



Monitoring Report on the Presidential Election 2017

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Introduction

Fundasaun Mahein (FM) is a Civil Society Organization (CSO) that conducts monitoring, research, and advocacy related to Timor-Leste's security sector issue. It has also been conducting monitoring of electoral security provision during the 2017 National Elections

The 2016 village elections represented the first elections organized by the government of Timor-Leste since the end of the UN Mandate in Timor-Leste. Several months later, the Timorese Government organized the Presidential Election that occurred on 20th March 2017. This election was widely perceived as a test for Timor-Leste's security institutions after previous elections in 2007 and 2012 which saw violence occur both during the campaign and after the announcement of results.

This report explains the results of FM's monitoring of campaigning, voting, and vote counting during the election. FM believes that these observations provide valuable lessons for the 2017 Parliamentary Election.

Methodology

In order to understand the electoral process, FM conducted a review of the national election regulations and guidelines. This enabled FM to monitor the activities of political parties and their supporters, security actors and electoral organs, and identify any breaches of election regulations and/or inappropriate actions by security actors.

FM conducted interviews in four municipalities (Baucau, Bobonaro, Ermera and Viqueque) with 40 people including PNTL members, local leaders, youth groups, party supporters, political party officials, veterans, citizens with disabilities, and civil servants. Out of these 40 respondents, 10 were female and 30 were male. FM conducted these interviews as Key-informant interviews which protects the identity of the interviewees whilst developing qualitative data from a wide number of perspectives.

Before the Campaign

In the weeks before the campaign, FM observed no serious incidents, despite provocative rumors spread on social media by party supporters. Notably, some party supporters used false identities on social media sites (particularly Facebook) to provoke political debates.

During this period, all political parties declared for their Presidential Candidate of choice. FM noted that one of the political parties expressed support for one candidate, then switched to supporting another candidate just a few days later. FM believes this indecision served to confuse party supporters.

The Presidential Candidates met with CSO's in order to share their political visions. Some candidates also visited public places such as hospitals, distributing brochures to patients and visitors even though the campaign season had not begun yet.

Some Candidates utilized recent President Taur Matan Ruak's picture on pamphlets, while other candidates used religious symbols in their campaigning materials. Such acts violate Law no. 5/2017 which forbids using religious symbols, identities, or commandments as instruments in political campaigns.

During the Campaign

The campaigning period occurred during the two weeks leading up to the Presidential Election, from March 3rd to March 17th. Eight Presidential Candidates registered for the election.

1) Security Incidents

During FM's interviews, some participants indicated that the 2017 Presidential Election differed from previous elections due to the calmness and normalcy of the campaign period. This positive security situation allowed people to carry out their daily activities freely. Other participants stated that no serious incidents occurred in their districts during the campaign, and that they feel secure because the National Police of Timor-Leste (PNTL) maintained security effectively.¹ Therefore, FM commends political parties' decision to tell their supporters not to create instability during the campaign.

FM also observed that some candidates hired private security guards, notably Democratic Party (PD) candidate Antonio da Conceição — Kalohan, who had his own private security guards during the campaign season. However, some other political leaders protested that the PD should not have hired its own security guards.

On the first day of the campaign period, an incident took place at 6 AM in Dili. While returning from Ermera, party supporters of Presidential Candidate Francisco Guterres Lu-ol were assaulted in the Raikotu area of Dili; immediately afterwards a rumor spread that PD supporters had attacked Lu-olo's supporters.

The following day the PNTL Dili District Commander reported that similar incidents destroyed 36 houses, 2 cars, and 3 motorbikes. One man received serious injuries. The PNTL also reported that one of the groups carrying out the attacks wore the t-shirt of Antonio da Conceição's — Kalohan's PD Party, while assaulting supporters of Presidential Candidate Francisco Guterres — Lu-olo. The Commander stressed that the PNTL immediately intervened in these incidents and arrested those involved.

¹ Interview with participants in campaigning and electoral propaganda from candidates during campaigning processes 2017 on 3-17 March 2017 in Baucau, Bobonaro, Ermera no Viqueque.

Additionally, the Commission for National Elections contacted both sides in an attempt to resolve the incident. At the same time, the local leader of Comoro declared that such incidents involve Martial Arts Groups (MAG's), although he did not name any specific group.

FM observed that some candidates' supporters included MAG's in their campaign activities, even though the Government unequivocally forbade the activities of MAG's in 2013. However, FM found no MAG activities to be taking place outside of Dili in the Districts.

2) Funding for Electoral Campaigning

On the first day of the campaign season, some candidates invited people to donate funds to their campaign. FM received an invitation from a candidate Jose Antonio de Jesus Neves. However, FM acts as an independent, nonpartisan institution, meaning that it will never provide support to any candidate.²

3) Schedule for Electoral Campaigning

FM's observed that on 11 March 2017, the PNTL Commander of Ermera and CNE prevented candidate Angela Freitas from running her campaign in Riheu village, Ermera district, because it deviated from the National Election Commission's (CNE) campaign schedule. According to the official campaign schedule Angela Freitas should have conducted her campaign in Ermera on 10 March 2017.

Another presidential candidate, Fransisco Guterres Lu-olo, ran his campaign near certain public areas—specifically some F-FDTL bases and the Baucau airport—on March 12th. According to CNE, the campaign activities should occur on the soccer field in Baucau because Law No. 5/2017 prohibits campaign activity near public installations.

4) Rumours and Insults

On 14th March 14 2017, members of the National Parliament from the FRETILIN bench accused Presidential candidate Kalohan (PD party) of employing divisive—Lorosa'e – Loromonull terminology. Specifically, the allegations stated that Kalohan invoked this regionalist language to present himself as —Loromonull to voters in the Bobonaro, Cova Lima, and Ermera districts. In response, a PD member of Parliament dismissed these allegations as rumors and called for an investigation. Meanwhile, several Kalohan supporters held a press conference in which they rejected the allegations. They then asked party supporters and local communities to uphold peace and stability during the elections.

²Invitation from successful team of candidates number four (4), Jose Antonio de Jesus das Neves "Samala-Rua" to Fundasaun Mahein on 3rd March 2017.

FM noted that during the campaign many party supporters employed fake accounts on social media (particularly Facebook) to spread rumors and insult other candidates. The use of fake identities is forbidden according to campaign rules.

During and After Voting

1. Security

Generally, during this election the PNTL better adhered to rules than in previous elections. FM observed that at voting centers most PNTL personnel remained neutral as required by law. However, at some voting centers certain PNTL members did not obey the rule requiring them to stay 25 meters away from the voting center. Instead these individual officers stood very close to the polling centers, and some even sat with officials of CNE and the Technical Secretariat for Electoral Administration (STAE) at the polling centers.

Otherwise, FM's observations indicated that the Timorese-Leste Defence Force (F-FDTL) and PNTL operated professionally during the voting process. However, some F-FDTL members became involved in an incident while waiting in line to vote at the poll booth in Hera, Dili district. Members of F-FDTL's naval component wanted to vote before other people in line, but the other voters refused to let them, leading to an argument. However, the incident was resolved and the situation at the voting centre proceeded smoothly. A similar incident occurred at the voting centre in the Tasi-Tolu area of Dili, where some PNTL members argued with other voters that because they are on duty they should vote first.

FM did not register any serious incidents during the counting processes at the voting center. Citizens and communities felt very enthusiastic about the situation because the election proceeded peacefully and they felt free to vote in all polling centers. For example, in Bobonaro the supporters of Antonio da Conceição —Kalo Hanll assisted with the vote counting at the polling center even though they knew that their favored candidate had lost. Despite this electoral defeat, they were still happy and dancing at the PD Party's office. According to these supporters, the election occurred in peace, and they consider the newly elected President the President for all Timorese people.

2. STAE and CNE

FM also noted that during the election, CNE and STAE officials were still confused about their roles. Some officials were late to the voting centres, whilst voters stood in line. They also failed to pay attention to their voter lists, allowing some people to vote more than once. Additionally, the voting centre in Fatucahisuco, Manufahi District, ran out of voting ballots, and STAE and CNE officials had to return to their offices to retrieve more ballots, leading to voting stopping for one hour.

At the voting center in Fomento-Comoro, FM registered an incident involving the Secretary of State for Vocational Training and Employment, Ilidio Ximenes. This Government official arrived at the voting centre after voting had closed at 1500 hours, the closing time stipulated by law. However, he proceeded to argue with

STAE officials when they refused to let him vote. Despite STAE officials repeatedly stating that this was not allowed, Secretary Ildo contacted the Xefe de suco, asking him to intervene. After the Xefe de suco arrived and intervened on his behalf, STAE officials allowed Secretary Ildo to vote. This action represents an abuse of power by a Governmental official, which is not only a serious breach of election procedures, but is also unethical and reinforces an existing tendency of senior Government officials abusing their positions of power.

3. Participation and Result

Election statistics show that the citizen participation in the presidential election was low. Only 71.16% of registered voters participated, meaning that almost a third of the eligible population did not vote.³ FM believes this low turnout reflects insufficient civic education by electoral institutions, which failed to encourage citizens to participate in the vote. Many communities complain that civic education is only available in district capitals, meaning that people in rural areas cannot familiarize themselves with electoral procedures.

The low participation also reflects the lack of information about the elections in rural areas. In particular, community members complained about a lack of information from STAE and CNE. For example, in Bobonaro a STAE official did not authorize one citizen to vote because he lacked an original electoral card. When asked by FM, this citizen reported that he had not received any information about the need for such a card.

Timorese citizens living abroad due to work and education commitments were also limited in their ability to vote, revealing inadequacies in the current system. For the Presidential Election, only Timorese citizens living in Australia and Portugal were able to vote.

Recommendations

1. CNE and STAE must improve their officials' knowledge of the election procedures, including voter registration, rules around voting, and the methods of counting votes at each polling center.
2. CNE and STAE must provide more civic education in rural areas in order to encourage participation in the election process.
3. Security authorities must conduct routine assessments about security issues related to the upcoming Parliamentary Elections in July 2017.

³CNE - Apuramentu Nasional ba Eleisaun Prezidente 2017.

4. FM recommends that political party leaders continue promoting discussion and encouraging party supporters and sympathizers to maintain peace and stability during the coming parliamentary election. Above all, party leaders and supporters must avoid using provocative language that can incite violence.

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