. Upon presentation of their voter cards, PNTL and Army members, as well as observers are already added manually to the voters roll in Timor-Leste.

#### ***Electoral Justice: complaints and appeals resolution***

In Timor-Leste the Judiciary is an independent power subjected only to the Constitution and the relevant laws. The Supreme Court of Justice (SCJ) is the highest justice body and the last instance in electoral matters, although it is not yet operative. The Constitution provides that until the SCJ is established, the Court of Appeal (CoA) assumes its functions and hence it becomes the last instance to handle appeals on electoral issues. For this reason, filing an appeal against a decision by CoA is a rather peculiar process since the appealed decision was taken by the CoA itself. However, to minimise a potential conflict of interest, a district judge is appointed to replace the CoA President at the plenary session deciding over appeals.

An amendment made in 2017 to the Law No. 6/2006 transferred from CNE to the CoA the responsibility of registering political parties and political coalitions, screen presidential and legislative candidates for eligibility requirements and certify final election results. This transfer of powers from the CNE to CoA was part of the reduction of the CNE's supervisory mandate, which could affect its institutional sustainability by limiting its capability to execute its responsibilities.

Fourteen electoral crimes are included in the Penal Code<sup>6</sup>. These crimes are investigated and punished by the Office of the General Prosecutor. The sanctions range from fines to up to eight-year prison sentences.

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<sup>5</sup> STAE could not provide an accurate number of voters in the Dili hospital's mobile polling station because the votes cast by patients and hospital staff were merged with the votes of the nearest polling station.

<sup>6</sup> Articles 229 to 242 of the Penal Code establish the electoral crimes, namely census fraud, obstruction of candidacy, candidate ineligibility, lack of voter lists, unlawful propaganda, obstruction of freedom of choice, disruption of electoral acts, obstruction of the supervision of an electoral act, fraud in voting, fraud in counting, refusal to be a member of a polling station, violation of the secrecy of vote, breach of the impartiality duty, and aggravation.

The legal framework provides opportunity for the voters, party agents and party representatives to lodge complaints and appeals during all stages of the electoral process, from the voter and candidate registration process through the publication of the provisional results by the CNE. Electoral appeals against the EMBs decisions are to be lodged with the CoA.

### ***Complaints and appeals during the campaign***

For the 2018 early elections, three complaints and one appeal were filed by 19 May, the day when, in accordance with the election calendar, the CNE should release the minutes of provisional national results. Two complaints were lodged with the CNE by FRETILIN, one against AMP's alleged use of language inciting violence during campaign and another one regarding a graffiti using defamatory language drawn on a wall near FRETILIN's headquarters in Liquiçá. Both actions, according to FRETILIN, were in contravention of article 13 of the decree 18/2017. AMP lodged another complaint against a FRETILIN coordinator for taking down an AMP flag, an action qualified as an electoral crime in the Penal Code. These complaints were investigated by the CNE in collaboration with the PNTL.

Finally, on the eve of Election Day, the CoA ruled on an appeal lodged by AMP on the unconstitutionality of the amendments to articles 3 and 5 of the Decree No. 21/2017 (see above section ***Electoral Legal Framework***) regarding the rules to change voter register's records and the right of persons with disabilities to vote. The CoA ruled, though not unanimously, that article 3 was unconstitutional. However, since the amendment had already been published in the *Jornal da República*, Timor-Leste's official gazette, and implemented in the early elections, the CoA's decision will only enter into force when published after the elections. The CoA found that article 5 was in accordance to the Constitution.<sup>7</sup>

In addition, the CoA ruled against a complaint filed by PDHJ who represented nineteen citizens filing a case on the unconstitutionality of the presidential decree No. 5/2018 declaring the dissolution of the National Parliament. The CoA ruled that the complaint lacked legal and Constitutional base.

### ***CNE's rejection of AMP's request of the voters list***

In mid-April the AMP requested from STAE a copy of the updated voter register. The request was in line with Law No. 6/2016 on Voter Registration, which establishes that CNE and the political parties receive from STAE a list of voters whose records have been updated. No deadline for that provision is established in the law. STAE decided to bring up the issue to CNE for decision, which, in accordance with the same law, is accountable to give an opinion on the compliance with the provisions of security of the voter lists. The CNE decided to reject AMP's request. The decision was based on the political tensions that dominated the campaign and the use of defamatory language fomenting division by the contenders.<sup>8</sup> Thus, in the view of CNE, there could be a further security risk for the voters if the voter register was delivered to AMP. CNE referred to articles 7 and 47 of the Constitution, protecting universal suffrage and the right to a secret vote. However, having

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<sup>7</sup> The amended article 5 (now article 31) introduced the requirement that the assistance to the voter with disabilities must be approved by the secretary of the polling station only in the presence of the political party agents accredited at the polling station.

<sup>8</sup> The use of defamatory and language inciting to violence is prohibited in article 13 of the electoral campaign's regulations.

in mind that the voter register had been displayed during ten days in all sucos for public review, the CNE's argument can be questioned from a legal point of view. AMP did not lodge an appeal with the CoA on the CNE's decision.

The provision on the Law on Voter Registration establishing the right of political parties to receive the voter lists from STAE is vague. It would be advisable that a revision of this provision could specify the format of the list to be delivered (digital or physical), the voter's information to be included, and the deadline to be met by STAE, while guaranteeing the constitutional protection of personal data.

## **5. ELECTION ADMINISTRATION**

### ***Institutional Framework***

The administration of elections in Timor-Leste is the responsibility of two separate electoral management bodies (EMBs), the National Election Commission (CNE) and the Technical Secretariat for Electoral Administration (STAE). CNE is an independent permanent collegial body whose mandate is to supervise the conduct of the elections and to ensure the accomplishment of constitutional and legal principles and provisions related to the electoral processes. STAE is responsible for the organization and implementation of the elections with mainly consultative, administrative and logistical powers. It acts under the Ministry of State Administration.

### ***The National Election Commission (CNE)***

The creation of the CNE is entrenched in the Constitution (article 65) and its mandate and competences are set out in law No. 7/2016 on Electoral Management Bodies, which amended law No. 5/ 2006. As a result of the 2016 amendments, together with further amendments of Law 7/2006 on Election of the President of the Republic and Law No. 6/2006 on Election of the National Parliament, the CNE's structure has not only been altered, but its competencies were also reduced, particularly regarding its competency to approve electoral regulations, which has now become a government responsibility.<sup>9</sup> Furthermore, the amendments create incoherencies with the CNE's Internal Regulations of December 2017, which still preserve the CNE's competence to approve regulations and to validate candidates lists.

The CNE is composed by seven members: one appointed by the President of the Republic, one by the Government, one judge appointed among peers, one judge from the Attorney's General Office and three judges elected by Parliament.

By its internal regulations, CNE plenary meetings are required a quorum of at least four of its seven members, and decisions are taken by consensus in closed sessions, although they should be public by law. The CNE is represented in 12 municipal offices and in one office in RAEOA.

### ***The Technical Secretariat for Electoral Administration (STAE)***

The Law on Election Administration Bodies defines STAE as an indirect state administration service with technical and administrative autonomy. STAE is responsible for the maintenance of the voter register and for the implementation of election

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<sup>9</sup> The approval of regulations transferred to the government include those to regulate submission of candidates lists; campaigning; out-of-country voting; polling, counting and results management; and the accreditation of media, party agents and observers.

operations. It is headed by a general director and two deputy-directors. The organic structure includes the cabinet of the director and six departments: information technology; voter education and training; finance and administration; logistics; planning and implementation; and public information and external relations. It has permanent offices in the 12 municipalities and one in RAEOA.

STAE is responsible for the publication of the electoral calendar, voter registration (including update of the voter register), the public display of the voter register, and the allocation of polling centres and polling stations. It is also responsible for the elaboration and publication of manuals to train election staff, as well as for the accreditation of political party agents, observers and the media, the finalisation of the ballot paper's design, and voter education. Since 2017 STAE is also responsible for the out-of-country voting for Timorese citizens living in Australia, Portugal, South Korea and United Kingdom.

During the 2018 elections, the two electoral management bodies demonstrated their capacity to perform their duties transparently, efficiently and timely. The EEM observed that CNE and STAE strengthened their collaboration at all levels to ensure an efficient accomplishment of all electoral tasks.

## **6. REGISTRATION OF POLITICAL PARTIES AND CANDIDATES**

### ***Legal framework***

The registration of political parties, coalitions and candidates for the legislative elections is regulated by the Constitution, the Law on the Election of the National Parliament (2006, amended 2011, 2012 and 2017), the Law on Political Parties (2004 amended in 2016), the Law on the Election Administration Bodies (2006, amended in 2007 and 2016), as well as various regulations.

The criteria for candidate eligibility for the legislative elections are in line with international obligations for democratic elections and include no discriminatory restrictions. Political parties must gather a minimum of 20,000 signatures of registered voters with a minimum of 1,000 signatures in each of the 13 municipalities. Political parties must be registered at least six months before the elections. A political party loses its legal status if it does not participate with its own programme in any election at local or national level for a period longer than five years.

### ***Admission of candidacies***

The Government Decree No. 16/2017 regulates the submission of candidacies for the legislative elections. The CoA holds the mandate to register political parties and coalitions and to screen candidates for eligibility requirements. The deadline for submission of coalitions expired on 11 March, and that for candidates on 21 March.

Four newly-established coalitions and six political parties submitted their candidacies for the 2018 legislative elections. All four coalitions but only four parties had their lists of candidates approved on 3 April. The Timorese Social Democratic Association (Associação Social Democrata Timorense, ASDT) and the Association of Timorese Heroes (Klibur Oan Timor Asuway, KOTA) were excluded for not complying with provisions established in the Law on Political Parties, as neither of them had participated in any local

or national election during the last five years and therefore had lost their legal status as political parties. No appeal was lodged against the CoA decisions.

### ***Publication of candidates lists***

The publication of the complete lists of all candidates on 3 May by STAE, as provided by law, was observed to be a significant improvement in terms of transparency of the elections in Timor-Leste. Although the law is not clear regarding the obligation to publish the names of all candidates<sup>10</sup>, the EU EOM 2017 recommended to publish the names of candidates as this is considered international best practice.

## **7. CAMPAIGN**

The election campaign took place between 10 April and 9 May and was followed by a two-day silence period. The campaign was generally peaceful, though its tone was very heated compared to previous elections in Timor-Leste. Candidates could exercise their rights to freedom of association, movement and expression without restrictions. On 7 April the eight parties and coalitions contesting the elections signed a National Unity Pact committing themselves to maintain peace and stability during the campaign. There were only two confirmed violent incidents in Baucau and Viqueque, which left AMP supporters slightly injured after stone throwing incidents when they returned home after attending campaign rallies. Moreover, the two first candidates on the AMP list, Xanana Gusmão and Taur Matan Ruak, participated in April in a martial arts group's public ceremony covering themselves with the flag of the group KORK. This fact motivated a public reprimand by CNE's president, Alcino Baris, reminding them that martial arts groups are banned by Government's resolution No. 5/2017, as well as a warning statement by the Ombudsman.

Before the campaign started, parties engaged in so-called "consolidation events", a sort of small meetings held throughout the country's sucos to mobilize supporters. A public statement by the CNE warning the contenders that these events were not legal was reportedly insufficient to stop them.

The CNE released on 9 March the official calendar of campaign activities. The calendar was compiled with the information submitted by the parties and coalitions to the CNE. Upon reception of the list of scheduled activities, the CNE liaised with parties and coalitions to avoid that two or more of them scheduled simultaneous activities in the same place. FRETILIN, AMP and PD were the parties and coalition holding most of the rallies, while other contenders organised lower-scale activities, such as door-to-door visits, delivery of brochures, public discussions at sucos or affixing of posters, among others. The EEM attended rallies and other campaign activities in eight of the country's thirteen municipalities and observed CNE national commissioners as well as local CNE and STAE officers monitoring all of them. The EEM also observed that both electoral management bodies worked together with the National Police of Timor-Leste (PNTL), the presidents of administrative posts and the suco chiefs to solve any problem regarding campaign activities and to prevent conflicts. All rallies observed were peaceful and orderly. However, CNE and STAE officers said that parties did not always respect the official campaign calendar.

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<sup>10</sup> The Portuguese word "candidaturas" could be interpreted as just referring to list of contenders on the ballot paper or to the list of all candidates' names.

During the campaign, the contestants, particularly FRETILIN and AMP, engaged in a vehement exchange of verbal attacks regarding the role of their leaders during the past struggle for independence, which obscured the debate around their political platforms. Candidates and leaders conducted their attacks during their public campaign activities and through the social media, most frequently through Facebook. During the last days of the campaign and the silence period, AMP turned its criticism to the electoral management bodies, questioning their impartiality. Posts at AMP's official Facebook site suggested that CNE and STAE were bowing to FRETILIN's pressures when they accepted the donation of ballot boxes by the Chinese government and accused the CNE's president of secretly meeting FRETILIN's acting president of RAEOA. The latter allegation motivated a defamation complaint by CNE's president, who rejected the accusations. On Election Day, Xanana Gusmão, number one on AMP's list, threatened to sue CNE's president and STAE's general director for the allegedly low quality of the indelible ink used to mark voters' fingers and for the supposed existence of ballot papers pre-marked for FRETILIN. No official complaint was filed by AMP regarding these allegations.

### ***Campaign funding***

The campaign funding is governed by Law No. 3/2004 on Political Parties, amended in 2016; Law No. 6/2008 on the Legal Regime for the Financing of Political Parties, and government decree No. 18/2017, which regulates the electoral campaign.

To finance their campaign, the political parties can take out loans or receive donations. While donations from public companies or companies partly owned by the State, as well as from foreign companies or individuals, are forbidden, the law is not clear about other requirements for donations: for instance, the law does not clarify what kind of services or goods are defined as donations nor what is considered an illegal donation. The law establishes no ceilings for donations or campaign expenditures, which could leave room for strong influence by certain individuals on parties or candidates. Overall, the legal framework for campaign funding is vague and does not ensure a level playing field.

The 2016 amendment of the Law on Political Parties establishes the right of all electoral contenders to receive a campaign subsidy from the State, which is awarded after the elections according to the number of votes obtained by the party. The subsidy must be within a range of a minimum of USD1 and a maximum of USD10 for each vote received. A government decree sets up the exact amount of the subsidy only after the elections. As a result, political parties must rely on their own funds and donations to cover for expenses, which appeared to be a challenge for the smaller parties with fewer resources.

In accordance with government decree No. 18/2017, which sets the rules for the campaign, political parties must keep separate and detailed financial accounts of their campaign and submit them to the CNE within 30 days after Election Day. Upon reception of the accounts the CNE has 30 days to audit them for breaches of rules contained in the legal framework for campaign, and 45 days to publish the audit results. The legal requirements of campaign funding, however, are vague and CNE lacks a clear competency to enforce the law on this respect. Except for a provision in the Law on the Political Parties that establishes a fine for the lack of party accounts, the legal framework does not contain any sanctions for breaches of the law regarding the campaign.



### ***Misuse of State resources and participation of civil servants in the campaign***

Misuse of State resources was reported by the 2012 and 2017 EU EOMs and continued to be a problem in the 2018 early elections. Since the 2017 general elections, no new measures to regulate this issue have been introduced.

The principle of impartiality of public entities toward candidates is a constitutional obligation and is further developed in articles 24 to 28 of government decree No. 18/2017 that regulates the legislative elections' campaign. This regulation calls for the impartiality of civil servants and other public entities and strictly prohibits the use of State resources for campaign purposes.

Moreover, the Law on the Civil Service explicitly prohibits civil servants to undertake campaign activities at their working place and to participate in campaign during working hours, establishing their right to take an unpaid leave during the period of the campaign if they are candidates. The Civil Service Commission (CSC), under the authority of the Prime Minister, is vested with the responsibility to control whether a candidate is a civil servant and whether he or she was granted an unpaid leave. The CSC also investigates accusations of civil servants who are not candidates and who engage in campaign activities during working hours. According to the CSC these investigations are time demanding and start only after elections. This makes the implementation of the legal provisions ineffective and fails to correct in due time the eventual participation of civil servants in campaign activities, which might unbalance the campaign in favour of one candidate.<sup>11</sup>

The Office of the Ombudsman for Human Rights and Justice (PDHJ) monitored the campaign for violations of human rights and good governance with 48 monitors deployed throughout the country. The PDHJ focused its monitoring activities on the misuse of state vehicles and motorcycles, as well as on the involvement of public servants without a leave permit in campaign activities. According to the PDHJ, members of the Government who were candidates for the 2018 legislative elections were observed using state vehicles during the campaign, which is an abuse of the state resources contravening the law. The PDHJ worked in collaboration with the PNTL, the Anti-Corruption Commission<sup>12</sup> (Comissão Anti-Corrupção, CAC) and the CSC for further investigation of reported and observed cases. In the opinion of CAC, there has been a positive trend regarding the misuse of state cars and motorcycles in campaign compared to previous elections<sup>13</sup>.

In sum, the misuse of state resources and the participation of civil servants in the campaign were overseen by three different institutions (CNE, CAC and PDHJ) with overlapping competencies, despite the CNE's overall responsibility to supervise the elections. The CNE should be given powers to sanction breaches of the law found by any of these institutions.

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<sup>11</sup> The CSC is still in the process of investigating alleged breaches of the law by civil servants during the 2017 elections.

<sup>12</sup> CAC could only afford the deployment of four teams covering the whole territory. One team was deployed to Matatuto, one to Liquiçá, and one to Aileu/Ermera. A fourth mobile team operated in Dili.

<sup>13</sup> Final figures will only be available when CAC releases its final report in June or July 2018.

## 9. MEDIA

### *Media landscape and legal framework*

The media landscape comprises one state-owned (Rádio-Televisão Timor-Leste, RTTL) and one private (Grupo Média Nacional, GMN) broadcast company, several private TV and radio stations, community radios, as well as several daily newspapers and a weekly news magazine.

The Constitution of the Republic of Timor-Leste establishes the freedom of expression and information (article 40), and the freedom of the press (article 41), which cannot be limited by censorship. The Constitution also protects the journalists' right to freedom of expression, the prohibition of media monopolies, and the legal obligation that TV and radio stations are registered.

Government decree 17/2017 regulates the monitoring activities of party agents, observers and journalists during the legislative elections. Regarding journalists, the law protects their right to access electoral information and to maintain the secrecy of their information sources and guarantees security conditions for media professionals to conduct their activities. The decree also establishes duties for media professionals, such as the need to give equal opportunities and treatment to all contestants, the obligation to verify information before its dissemination and to correct false or incorrect information. Among the journalistic obligations, article 19.m of the decree includes the prohibition to take pictures within a 25-meter perimeter of a polling centre or station, a prohibition which is overly restrictive, since article 19.n already forbids the collection of images or information compromising the secrecy of vote.

Finally, chapter 4 of Government decree 18/2017 contains provisions that affect media coverage. Measures provided for in this chapter include the prohibition that editorial content manifests explicitly or implicitly any preference for a given candidate, and the allocation of equal airtime and equal prices for paid access to all contestants.

### *The Press Council and the media coverage of the campaign*

The Law on Social Communication passed in 2014 set the rights and duties of journalists and established the Press Council (Conselho de Imprensa, CdI), a body whose mandate is to ensure compliance with the provisions of the law. The CdI can act in a mediatory role in media-related conflicts and sets a Code of Ethics for Journalists. On 3 April, one week before the official start of the election campaign, the CdI issued a press statement reminding journalists, media companies, election contenders, the EMBs, and the audiences of their media-related rights and duties.

In accordance with its mandate to promote the independence of social communication media, the CdI conducted a media monitoring operation of the electoral campaign period. The monitored media sample included the two TV stations with nationwide coverage (GMN and TVTL), five newspapers and the state-owned RTL. Although the resources available were not enough to cover the whole East Timorese media universe, the CdI also paid attention in a less systematic manner to the activities of other media outlets, particularly FRETILIN's Rádio Maubere and political parties' and coalitions' social media.

According to the preliminary findings of its monitoring operation, which were orally shared with the EEM, three major problems arose from the media coverage of the campaign: a pronounced bias of private and party audio visual media, despite media's legal obligation to be impartial and independent in their coverage of the campaign; the unbalance of party advertising, which favoured the contenders having access to the most resources; and the use of social media to conduct attacks against political rivals and the electoral management bodies, rather than to inform the electorate.

The CdI media monitoring found that the print media tended to cover the campaign in a mostly balanced way, despite problems like not covering both sides of an issue, which was attributed to poor professional standards of reporters in Timor-Leste as well as to the difficulties to confirm information in Timor-Leste, rather than to deliberate bias.

Two media outlets conducted a particularly biased campaign coverage, the private TV station GMN and FRETILIN's Rádio Maubere. The former covered live AMP rallies where speakers attacked rivals, ran TV shows privileging sources that favoured AMP's view about the struggle for independence and aired almost exclusively AMP ads. Rádio Maubere also broadcast live FRETILIN rallies and was openly biased in favour of FRETILIN in its general coverage. As neither the CdI nor the CNE are mandated by law to sanction infringements of media provisions during the campaign, the CdI could only advise GMN and Rádio Maubere that their rallies were broadcast live and unedited, so they became more sensitive about the potential impact of heated messages on the audience. In order to avoid media outlets' failure to comply with media provisions during the campaign, the Press Council should be transferred the CNE's mandate to monitor media conduct during the campaign, while the CNE keeps the competence to enforce media rules and to impose sanctions to the media outlets breaching the laws.

The state-owned Radio and TV of Timor-Leste (RTTL) complied with its legal obligation to give equal airtime to all contestants, but only occasionally broadcasted news about the campaign, neglecting its obligations as a state-owned medium to inform the electorate.

Finally, regarding social networks, AMP and FRETILIN mainly used social media to attack each other. During the last days of the campaign, AMP used its Facebook pages to circulate accusations of partiality against the EMBs without substantiating them or formally filing a complaint, threatening the long-held confidence by all electoral stakeholders in both STAE and CNE's impartiality and professionalism. The use of inflammatory language by the candidates spread to general users on social media, who disseminated unfounded accusations and rumours, and in some cases were warned by PNTL about them potentially committing crimes. Social media users should not be warned by the police about the potential commission of a crime unless their activities are ruled as a crime by a judicial authority. The CNE, the CdI and other relevant authorities could conduct educative campaigns in future elections to promote a wise use of social media by candidates and voters to avoid hate speech, incitement to violence or defamation, as well as the dissemination of unchecked information.

### ***Debates***

Following the successful first experience of televised debates during the 2017 presidential and legislative elections, the CNE scheduled two debates among representatives of all eight legislative contestants on 8 and 9 May. A working group composed by members of the CNE, UNDP, PDHJ, and IFES prepared in advance a list of topics to be debated.

During the second day of debates, members of the audience could also ask questions directly from CNE's conference hall or by phone from their homes. The debates were professionally moderated and conducted in a relaxed atmosphere. However, the representatives of the contestants, who were not always the candidates at the top of the lists, presented their proposals about the issues rather than exchanging their views on different matters with other contenders.

While the state-owned TV broadcast the 9 May debate, the private TV channel GMN broadcast the so-called "Great Debate", where Xanana Gusmão, number one on AMP list, answered questions by a panel of journalists and commentators. GMN did this despite CNE's advise that they broadcast the official debate. GMS's decision to allocate prime-time airtime to one of the contenders on the last day of the campaign cannot be justified by editorial reasons and did not only limit the impact of a genuine effort by the state-owned TV to inform voters, but also infringed the principle of equal treatment for all candidates.

## **9. ELECTORAL PREPARATIONS**

The 12 May elections were the first early elections ever held in Timor-Leste. The EEM did not observe this as having a negative impact on the electoral preparations. On the contrary, voter education activities and training of polling officers and party agents seemed to have benefited from having had elections less than one year before. Budget constraints, based on the fact that the government's budget proposal was not passed by Parliament – which was dissolved in January 2018, did also not seem to negatively impact election preparations.

All electoral preparations, including among others the update of the voter register, the setting up of polling centres in-country and abroad, voter education and training of party agents and polling officers, the production of the ballot papers and the distribution of materials, were observed to be timely, generally well-managed and according to the schedule published by STAE on 21 February. To accomplish all the scheduled tasks, STAE officers closely cooperated with CNE, PNTL, presidents of administrative posts and suco chiefs. The delay of payments to temporary STAE staff was not a matter of concern, as during the 2017 legislative elections.

### ***Update of the voter register***

According to the Law on the Electoral Management Bodies (2006, amended in 2016), the STAE is the institution in charge of maintaining and updating the voter register prior to each election, whereas the CNE accompanies and supervises the updating activities. East Timorese citizens enter the voter register when they become sixteen years old, and those who are at least seventeen years old on Election Day are eligible to vote.

The update of the voter register was conducted between 4 January and 9 April 2018. At the time of closing the update, the register contained 784,286 voters, 23,379 more than for the 2017 legislative elections, amounting to a three per cent increase, which is consistent with the population's growth rate. The largest increase in the voter register corresponded to the out-of-country voters, with 4,120 more voters than in 2017, almost a threefold increase (194%), partly due to the establishment of three new voting centres in Oxford, Dungannon (both in the United Kingdom) and Porto (Portugal).

During the update period, 4,818 voters requested a transfer of their registration to a new location. In half of the cases, the new location was Dili. It is unclear how many of these transfers were due to the new provision aimed to ease transfer for students, as figures are not disaggregated by the type of transfer request (for more on transfers of students' registration, see above section 4. ***Legal framework***).

Once the update finished, the register was displayed for voters' consultation at suco level. Between 30 April and 10 May, following a procedure enacted for the first time during the 2017 legislative elections, voters in sucos with more than one polling centre could request the local STAE to paste a sticker on their voting cards indicating in which polling centre they had to cast their vote. This measure was aimed at evenly distributing voters among voting centres, avoiding queues and overcrowding, as voters are allowed to vote in the polling centre of their choice within the suco they are registered in. No data are available regarding how many voters requested the sticker. Furthermore, AMP requested a copy of the voter register based on article 16.5 of the Law on the Voters Register, but the request was denied by the CNE (see above section 4. ***Legal framework***).

The EEM observed that there was widespread confidence in the inclusiveness and reliability of the voter register.

#### ***Polling centres***

There were 885 polling centres, and 1,160 polling stations for the 2018 legislative elections. Forty-two of the polling centres were new (4.7%), all of them containing a single polling station. Three of these new polling centres were established abroad, in Porto (Portugal), Oxford and Dungannon (both in the United Kingdom)<sup>14</sup>. Most of the other new ones were set up at rural locations in Timor-Leste.

#### ***Training of polling officers and party agents***

STAE undertook a cascade training of polling personnel, starting with a train of trainers for *brigadistas* (officers in charge of the polling centres) from 26 to 28 March. Once these first *brigadistas* were trained, they helped recruiting and training other *brigadistas* as well as the ten-member teams needed to run each polling station. The first training sessions for *brigadistas* at the municipality level were held from 30 to 31 March. Training of *brigadistas* ended on 18 April, and that of the remaining polling staff on 28 April.

According to Government decree 17/2017, each party or coalition could request the accreditation of up to five party agents (*fiskais*) for each polling station. All contestants except PEP requested the accreditation of party agents, but only four of them (AMP, FRETILIN, FDD and PD) accredited enough agents to cover all polling stations (see table below). The total number of party agents accredited by the seven contestants was 14,898, as opposed to 15,525 in 2017, when three times as many contestants (21) ran for the legislative elections. STAE provided party agents with training sessions, which were completed by 30 April. The largest parties supplemented STAE training with their own.

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<sup>14</sup> The remaining out-of-country voting centres were at Darwin, Melbourne, Sydney (Australia), Lisbon (Portugal), London (UK) and Seoul (South Korea).

| Total Number of Party Agents per Candidature and Municipality |              |            |              |            |           |              |              |             |               |
|---|--------------|------------|--------------|------------|-----------|--------------|--------------|-------------|---------------|
|   | PD           | PR         | FRETILIN     | MSD        | MDN       | FDD          | AMP          | Total PS    | Total agents  |
| AILEU   | 82           | 1          | 229          | 6          | 10        | 248          | 272          | 58          | 848           |
| AINARO  | 146          | 3          | 235          | 21         | 8         | 172          | 261          | 68          | 846           |
| BAUCAU  | 271          | 7          | 667          | 9          | 7         | 468          | 485          | 123         | 1.914         |
| BOBONARO  | 198          | 6          | 336          | 4          | 5         | 327          | 424          | 103         | 1.300         |
| COVALIMA  | 158          |            | 249          | 3          | 5         | 138          | 303          | 70          | 856           |
| DÍLI  | 521          | 60         | 748          | 35         | 16        | 448          | 758          | 187         | 2.586         |
| ERMERA  | 228          | 57         | 330          | 8          | 31        | 337          | 410          | 104         | 1.401         |
| LAUTEM  | 178          | 2          | 340          | 4          |           | 191          | 337          | 76          | 1.052         |
| LIQUIÇÁ   | 130          | 26         | 172          | 4          | 6         | 221          | 267          | 62          | 826           |
| MANATUTO  | 93           |            | 226          |            | 4         | 198          | 272          | 61          | 793           |
| MANUFAHI  | 104          | 11         | 267          | 4          |           | 273          | 342          | 88          | 1.001         |
| RAEOA   | 102          | 4          | 193          | 2          |           | 118          | 204          | 65          | 623           |
| VIQUEQUE  | 94           | 21         | 166          | 7          | 5         | 221          | 338          | 86          | 852           |
| <b>Total</b>  | <b>2.305</b> | <b>198</b> | <b>4.158</b> | <b>107</b> | <b>97</b> | <b>3.360</b> | <b>4.673</b> | <b>1151</b> | <b>14.898</b> |

Both polling personnel and party agents were observed to fulfil their tasks competently on E-Day, in most cases probably benefitting from their recent 2017 experience in the same or similar position. Nonetheless, party agents were observed to be unduly proactive at offering orientation to voters, an activity which goes beyond their mandate.

#### ***Voter and civic education***

CNE and STAE share responsibility in voter and civic education activities. Both had the technical assistance of UNDP's LEARN Project for their activities in these areas (see below, section 10. *Civil Society and Election Observation* for details on UNDP's LEARN Project), particularly producing public service announcements that promoted inclusive elections aimed at people with disabilities, women, elderly and young people.

STAE produced voter education leaflets and an election song to raise awareness about the elections, which was broadcast through RTTL. A half-an-hour programme explaining the elections' basic was also broadcast through RTTL and community radios from 23 April to 11 May. CNE centred much of their voter education efforts on encouraging participation of young voters. Both CNE and STAE were active communicating through their websites and social media, and their president and general director were often on TV addressing the audiences on election-related matters.

The election turnout (80.98%), the highest in any legislative election ever held in Timor-Leste, as well as the decrease in the number of invalid votes since the 2017 elections (1.19% in 2018, as opposed to 2,01% in 2017) might be explained, at least in part, to the concerted efforts of CNE and STAE, with the support of UNDP.

#### ***Delivery of polling materials***

Production and delivery of polling materials were finalised in accordance with the election calendar. On 3 April, a lottery defined the position of parties and coalitions on the ballot. Ballot printing immediately started and was finished by 3 May. The shipping of ballots to the polling centres, along with other sensitive materials, such as the ink and the voters' lists, started on 4 May for the polling centres abroad and finished on 11 May,

on the eve of Election Day. The ink used to mark the voters' fingers after they cast their vote, the same as the one used in 2017, was procured by UNDP with Timorese funds. The Chinese government donated 1.000 ballot boxes to guarantee a sufficient supply on 12 May, since last years' ballot papers had to remain sealed for at least one year inside the ballot boxes, in accordance with article 60 of government decree No.21/2017 on organisational and operational procedures of the elections.

## **10. CIVIL SOCIETY AND ELECTION OBSERVATION**

Final figures of observers accredited by the STAE show that international and national interest about the elections in Timor-Leste did not decrease after 2017. STAE accredited 249 international observers from 20 organizations and 2,993 national observers from 15 domestic observer groups, compared to the 198 international and 3,285 national observers who participated in the 2017 legislative elections. The largest international observer groups were the Australia Timor-Leste Election Observer Mission (ATLEOM), with 49 observers; the United States Embassy to Timor-Leste (42); the Australian Embassy (39); Victoria University (36) and the International Republican Institute (24). The largest contingents of national observers were those of the Catholic Church Observer Group OIPAS (937), Fundasaun Halibur ba Dame (819), Sentru Desk (429) and the students' organization RENETIL (302). All observer groups were briefed by STAE in Dili on 7 May. Aside from observers, the STAE accredited 272 national and 7 international journalists to cover the elections.

Only two international observer groups had issued statements on the election process by the time the EEM left the country on 26 May, ATLEOM and IRI. ATLEOM congratulated the electoral management bodies for having run an "unambiguously free and fair" election process with only minor "irregularities" of a procedural nature. IRI also commended the EMBs for an election "efficiently administered", which met "international standards for free and fair elections." Other observer groups such as the one from the US Embassy or the national NGOs Belun, OIPAS and L'ao Hamutuk informally shared with the EEM that they found the election to be transparent and generally well-managed.

As during the 2017 legislative elections, the UNDP Learn Project was the main provider of electoral assistance. Areas covered by the project included media (their experts produced six public service announcements to promote the National Pact for Peace and Unity, and the vote for disadvantaged groups, such as the disabled, the women, the elderly and the young people) and legal support (two international lawyers were seconded to the STAE and one to CNE as legal advisors), among others. Aside from UNDP, the EU funded a training programme for about 50 national observers; and financially supported, along with the governments of Japan and Korea, an Electoral Information Centre managed by UNDP, as well as PDHJ election monitoring activities. Finally, IFES conducted an analysis of the electoral process, including unofficial translations into English of relevant election laws, as well as an evaluation of the accessibility of polling stations with the help of disabled voters.

## **11. PARTICIPATION OF WOMEN**

Several legal provisions guarantee women's participation in the political life of Timor-Leste. Article 17 of the Constitution guarantees gender equality. The Law on Sucos

requires that at least one woman participate in each suco council. Government decree No. 19/2017 provides for gender balance among electoral officials at polling centres and stations. The most effective provision in terms of women's political participation is the gender quota established by the Law on the Election of the National Parliament, which obliges parties and coalitions to have at least one woman in every three candidates on the lists. This has resulted in the highest representation of women in parliament in the Asia-Pacific region.

Despite the legal guarantees, the active participation and visibility of women in political life remains low. The candidates' lists for the 2018 legislative elections were all headed by a man, as opposed to two female candidates in 2017<sup>15</sup>. Besides, only three of the competing parties and coalitions had a number of female candidates higher than the minimum required by law during the 2018 legislative elections. During the campaign, rallies were predominantly conducted by male candidates.

Women are represented at all levels in both EMBs, however only two of the seven CNE commissioners are women, and none of them occupies the highest positions as president or vice president. Only two of the thirteen STAE municipal directors are women

Women comprised 48.2 per cent of the registered citizens for the 2018 early elections and STAE recorded women's voting participation at 48.6 per cent, almost the same as in the 2017 legislative elections.

Several activities were held by national non-governmental organizations to promote women's participation in the electoral process. CAUCUS, a women's NGO, paid special attention to the vote of women and participated in civic education activities in collaboration with the CNE, with a focus on women's participation on Election Day. CAUCUS also collaborated with STAE in the training of female polling staff. Additionally, CAUCUS carried out activities for female candidates on rhetoric and campaign techniques. Together with the Women and Youth Movement (Movimentu Feto Foin Sae Timor Leste, MOFFE), CAUCUS organised the TV live debate "Talks on women's politics" as well as the panel discussion "Increasing participation of Women and Young Women in Politics", broadcast by the state-owned RTTL. ALOLA Foundation, an organisation whose aim is to raise awareness about violence against girls and women, engaged in a long-term project on capacity building for female leaders in all municipalities and undertook an analysis from a gender perspective of the parties and coalitions programmes during the 2018 elections.

## **12. PARTICIPATION OF PEOPLE WITH DISABILITIES**

Despite lobbying by civil society groups, the Republic of Timor-Leste has not signed the UN Convention on the Rights of Persons with Disabilities. Although article 16 and 21 of the Constitution guarantees equal rights for all citizens and the protection of disabled citizens, the legal framework lacks practical measures to ensure the inclusiveness of all people with disabilities. The only existing legal provision is the one facilitating the visually impaired or disabled voters' right to cast their vote with the assistance of one person of their choice, with prior approval of the polling station's secretary and in the presence of the party agents.

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<sup>15</sup> However, it should be taken into account that only eight candidacies contested the legislative elections in 2018, as opposed to 21 in 2017.



In the opinion of the National Disabled People's Organization (RHTO-DPO), which deployed 129 monitors throughout the country during the 2018 legislative elections, the conditions for the disabled persons during the elections have not been improved since previous elections. According to the RHTO-DPO director, there is an urgent need of a special law that guarantees the equal right for all persons with disabilities as entrenched in the Constitution.

Access to polling stations and polling by disabled voters require special attention. Besides the set-up of ramps to access polling centres, there are international good practices and practical measures that the EMBs could consider adopting to facilitate the especial needs of disabled persons during elections, such as adapting the polling booths for persons using wheelchairs or providing the polling station officers with a torch to help the visually impaired voters. An eventual regulation could enforce those measures once available.

### **13. E-DAY**

Voting took place orderly and in a peaceful atmosphere in the polling stations visited by the EEM in Dili. This general impression based on a limited number of polling stations was confirmed by the assessment of other observer groups across the country. There was only one violent incident officially reported on E-Day, when two people were accused of setting four houses on fire in the village of Citrana (RAEOA).

Polling officers were especially careful at showing the empty ballot boxes to the party agents present at 7:00 AM, when voting started, probably due to the doubts raised by AMP during the previous days regarding an alleged scheme to stuff ballot boxes. Most procedures were reportedly performed transparently and according to the electoral law and relevant government decrees. Minor procedural flaws included a superficial checking for ink in voters' fingers<sup>16</sup>; a very proactive role of party agents explaining procedures to voters, which is not in the party agents' mandate; and the polling officers' failure to warn voters about the prohibition to enter the polling stations with their mobile phones. None of these problems was observed to have a relevant impact on voting.

STAE made efforts to ensure that hospital staff and patients as well as prisoners could vote through the amendment of article 44 of government decree No.21/2017. However, the EEM observed that members of the Dili's hospital staff, as well as some patients and their companions, were not able to vote because their names did not appear on the voters' roll. In the case of the hospital workers, it was difficult to know who would be working on shift during Election Day and therefore the lists submitted to the STAE by the hospital's management were inaccurate. Regarding the patients, the reason they could not vote was either that they had not been informed about the need to register or because they had checked in the hospital after the ten-days deadline before Election Day to register had expired. In future elections STAE should guarantee that not only hospital staff and patients but also other professionals, such as journalists, PDHJ monitors and others who can duly justify that they will be on duty on Election Day outside their sucos can cast their vote. STAE must define before Election Day the list of professionals who can benefit from this special provision. These professionals could be manually added to the voters

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<sup>16</sup> The EEM team observed that polling officers were able to casually examine voters' fingers when they handed in their voters' cards before entering the voting booths, and there was no report of any voter found with his/her finger already inked after casting the vote.

roll of a polling station of their choice within the suco they have been assigned to work on Election Day, so they can exercise their right to vote.

Counting started as soon as the last voters queuing at closing time (3 PM) cast their vote. The process proceeded more smoothly than in 2017, partly because there were only eight possible options on the ballot paper as opposed to 21 in 2017. After it finished, polling officers delivered results protocols to party agents. Provisional results were posted outside polling centres.

A statement made on E-Day by AMP leader, Xanana Gusmão, after casting his vote in Dili, caused concern, particularly among CNE and STAE officers. Gusmão declared that AMP had evidence that ballot papers had been marked before polling started and that the indelible ink used during the process was easily removable because the STAE had bought a different ink to the one used in 2017. None of these allegations was supported with factual evidence. STAE confirmed it had registered twenty cases of ballot papers stained with ink during the printing process, which had been annulled and replaced. Regarding the ink, which was procured by UNDP, an officer from the organisation in Dili guaranteed the EEM that the ink used was the same as the one purchased in 2017.

#### **14. TABULATION OF RESULTS**

The tabulation of results was conducted efficiently, transparently and according to the government decree on the parliamentary elections. As soon as the counting finished at all the polling stations in the polling centres, polling officers delivered ballot boxes and results protocols to STAE's municipal tabulation centres. Party agents were able to accompany the delivery of materials to these tabulation centres, where STAE officers checked the boxes upon their arrival in front of party agents to ensure they contained all materials and started the tabulation. Results were electronically transmitted from the municipal counting centres to a STAE server. Consolidated results were displayed in real time on a screen at STAE's national headquarters.

At 10:00 PM on 13 May, one day after Election Day, STAE's general director Acilino Branco appeared on state-owned TV to announce the completion of the count at municipal level. At that point, only the electoral materials from one polling centre in Bobonaro were missing, because polling officers and party agents disagreed over the number of votes cast and could not get to an agreement to close the counting.

The final national tabulation of results was the responsibility of CNE. It started on 14 May, in accordance with the election calendar, after ballot boxes, results protocols and electoral rolls arrived in CNE's Dili headquarters from the thirteen municipal tabulation centres and the nine polling centres abroad. The tabulation process was conducted in a hall at CNE's building, where the CNE commissioners held a permanent plenary session opened to party agents, observers and accredited journalists. During the session the seven CNE commissioners did not only check for the accuracy of the consolidation of results at municipal level, but also decided on 598 challenged ballots and complaints filed at the polling centre level. As the commissioners checked for the accuracy of results' protocols and decided on challenges, results were added to the general count and displayed on a screen. Some days after the national tabulation process was finalised, CNE uploaded the results protocols of all polling stations to the internet.

On 28 May the CoA validated CNE' national tabulation of results, which became official upon publication on Timor-Leste's official gazette, *Jornal da República*.

## **15. COMPLAINTS AND APPEALS**

Two complaints in relation to polling and counting were lodged with the CNE by FRETILIN. The complaints challenged the results of two polling stations in suco Opa, in the municipality of Bobonaro, due to discrepancies between the votes cast and the votes recorded in the results protocols. In accordance to Law 21/2017 and upon authorization of the CoA, the CNE proceeded to the recount of the votes in the presence of party agents and observers and crosschecked the results with the unused ballot papers, concluding that the number of votes cast should prevail in the two cases.

There was also a complaint lodged with the CNE by AMP regarding a discrepancy between the total number of votes cast and the total number of voters registered in suco Bairo Pité, in Dili. The numbers were crosschecked and validated by the CNE.

Additionally, the CNE proceeded with the validation and allocation of 578 out of the 598 contested votes. The remaining 20 votes were sent to the CoA for decision.

Finally, on 19 May, two days after the CNE had released the minutes of the provisional national results, FRETILIN lodged an appeal with the CoA against the national tabulation of results by the CNE, alleging several electoral irregularities and crimes in RAEOA and other municipalities, including vote buying and coercion of voters. The appeal requested a vote recount in all polling stations. On 23 May, the CoA dismissed the appeal.

## **16. RECOMMENDATIONS**

Given the short time elapsed since the 2017 legislative elections and due to the dissolution of Parliament in January 2018, less than five months after its inauguration, the necessary time and conditions were not in place to implement many of the 21 recommendations formulated by the EU EOM to Timor-Leste 2017. Notwithstanding, the EEM 2018 observed that the STAE has implemented six of the recommendations formulated by the EU EOM 2017 that did not imply legislative changes. In addition, the EEM 2018 has formulated five new recommendations to amend electoral procedures or legal provisions in areas which were not observed as problematic or subject to improvement by the EU EOM 2017.

The recommendations by the EU EOM 2017 being implemented by STAE included:

1. The publication of the official lists of candidates of all competing candidatures, including reserve candidates (EU EOM to Timor-Leste 2017's recommendation number 4), was done on 3 May. This was observed as an improvement in terms of electoral transparency which is in line with international best practices, although East Timorese law was not explicit about whether "candidaturas" refers just to the name of parties and coalitions on the ballot paper or to the complete list of candidates presented on the party lists.
2. The display of the voters register at suco level (recommendation number 5) was done for a ten-days period after the update of the voter register was finished on 28

March and partial registration rolls by suco were printed. The STAE undertook collaborative actions with CNE and other institutions (administrative posts, suco chiefs) to accomplish this and other processes at the national and local level (recommendation number 6). Although there are not final figures on how many changes were done in the voter register in response to requests by voters who checked their data displayed at the sucos, STAE estimates that about 3.000 voters were classified as non-eligible to vote for not having become 17 years old by Election Day due to the display of voter lists.

3. The inclusion of party agents' training in the calendar of electoral activities (recommendation number 8) was not listed on the official electoral calendar, which only includes the dates set by law, but the EEM could observe that it was among the tasks on the internal calendar of STAE activities. Party agents' training finished on 3 April. Dates and conditions for the training sessions were communicated in due time to all contestants.
4. Voter and civic education activities were assessed as satisfactory (recommendation number 9) considering the time and budgetary constraints of the early call for elections. The turnout rate (80.86%) for the 2018 legislative elections was the highest in a legislative election in Timor-Leste's history, and there was also a significant decrease of invalid votes from 2.01% in 2017, to 1.16% in 2018. Besides, the CNE plans to open a Centre for Civic Education to undertake voter and civic education activities outside electoral periods.
5. The money to pay the salaries of STAE personnel had been transferred to the municipalities before STAE started the trainings of its officers (recommendation number 10), and as of May 24 only the three municipalities hiring the largest number of workers (Dili, Baucau and Bobonaro) had not finished money transfers to their workers.

The EEM formulates five new recommendations, regarding the mobile vote for professionals who are performing their duties outside their regular bases on Election Day, as well as for prisoners, hospital staff and patients; the legal obligation to deliver a copy of the voter register to all parties; the vote of persons with disabilities; the prohibition to take pictures within a 25-meter perimeter of a polling station; and the use of educative campaigns to promote the wise use of social media during election campaigns.

**ANNEX 1. Table of recommendations by the EEM Timor-Leste 2018**

| No.                    | Context<br>(including reference to<br>the relevant section of<br>the FR)   | Recommendation  | Purpose  | International Instrument and Best<br>Practice   | Institution         | When<br>recommended        |
|------------------------|--|---|--|---|---------------------|----------------------------|
| <b>LEGAL FRAMEWORK</b> |  |   |  |   |                     |                            |
| 1                      | <p>Electoral legislation is dispersed in a number of different laws that are not often reorganised in a coherent framework, in part due to the successive introduction of amendments to laws and regulations after each election.</p> <p>See Section 4, “Legal Framework”, page 8.</p> | <p>Consideration may be given to consolidating all electoral legislation into a single and coherent Electoral Code and Electoral Regulations, available in both Portuguese and Tetum. This consolidation process would benefit from National Election Commission (CNE) and the Technical Secretariat for Electoral Administration (STAE) participation and input.</p> | <p>To eliminate inconsistencies and legal voids and enhance transparency, accountability, and ensure the right to information.</p> | <p>Transparency and the Right to Information.</p> <p>Public Access to Legislation.</p> <p>ICCPR, Art. 19(2): Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.</p> <p>UNCAC, Art. 13(1): Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, [...] in the prevention of corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened</p> | National Parliament | EU EOM 2017 recommendation |

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|   |   |   |  | <p>by such measures as: (b) Ensuring that the public has effective access to information.</p> <p>Universal Periodic Review (2016) Ensure that all legal documents, including legislation and draft legislation, are available in both Tetum and Portuguese (recommendation accepted by Timor-Leste, 2017).</p>   |                            |                                   |
| 2 | <p>Although it was not a problem during the 2018 elections, late introduction of amendments to electoral laws in 2017 risked creating uncertainty and diminished confidence in the legal framework and should be avoided in future elections. Debate at the National Parliament is often delayed until the pre-election or even election period, with mounting pressure to pass incomplete and not thorough amendments. Changes to the legal framework could be prohibited within a reasonable timeframe,</p> | <p>Avoiding changes to the electoral legal framework during a clearly defined time interval prior to elections would constitute good legislative practice. Review and amendment of the electoral legal framework could be included in an annual legislative plan and a five-year work plan for the National Parliament.</p> | <p>To guarantee legal stability and predictability</p> | <p>Ensuring legal certainty and predictability. International Covenant on Civil and Political Rights (ICCPR), articles 2.2 and 2.3: [Each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant. ICCPR, Art. 2(3): Each State Party to the present Covenant undertakes: (a) To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity; (b) To ensure that any</p> | <p>National Parliament</p> | <p>EU EOM 2017 recommendation</p> |

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|  | <p>during a clearly defined time interval prior to elections, such as one year, as recommended by the Venice Commission, or six months, as suggested by the Protocol on Democracy and Good Governance of the Economic Community of West African States (ECOWAS). This especially relates to fundamental rules regarding the transformation of votes into seats and rules relating to membership of electoral commissions.</p> <p>See EU EOM Timor-Leste 2017's Final Report, Section 3, "The Legal Framework for Elections", under subsection 3.4, "Late Amendments to the Electoral Laws", pages 8 and 9.</p> |  |  | <p>person claiming such a remedy shall have his right thereto determined by competent judicial, administrative or legislative authorities, or by any other competent authority provided for by the legal system of the State, and to develop the possibilities of judicial remedy; (c) To ensure that the competent authorities shall enforce such remedies when granted.</p> |  |  |
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| 3 | <p>Political decisions to reduce the CNE's supervisory mandate may adversely affect the election management body's institutional sustainability. Timor-Leste's chosen mixed model of electoral management, with an independent CNE supervising an election implementation body, STAE, that falls under the Ministry of State Administration, risks sustainability if over a series of elections, the constitution, electoral laws and regulations become inadequate for the CNE to effectively and efficiently execute its mandate and responsibilities.</p> <p>See Section 4, "Legal Framework", under subsection "Electoral Justice: complaints and appeals resolution", pages 10 and 11.</p> | <p>Broadening CNE's approval capacity and as a first step restore competence as the supervisory body to approve regulation of the electoral laws.</p> | <p>To protect CNE's institutional sustainability by consolidating and strengthening its independence and ability to undertake its mandate and exert its supervisory responsibility, without fears concerning the security of tenure or loss of key competences.</p> | <p>States must take necessary steps to give effect to rights.<br/>ICCPR, Article 2.2 (see above)<br/>Human Rights Committee (CCPR), General Comment 25: An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially, and in accordance with established laws which are compatible with the Covenant.<br/>Security of tenure and prevention of corruption.<br/>United Nations Convention Against Corruption (UNCAC), art. 1: The purposes of this Convention are: [...] (c) To promote integrity, accountability and proper management of public affairs and public property.</p> | National Parliament | EU EOM 2017 recommendation |
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| <b>ELECTORAL ADMINISTRATION</b> |   |  |   |  |  |                                   |
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| 4                               | <p>CNE deliberations regarding key steps in the electoral process are taken during closed plenary sessions. Deliberations are not published by CNE.</p> <p>See Section 5, “Election Administration”, under subsection “The National Election Commission (CNE)”, page 13.</p>  | <p>The CNE could consider making plenary sessions open to political party and candidates’ representatives, and to civil society organisations.</p> <p>Furthermore, the CNE could publish its deliberations in a timely manner as per CNE’s internal regulation.</p>  | <p>CNE deliberations are of public interest, particularly to political parties and civil society organisations.</p> <p>The CNE is required to work transparently as established in internal regulations</p> | <p>Transparency and the Right to Information<br/>Internal Regulation of the National Election Commission, 19 January 2017. Article 31, n. 7 on Meetings of the CNE: “At the end of each meeting a press release is issued, with reference to discussed issues and deliberations taken.”</p> <p>Article 35, Publicity of CNE actions: “CNE deliberations are public documents, published in CNE’s official site on internet”</p> <p>ICCPR Article 2 (2) (see above)</p> | <p>CNE (no legal change needed)</p>                                  | <p>EU EOM 2017 recommendation</p> |
| 5                               | <p>Hospital staff, as well as some patients and their companions, were not able to vote because their names did not appear on the voters’ roll on Election Day. Other professionals (such as journalists and PDHJ monitors, among others,) who are on duty outside their sucos on Election Day cannot exercise their right to vote.</p> <p>See Section 4, “Legal Framework” under subsection “Electoral</p> | <p>STAE could consider adopting measures to facilitate voting for hospital staff, patients, prisoners and professionals who will be on duty outside their sucos on Election Day. STAE should clearly define which professional bodies should be included in this special provision. These professionals could be manually added to the voters’ roll of a polling station of their choice within the suco they have</p> | <p>To guarantee equal voting rights for all voters, including those who are in hospitals, prisons or those who are outside their sucos on Election Day for professional reasons.</p>                        | <p>ICCPR, Art. 25: Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors.</p>  | <p>Government (through a government decree issuing a regulation)</p> | <p>New recommendation</p>         |

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|   | legal framework”, pages 9 and 10.   | been assigned to work on Election Day.   |  |  |                     |                    |
| 6 | <p>AMP requested from STAE a copy of the updated voter register, in line with article 16.5 of Law No. 6/2016 on Voter Registration, which establishes that CNE and the political parties receive from STAE the updated voter register. The CNE decided to reject AMP’s request, based on the political tension that dominated the campaign and the use of defamatory language fomenting division by the contenders.</p> <p>See Section 4, “Legal Framework” under subsection “CNE’s rejection of AMP’s request of the voter list”, pages 11 and 12.</p> | Amending the provision guaranteeing the delivery of the voter register to all parties by STAE so that it specifies the format of the voter list to be delivered, the information that must be included in the list, and the deadline to be met by STAE to produce it. The delivery of the voter register to parties must ensure the parties’ right to information while guaranteeing the constitutional protection of personal data. | To comply with a legal provision aimed at making transparent the updating of the voters register while guaranteeing the constitutional protection of personal data | <p>Transparency and the Right to Information</p> <p>ICCPR, Art. 19(2): Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.</p> <p>Protection of Voter Data Privacy<br/>UNCAC, Art. 10: Taking into account the need to combat corruption, each State Party shall, in accordance with the fundamental principles of its domestic law, take such measures as may be necessary to enhance transparency in its public administration, including with regard to its organization, functioning and decision- making processes, where appropriate. Such measures may include, inter alia: (a) Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making</p> | National Parliament | New recommendation |

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|                         |   |   |   | <p>processes of its public administration and, with due regard for the protection of privacy and personal data, on decisions and legal acts that concern members of the public.</p> <p>CCPR, Art. 17: (1) No one shall be subjected to arbitrary or unlawful interference with his privacy, family, home or correspondence, nor to unlawful attacks on his honour and reputation. (2) Everyone has the right to the protection of the law against such interference or attacks.</p>   |                     |                            |
| <b>CAMPAIGN FINANCE</b> |   |   |   |   |                     |                            |
| 7                       | <p>The legal framework for campaign finance is vague and incomplete. There are many gaps in the legislation, not least the absence of a clear definition of a donation. There is also no definition of illegal donations. There is no defined cumulative threshold for clear reporting of a donor's identity and the amounts or services received. The law establishes no ceiling on contributions from eligible donors, or</p> | <p>Parliament could consider amending the legal framework for campaign finance and its reporting to provide for comprehensive reporting of all campaign donations by monetary or other means, accompanied by proof of the identity of the donor and amount. Such an amendment could include:</p> <p>a) a clear definition of what constitutes a campaign contribution and campaign expenditure;</p> | <p>To ensure a level playing field.</p> | <p>Principles of transparency and accountability.<br/>Rule of law.<br/>UNCAC, article 16: "Bribery of foreign public officials and officials of public international organisations:<br/>1. Each State Party shall adopt such legislative and other measures as may be necessary to establish as a criminal offence, when committed intentionally, the promise, offering or giving to a foreign public official or an official of a public international organization, directly or indirectly, of an undue advantage, for the official himself or herself or another person or entity"</p> | National Parliament | EU EOM 2017 recommendation |

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|  | <p>on campaign spending, leading to a wide discrepancy between well-resourced contestants and other parties.<br/>The legal framework does not contain appropriate sanctions for breaches of the law.</p> <p>See Section 7, “Campaign”, under subsection “Campaign funding”, pages 15 and 16.</p> | <p>b) a comprehensive definition of donations that are illegal either through the nature of the donor or how the funds were acquired;<br/>c) A reasonable limit on cumulative contributions by a natural or legal person to an election campaign.;<br/>d) A limit on total contributions that may be received by any election candidate or party for a political campaign, and a reasonable limit on campaign expenditure by any candidate or person associated with or acting on behalf of election competitors;<br/>e) Appropriate sanctions for breaches of campaign finance rules, including provisions for their timely enforcement.</p> |  | <p>UNCAC, article 21: “Bribery in the private sector: Each State Party shall consider adopting such legislative and other measures as may be necessary to establish as criminal offences, when committed intentionally in the course of economic, financial or commercial activities:<br/>(a) The promise, offering or giving, directly or indirectly, of an undue advantage to any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting;<br/>(b) The solicitation or acceptance, directly or indirectly, of an undue advantage by any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting.”<br/>Equality of opportunity<br/>ICCPR Article 26: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any</p> |  |  |
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|   |   |   |  | <p>discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”</p> <p>ICCPR GC 25: “Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined, or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party.”</p> <p>Principles of transparency and accountability.</p> <p>Rule of law.</p> |                     |                            |
| 8 | <p>The CNE, which is responsible for campaign funding oversight, lacks a clear mandate to supervise this area. The election management bodies law makes no mention of any CNE competency in relation to campaign finance.</p> <p>See Section 7, “Campaign”, under subsection “Campaign funding”, page 16.</p> | <p>Parliament could consider amending the electoral legal framework to give CNE a clear competency to supervise campaign finance.</p> <p>The CNE could take a more assertive and proactive role in its supervisory capacity as campaign finance oversight body, including by publishing on its website political parties’</p> | <p>To provide the CNE with an effective capacity to identify breaches of the law</p> | <p>Principles of transparency and accountability.</p> <p>UNCAC, art. 16 and 21 (see above)</p>  | National Parliament | EU EOM 2017 recommendation |

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|    |  | and candidates' campaign finance reports.  |  |  |                     |                            |
| 9  | <p>In a welcome step, the first amendment to the Law on Political Parties (January 2016) provides for electoral contestants to receive campaign funding from the state. However, the potential pay gap is wide – between US\$1 and US\$10 payable per vote obtained – and the law omits any specific reference to a state subvention for presidential candidates, which gave rise to confusion following the 2017 presidential election.</p> <p>See Section 7, “Campaign”, under subsection “Campaign funding”, pages 15 and 16.</p> | <p>Parliament could consider:</p> <p>a) amending the definition of who may receive campaign funding for the presidential election;</p> <p>b) either setting out budget availability for state subsidies for presidential/ legislative candidates in advance of each election, or fixing an amount in the law with adjustments allowed based on an official price index, thus allowing candidates and parties to better plan their campaigns.</p> | To provide pre-election certainty on subsidies to be paid and prevent inconsistencies in campaign funding. | <p>Principle of legal clarity.</p> <p>Principle of transparency.</p> <p>ICCPR, article 25: “Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: [...] (c) To have access, on general terms of equality, to public service in his country.”</p> <p>ICCPR, article 26: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”</p> | National Parliament | EU EOM 2017 recommendation |
| 10 | During the election campaign, contrary to the Constitution and the regulatory framework, high-level government and state administration  | Parliament could pass legislation to guarantee that state resources are not used in favour of any presidential or legislative candidacy, including a   | To ensure a level playing field.   | <p>Equality of opportunity</p> <p>ICCPR Article 26: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any</p>  | National Parliament | EU EOM 2017 recommendation |

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|  | <p>officials were observed campaigning for FRETILIN.</p> <p>During the 2017 legislative and presidential elections, inaugurations by CNRT and FRETILIN leaders of several major infrastructure projects days before and on the first day of the legislative campaign constitute an abuse of the advantage of incumbency and did not contribute to a level playing field.</p> <p>See Section 7, “Campaign”, under subsection “Misuse of State resources and participation of civil servants in the campaign”, page 16.</p> | ban on inaugurations of public works close to elections.  |   | <p>discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.”</p> <p>Principles of transparency and accountability.</p> <p>Rule of law.</p> |                     |                            |
| <b>WOMEN PARTICIPATION IN POLITICS</b> |   |   |   |  |                     |                            |
| 11                                     | Gender equality is entrenched in article 16 of the Constitution and a one-in-three quota has improved gender representation in the  | Parliament could consider adopting legislation requiring affirmative action policies within political parties, such as amending | To better empower women parliamentarians to have full equality in the | Principle of equality. CEDAW, Article 3: States Parties shall take in all fields, in particular in the political, social, economic and cultural fields, all appropriate measures, including legislation, to  | National Parliament | EU EOM 2017 recommendation |

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|   | <p>National Parliament. However, much could still be done to empower women politicians to enjoy full equality in the exercise of political power.</p> <p>See Section 11, “Participation of Women”, page 23.</p>                    | <p>party registration requirements to ensure there is gender parity at party executive levels, as well as introducing measures to improve gender parity in government positions and in leadership roles of parliamentary commissions.</p> | <p>exercise of political power, and to include women at decision-making levels within party executives.</p>               | <p>ensure the full development and advancement of women, for the purpose of guaranteeing them the exercise and enjoyment of human rights and fundamental freedoms on a basis of equality with men.</p> <p>CEDAW, Article 7: States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men.</p> <p>CEDAW, General Recommendation 23: “[...] In order to achieve broad representation in public life, women must have full equality in the exercise of political and economic power; they must be fully and equally involved in decision-making at all levels</p> <p>ICCPR, Article 2 (1) (see above)</p> <p>ICCPR, Article 26 (see above)</p> |  |                           |
| <b>PARTICIPATION OF PERSONS WITH DISABILITIES</b> |  |   |   |  |  |                           |
| 12  | <p>Article 21 of the Constitution establishes that disabled citizens shall enjoy the same rights and shall be subject to the same duties as all other citizens, as well as the State’s protection of disabled citizens. Timor-</p> | <p>The EMBs could consider adopting measures to facilitate the right to vote for disabled persons, such as setting up ramps to access polling centres, adapting the polling booths for persons using</p>                                  | <p>To ensure that the electoral and political rights of persons with disabilities are fully guaranteed and protected.</p> | <p>Equality of opportunity.</p> <p>ICCPR, Art. 26: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect the law shall prohibit any discrimination and guarantee to all persons equal and effective</p>  | <p>Government (through a government decree issuing a regulation)</p> | <p>New recommendation</p> |



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|  | <p>Leste, the conditions and accessibility to vote by persons with disabilities continues to be inadequate and poorly managed by the EMBs.</p> <p>See section 12, “Participation of People with Disabilities”, page 24.</p> | <p>wheelchairs or providing the polling station officers with a torch to help visually impaired voters. An eventual regulation could enforce those measures once available.</p> |  | <p>protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status”.</p> <p>The United Nations Convention on the Rights of Persons with Disabilities (UNCRP), Art. 29: States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake:</p> <p>a) To ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others directly or through freely chosen representatives, including the right and opportunity for persons with disabilities to vote and be elected, inter alia by:</p> <p>i. Ensuring that voting procedures, facilities and materials are appropriate, accessible, and easy to understand and use; ii. Protecting the right of persons with disabilities to vote by secret ballot in elections and public referendum without intimidation and stand for elections</p> |  |  |
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|              |  |  |   | (...) iii. Guaranteeing the free expression of will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;<br>b) To promote actively an environment in which persons with disabilities can effectively and fully participate in the conduct of public affairs, without discrimination and on an equal basis with others and encourage their participation in public affairs (...) |                     |                            |
| <b>MEDIA</b> |  |  |   |  |                     |                            |
| 13           | Defamation ( <i>denúncia caluniosa</i> ) is considered a criminal offence under the current Penal Code.<br><br>See EU EOM Timor-Leste 2017's Final Report, Section 11, "Media", under subsection 11.2, "Legal framework", page 25. | Consideration could be given to find alternative measures to the criminalisation of defamation, possibly treating it as a matter of civil litigation or mediation, with support from the Press Council, between injured parties. | To avoid excessive sanctions that encourage media self-censorship and trigger a chilling effect on freedom of expression. | UN Human Rights Committee General Comment No. 34, 2011: States should consider decriminalization of defamation.", "Consideration should be given to avoid penalizing comments about public figures" ICCPR, article 19 -Principle of Freedom of Expression "Everyone shall have the right to hold opinions without interference.  | National Parliament | EU EOM 2017 recommendation |
| 14           | The electoral law allows for paid political advertising in state-owned media during the  | A legal provision could be established to limit paid advertising by candidates and office  | To avoid an unfair advantage for office holders   | ICCPR, Art. 25: Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without   | National Parliament | EU EOM 2017 recommendation |

|    |  |  |   |  |      |                            |
|----|--|--|---|--|------|----------------------------|
|    | <p>campaign. As many parties have few resources and are granted campaign subsidies only after elections, contestants had unequal access to state media, which is under stronger obligations than private media to be impartial. Furthermore, the state-owned media were used by office holders who used public resources to purchase advertising space to showcase public works projects.</p> <p>See EU EOM Timor-Leste 2017's Final Report, Section 11, "Media", under subsection 11.2, "Legal framework", page 25.</p> | holders on state-owned media during the election campaign.                         | and parties with more resources.  | unreasonable restrictions: [...] (c) To have access, on general terms of equality, to public service in his country. |      |                            |
| 15 | To comply with the legal provision establishing free airtime for all contestants, state-owned media aired interviews with representatives of all political parties.  | State media could consider clearly identifying free airtime granted to contestants | To allow viewers to distinguish free airtime from standard editorial content. | Professional journalistic principle: editorial content and advertising must be clearly separated.                    | RTTL | EU EOM 2017 recommendation |

|    |  |  |  |   |                            |                                   |
|----|--|--|--|---|----------------------------|-----------------------------------|
|    | <p>However, these interviews were not identified as free airtime.</p> <p>See EU EOM Timor-Leste 2017's Final Report, Section 14, "The Legislative Election", under subsection 14.3, "Media monitoring results", page 34.</p>   |  |  |   |                            |                                   |
| 16 | <p>The Media Law and the recently passed Regulation on Media Registration establish media registration as a compulsory procedure for all media, including online outlets.</p> <p>See EU EOM Timor-Leste 2017's Final Report, Section 11, "Media", under subsection 11.2, "Legal framework", page 25.</p> | <p>Compulsory registration of all media outlets with the Press Council could be either suppressed or made voluntary.</p> | <p>To avoid an unnecessary hindrance to freedom of expression.</p> | <p>Joint Declaration of the UN Special Rapporteur on Freedom of Opinion and Expression, the OSCE Representative on Freedom of the Media and the OAS Special Rapporteur on Freedom of Expression, 2003 (Standards for media regulation): Regulatory systems should take into account the fundamental differences between the print and broadcast sectors, as well as the Internet.</p> | <p>National Parliament</p> | <p>EU EOM 2017 recommendation</p> |
| 17 | <p>The CNE took no action regarding the non-compliance by media with the equal treatment and</p>   | <p>Consideration could be given to transfer to the Press Council the CNE's role of media conduct</p>                     | <p>To ensure an efficient supervision of the principles of</p>     | <p>United Nations Security Council Resolution 2065 (2012): [The Security Council] urges the Independent Media Commission to</p>   | <p>National Parliament</p> | <p>EU EOM 2017 recommendation</p> |

|    |   |   |  |  |      |                            |
|----|---|---|--|--|------|----------------------------|
|    | <p>impartiality principles for media coverage during elections.</p> <p>See section 8, “Media”, under subsection “The Press Council and the media coverage of the campaign”, pages 18 and 19.</p>  | <p>monitoring supervision during elections. The CNE would still keep its mandate as the body in charge of enforcing the respect for media rules during elections.</p> | <p>impartiality and equal treatment for all parties regarding media coverage.</p>                  | <p>ensure compliance with the Media Code of Practice and emphasises the need for media practitioners to remain committed to providing professional, independent, and factual coverage and to promoting public education and dialogue during the electoral period.</p> <p>ICCPR, Art. 25: Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: [...] (c) To have access, on general terms of equality, to public service in his country.</p> |      |                            |
| 18 | <p>State TV broadcast no electoral content until 8 PM on E-Day both during the presidential and legislative elections.</p> <p>See EU EOM Timor-Leste 2017’s Final Report, Section 12, “The Presidential Election”, under subsection 12.3, “Media monitoring results”, page 28, and Section 14, “The Legislative Election”, under subsection 14.3,</p> | <p>State TV could consider comprehensively covering election day including opening, voting and counting throughout the country</p>                                    | <p>To guarantee that citizens access information of public interest through state-owned media.</p> | <p>ICCPR, article 19.2: Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.</p>   | RTTL | EU EOM 2017 recommendation |

|    |   |  |  |   |   |                                   |
|----|---|--|--|---|---|-----------------------------------|
|    | “Media Monitoring Results”, page 34.  |  |  |   |   |                                   |
| 19 | <p>Local community radios had a generally limited role as a source of electoral content.</p> <p>See EU EOM Timor-Leste 2017’s Final Report, Section 11, “Media”, under subsection 11.1, “Media environment”, page 24.</p> | <p>Future regulation on community media could include a legal provision to provide community media outlets with financial support enabling them to play a relevant role as voters’ education platforms during elections.</p> | <p>To guarantee that citizens of municipalities outside the capital can exercise their right to access electoral information through the media and allow community media to provide its service as a key tool of information and education</p> | <p>UDHR, article 19: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers”.</p> <p>ICCPR, Article 25: “Every citizen shall have the right and the opportunity (a) To take part in the conduct of public affairs, directly or through freely chosen representatives (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors” (implying electors have the necessary information)</p> | <p>Government (through a government decree)</p> | <p>EU EOM 2017 recommendation</p> |
| 20 | <p>Article 19.m of the government decree 17/2017 regulating the activities of journalists during elections includes the prohibition to take pictures within a 25-meter perimeter of a polling</p>                         | <p>Consideration may be given to repeal article 19.m of the government decree 17/2017, which unnecessarily restricts journalistic activities</p>   | <p>To protect the secrecy of vote while not hindering journalistic activities</p>  | <p>Right to Information</p> <p>ICCPR, Art. 19: (1) Everyone shall have the right to hold opinions without interference. (2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart</p>  | <p>Government</p>                               | <p>New recommendation</p>         |

|    |   |   |  |  |                           |                           |
|----|---|---|--|--|---------------------------|---------------------------|
|    | <p>centre or station. This prohibition which is overly restrictive, since article 19.n already forbids the collection of images or information compromising the secrecy of vote.</p> <p>See section 8, “Media”, under subsection “Media landscape and legal framework”, page 17.</p>  |   |  | <p>information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice [...].</p>   |                           |                           |
| 21 | <p>AMP and FRETILIN have used social media to attack each other. During the last days of the campaign, AMP used its Facebook pages to circulate accusations of partiality against the EMBs without substantiating them or formally filing a complaint, threatening the long-held confidence by all electoral stakeholders in both STAE and CNE’s impartiality and professionalism. The use of inflammatory language by the candidates spread to general users on social</p> | <p>The CNE, the CdI and other relevant authorities could conduct educative campaigns in future elections to prevent hate speech, incitement to violence or defamation, as well as the dissemination of unchecked information.</p> | <p>To promote media uses that contribute to an informed electorate</p> | <p>Right to Information</p> <p>ICCPR, Art. 19: (1) Everyone shall have the right to hold opinions without interference. (2) Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice [...].</p> <p>Right to Security of Persons</p> <p>ICCPR, Art. 9: (1) Everyone has the right to liberty and security of person [...].</p> | <p>CNE, Press Council</p> | <p>New recommendation</p> |

|  |   |  |  |   |  |  |
|--|---|--|--|---|--|--|
|  | <p>media, who in their turn disseminated unfounded accusations and rumours. In some cases, users were warned by PNTL that they were potentially committing crimes.</p> <p>See section 8, “Media”, under subsection “The Press Council and the media coverage of the campaign”, pages 18 and 19.</p> |  |  | <p>ICCPR, Art. 20: (1) Any propaganda for war shall be prohibited by law. (2) Any advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence shall be prohibited by law.</p> |  |  |
|--|---|--|--|---|--|--|



## ANNEX 2. Election results

### A. Final results of the Timor-Leste's 2108 early legislative elections (12 May 2018)

|                 | <b>Valid vote</b> | <b>% TOTAL</b> | <b>Seats</b> |                                |         |        |
|-----------------|-------------------|----------------|--------------|--------------------------------|---------|--------|
| <b>AMP</b>      | 309.663           | 49,58%         | 34           | <b>Total registered voters</b> | 784.286 |        |
| <b>FRETILIN</b> | 213.324           | 34,16%         | 23           | <b>Total votes cast</b>        | 635.116 |        |
| <b>PD</b>       | 50.370            | 8,07%          | 5            | <b>Turnout</b>                 | 80,98%  |        |
| <b>FDD</b>      | 34.301            | 5,49%          | 3            | <b>Valid votes</b>             | 624.525 | 98,33% |
| <b>PEP</b>      | 5.060             | 0,81%          |              | <b>Invalid votes</b>           | 7.544   | 1,19%  |
| <b>MDN</b>      | 4.494             | 0,72%          |              | <b>Blank votes</b>             | 2.998   | 0,47%  |
| <b>PR</b>       | 4.125             | 0,66%          |              |                                |         |        |
| <b>MSD</b>      | 3.188             | 0,51%          |              |                                |         |        |
| <b>TOTAL</b>    | 624.525           |                | 65           |                                |         |        |

## B. Legislative elections' results by municipality and party

|                 | AMP     |       | FRETILIN |       | PD     |       | FDD    |       | PEP   |      | MDN   |      | PR    |      | MSD   |      | TOTAL   |
|-----------------|---------|-------|----------|-------|--------|-------|--------|-------|-------|------|-------|------|-------|------|-------|------|---------|
|                 | Votes   | %     | Votes    | %     | Votes  | %     | Votes  | %     | Votes | %    | Votes | %    | Votes | %    | Votes | %    | Votes   |
| <b>Aileu</b>    | 15.933  | 59,6% | 6.975    | 26,1% | 1.118  | 4,2%  | 1.862  | 7,0%  | 222   | 0,8% | 386   | 1,4% | 133   | 0,5% | 92    | 0,3% | 26.721  |
| <b>Ainaro</b>   | 19.026  | 57,2% | 5.939    | 17,8% | 3.255  | 9,8%  | 3.540  | 10,6% | 386   | 1,2% | 703   | 2,1% | 265   | 0,8% | 160   | 0,5% | 33.274  |
| <b>Baucau</b>   | 27.027  | 39,4% | 35.612   | 51,9% | 2.532  | 3,7%  | 2.031  | 3,0%  | 406   | 0,6% | 216   | 0,3% | 432   | 0,6% | 393   | 0,6% | 68.649  |
| <b>Bobonaro</b> | 26.900  | 50,9% | 14.185   | 26,8% | 7.797  | 14,7% | 2.414  | 4,6%  | 528   | 1,0% | 308   | 0,6% | 470   | 0,9% | 264   | 0,5% | 52.866  |
| <b>Covalima</b> | 17.536  | 49,4% | 8.896    | 25,1% | 6.332  | 17,8% | 1.890  | 5,3%  | 271   | 0,8% | 202   | 0,6% | 252   | 0,7% | 104   | 0,3% | 35.483  |
| <b>Dili</b>     | 71.763  | 55,3% | 45.206   | 34,8% | 5.881  | 4,5%  | 4.847  | 3,7%  | 600   | 0,5% | 546   | 0,4% | 405   | 0,3% | 496   | 0,4% | 129.744 |
| <b>Ermera</b>   | 34.686  | 54,2% | 14.988   | 23,4% | 6.843  | 10,7% | 4.725  | 7,4%  | 777   | 1,2% | 1.000 | 1,6% | 583   | 0,9% | 379   | 0,6% | 63.981  |
| <b>Lautem</b>   | 12.344  | 35,9% | 15.394   | 44,8% | 5.057  | 14,7% | 946    | 2,8%  | 187   | 0,5% | 86    | 0,3% | 207   | 0,6% | 146   | 0,4% | 34.367  |
| <b>Liquica</b>  | 17.663  | 47,5% | 10.834   | 29,1% | 3.935  | 10,6% | 3.320  | 8,9%  | 381   | 1,0% | 346   | 0,9% | 390   | 1,0% | 350   | 0,9% | 37.219  |
| <b>Manatuto</b> | 16.299  | 61,7% | 5.737    | 21,7% | 1.718  | 6,5%  | 1.767  | 6,7%  | 369   | 1,4% | 125   | 0,5% | 155   | 0,6% | 251   | 1,0% | 26.421  |
| <b>Manufahi</b> | 14.899  | 50,7% | 8.900    | 30,3% | 2.034  | 6,9%  | 2.800  | 9,5%  | 314   | 1,1% | 150   | 0,5% | 173   | 0,6% | 124   | 0,4% | 29.394  |
| <b>RAEOA</b>    | 22.455  | 58,9% | 10.831   | 28,4% | 2.065  | 5,4%  | 2.022  | 5,3%  | 340   | 0,9% | 153   | 0,4% | 178   | 0,5% | 103   | 0,3% | 38.147  |
| <b>Viqueque</b> | 11.450  | 26,2% | 27.322   | 62,4% | 1.655  | 3,8%  | 2.023  | 4,6%  | 269   | 0,6% | 265   | 0,6% | 466   | 1,1% | 306   | 0,7% | 43.756  |
| <b>Abroad</b>   | 1.682   | 37,4% | 2.505    | 55,6% | 148    | 3,3%  | 114    | 2,5%  | 10    | 0,2% | 8     | 0,2% | 16    | 0,4% | 20    | 0,4% | 4.503   |
|                 | 309.663 | 49,6% | 213.324  | 34,2% | 50.370 | 8,1%  | 34.301 | 5,5%  | 5.060 | 0,8% | 4.494 | 0,7% | 4.125 | 0,7% | 3.188 | 0,5% | 624.525 |

### **ANNEX 3. LIST OF ABBREVIATIONS**

|          |   |
|----------|---|
| AMP      | Aliansa Mudansa Ba Progresu (Alliance for a Progressive Change)                                   |
| CAC      | Comissão Anti-Corrupção (Anti-Corruption Commission)  |
| CASDT    | Partido Centro Ação Social Democrata Timorese (Timorese Social Democratic Association)            |
| CNE      | Comissão Nacional de Eleições (National Election Commission)                                      |
| CNRT     | Congresso Nacional de Reconstrução de Timor-Leste (National Congress for Timorese Reconstruction) |
| CoA      | Tribunal de Recurso (Court of Appeal)   |
| EU EEM   | European Union Election Experts Mission   |
| EMB      | Electoral Management Body   |
| EU EOM   | European Union Election Observation Mission   |
| FRETILIN | Frente Revolucionária do Timor-Leste Independente (Revolutionary Front for an Independent Timor)  |
| GMN      | Grupo Média Nacional (National Media Group)   |
| KHUNTO   | Kmanek Haburas Unidade Nasional Timor Oan (Party for the Enhancement of Timorese National Unity)  |
| MLPM     | Partido Movimento Libertasaun Povo Maubere (Maubere People's Liberation Movement Party)           |
| MTC      | Municipal Tabulation Centre   |
| NDI      | National Democratic Institute   |
| NGO      | Non-Governmental Organisation   |
| OCV      | Out-of-Country Voting   |
| F-M      | Partido Frenti-Mudança (Front for Change Party)   |
| PC       | Polling Centre  |
| PD       | Partido Democrático (Democratic Party)  |
| PDHJ     | Provedoria dos Direitos Humanos e Justiça (Ombudsman for Human Rights and Justice)                |

|          |  |
|----------|--|
| PDN      | Partido do Desenvolvimento Nacional (National Development Party)                                     |
| PDP      | Partido ba Dezenvolvimentu Popular (People’s Development Party)                                      |
| PEP      | Partido Esperança da Pátria (Patriotic Hope Party)   |
| PLP      | Partido da Libertação Popular (People’s Liberation Party)  |
| PNTL     | Polícia Nacional de Timor-Leste (National Police of Timor-Leste)                                     |
| PR       | Partido Republicano (Republican Party)   |
| PS       | Polling Station  |
| PSD      | Partido Social Democrático (Social Democratic Party)   |
| PST      | Partido Socialista de Timor (Socialist Party of Timor)   |
| PTD      | Partido Timorense Democrático (Democratic Timorese Party)  |
| PUDD     | Partido do Unidade Dezenvolvimentu Demokratiku (Unity for Democratic Development Party)              |
| RAEOA    | Região Administrativa Especial de Oe-Cusse Ambeno (Special Administrative Region of Oecusse Ambeno)  |
| RHTO-DPO | Ra’es Hadomi Timor Oan (Disabled Persons’ Organisation)  |
| RTL      | Rádio Timor-Leste (Radio Timor-Leste [state-owned])  |
| RTTL     | Rádio e Televisão de Timor-Leste (Radio and TV of Timor-Leste [state-owned])                         |
| SCJ      | Supremo Tribunal de Justiça de Timor-Leste (Supreme Court of Justice)                                |
| STAE     | Secretariado Técnico de Administração Eleitoral (Technical Secretariat for Electoral Administration) |
| TVTL     | Televisão de Timor-Leste (Timor-Leste [state-owned] Television)                                      |
| UDT      | União Democrática de Timor (Timorese Democratic Union)   |
| UNDERTIM | Unidade Nacional Democrática da Resistência Timorense (National Unity of Timorese Resistance)        |
| UNDP     | United Nations Development Programme   |
| ZEESM    | Zona Especial de Economia Social de Mercado (Special Economic and Social Market Zone)                |

