

EAST TIMOR

TOWARD A NEW NATION BUILDING



**Report of International Observation Mission on
East Timor Constituent Assembly Elections
25 August - 2 September 2001**

**Asian Network for Free Elections (ANFREL)
Asian Forum for Human Rights and Development (FORUM ASIA)**

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Published by

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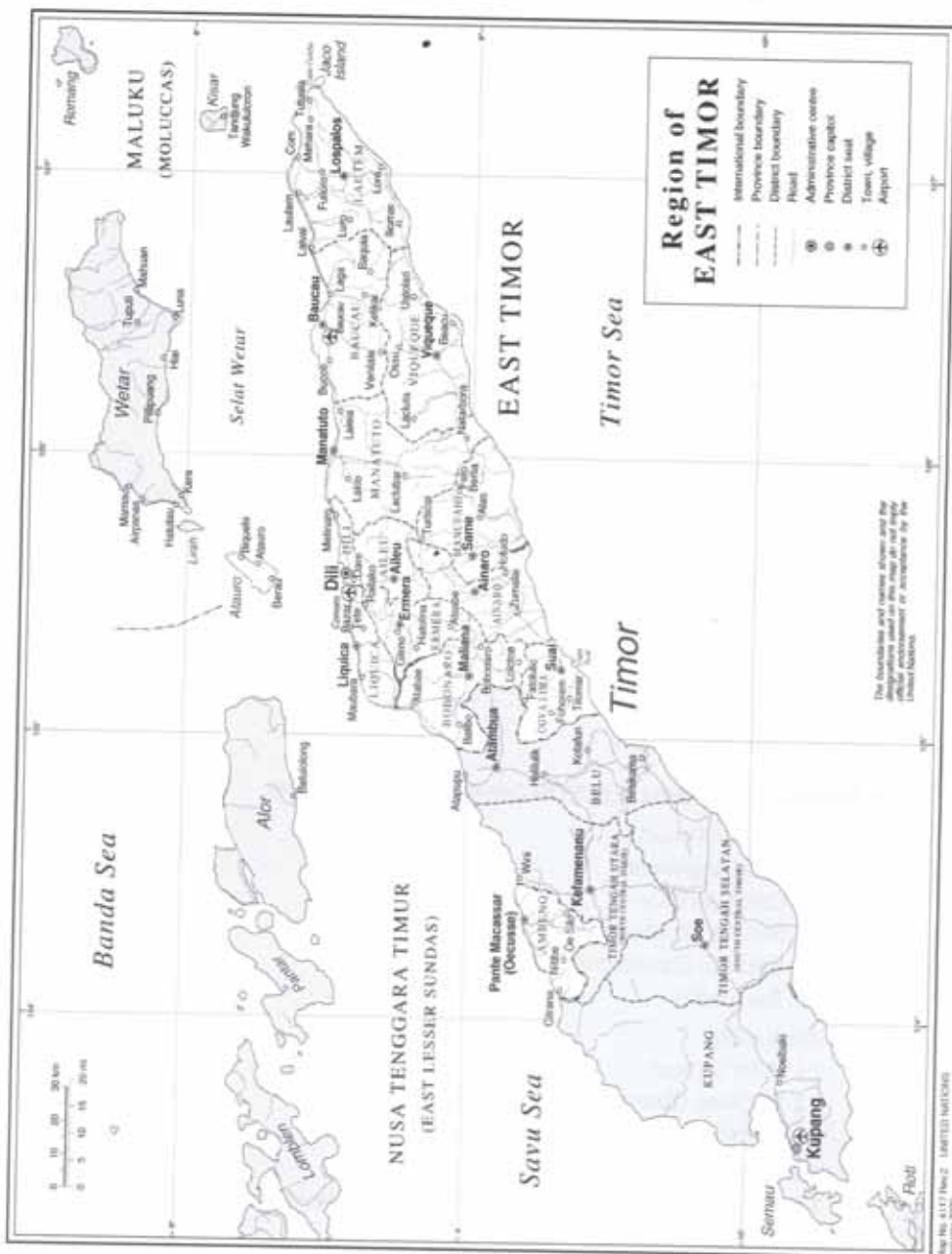


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ANFREL observation missions for the Constituent Assembly Elections in East Timor were under the leadership of General Saiyud Kerdphol, ANFREL Chairperson.

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EXECUTIVE SUMMARY

Upon the invitation by Sergio Vieira de Mello, Special Representative of the Secretary General and Transitional Administrator of the United Nations Transitional Administration in East Timor (UNTAET), to send international observers to witness the historic Constituent Assembly Elections on 30 August 2001 in which the East Timorese would elect 88 representatives to write and adopt the constitution for an independent and democratic East Timor, ANFREL dispatched a strong team of 26 international observers from 12 countries to East Timor. Out of the total 13 districts in the territory Timor, ANFREL deployed observers from Asia, Australia, Canada and Europe in 12 districts: Dili, Manatuto, Baucau, Viqueque, Lautem, Aileu, Liquica, Ermera, Manufahi, Ainaro, Bobonaro and Covalima (Suai). ANFREL missions in East Timor began on 25 August 2001 and concluded on 2 September 2001.

In the elections that would lay a foundation for East Timor as an independent democratic nation, ANFREL found enthusiasm on the side of voters, political parties and independent candidates as well as international and local agencies in charge of various aspects of electoral process. Their commitment of peaceful democratic elections was clearly reflected on 30 August 2001. East Timorese impressively overcame their painful memory of political violence and showed their readiness to embrace democracy and reconciliation. The Constituent Assembly Elections had high voter turnout with no report of violence or serious electoral abuses. The voting public participated actively in the determination of East Timor's future. Polling stations in all 13 districts recorded high voter turnout, more than 90 percent.

In the past, democratic development in East Timor was seriously undermined by political violence. But during the Constituent Assembly Elections, security situa-

tions were generally peaceful and problems were controllable. Political parties and independent candidates were committed to the Pact of National Unity by adhering to peaceful electoral contests and fair play, making the polling day violence-free. On the same token, ANFREL commended laborious effort of the United Nations and East Timorese authorities to ensure order and security until the elections were officially concluded.

The voting public in most parts of East Timor seemed to have sufficient understanding of actual balloting process. With regard to the assessment of civic education programs, ANFREL found that voters were aware of technical matters, such as the compulsory voter registration, the location of registration and polling stations, the polling day and the conducts of voters on the polling day and in the polling station. Nevertheless, ANFREL stressed that in the long run civic education programs must focus on people's participation in the conduct of governance. Without this, effort toward the consolidation of democracy would remain incomplete.

ANFREL found sufficient and non-partisan media coverage for contesting political parties and independent candidates. In general, UNTAET-sponsored media programs were popular and effective. Nevertheless, both UNTAET media coverage and commercial news agencies had a tendency, although not intentionally, to fortify the disparity in terms of political strength between big and well-established political parties and small and newly established political parties.

Regarding the administration of the polls, ANFREL found that in general the Independent Election Commission performed its duties properly, effectively and independently from the interests of political parties and independent candidates. This was a significant achievement in terms of international support to democratic development of East Timor.

International and local election observers also contributed greatly to efforts to uphold the integrity of electoral process. In addition to 1,100 independent local observers monitored the vote across East Timor's 13 districts, there were more than 500 international observers. Election observers found that they could conduct their duty safely and effectively.

In the context of long-term democratic development, the Constituent Assembly Elections provided an opportunity to East Timorese to build their capacity of running future elections by themselves. Thousands of East Timorese staffs that worked with IEC seemed to gain extensive experiences and in-depth knowledge of how elections were planned and administered in each step. This prospect, however,

might be undermined by the lack of consultation and openness in the cooperation between international and local staffs.

Official electoral results were announced on 6 September 2001. Out of the total 16 political parties contested in Constituent Assembly Elections, 12 political parties were elected to the 88-member Constituent Assembly. FRETILIN, the biggest political party that led the struggle for East Timor's independence, won 55 seats. There was no protest against official electoral results. After the certification ceremony on 10 September 2001, all elected candidates were sworn-in on 15 September 2001. In September 2001, the Constituent Assembly began deliberations on the constitution. In this connection, based on experiences during the observation of the Constituent Assembly Elections, ANFREL believed that East Timor's constitution would reflect people's aspirations for the rule of law, democracy, human rights and socio-economic justice.

I. INTRODUCTION

Based in Bangkok, ANFREL is the biggest regional network of election monitoring, democracy advocacy and human rights organizations. ANFREL members include 21 regional and national civil society organizations from 11 countries: Bangladesh, Cambodia, India, Indonesia, Japan, Nepal, Pakistan, the Philippines, South Korea, Sri Lanka and Thailand.

ANFREL has supported a number of countries and territories to consolidate democracy via electoral process. Objectives of ANFREL in this regard are: 1) to minimize election irregularities and election-related human rights violations; 2) to provide reliable information and analysis on issues related to common elections in particular and prospects for democratic development in general; and 3) to enhance and sustain the capacity of people's organizations to ensure an environment conducive for the conduct of free and fair elections as well as for the realization of people's aspiration for full democracy.

Seeing that the holding fair and free elections is an important step toward developing democracy, ANFREL deployed observers in collaboration with member organizations and networks in Bangladesh, Cambodia, Philippines, India, Indonesia, Malaysia, Sri Lanka, Nepal, Japan, Hong Kong and Thailand to ensure the integrity, credibility and transparency of electoral process in these countries. And to support of the creation of East Timor as a new democratic country in Asia, ANFREL participated actively in international monitoring activities during the Popular Consultation that led to East Timor's independence from Indonesia in 1999 and the Constituent Assembly elections in 2001.

Upon the invitation by Sergio Vieira de Mello, Special Representative of the Secretary General and Transitional Administrator of the United Nations Transitional Administration in East Timor (UNTAET), to send international observers to witness

the historic Constituent Assembly Elections on 30 August 2001 in which the East Timorese would elect 88 representatives to write and adopt the constitution for an independent and democratic East Timor, ANFREL dispatched a strong team of 26 international observers from 12 countries to East Timor. Out of the total 13 districts in the territory Timor, ANFREL deployed observers from Asia, Australia, Canada and Europe in 12 districts: Dili, Manatuto, Baucau, Viqueque, Lautem, Aileu, Liquica, Ermera, Manufahi, Ainaro, Bobonaro and Covalima (Suai).

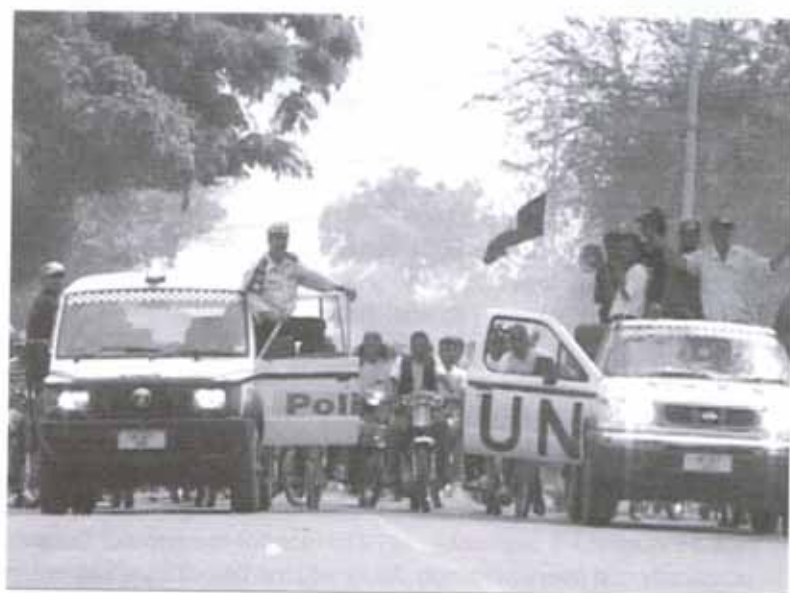


Picture 1: Sergio Vieira de Mello, Special Representative of the Secretary General and Transitional Administrator of UNTEAT sharing views with ANFREL Chairperson General Saiyud Kerdphol.

The monitoring activity during the 2001 Constituent Assembly Elections was the fifth mission that ANFREL, together with the Asian Forum for Human Rights and Development (FORUM-ASIA), sent to East Timor.

Prior to that, ANFREL observers were present in East Timor during the General Elections of Indonesia in June 1999. When the proposal to implement a referendum was agreed upon by Indonesia, ANFREL and FORUM-ASIA organized a small mission from 9 - 17 July 1999 to assess the surrounding situations and prepare for the arrival of a full observation mission. International observers were sent by ANFREL from 25 August - 2 September 1999 to monitor the Popular Consultation that democratically and overwhelmingly declared East Timor's commitment to self-determination. And in response to violent rampage and massive human rights abuse caused by anti-independence militia groups, an assessment and fact-finding team was deployed to East Timor from 13 - 23 November 1999.

Apart from the deployment of international observers, ANFREL also contributed to various long-term international supports to the formation of East Timor as a new nation in Asia. For years, ANFREL has worked in cooperation with FORUM-ASIA and the Asia Foundation (TAF) to raise awareness of civil society organizations and grassroots groups in East Timor, including human rights organizations, women organizations and student movements, about the importance and process of democratic elections, election monitoring activity, people's role in constitution-drafting process and democratic good governance in general. Regarding the 2001 Constituent Assembly Elections, ANFREL and TAF conducted a trainer's training program on election monitoring specifically for members of East Timor's women organizations in June 2001. From July to August 2001, with support from TAF, ANFREL sent a team of technical experts to East Timor to provide a training program on computer database and electronic communication to local election monitoring groups. Supports from ANFREL to East Timorese non-governmental organizations (NGOs) were also made in cooperation with FORUM-ASIA by inviting East Timorese NGOs and social workers to participate in training programs, internship programs, workshops, conferences and other activities that would build and enhance their capacity to take part actively and effectively in the nation-building process after East Timor became fully independent in May 2002.



Picture 2: UN security forces escorted the party rallies in Dili.

II. History of East Timor's Independence and Democratic Consolidation (1999 - 2001)

The General Elections on 7 June 1999 was a watershed of democratic development in Indonesia that parting the country from 50 years of autocratic rule under General Suharto. At that time, East Timor was still a province of Indonesia. The general public was apathetic to political development in Jakarta and only 43 percent of eligible voters, the lowest in all Indonesian provinces, registered to cast their ballots. The ANFREL election observation mission report also noted that voting in East Timor took place mainly as a result of fear and intimidation rather people's genuine desire to determine the future of a foreign power that occupied their homeland since 1975.

The interest of virtually every East Timorese focused on the referendum scheduled for 8 August 1999 that would stamp popular approval for the much-awaited freedom from Indonesia. This referendum was a result of the agreements signed in New York between Indonesia and Portugal on 5 May 1999. The United Nations Mission in East Timor (UNAMET) was established on 11 June 1999 with a mandate to organize the popular consultation and oversee the transitional period afterward. Nevertheless, a high level of tensions and East Timor's difficult terrain obstructed the work of UNAMET. Only 451,792 eligible voters were registered among the population of over 800,000 in East Timor and abroad. But it was the mounting violence committed by anti-independence militia groups that forced UNAMET to decide that East Timorese could not participate in the planned referendum freely, fairly and safely. As a result, the referendum was postponed and a new date was set for 30 August 1999.

Nevertheless, despite waves of political violence and intimidation, 98 percent of registered voters participated in the historic referendum. With that, East Timor achieved the world's highest voter turnout. The issue of independence was decided by a margin of 344,580 votes (78.5 percent) to 94,388 votes (21.5 percent) that rejected Indonesia's proposal on special autonomy and approved a process of transition to become a fully independent country.

Following the Popular Consultation, anti-independence militia groups, with supports from elements of the Indonesia security forces, launched a campaign of violence, looting and arson throughout East Timor. Despite its clear commitment under the New York Agreements, the government of Indonesia did not respond promptly and effectively to stop the ongoing atrocity in East Timor. Many East Timorese were killed. As a result of the bloodshed and destruction, more than 500,000 people were displaced from their homes and about half fled East Timor (in some cases, unwillingly forced by anti-independence militia groups to go into the Indonesian-controlled West Timor).

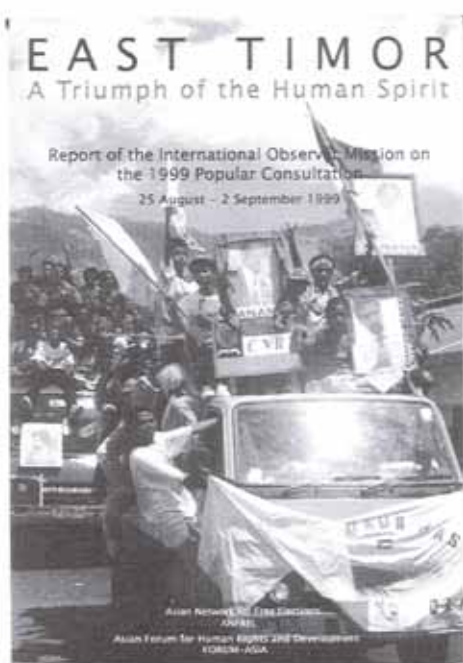
The United Nations Secretary-General (UNSG) and the United Nations Security Council (UNSC) undertook a strenuous diplomatic effort to stop violence in East Timor, pressing Indonesia to meet its responsibility to maintain security and order in the territory after the Popular Consultation.

A mission from UNSC visited Jakarta and Dili while UNSG rallied international support for the creation of a multinational force authorized by UNSC to bring the deteriorating situations in East under control. On 12 September 1999, the government of Indonesia agreed to accept the offer of assistance from the international community. UNSC authorized the international peacekeeping force headed by Australia to restore peace and security in East Timor, protect and support UNAMET in carrying out its tasks and facilitate humanitarian assistance operations. In the meantime, a large-scale emergency humanitarian relief effort was launched in East Timor, including airdrops of food, aid convoys and the provision of shelter and basic services. Relief workers and supplies were deployed incrementally as security situations began to improve. Increasingly attention was paid to the voluntary repatriation of some 250,000 East Timorese from West Timor and other areas in Indonesia.

Following the outbreak of violence and the intervention by the United Nations, the Indonesian security forces and administrative officials began to withdraw from East Timor. On 28 September 1999, Indonesia and Portugal reiterated their agreements for the transfer of authority in East Timor to the United Nations as well as for the establishment of an ad hoc administration to fill the gap created

by the departure of Indonesian authorities. On 19 October 1999, the Indonesian People's Consultative Assembly formally recognized the result of this consultation. Soon after that, on 25 October 1999, UNSC by the Resolution 1272 (1999) established the United Nations Transitional Administration in East Timor (UNTAET) as an integrated, multi-dimensional peacekeeping operation fully responsible for the administration of East Timor during a transition toward independence.

The mandate of UNTAET included the following elements: 1) to provide security and maintain law and order throughout the territory of East Timor; 2) to establish an effective administration; 3) to assist in the development of civil and social services; 4) to ensure the coordination and delivery of humanitarian assistance, rehabilitation and development assistance; 5) to support capacity-building for self-government; and 6) to assist in the establishment of conditions for sustainable development.



Picture 3: ANFREL report on the International Observation Mission on the 1999 Popular Consultation Election.

The restoration of peace and security in East Timor was essential to the development of democracy. According to the 1999 ANFREL missions report, the most threatening factor to the conduct of free and fair votes as well as other aspects of people's participatory democracy was the presence of the Indonesian security forces and militia groups in East Timor. These groups were responsible for the orchestrated violence, looting and arson throughout the territory immediately after the 1999 Popular Consultation. When Indonesia recognized the results of the Popular Consultation and the United Nations deployed the peacekeeping force, most of anti-independence militia groups retreated to the Indonesian-controlled West Timor. Since then, East Timor's political landscape has remarkably stabilized.

In the process to build East Timor as an independent democratic country, UNTAET established the East Timor Transitory Administration (ETTA) as a nucleus of the transitional executive branch. The National Council (CNRT), the transitional leg-

islative body, was established in October 2000 with 36 representatives. Both ETTA and the National Council were disbanded before the Constituent Assembly Elections on 30 August 2001. The purpose of the Constituent Assembly Elections was to elect 88 representatives from East Timor's 13 districts to write and adopt the first constitution.

Following a similar transitional administration model implemented by the United Nations in Cambodia, the Constituent Assembly of East Timor would be transformed into the National Assembly after the promulgation of the constitution. Political parties with majority seats in the National Assembly would then form a government. After the completion of the legislative and executive branches, the United Nations would hold the Presidential Elections in April 2002. The President would be the Head of State and the symbol and guarantor of East Timor's independence, unity, reconciliation and the smooth functioning of democratic institutions. The Presidential Elections would be the last major step of the transitional administration under the United Nations before the official hand-over of authority to the new East Timor Government on Independence Day, 20 May 2002.

III. Basic Information on the Constituent Assembly Elections



Map 1: Administrative and Electoral Districts of East Timor (as of May 2002)

1. Constituent Assembly

Signed on 16 March 2001, the Electoral Framework determined that the elections for East Timor's Constituent Assembly would be held on 30 August 2001. The Constituent Assembly would consist of 88 members with 75 seats specifically allocated for national representatives elected by a nationwide proportional representative system and 13 district seats elected on a simple majority basis. A political party would obtain a national seat in the Constituent Assembly for every 1.3 percent of the total national votes received. District seats would be allocated to candidates with the highest number of the total votes in each of East Timor's 13 districts. The Constituent Assembly was entrusted with power and duty to write and adopt East Timor's constitution within 90 days of its inauguration, scheduled for 15

September 2001. At least 60 members of the Constituency Assembly must approve the constitution for it to be officially promulgated. The constitution would officially go into effect on the date of East Timor's independence. After that, the Constituent Assembly would be transformed into the National Assembly, entrusted with legislative power. Political parties with majority seats in the National Assembly would form a government.

To ensure the fair representation of East Timor's political parties and interest groups in the Constituent Assembly and the subsequent drafting of East Timor's constitution, the Electoral Framework was designated in a way that prevented the possibility of a single political party winning more votes than seats available or a single independent candidate winning more than two-third of the total votes. Excess votes of the needed number to seat all of their candidates would be excluded. The seat quota would be recalculated and the remaining seats would be allocated. Such procedure, according to UNTAET, would generally benefit smaller political parties and independent candidates by providing them an opportunity to receive seats in the Constituent Assembly.



Picture 4: A sample of civic education poster prepared by IEC. All the posters were designed in 4 main languages frequently used by East Timorese.

2. Independent Election Commission

In order to implement the decision of East Timor's people in the Popular Consultation of 30 August 1999, UNTAET promulgated on 16 March 2001 a regulation creating the Independent Electoral Commission (IEC) with a mandate to organize and conduct the elections for representatives to the Constituent Assembly on 30 August 2001. In this light, IEC was designated as the exclusive electoral authority in East Timor, responsible for the organization and conduct of the electoral process. It operated as an independent body, free from influence from any source. IEC had five Electoral Commissioners and a non-voting member, the Chief Electoral Officer.

Appointed directly by UNSG on 9 May 2001, IEC Board of Commissioners were:

Bong-Scuk Sohn (Chair)	South Korea
Armando Maia (Vice Chair)	East Timor
Jacinta Correia	East Timor
Michael Maley	Australia
Carlos Valenzuela (Chief Electoral Officer)	Colombia

The ultimate objective of IEC was to guarantee that the electoral process led to results that would accurately reflect the will of the East Timorese. It would settle disputes relating to electoral process, ensure respect for the electoral regulation and international standards for democratic elections, and certify the election results and convey them to UNSG through the Special Representative of UNSG in East Timor.

For the Constituent Assembly Elections, IEC was specifically responsible for the following tasks: 1) registration of political parties, of independent candidates, and of party candidates; 2) determining the eligibility of voters and candidates and the validity of votes cast; 3) counting the votes cast; 4) determining the allocation of seats for national representation; 5) preventing election irregularities; and 6) investigating and ruling on any matter or situation that may prevent free and fair elections. To carry out these tasks, IEC had approximately 600 staffs. In the districts, IEC had 272 international staff (of whom 250 were district electoral officers) and 268 East Timorese staffs (of whom 65 were Deputy District Electoral Officers). In addition, East Timorese staffs (more than 5,000) would be appointed to serve in the balloting and vote counting process.

3. Eligible Voters and Candidates

The following persons, age 17 years or above by the end of the Civil Registration campaign on 23 June 2001, were eligible to vote in the elections for the Con-

stituent Assembly: 1) persons born in East Timor; 2) persons born outside East Timor, but with at least one parent born in East Timor; and 3) persons whose spouse met either of the two previous criteria.

Any persons eligible to vote were eligible to be a candidate for the elections. No person, however, was allowed to be a candidate in more than one constituency. Candidates for district representative must reside in the district for which they contest.

A political party could nominate only individuals affiliated with that political party to be candidates and a person could not be a candidate for more than one political party.

Persons not affiliated with a party could stand as independent candidates. Applications for a district independent candidacy must contain 100 signatures of support from eligible voters. Applications for a national independent candidacy must contain 500 signatures of support from eligible voters.

4. Contesting Political Parties and Independent Candidates

There were 16 political parties registered to contest in the Constituent Assembly Elections. At national level, there were 968 party candidates and five independent candidates. For district slots, there were 84 party candidates and 11 independent candidates.

Political parties contested at national level included: 1) Frente Revolucionaria de Timor Leste Independente (Fretilin); 2) Partido Democratico (PD); 3) Partido Social Democrata (PSD); 4) Associao Social-Democrata Timorense (ASDT); 5) Unio Democratica Timorense (UDT); 6) Partido Nacionalista Timorense (PNT); 7) Klibur Oan Timor Asuwain (KOTA); 8) Partido do Povo de Timor (PPT); 9) Partido Democrata Cristio (PDC); 10) Partido Socialista de Timor (PST); 11) Partai Liberal (PL); 12) Partido Democrata-Cristio de Timor (UDC/PDC); 13) Associao Popular Democratica de Timor (Apodeti); 14) Partido Trabalhista



Picture 5: Another sample of civic education poster prepared by IEC.

Timorenses (PTT); 15) Partido Republika Nasional Timor Leste (PARENTIL); and 16) Partai Demokratik Maubere (PDM).

Independent candidates at national level were Domingos Alves, Daniel da Silva Ramalho, Maria Domingas Fernandes, Olandina Caeiro and Teresa Maria de Carvalho. Although there was no official code of conduct for political parties, their campaign activities were defined by criminal laws, regulations on electoral offence and abuses and the Pact of National Unity. In principle, the Pact of National Unity bound contesting political parties to the respect of human rights, political tolerance, non-violent competition and peaceful coexistence. By signing the Pact of National Unity, contesting political parties also recognized the outcome of the Constituent Assembly Elections peacefully and committed to the post-election cooperation for national reconciliation. Out of the total 16 contesting political parties, only PNT and PARENTIL refused the Pact of National Unity.

5. Polling Centers and Polling Stations

There are 247 polling centers across East Timor. Each polling center consisted of a maximum of five polling stations. Altogether, there were 765 polling stations. No more than 600 eligible voters could be registered to vote at one polling station and there would be a maximum of 3,000 voters per polling center. Voting would also take place at two prisons in Dili (Becorra) and Ermera (Gleno).

District	District Capital	Number of Registered Voters	Number of Polling Centers	Number of Polling Stations	Number of Counting Centers
Dili	Dili	78,212	32	136	1
Baucau	Baucau	50,175	33	99	1
Ermera	Ermera	41,830	24	82	1
Bobonaro	Bobonaro	34,083	25	64	1
Viqueque	Viqueque	31,485	18	56	1
Lautem	Lospalos	26,191	18	48	1
Oecusse	Oecusse	25,256	14	47	1
Covalima	Suai	24,055	18	44	1
Liquica	Liquica	23,154	13	41	1
Ainaro	Ainaro	21,476	15	48	1
Manufahi	Same	18,778	12	34	1
Manatuto	Manatuto	18,478	16	39	1
Aileu	Aileu	15,846	9	27	1
Total		409,019	247	765	13

Table 1: Number of Registered Voters, Polling Centers, Polling Stations and Counting Centers (as of 8 August 2001)

6. Observers

- Accredited observers could enter a polling station at 6.00 a.m. and stay until sensitive material were removed from a polling station.
- Accredited observers might move between polling stations and polling centers.
- Accredited observers must always wear official accreditation badges and carry other forms of identification.
- Accredited observers must not ride in an IEC or CIVPOL vehicle.
- Accredited observers might raise concerns with polling station officers, but must not communicate with voters or disrupt voting process in any way.



Picture 5.1: Sample of ANFREL observer accreditation card issued by IEC.

7. Voting and Counting Process

7.1 Polling Center and Polling Station Officers

- The composition of polling center officers (all East Timorese, excepted for a District Electoral Officer) included: 1) District Electoral Officer; 2) Deputy District Electoral Officer; 3) Inquiry Officer and 4) Polling Center Queue Controller.
- The composition of polling station officers (all East Timorese) included: 1) Presiding Officer; 2) Identification Officer; 3) Ballot Paper Officer; and 4) Polling Station Queue Controller.

7.2 Security

- Security would be the responsibility of CIVPOL with support from PKF. One international CIVPOL and one member of East Timor's Police Service would be present at each polling center.
- Nobody (excepted security officers) would bring weapons within the 100-meter of a polling center.



Picture 6: PKF forces on alert to safeguard the transfer of ballot boxes to counting center after polling hours.

7.3 Voting Process

- Election materials would be delivered to District Electoral Officers on 29 August 2001 and stored overnight either at CIVPOL stations or at Polling Centers.
- All polling officers arrived at a polling center by 6.00 a.m. on the polling day.
- Polling stations opened at 7.00 a.m. and closed at 4.00 p.m. But in case that there were voters (provided that they arrived before the closing hour) still waiting in queue, the voting process could be extended.
- Only eligible voters that displayed their proof of identity would be entitled to vote. If the voter's name is not on electoral rolls and that voter brought no proof of registration, he/she could not vote.
- There would be two ballot papers and two ballot boxes, blue papers for national ballots and white papers for district ballots. A Ballot Paper Officer would stamp each ballot paper on the back once



Picture 7: Another sample of voter education poster prepared by IEC and UNDP.

before being handed to each voter. The majority of voters would cast two votes. Voters that voted outside their district of residence, as stated on their registration card, would be eligible to vote for national ballots only.

- If a voter needs assistance, a Presiding Officer or his/her relative (only with a Presiding Officer's permission) might assist that person in voting.
- Voters would record their choices by marking the square on ballot papers corresponding to the party or independent candidate of their choice with a pen or pencil, or by punching a hole.
- All voters would have their right index finger inked prior to leaving the polling station (and would have that finger examined for fluorescent ink prior to receiving ballot papers).
- Only authorized persons could enter a polling station. Beside voters and polling station officers, there was no limit as to how many local and international observers would be present in a polling station (provided they are accredited and carry identification cards).
- Each political party and Independent candidate was entitled to nominate a maximum of one polling station agent to monitor the conduct in each polling station. Party and candidate agents must also wear official accreditation badges.
- Members of the media could enter a polling station for no more than about five minutes. They would not be allowed to conduct an interview or use mobile telephones within the perimeter of a polling center.
- Armed security officers could enter into the perimeter of a polling station on a Presiding Officer's request.
- Nobody could photograph within the polling station during voting hours, except for journalists accompanied by IEC information officers.
- A District Electoral Officer might decide to suspend the voting process if a Polling Center was threatened by riot, violence, storm, flood or other events that made peaceful and orderly polling impossible.

7.4 Counting Process

- Vote counting would take place only at one location in each district, not at a polling station or polling center. International staffs of IEC stationed in each district would conduct the count. Results would be



Picture 7.1: A scene at a counting center.

announced by district.

- After the opening of ballot boxes, national and district ballot papers would be amalgamated in separate areas. Ballot papers must remain face down during amalgamation. The mixing of ballot papers was to ensure the secrecy of voter's choices.
- The count for national and district votes would take place simultaneously in se-parate areas inside a counting center.
- IEC instructed District Electoral Officers and Vote Counting Officers to interpret the validity of ballot papers as liberally as possible. The main criteria was a mark of any description that was clearly in the area allocated to a political party and independent candidate on a ballot paper and there are no other marks.
- In determining the validity of ballot papers, District Electoral Officers would deal with challenges made by agents of political parties and independent candidates.
- Ballot papers would then be sorted into stacks according to the voters' choices of political parties and independent candidates. There would also be a stack for invalid ballot papers. These stacks of ballot papers would be counted into bundles. The results would be recorded and reported to IEC. IEC would determine the winning political parties or independent candidates for district slots and use results for the national vote counts to compile and determine national slots.

IV. Findings of ANFREL Election Observation Missions

The focus of ANFREL monitoring activity in East Timor was based mainly on the Framework for Future Efforts at Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections adopted by the United Nations Commission for Human Rights in 1989.



Picture 7.2: Press conference on the launching of ANFREL election monitoring mission at Central Maritime Hotel, Dili.

For the Constituent Assembly Elections, the following areas were specifically observed and assessed by ANFREL observers: 1) the universality and equality of electoral franchise in terms of voter registration and electoral rolls; 2) the impartiality and efficiency of electoral administration and elections laws; 3) the opportunity for and ability of contesting political parties and candidates to participate in electoral contests effectively and safely; 4) the opportunity for and ability of contesting political parties and candidates to have sufficient and equal access to the media to communicate their campaigns to the voting public; 5) the reliability and secrecy of balloting that would allow voters to express their political wills freely and safely with sufficient information; 6) the impartiality, decisiveness and efficiency of law enforcement and security agencies in upholding peace and stability essential for the conduct of elections; 7) the impartiality, decisiveness and efficiency of law enforcement agencies in preventing, investigating and prosecuting electoral abuses; and 8) the prospects for national reconciliation in the way that the voting public as well as contesting political parties and candidates reacted after electoral results were announced.

1. Pre-Election Period

1.1 Voter Registration

In order to implement the decision of East Timor's people in the Popular Consultation of 30 August 1999, UNTAET passed Regulation Number 2001/2 on 16 March 2001 that established the Central Civic Registry (CCR) and the Civic Registration Unit (CRU). CCR in particular was established as a permanent body with its primary duties to maintain a registry of the residents of East Timor and to provide data for the composition of electoral rolls.

Civil registration campaign was conducted throughout East Timor from 16 March 2001 to 23 June 2001. To put it in a simple way, the registration of voters for the Constituent Assembly Elections applied similar rules to the 1999 Popular Consultation. The following persons age 17 years or above by the end of civil registration campaign on 23 June 2001



Picture 8: Press conference on the launching of ANFREL election monitoring mission at Maritim Hotel, Dili. From the left: Mr. Hassan Arif (Chairman of ODHKAR); Prof. Suto (President of INTERBAND); Mr. Xanana Gusmao (honorable guest); General Saiyud Kerdphol (Chairperson of ANFREL)

would be eligible to vote: 1) persons born in East Timor; 2) persons born outside East Timor, but with at least one parent born in East Timor; and 3) persons whose spouse met either of the two previous criteria. However, in this regard, it must be noted that eligible voters were required to register and vote in East Timor. Many of East Timor's people that resided overseas during the time of civil registration campaign or on the polling day were inevitably deprived of their democratic rights to vote and influence the nation-building process via balloting. Approximately one-third of East Timorese (mostly forcefully relocated from their homes by anti-independence militia groups and put to stay in the Indonesian-controlled West Timor) were not able to vote. UNTAET explained that this problem caused by the combination of the lack of resources and time needed to organize sufficient facility for balloting overseas or bring these people back to vote in East Timor.

IEC prepared electoral rolls based on the total number of population of East Timor registered by CRU. Civil registration data showed that the total population of East Timor as of 23 June 2001 was 737,811 (not including refugees in West Timor). This data was handed over to IEC on 30 June 2001 with several problems, such as duplications, confusions in coding and missing data. IEC appeared not to have sufficient and accurate information to make electoral roles. Moreover, IEC also found that several CD-R materials that CRU stored civil registration data were corrupt and unreadable. As a result, many eligible voters were missed out from electoral rolls or were assigned to polling stations so far away from their actual residence. It was not uncommon for members of the same family to find that IEC assigned their names to polling stations in different districts. At the same time, ANFREL observers were worried that unreliable electoral rolls might make voter impersonation more likely on the polling day.

Problems in the making of electoral rolls were probably the biggest technical error. Although IEC was aware of these errors and sought to correct electoral rolls, this effort was not very successful because it depended on the fact that voters had to come to IEC district offices to correct their voter registration data. In most cases, this process became impossible due to the lack of transportation and East Timor's difficult terrain. On polling day, many voters found themselves in the wrong polling stations and did not have time or transportation to go to the right polling stations located in places far away from their homes. Nevertheless, after the review and verification of electoral rolls, IEC managed to add 28,144 names to original lists. With that, the total number of registered voters for the Constituent Assembly was 409,019. IEC also made a new procedure to accommodate eligible voters that registered their names during the civil registration campaign but did not have their names on electoral rolls. After voters presented their proof of registration

and have their names recorded manually in supplementary electoral rolls at polling stations, they would be allowed to vote.



Picture 9: Civic and voter education posters from The Asia Foundation at the polling station wall.

1.2 Civic Education

Under Indonesia's rule, the East Timorese felt that balloting was a process orchestrated and manipulated to provide political legitimacy for the domination of power by the ruling party in Jakarta. In this environment, there had hardly been any genuine people's participation in electoral process. For East Timorese, voting predominantly stemmed from coercion and intimidation committed by Indonesian administrative officials and security forces. Elections had never brought any betterment to the lives of people in East Timor but rather further reassured the Indonesian repressive occupation of the territory. Yet ironically, it was Indonesia's General Elections on 7 June 1999 that ended 50 years of autocratic rule under General Suharto and essentially gave East Timor an opportunity to become independent and democratic.

After the 1999 Popular Consultation, East Timor faced a paramount challenge in creating public understanding of democracy, democratic institutions and democratic process. Civic education to prepare the voting public for the Constituent Assembly Elections was therefore inevitably complicated and difficult. This task was undertaken by many organizations from governmental and non-governmental sectors, such as UNTAET, the United Nations Development Program (UNDP), IEC and various international agencies that involved in the development of democracy and human rights in East Timor.

Civic education programs generally sought to promote public understanding about the relations between elections and democratic consolidation, peaceful co-existence between people of different ideologies, people's roles and responsibilities in the democratic process and various issues related to national reconciliation. Before the Constituent Assembly Elections, most programs were focused specifically on how East Timor could have peaceful democratic elections with high voter turnout and the outcome acceptable to all. Special effort was also made to familiarize voters with procedures related to the Constituent Assembly Elections. Civic education programs relied heavily on the distribution of posters and leaflets together with the conduct of community training activity in each village. Similar messages were frequently conveyed through radio and television broadcasts, concerts, theaters, sporting events and public meetings for several months before the polling day on 30 August 2001. ANFREL observers noted that informal forms of civic education, such as TAF-sponsored concerts, were highly effective in reaching out the voting public. Political parties also played an important role in civic education effort through their electoral campaigns.

Nevertheless, a survey conducted by TAF in 13 districts between February and March 2001 proved that civic education programs were an uphill task. Although 54 percent of people participated in the survey replied that they were interested in politics, no one equated democracy with elections. While 94 percent of eligible voters heard about the elections and were determined to vote, only 5 percent of them knew that the polling day was scheduled for 30 August 2001 and the elections would be for the Constituent Assembly responsible for the drafting of East Timor's constitution. Regarding political diversity, tolerance for free expression of political preference appeared to wane in the context of political party campaigning. While 81 percent of those polled by TAF said that they felt free to express their opinions, only 53 percent of them supported all political parties holding meetings in their communities. With the lack of political cultures that respected political diversity and peaceful coexistence, 64 percent of the respondents considered political party competition as a bad thing because it might possibly lead to violent riots.

The results of TAF survey prompted UNTAET and other organizations to work even harder in implementing civic education programs. UNTAET claimed that in the led-up to the polling day, more than 200,000 East Timorese had directly participated in their civic education programs and ten thousands more had been reached by other international and local organizations. Problems found by the TAF survey had improved in August 2001, ANFREL observers deployed in 12 districts: Dili, Manatuto, Baucau, Viqueque, Lautem, Aileu, Liquica, Ermera,



Picture 9.1: Sample of The Asia Foundation Civic Education Poster. English translation: Having many political parties does not mean that we have to be enemies. Many parties will encourage democracy in the future in East Timor, so let's have a successful election on August 30, 2001.

Manufahi, Ainaro, Bobonaro and Covalima (Suai) all reported that, during the last week before the polling day, East Timor's voters showed tremendous enthusiasms and better understanding of the Constituent Assembly Elections.

In this aspect, it must be noted that UNTAET was particularly more successful in improving voter's understanding of technical matters. Massive voter education programs ensured that most people know how to vote but they were not in a position to make an informed choice. However, most voter education programs did little to help voters decide on the question of who to vote for and why.

The voting public in most parts of East Timor seemed to have sufficient understanding of actual balloting process. ANFREL observers found that voters were aware of the compulsory voter registration, the location of registration and polling stations, the polling day and the conducts of voters on the polling day and in the polling station. For example, the simulation of voting process was well received and understood by voters. The reason was probably because these issues were more practical and visual when conveyed to the mostly illiterate population through different education programs than "abstract" and "complicated" concepts about constitutional democracy and people's roles in democratic development of East Timor.

For the planning, administration and implementation of civic education programs, ANFREL observers found that supportive relations, consultation and cooperation between UNTAET officers and East Timorese organizations were crucial to the success of civic education programs. Student groups, for example, stated that they had to run public forum to inform people in every district about democracy and the constitution almost entirely by themselves with little support from UNTAET civic education officers as a result of the lack of consultation or in some cases because of the lengthy debate between the two sides about the design, funding, decision-making and actual implementation of those forum. A number of local organizations shared the impression that UNTAET civic education officers were not willing to cooperate and allow East Timorese people to take part actively as trainers. Civic educations programs, in this light, were seen as a "handout" from



Picture 10: ANFREL briefing prior to the mission deployment.

foreigners to East Timor's people that might not reflect the reality of situations and demands of voters.

Regarding the coverage of civic education programs in remote areas, many voters interviewed by ANFREL observers complained that they only received information from one or two political parties. The inability of UNTAET civic education officers and other organizations to reach out to voters in remote areas might contribute to voter's lack of knowledge about all political parties and independent candidates that contested in the polls. Apart from undermining the chance for voters to make an informed choice, such a vacuum of non-partisan and reliable information would inevitably increase the winning edge of big and well-known political parties that had broader coverage of campaign activity at the cost of small and newly formed political parties and independent candidates.

Particularly in Viqueque, Aileu and Liquica, UNTAET civic education officers were unable to or not interested in disseminating civic education newsletters and posters to areas far away from their district offices. ANFREL observers noted that those newsletters and posters were still massively stacked in UNTAET district offices on 30 August 2001. There were also complaints from voters in these districts that civic education newsletters and posters distributed were not comprehensible because they were published in English instead of more commonly used languages

such as Bahasa Indonesia or Tetum. As a result, UNTAET civic education posters distributed in the morning of the polling day were used by voters as hats and umbrellas while they were queuing in front of polling stations.

1.3 Security Situations

The restoration of peace and security in East Timor was essential to the successful conduct of the Constituent Assembly Elections. According to the report of ANFREL missions in 1999, the most threatening factor to the conduct of free and fair votes as well as other aspects of people's participatory democracy was the presence of the Indonesian security forces and militia groups in East Timor that were responsible for the orchestrated violence, looting and arson throughout the territory immediately after the 1999 Popular Consultation. Most anti-independence militia groups retreated to the Indonesian-controlled West Timor when the results of the Popular Consultation were recognized by Indonesia and the United Nations peacekeeping force was deployed in East Timor.

The wound of political violence was still fresh at the time when the Constituent Assembly Elections were held. A survey conducted by TAF in 13 districts found that fears of political violence still lingered in many parts of the territory. The main reason for people's concerns in this regard stemmed from their memory of civil wars that erupted in 1975 between indigenous political parties vying to take control of East Timor after the departure of Portugal. Conflicts between East Timorese political parties, FRETILIN and UDT, gave a pretext for Indonesia to intervene militarily and occupy East Timor. More than 60-percent of those participated in the survey considered political party competition as a bad thing because it might possibly lead to violent riots.



Picture 11: An UN PKF armor vehicle always on patrol on polling day.

Nevertheless, security situations were generally peaceful and problems were controllable by

UNTAET, the international peacekeeping forces (PKF), the civilian police (CIVPOL), and East Timorese authorities. They took laborious effort to ensure a safe environment for contesting political parties and independent candidates and the public. Success in this regard was also a result of the Pact of National Unity signed by most political parties contested in the Constituent Assembly Elections.

The Pact of National Unity was a social contract made by political parties to establish a framework for non-violent campaigning and to ensure the public will feel safe before, during and after the Constituent Assembly Elections. In principle, the Pact of National Unity bound contesting political parties to the respect of human rights, political tolerance, non-violent competition, and peaceful coexistence. By signing the Pact of National Unity, contesting political parties also recognized the outcome of the Constituent Assembly Elections peacefully and committed to the post-election cooperation for national reconciliation. Out of the total 16 contesting political parties, only PNT and PARENTIL refused to sign the Pact of National Unity.



Picture 12: ANFREL chairman General Saiyud Kerdphol greeted by the PKF forces in Dili.

The prospect for peaceful electoral contests was supported by prominent figures in East Timor as well as electoral laws, regulations, and social contracts made by political parties and independent candidates. Xanana Gusmao and Archbishop Ximenes Belo, for example, appealed in many occasions to the people of East Timor to be committed to free, fair and peaceful elections. In

these messages, the necessity to have national reconciliation after the elections was also highlighted.

Although most of the 43-day campaign period from 15 July 2001 to 28 August 2001 (29 August 2001 was designated as a cooling off day and no campaigning was allowed) was peaceful, ANFREL observers and local monitoring organizations still documented isolated cases of irregularities and violence. YAYASAN

HAK, GOMUTIL, RENETIL, FHK, UNATIL and KBPP reported that a number of electoral abuses took place in form of verbal intimidation and physical harassment committed by activists of FRETILIN, ASDT and PSD against their rivals and voters in Aileu, Bobonaro, Liquica, Ermera, Viqueque and Covalima (Suai).

For example, in Aileu, activists of FRETILIN threatened voters that their registration cards would be revoked if they did not vote for FRETILIN. Armed ASDT activists in Manufahi visited voter's residences and told them not to support other political parties. They also forcefully removed flags and posters of FRETILIN. FRETILIN and PSD activists in Bobonaro, Manufahi and Covalima (Suai) reportedly coerced people to attend their campaign rallies. People in these areas were also forced to make cash and in kind donations to support FRETILIN and PSD. Apart from that, there were numerous unconfirmed reports of intimidation everywhere, such as rock throwing at houses and political party offices.



Picture 13: A PSD rally in Dili during the campaign period.

Nevertheless, UNTAET classified all these problems as minor breaches of security order rather than as politically motivated incidents that could significantly affect the electoral results. ANFREL and local monitoring groups concluded similarly. While several political party activists unwittingly violated campaign regulations, these incidents did not come from the policy of their political parties. Electoral abuses were rather made on the initiative of individuals involved in the campaigning. ANFREL maintained this comment until the end of the polls.

ANFREL, at the same time, expressed its gravest concern that electoral abuses committed by agents of political parties were partly caused by the failure of UNTAET civic education programs. As mentioned earlier, UNTAET civic education officers were not effectively able to establish public knowledge and understanding of democratic principles in electoral contests, especially the respect of peaceful coexistence and fair play on the side of contesting political parties. Regulation Number 2001/11 that governed the conduct of campaigning were also not widely publicized and acknowledged by activists of political parties, especially in remote areas.

Moreover, ANFREL observers in Viqueque, Liquica, Ermera, Bobonaro and Covalima (Suai) reported that the jurisdiction of UNTAET and IEC in the field appeared to be overlapping when officers received complaints and sought to exercise the enforcement of electoral laws. Such ambiguity unnecessarily delayed and obstructed the investigation and prosecution of electoral abuses. For example, IEC officers believed that their mandates did not include the investigation of complaints about electoral abuses, while PKF and CIVPOL understood that they should not be involved in incidents that disturbed peace and security.

Interestingly, Oecussi was reportedly the only district that UNTAET, IEC, PKF, CIVPOL, local monitoring groups, political party representatives, and community leaders met regularly on a weekly basis to listen and find solutions to complaints about electoral abuses. Meeting minutes and follow-up actions were publicized. This system, according to local monitoring groups, was remarkably successful in a violence-prone area like Oecussi.

Given East Timor's history of armed resistance, many political parties had armed security groups. Early in the campaign period (from 15 July 2001 to 28 August 2001), there were concerns among East Timorese that political parties might use armed security groups to intimidate and attack each other as well as voters. If that were the case, situations in the Constituent Assembly Elections would not differ from elections during the period when East Timor was occupied by Indonesia. Images of destruction and political atrocity that followed the 1999 Popular Consultation also came back to life with these concerns. Nevertheless, UNTAET was able to put armed security groups under control long before the polling day by issuing and publicizing a special warning that CIVPOL and PKF would react decisively and rapidly to any groups that tried to disrupt electoral process.

Activities of anti-independence militia groups as well as other political movements that did not recognize the 1999 Popular Consultation and the subsequent nation-building process of East Timor caused serious security problems and received

more attention and response from UNTAET. The Popular Council for the Defense of the Democratic Republic of East Timor (CPD-RDTL) was a hard-line political group that sought to restore the Democratic Republic of East Timor (DRET) created on 28 November 1975. It openly opposed the ongoing political transition and everyone involved in the process, including UNTAET as well as political parties and independent candidates contested in the Constituent Assembly Elections. By raising DRET flag and singing DRET anthem during the campaign period, members of CPD-RDTL in Baucau provoked scattered clashes with FRETILIN activists. In Baucau and Viqueque, members of CPD-RDTL reported threatening voters not to participate in the polls and collecting voter registration cards. Given the seriousness of security problems caused by members of CPD-RDTL, PKF and CIVPOL stepped up 24-hour patrol and surveillance to monitor members of CPD-RDTL as well as to ensure a safe environment in sensitive areas, such as Ossu Roa in Viqueque and Quelical, Fariwai, Bulbau and Buruma in Baucau. As a result of that and the clear opposition from East Timor's people, CPD-RDTL ceased to use violence to undermine East Timor's transition toward independence. There was no report about violent disruption on the polling day although members of CPD-RDTL still boycotted the Constituent Assembly Elections.

There was another wave of security concerns caused by East Timor's haunting history of political violence. Boosted by their confidence in a landslide victory, members of FRETILIN publicly mentioned that they would conduct a "clean-sweep operation" or Sapu Besih. It was the same terminology used by the Indonesian security forces in their brutal campaigns of indiscriminate destruction, arrest, torture and killing of East Timorese from 1975 to 1999. As a result, many voters in Ermera, Lautem and Manatuto interpreted such a statement as a threat in the way that "FRETILIN must win the elections or people would die". However, leaders of FRETILIN claimed that their members had no intention to threaten people to vote for FRETILIN candidates. "Clean-sweep" actually meant that members of FRETILIN would go to the street after the polls with brooms to clean up campaign garbage. In a more abstract sense, FRETILIN aimed at cleansing "blood and dirt" left over from the past.



Picture 14: UN security forces cleared the road for political parties rally during the campaign period

1.4 Electoral Campaigns

To facilitate the conduct of campaigning, UNTAET established the Electoral Assistance Project to assist all contesting political parties and independent candidates on a non-partisan basis. Support provided by UNTAET included transport (land and air), telecommunication facilities, access to computers and Internet, office equipments and designs and production of electoral campaign materials. A budget of USD 7,000 was allocated to each contesting political party for the production of publicity materials. National independent candidates received a budget for the same purpose in the amount of USD 2,500 while independent district candidates received USD 1,000.

For big political parties, resources for the conduct of campaigning also came from donations both voluntarily and forcefully. FRETILIN and PSD activists in Bobonaro, Manufahi and Covalima (Suai) reportedly coerced people to attend their campaign rallies. People in these areas were also forced to make cash and in kind donations to support FRETILIN and PSD.

Two weeks after long-term observers and mission coordinators arrived in East Timor, the majority of ANFREL observers were deployed on 25 August 2001. ANFREL observers observed the conduct of electoral campaigns in Dili and other districts where several political parties contested in the Constituent Assembly Elections, including FRETILIN, PST, PD, PSD and KOTA.



Picture 14.1: A PD rally around the Dili capital

As mentioned earlier, in general, ANFREL observers reported that the campaign period (from 15 July 2001 to 28 August 2001) went on peacefully with minor isolated and controllable incidents of electoral abuses, intimidation and violence. These problems did not appear to affect the electoral results in any significant way.

ANFREL observers also noted that, while several political party activists unwittingly violated campaign regulations, these incidents did not come from the policy of their political parties. Electoral abuses reported by ANFREL observers were made

on the initiative of individuals involved in the campaigning. In fact, at the policy-making level, ANFREL observers noted that political parties that signed the Pact of National Unity adhered to peaceful electoral contests and openly condemned the use of violence.

Big and well-established political parties emerged more powerful and confident in their electoral campaigns. There was a widespread feeling that FRETILIN activists were overtly confident in the victory of their party and often verbally bullied supporters of rival political parties. Many of them made provocative comments that could easily spark tensions and clashes.

Most important, members of FRETILIN also mentioned that they would conduct a "clean-sweep operation" or *Sapu Besih*. It was the same terminology used by the Indonesian security forces in their brutal campaigns of indiscriminate destruction, arrest, torture and killing of East Timorese from 1975 to 1999. As a result, many voters in Ermera, Lautem and Manatuto interpreted such a statement as a threat in the way that "FRETILIN must win the elections or people would die". With that perception, people in these areas thought that electoral campaigns of FRETILIN during the Constituent Assembly Elections would reinstall a climate of fear in East Timor. ANFREL and other monitoring groups both international and local saw that this issue had potential to undermine the credibility of FRETILIN and the principle of voter's freedom of choice. ANFREL issued a statement on 25 August 2001 to express concerns and call on FRETILIN to clarify its position before the polling day.

After consulting with UNTAET and realizing that such a perception of the public could undermine his party's chance to secure the majority of votes and post-election legitimacy, Mari Alkari clarified that FRETILIN had no intention to threaten voters. "Clean-sweep" simply meant that members of FRETILIN would go to the street after the polls with brooms to clean up campaign garbage. And in a more abstract sense, FRETILIN also aimed at cleansing East Timor's bitterness from the history of conflict, violence, foreign domination and poverty.

ANFREL observers found that campaigning was conducted in many forms, such as the distribution of posters and leaflets together with the conduct of public meetings in each village. Similar messages were also frequently conveyed through concerts for several months before the polling day on 30 August 2001. Among all contesting political parties, FRETILIN appeared to have the biggest and most vibrant rallies. It opened the first day of campaigning in Dili with more than 4,000 attendants. And at the end of the campaign period on 28 August 2001, FRETILIN had more than 40,000 people attending its last rally in Dili. It also distributed



Picture 15: FRETILIN mass gathering on the last day of campaigning day in Dili.

mostly in Dili. Such a disparity was very noticeable between big political parties and small political parties. The inability of UNAET civic education officers and other organizations to reach out to voters in remote areas might further contribute to voter's lack of knowledge about all political parties and independent candidates that contested in the polls. Apart from undermining the chance for voters to make an informed choice, such a vacuum of non-partisan and reliable information would inevitably increase the winning edge of

documents, outlining policy platform and ideas about East Timor's constitution, to voters and the media. FRETILIN, PSD and ASDT also actively carried out a door-to-door campaign in 13 districts during the last week before the polling day. Such a vibrant environment contributed significantly to the enthusiasm of voters to participate in electoral process. According to a TAF survey, at least 94 percent of eligible voters in 13 districts were determined to go to vote.

Regarding the coverage of campaigning, despite the existence of isolated cases of political intimidation and violence in some areas, contesting political parties and independent candidates were able to conduct their electoral campaigns. The practical limit to their coverage was rather caused by the limit of human and financial resources. Small political parties did not manage to campaign in all districts and remained



Picture 16: Mr. Mari Alkatiri and leaders of FRETILIN joined the mass gathering in Dili on the last day of campaigning period. FRETILIN leaders holding posts in the CNRT resigned prior to the kick off of campaign period.

big and well-known political parties that had broader coverage of campaign activity at the cost of small and newly formed political parties and independent candidates.

As for the neutrality of East Timor's administrative authorities in electoral campaigns, ANFREL observers noted that cabinet members of CNRT were connected to contesting political parties (such as Mari Alkari of FRETILIN and Mario Carrascalao of PSD) resigned from their positions one day before the campaign period officially started on 15 July 2001. There was no report about the inappropriate use of transitional executive powers or administrative resources and facilities to support any political parties or independent candidates in the Constituent Assembly Elections.

Despite a vibrant atmosphere of electoral campaigns, ANFREL observers found that the messages that political parties and independent candidates conveyed to voters were rather disappointing. Most electoral campaigns monitored by ANFREL observers did not focus on the constitution and its connection to the direction of East Timor's development in a concrete way. Speeches of most candidates did not contain relevant information about people's participation in the making of East Timor's constitution. Many of them tended to talk about their glorious and heroic actions in the past. Too much campaign material concentrated on leadership popularity contests. On the other hand, some political parties pointedly presented social welfare programs and promised more jobs, better roads, electricity and health care without mentioning practical information how they could



Picture 16.1: ANFREL Observers welcomed by the villagers at a mountain village in Aitutu, Ainaro District several days prior to the Election Day. The people told the observers no UNTAET/IEC staffs had reached there for the civic education program, and they got the information mainly from parties agent.

make their promises possible. Serious discussions of issues related to the political ideology of an independent East Timor and relations between the state and the society were not widely heard.



Picture 17: ANFREL observer having a picture with a group of East Timorese who came down from the mountain areas and were on their journey to their designated polling stations 2 days before the election day.

Another point of concern raised by ANFREL observers was that the planning and implementation of electoral campaigns did not reflect democratic structures in major political parties contested in the Constituent Assembly Elections. Most political parties were highly centralized in terms of decision-making and the implementation of campaigning. The lack of communication with and participation from the lower echelons in the party structure as well as from the constituent was apparent.

Every political party and independent candidate contested in the Constituent Assembly Elections stopped campaigning by midnight of 28 August 2001.

1.5 The Media

Media infrastructure in East Timor was badly destroyed by anti-independence militia groups after the 1999 Popular Consultation. In the lead-up period to the Constituent Assembly Elections, UNTAET took laborious effort to rebuild facilities to support the coverage of electoral campaigns. The ultimate objective in this regard was to ensure sufficient non-partisan media coverage for contesting political parties and independent candidates.

Radio was the most popular and had the widest coverage throughout East Timor's difficult terrain, even in the eastern districts of Manatuto, Baucau, Viqueque and Lautem. Radio UNTAET was virtually the most popular station that people followed regularly from their homes, community centers and local offices of UNTAET. Regular UNTAET news updates were broadcasted in English, Tetum, Bahasa Indonesia and Portuguese.

Television ownership was much lower and concentrated mainly in the young and better-educated population in Dili. Despite the 34 percent of illiteracy, many East Timorese responded to the TAF survey that they received more information from newsletter, newspapers and magazines than television.

Special media programs of UNTAET for the Constituent Assembly Elections, Direct Access and Soro Muto (Meet the Press), were based on its radio and television networks. Both programs sought to provide contesting political parties and independent candidates reasonable and fair access to the media so that they could convey their platforms to voters. Direct Access gave each political party and independent candidate five minutes per week on TVTL and Radio UNTAET for six weeks to explain their platforms to the people. Soro Muto was created in a meet-the-press format that gave each political party and independent candidate 30 minutes to take questions on TVTL and Radio UNTAET. But interestingly, ANFREL observers found that most political parties believed mouth-to-mouth and door-to-door campaigns were more effective in reaching out to voters than UNTAET-sponsored media programs.

The Independent Media Mediation Panel (MMP) closely monitored electoral campaign broadcasting. MMP was created by UNTAET as an independent body to hear complaints regarding the fairness of UNTAET media programs between 30 July 2001 and 7 September 2001. These complaints would be passed to the Office of Communication and Public Information (OCPI) for further actions. At the end of its term, MMP received only nine complaints. This could be seen either as Radio UNTAET, TVTL, and the Tais Timor newsletter were relatively effective in disseminating neutral information to voters about the Constituent Assembly Elections or as the lack of knowledge among political parties and independent candidates about the existence and jurisdiction of MMP and OCPI.

To be fair in the assessment, it must also be noted that MMP and OCPI had limited resources and their jurisdiction in investigating and taking actions against complaints about media coverage of electoral campaigns. There were issues about the ambiguity and overlapping jurisdiction between MMP, OCPI, UNTAET, and IEC as well. This was especially the case when FRETILIN mentioned about a "clean-

sweep operation" or Sapu Besih that created a climate of fear among voters. MMP and OCPI were literally caught up in a difficult position as this controversial issue was reported by international news agencies and had a tendency to undermine the spirit of the Pact of National Unity.



Picture 17.1: ANFREL observers share a moment of cheers with UNTAET security staffs on polling day.

ANFREL observers found that both UNTAET media coverage and commercial news agencies had a tendency, although not intentionally, to fortify the disparity in terms of political strength between big and well-established political parties and small and newly established political parties. FRETILIN was particularly always in the media spotlight. PD and PSD complained to MMP that such media coverage might misguide voters that FRETILIN was the strongest political party and therefore the best choice for the Constituent Assembly. On 29 August 2001, MMP acknowledged that TVTL only broadcasted FRETILIN final campaign rally in Dili on 28 August 2001. Final rallies of PD and PSD in Dili (on 26 and 27 August 2001 respectively) were not broadcasted by TVTL. At the same time, PST, PL, KOTA and PNT also complained to MMP that UNTAET media programs did not pay sufficient attention to their activities in comparison with big and well-known political parties, such as FRETILIN, PD or PSD.

In response to these complaints, MMP and OCPI reported that UNTAET media programs had limited staffs and resources to cover campaign events in every district for every political party and independent candidate. But activities of FRETILIN, PD or PSD were naturally main news for UNTAET-sponsored media programs and

commercial news agencies. MMP and OCPI admitted that TVTL had some shortcomings in making practical airtime to cover electoral campaigns of small political parties. Recommendations were made to resolve this problem, but the actual implementation was slow.

2. Election Day

2.1 Voter Turnout

On 30 August 2001, ANFREL observers found that there was a positive atmosphere at polling stations across East Timor. The atmosphere was sometimes festive and people were clearly very excited to have the opportunity to exercise their vote. IEC reported that the total voter turnout was 90.51 percent of the total number of registered voters in 13 districts.



Picture 18: Long queue but luckily under the shade. This is not in every polling stations throughout the country.

Taking into account the recent history of political violence after the 1999 Popular Consultation, ANFREL observers were impressed by the enthusiasm shown by East Timor's voters. They came early to vote and in large numbers. Voters in remote mountainous areas started to move down in large groups one or two days before the polling day, bringing with them their families and food supplies. They camped in areas nearby polling stations to ensure that they could come in time to cast their votes. Generally, voters left their home several hours before dawn and arrived at polling stations by 6.30 a.m. At the opening of polling stations at 7.00 a.m., every ANFREL observer noted that more than 200 voters queued up and were ready to vote.

Unruly crowds of voters were found at many polling stations during early hours. They were simply eager to get in to vote and did not disrupt or delay polling process in any serious way. The progression of voting process was quick at the average speed about 100 voters per hour. There were brief tensions and confusions in crowded polling stations in Dili, Lautem, Baucau and Viqueque, but

situations were effectively put under control by polling station officers and CIVPOL until the closing of voting hours at 4.00 p.m. In this regard, IEC was practical and flexible in its understanding of voter's enthusiasm as polling stations were allowed to accommodate voters that arrived before 4.00 p.m. and were still in queue after the original closing time. In some polling stations, voting hours were extended until 7.00 p.m.

2.2 Elections Observers and Political Party Agents

In addition to 1,100 independent local observers monitored the vote across East Timor's 13 districts, there were more than 500 international observers. Both groups had a strong presence in every polling station that ANFREL observers visited. Election observers found that they could conduct their duty safely and effectively with full cooperation from UNTAET, IEC, CIVPOL, PKF, political parties, independent candidates, and the people of East Timor in general. In return, the presence of international and local observers significantly strengthened voter's confidence in their safety as well as in the integrity, transparency and fairness of the polls.

Local monitoring groups, such as YAYASAN HAK, GOMUTIL, RENETIL, FHK, UNATIL and KBPP, should be commended for their success in recruiting and training observers in such a difficult situation and limited time. Observers from these local groups were often vigilant in ensuring that polling station officers and voters followed correct voting procedures.



Picture A: Visited the Maubesse district office of Yayasan Hak, a local partner of ANFREL election monitoring mission.

Political party agents were present in almost all polling stations visited by ANFREL observers. Usually, there were agents of FRETILIN, PD, PSD and ASDT. No tension or hostility between agents of different political parties could be noted. In most cases, polling station officers and agents of political parties also had a cordial attitude toward each other. Problems were reported only in some areas. In Covalima (Suai), agents of political parties were not allowed to enter into a polling station in Debos to witness the opening of the polls. In Bobonaro, some polling stations had five political party agents at the same time. Excessive agents of political parties were told by polling station officers to leave and the order was voluntarily respected.

2.3 Administration of Voting and Counting Process

Polling stations were generally well-organized and set up in accordance with electoral laws and regulations. Polling stations received necessary election materials, including ballots, ballot boxes, indelible ink, electoral rolls, security seals and padlocks for ballot boxes and various electoral forms.



Picture B: A polling station staff is checking the voter list.



Picture B.1: Checking voter list before allowing the voter to vote.

CIVPOL and PKF were visible and highly effective in ensuring a safe environment on 30 August 2001. There was no report of violence or serious intimidation even in areas with records of security problems, such as Covalima (Suai), Liquica, Viqueque and Bobonaro. Activities of armed "security groups" belonged to some political parties and anti-independence militia groups were put under control long before the polling day as UNTAET had issued a special warning that CIVPOL and PKF would react decisively and rapidly to any group that tried to disrupt the electoral process.

The layout and arrangement of polling stations were mostly up to the requirement of electoral laws and regulations. Sufficient preparations were made to ensure that voters were

able to cast their vote in secrecy. Voters with physical difficulties were also properly assisted to cast their votes. There were no unauthorized persons in most polling stations visited by ANFREL observers. Problems were reported only in some areas. In Covalima (Suai), agents of political parties were not allowed to enter into a polling station in Debos to witness the opening of the polls. In Bobonaro, some polling stations had five political party agents at the same time. Excessive agents of political parties were told by polling station officers to leave and the order was respected voluntarily.

In general, polling station officers were basically competent and could fulfill their duties in a conscientious manner. Effort was made to prevent the problem of voter impersonation. The application of indelible ultraviolet ink together with the careful check of electoral rolls and voter's proof of registration contributed significantly to success in this regard.

In response to high voter turnout, IEC was practical and flexible. Polling stations were allowed to accommodate voters that arrived before 4.00 p.m. and were still in queue after the official closing time. In some polling stations, voting hours were extended until 7.00 p.m.



Picture C: Most of the polling booth layouts were up to the international standard to ensure the voter secrecy.

In terms of the administration of the Constituent Assembly Elections, the most serious problem experienced on 30 August 2001 was incomplete and erroneous electoral rolls. Nevertheless, IEC effectively made a new procedure to accommodate eligible voters that registered their names during the civil registration campaign but did not have their names on electoral rolls. After voters presented their proof of registration and have their names recorded manually in supplementary electoral rolls at polling stations, they would be allowed to vote. To accommodate more than 400,000 voters, IEC increased the number of polling stations from 700 in the 1999 Popular Consultation to 765 in the Constituent Assembly Elections. In practice, voters would have their names added in supplementary electoral rolls. ANFREL observers in Covalima (Suai) found that 100 voters did not have transport or time to go to cast their votes at the correct place located more than 15 kilometers away from their homes.

It was only in a small number of polling stations in Dili, Baucau, Viqueque, Liquica and Manufahi that polling station officers appeared to be either too rigid or inexperienced to adjust queue control measures to accommodate high voter turnout. In these cases, the opening of the polls was delayed, the queue was unnecessarily long and voters were clearly frustrated. The lack of understanding of some polling station officers about voting procedures as well as poor coordination between international and East Timor officers may have led to delays in voting process.



*Picture D: A wide-angle scene inside a polling station.
On the bottom right corners are all the political*

Apart from that, other irregularities reported by ANFREL observers were technical and minor. These irregularities and discrepancies did not appear to affect the integrity of electoral process or influence electoral results. For example, some polling stations in Manufahi did not have rulers to cross out voter's names from electoral rolls. In Lautem, ANFREL observers reported that each polling station did not use the same type of writing utensils to mark off voter's names of electoral rolls. Some polling stations used ballpoint pens, while other used crayons. The application of indelible ultraviolet ink in polling stations in Viqueque was found not to be in the same standard. Some polling stations applied indelible ultraviolet ink on voter's thumbs instead of their index fingers as required by electoral laws and regulations.

It was interesting to note that the conduct of the polls received support from many international development and humanitarian organizations. In Ermera, for example, additional logistical support was provided to IEC by staffs of development and

humanitarian organizations. Light snacks, breads and water were distributed to voters waiting in front of each polling station. Medical teams were also on stand by and ready to respond to emergency call.

After the closing of voting hours, ballots were transported with the escort of CIVPOL to IEC district offices. The counting of ballots commenced on 31 August 2001. ANFREL observers found that the setting of counting centers was appropriate and in accordance with electoral laws and regulations. Logistical preparation was good. All counting centers visited by ANFREL observers were well prepared in terms of manpower, equipment, space, lighting and security. The standard in determining the validity of ballots was also consistent and in accordance with electoral laws and regulations. The actual conduct of counting process was transparent. Nevertheless, the process in amalgamating and sorting national and district ballots appeared time-consuming. Most counting centers estimated that all these steps could take at least two days to complete and then unofficial preliminary electoral results would be known in each district.



Picture E: Ballot boxes accumulating at the counting center arriving from different polling stations of the district.

The last important point noted by ANFREL observers was that the Constituent Assembly Elections provided an opportunity for the East Timorese to build their capacity to be able to run future elections by themselves. Thousands of East Timorese staffs that joined with IEC international staffs at national and district levels seemed to gain extensive experiences and in-depth knowledge of how elections were planned and administered. This prospect for empowering East Timorese, however, might be undermined by the lack of consultation and openness in the cooperation between international and local staffs. Many East Timorese officers expressed their disappointment that international officers had trouble communicating with them and relations in polling stations were strained.

3. Post-Election

3.1 Electoral Results and the Formation of the Constituent Assembly

Political Party and Independent Candidate	Votes Received and Percentage		Number of Seats
Fretilin	208,531	57.37	43
PD	31,680	8.72	7
PSD	29,726	8.18	6
ASDT	28,495	7.84	6
UDT	8,581	2.36	2
PNT	8,035	2.21	2
KOTA	7,735	2.13	2
PPT	7,322	2.01	2
PDC	7,181	1.98	2
PST	6,483	1.78	1
PL	4,013	1.10	1
UCD/PDC	2,413	0.66	1
APODETI	2,181	0.60	0
PTT	2,026	0.56	0
PARENTIL	1,970	0.54	0
PDM	1,788	0.49	0
PDM	1,788	0.49	0
Domingos Alves (Independent Candidate)	1,492	0.41	0
Daniel da Silva Ramalho (Independent Candidate)	1,412	0.39	0
Maria Domingas Fernandes (Independent Candidate)	947	0.26	0
Olandina Caeiro (Independent Candidate)	779	0.21	0
Teresa Maria de Carvalho (Independent Candidate)	711	0.20	0

Table 2: Results of National Seats in the Constituent Assembly

District	Elected Candidate	Political Party	Votes Received	Percentage of Votes Received
Aileu	Alfredo	FRETILIN	5,118	57.47
Ainaro	Mario Ferreira	FRETILIN	6,050	34.63
Bacau	Elias Freitas	FRETILIN	38,525	85.97
Bobonaro	Jose Andrade	FRETILIN	18,743	60.34
Covalima	Gervasio da Silva	FRETILIN	13,961	65.74
Dili	Cipriana da Costa Pereira	FRETILIN	47,855	72.49
Ermera	Jose Soares	FRETILIN	14,724	39.79
Lautem	Armindo da C. Silva	FRETILIN	12,766	54.93
Liquica	Joaquim Baros Soares	FRETILIN	16,247	78.43
Manututo	Flavio Maria Guterres da Silva	FRETILIN	8,501	55.04
Manufahi	Arao Amaral	FRETILIN	10,235	75.12
Oecussi	Antonio da Costa Lelan	Independent Candidate	8,207	36.06
Viqueque	Januario Soares	FRETILIN	22,721	81.62

Table 3: Results of District Seats in the Constituent Assembly

Official electoral results were announced by IEC on 6 September 2001. Out of the total 16 political parties that contested in Constituent Assembly Elections, 12 political parties were elected to the 88-member Constituent Assembly. FRETILIN, the biggest political party that led the struggle for East Timor's independence, won 55 seats. No independent candidate was elected at national level. At district level, only one independent candidate was elected in Oecussi (but he was reportedly directed to contest by FRETILIN that had not officially nominated a candidate in his district). There were 23 women elected to draft East Timor's constitution, equivalent to 27 percent of the total 88 members of the Constituent



Picture F: UNTAET Press media center in Dili, announcing the preliminary results of the Constituent Assembly Election.

Assembly (less than the 30 percent targeted by women organizations).

In parallel, immediately following the Constituent Assembly Elections, UNTAET appointed 25 East Timorese to the Second East Timor Transitional government with a mandate to govern the territory jointly with UNTAET until full independence in 2002.

There was no protest against official electoral results. After the certification ceremony on 10 September 2001, all elected candidates were sworn-in on 15 September 2001. East Timorese appeared to make their wills the basis of the nation-building process and the Constituent Assembly Elections became the major steppingstone for future political development as 88 representatives from 12 different political parties and one independent were elected to the Constituent Assembly. Each of East Timor's 13 districts had its own representative, with the balance of 75 Assembly members chosen from national party lists.

In September 2001, the Constituent Assembly began deliberations on the constitution. And in October 2001, it passed a motion requesting that UNSC transfer power to a sovereign government of East Timor on 20 May 2002. This request was accepted unanimously. The following month the Constituent Assembly requested that the UN prepare for the Presidential Elections in April 2002.

As the importance of the tasks of elected members of the Constituent Assembly to write and adopt the law of the land that would endure far beyond their term of office, the burden on them to reflect the aspiration of the people was paramount. East Timorese held their elected representatives to high standards with strong morals, professional efficiency, transparency and accountability (in terms of their ability to deliver electoral campaign promises about the betterment of the people).

In the beginning there was widespread public doubt about the ability and desire of members of the Constituent Assembly to represent the people's interests. FRETILIN, in particular, was critically questioned about its willingness to give up the tradition of centralized and hierarchical decision-making to embrace horizontal participation in the drafting of the constitution. Given the number of seats controlled by FRETILIN, there were concerns that FRETILIN could easily go alone with its own visions without consulting with other political parties and people from various civil society sectors of East Timor.

Those concerns were eventually soothed by the sense of ownership that East Timorese had over the Constituent Assembly and the constitution. Both were often referred to with passion and pride as a concrete benchmark that East Timor was moving toward progress, independence, democracy and human rights. It was this popular attitude that created a positive momentum for the consolidation of constitutional democracy.

In this light, FRETILIN and UNTAET carried out broad-based information campaigns and public forum on the substance of the constitutional to ensure informed con-

tributions by the people in the constitution-drafting process. Reflecting people's aspirations, members of the Constituent Assembly expressed their conscious that the constitution would build cultures and institutions based on the rule of law, democracy, human rights and socio-economic equitability.

FRETILIN also strongly promised that it would not become a single dominant party and establish a system of one-party rule. The constitution would ensure the separation of state powers among the executive, legislative and judiciary branches in line with democratic principles, including check and balance, accountability, transparency and people's participation. On the top of this, there would be the Presidential Elections after the promulgation of the constitution. According to the proposal, the President would be the Head of State and the symbol and guarantor of national independence, the unity of the country and the smooth functioning of democratic institutions in East Timor. Lastly, FRETILIN reaffirmed that East Timor's constitution would reflect popular determination to fight all forms of dictatorship, oppression, exploitation and segregation.

The constitution-drafting process was scheduled to finish in March 2002 and the Constituent Assembly would officially adopt the constitution later in the same month.

V. Conclusions

In the elections that would lay a foundation for East Timor as an independent democratic nation, ANFREL found enthusiasm on the side of voters, political parties and independent candidates as well as international and local agencies in charge of various aspects of electoral process. Their commitment of peaceful democratic elections was clearly reflected on 30 August 2001. East Timorese impressively overcame their painful memory of political violence and showed their readiness to embrace democracy and reconciliation. The Constituent Assembly Elections had high voter turnout with no report of violence or serious electoral abuses. The voting public participated actively in the determination of East Timor's future. Polling stations in all 13 districts recorded high voter turnout, more than 90 percent.

For East Timorese, the most threatening factor to the conduct of free and fair votes as well as other aspects of people's participation in democracy was the lack of security. During the Constituent Assembly Elections, security situations were generally peaceful and problems were controllable. ANFREL praised political parties and independent candidates for their commitment to the Pact of National Unity by adhering to peaceful electoral contests and fair play, making the polling day violence-free. On the same token, ANFREL commended laborious effort of UNTAET, CIVPOL, PKF and all East Timorese authorities to ensure order and security until the elections were officially concluded.

The voting public in most parts of East Timor seemed to have sufficient understanding of actual balloting process. With regard to the assessment of civic education programs, ANFREL found that voters were aware of technical matters,

such as the compulsory voter registration, the location of registration and polling stations, the polling day and the conducts of voters on the polling day and in the polling station. For example, the simulation of voting process was well received and understood by voters. The reason was that these issues were more practical and visual when conveyed to the mostly illiterate population through different education programs than "abstract" and "complicated" concepts about constitutional democracy and people's roles in democratic development of East Timor. This trend continued to exist throughout the election period although UNTAET provided contesting political parties and independent candidates access to the media so that their platforms could be conveyed to voters. Interestingly, ANFREL also found that most political parties believed that mouth-to-mouth and door-to-door campaigns were more effective in reaching out to voters than UNTAET-sponsored media programs. However, many electoral campaigns did not contain information about people's roles in the making of East Timor's constitution.

Media infrastructure in East Timor was badly destroyed by anti-independence militia groups after the 1999 Popular Consultation. In the lead-up period to the Constituent Assembly Elections, UNTAET took laborious effort to rebuild facilities to support the coverage of electoral campaigns. The ultimate objective in this regard was to ensure sufficient and non-partisan media coverage for contesting political parties and independent candidates. In general, UNTAET-sponsored media programs were popular. Radio UNTAET had the widest coverage throughout East Timor's 13 districts with regular broadcasts in English, Tetum, Bahasa Indonesia and Portuguese. Nevertheless, ANFREL found that both UNTAET media coverage and commercial news agencies had a tendency, although not intentionally, to fortify the disparity in terms of political strength between big and well established political parties and small and newly established political parties. FRETILIN was particularly always in the media spotlight.

Regarding the administration of the polls, ANFREL found that in general IEC performed its duties properly, effectively and independently from the interests of political parties and independent candidates. This was a significant achievement in terms of international support to democratic development of East Timor.

International and local election observers also contributed greatly to efforts to uphold the integrity of electoral process. In addition to the 1,100 independent local observers monitored the vote across East Timor's 13 districts, there were more than 500 international observers. Election observers found that they could conduct their duty safely and effectively with full cooperation from UNTAET, IEC, CIVPOL, PKF, political parties, independent candidates and the people of East Timor in general.



Picture G: ANFREL observer documenting inside the polling station.

The regular holding of fair and free elections would continue to be an important step towards developing democracy in East Timor after it becomes independent in May 2002. The Constituent Assembly Elections provided an opportunity for East Timorese to build their capacity to be able to run the future elections by themselves. Thousands of East Timorese staffs that worked with IEC seemed to gain extensive experiences and in-depth knowledge of how elections were planned and administered in each step. This prospect, however, might be undermined by the lack of consultation and openness in the cooperation between international and local staffs.

Official electoral results were announced by IEC on 6 September 2001. Out of the total 16 political parties contested in Constituent Assembly Elections, 12 political parties were elected to the 88-member Constituent Assembly. FRETILIN, the biggest political party that led the struggle for East Timor's independence, won 55 seats. There was no protest against official electoral results. After the certification ceremony on 10 September 2001, all elected candidates were sworn-in on 15 September 2001. In September 2001, the Constituent Assembly began deliberations on the constitution. East Timorese appeared to make their wills the basis of the constitution as, reflecting people's aspirations, members of the Constituent Assembly expressed that they were conscious that the constitution would build an independent East Timor on the rule of law, democracy, human rights and socio-economic justice.

VI. Recommendations

1. Violence and intimidation must be eliminated completely.

- ANFREL cannot accept candidates or political parties that resort to violence, condone it, or are ambivalent about it. To stop the vicious cycle of protracted violence in East Timor's electoral politics, ANFREL strongly urges all political parties to respect people's aspiration for peace and democracy. Leaders of all political parties must take decisive legal and disciplinary actions against their candidates and supporters involved directly and indirectly in thuggery.
- After decades of political conflicts, elections signify the unprecedented effort of East Timorese to establish a system of democratic government. To ensure peaceful, free, and fair electoral contests, the election administrative body (IEC or its successors) must exercise their powers and take pro-active measures to uphold election law. Complaints about political violence and other electoral abuses must be investigated and settled promptly, impartially, and transpar-



Picture H: Enthusiastic voters; long and slow queue under hot sun; the stock remaining election publications distributed on the polling day became the immediate umbrella for the people. (Liquica)

ently. At the same time, the security and law enforcement agencies must show the strongest vigilance and commitment to exercise their powers in these cases. Those responsible for political violence and electoral abuses must be brought to justice and prosecuted. Only this will end a culture of violence and impunity.

- Elections are people's democratic exercise. East Timorese should express their aspirations for peace by voting to reject political parties that use or condone violence. In place of violence, East Timor must work to create a new political culture based on the principles of tolerance, reconciliation and peaceful coexistence.

2. The integrity of electoral process requires impartial and efficient administration.

- Actions must be taken to ensure that IEC and East Timor's election administrative body that are created in the future are independent, competent and transparent. In parallel, check and balance must be introduced to ensure that state and security officers will be prevented from using their powers to promote party interests and undermine voter freedom of choice.
- There should be an open debate on the best way to make East Timor's election administrative body an effective institution capable of preventing violence and electoral abuses, resolving complaints, and conducting its duties in a neutral and impartial manner. With that, election laws and regulations must be reviewed and strengthened as well.



Picture 1: Transferring the ballot boxes after the closing of polling stations.

- Many of East Timor's civil society organizations complained that the planning of the Constituent Assembly Elections was rather exclusive. More consultation and cooperation between international organizations and East Timorese must be encouraged in future elections and all aspect of democratic development effort.

3. The capacity of polling station officers must be improved in time for the next elections.

- ANFREL observed that there were still too many technical irregularities in the Constituent Assembly Elections. Most of these were minor incidents, but they suggested that training for polling station officers might not be adequate. The administration of future elections will be in the hands of East Timorese and support from the international community to build capacity of East Timor in all aspects of election administration will be essential.
- Longer period and more practical demonstration instead of verbatim trainings should be advocated for the capacity-building election officers.
- More attention should be given to the recruitment of polling station officers. Key criteria should include their attitudes regarding cross-cultural sensitivity, tolerance and adaptation to real situations.

4. The necessity to independent observers to play an active role in promoting a free and fair electoral environment must be acknowledged and supported.

- Election laws and regulations must ensure easy procedures and safeguard the rights of accredited international and local groups to conduct independent monitoring safely and effectively.



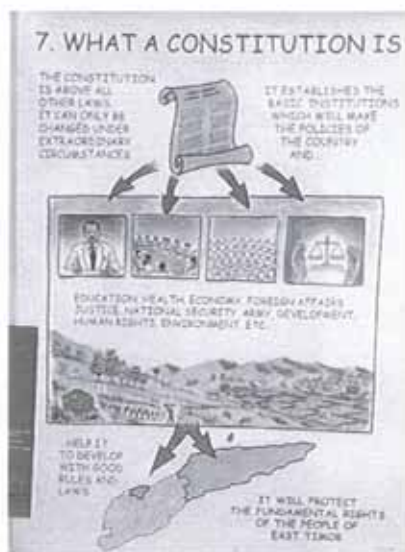
Picture J: Polling staffs guarding the ballot box.

5. More concerted and consistent effort to ensure the universality and equality of electoral franchise in terms of voter registration and electoral rolls.

- The making of electoral rolls should ensure that overseas East Timorese will be included, especially those forcefully relocated to the Indonesian-controlled West Timor. Electoral rolls must be updated regularly in a transparent way to correspond with demographic changes in the future.
- Provisions should be made for prisoners, people in hospitals, and personnel on duty to vote in other places than their assigned polling stations. People that participate in specific missions on the polling day should be allowed to vote in any district. There should be provisions provided also for the postage voting for overseas East Timorese.
- The designation of polling stations should ensure as easy access for voters in the community as possible, taking into account East Timor's difficult terrain and the lack of transport for most people.

6. More concerted and consistent effort to implement civic education and voter information programs is needed.

- East Timor's people are entitled to a more meaningful democracy where elections focus on issues, not money or intimidation. Civic education and voter information programs should emphasize the secrecy of the vote and individual freedom to select a representative to serve in public offices.
- Short-term effort to get East Timor through a sudden take-off to democracy is not feasible. It takes years for the people to embrace basic concepts, values and institutions of democracy into their life. UNTAET was more successful in improving voter's understanding of technical matters rather than "abstract" and "complicated" concepts about constitutional democracy and people's roles in democratic develop-



Picture K: A sample of civic education poster prepared by IEC. All the posters were designed in 4 main languages frequently used by East Timorese.

ment of East Timor. However, democracy is more than just voting. Civic education programs must focus on the fullest participation of East Timorese in the conduct of governance. Without this, effort toward the consolidation of democracy will remain omplete.

- UNTAET took laborious effort to rebuild facilities to support the coverage of civic education and vote Information programs. Future support from the international community should focus on the viability and self-sustainability of independent media in East Timor as a key foundation for democratic development. Given low literacy rates in East Timor, radio and television programs will play an important role in this regard.
- More effective broad-based awareness and education programs to promote and support women representation and participation should be conducted. Women constitute more than 50 percent of the total voting population in East Timor and 23 of the 88-member Constituent Assembly were women. The numbers may look impressive, but they do not tell the whole story. Given the traditionally subordinate status of women in the society, all political parties faced difficulties in convincing male candidates to step aside for women. Disturbing security situations have further discouraged a number of women from involving actively in the elections.



Picture L: In some places, women and men were separated in different lines.

APPENDIX 1

Background of Political Parties Contested in the Constituent Assembly Elections

Political Party	Summary Background	National Candidates	District Candidates
UDT	UDT is the first political party formed in East Timor in May 1974 after the revolution in Portugal. The party was originally conservative and most founders were landlords, civil servants and businessmen during the Portuguese regime. It issued a joint statement in 1975 with FRETILIN, calling for the independence of East Timor. UDT later broke the alliance with FRETILIN for fear of Marxist tendency among FRETILIN members. UDT initiated a coup in August 1975, but was quickly defeated by FRETILIN. Most UDT members fled overseas. The present leader of UDT is Joao Carrascalao.	65	9
FRETILIN	FRETILIN was formed in September 1974 with an objective to gain independence from the Portuguese. Following the failed coalition with UDT, FRETILIN declared East Timor's independence on 28 November. FRETILIN, and its armed wing Falintil, played a key role in the struggle for independence. Although FRETILIN signed CNRT Magna Carta in 1998, they chose not to join the Permanent Council in 2000. In its 2001 Electoral Statement, FRETILIN underlined the central role it played in bringing independence to East Timor. The leader of FRETILIN is Mari Alkari.	75	12
APONDENTI	APONDENTI was formed in 1974. Under the leadership of Frederico Santos Costa, the party initially proclaimed support of integration into Indonesia. At CNRT congress in August 2000, the party announced that it accepted the results of the 1999 Popular Consultation and would support independence and democracy in East Timor.	15	1

Political Party	Summary Background	National Candidates	District Candidates
KOTA	KOTA was formed in 1974 from the Popular Association of Monarchists of Timor, a collection of several liura or local kings. At that time, KOTA had a pro-integrationist position and was used by Indonesia to support the claim that the majority of East Timorese parties supported the annexation. In 1998, KOTA shifted to a pro-independence position. It joined CNRT and was represented on the Permanent Council.	75	8
PTT	Founded in 1974 by Paulo Freitas da Silva and Albano and Alpidio Abrao Martins. PTT favored independence. Paulo Freitas wrote to the Australian government in 1975, requesting Australian military assistance and allegedly propose that East Timor should integrate with Australia. PTT called for a delay in the Constituent Assembly Elections, stating that East Timor needed more time to prepare.	33	4
PST	Founded in 1991 in Indonesia, PST evolved from the associations of East Timorese student activists in Indonesia. The party draws supports mainly from students and labor groups as well as left-wing members of FRETILIN and FALINTIL. PST is committed to the welfare of farmers and workers. It sets up coffee and corn cooperatives.	75	2
UDC/PDC	The party was founded in Portugal in March 1998. It was a co-founder of CNRT. The party stresses the need for a government of national unity and its policies are based on the social doctrine of the Catholic Church.	74	3
PNT	Founded in July 1999, PNT sought to offer a "third way" between Indonesia and CNRT. PNT supported the idea of autonomy within Indonesia as a starting point for possible eventual independence. It, nevertheless, recognized the 1999 Popular Consultation. Abilio Araujo, president of PNT, is a former member of FRETILIN. PNT did not sign the Pct of National Unity.	49	0

Political Party	Summary Background	National Candidates	District Candidates
PDC	PDC was formed in August 2000 as one of the two Christian Democrat-Associated Parties in East Timor. It initially participated in CNRT jointly with UDC/PDC. The party withdrew from CNRT in September 2000, but maintained its membership in the Permanent Council.	73	1
PSD	PSD was founded in September 2000 by former East Timorese governor, Mario Carrascalao. It emphasized national unity and has moderate policies. The party attracts followers from both FRETILIN and UDT. Mario Carrascalao was Vice President of CNRT and vowed to give priority to education, public health and women issues.	74	11
PDM	PDM was founded in October 2000. The party is made up of former student activists and has connection with APODETI. Its policies have strong nationalist connotations.	54	4
PPT	PPT was formed in November 2000. Its president, Jacob Xavier, believes that he is the rightful King of Portugal. One of the party's main platforms is to reclaim money and properties that Xavier alleges the Portugal is hiding from him. The party also plans to develop a separate banking system for the liura (local kings) and for the rest of the population.	71	9
PARENTIL	PARENTIL was established in February 2001 by former members of East Timor Student Solidarity Council. It did not sign the Pact of National Unity.	55	0
ASDT	ASDT was formed in April 2001 by Francisco Xavier, the original president of the Democratic Republic of East Timor (DRET) and the founder of FRETILIN. ASDT wanted to see the original DRET government restored. It also wanted the original constitution to be redrafted rather than a completely new document being written.	73	3

Political Party	Summary Background	National Candidates	District Candidates
PL	PL was formed in May 2001. It is linked with FITUN, a youth resistance organization.	32	5
PD	PD was created in June 2001 from the student resistance movement, RENETIL and CNRT. PD candidates included many former CNRT district officials. Its platforms highlight the consolidation of democracy based on "reconciliation and mutual respect" with other political parties.	73	12

Source: International Republican Institute (IRI)

APPENDIX 2

Pact of National Unity (8 July 2001)

Convinced of the need to create and maintain an atmosphere of peace and stability as primary grounds for the sustainable development of East Timor, representatives of political parties signing the Pact of National Unity have committed themselves to:

1. Accept unconditionally the results of the Popular Consultation of 30 August 1999, as an expression of the unequivocal will of the East Timorese people to attain their independence;
2. Respect the results of the elections for the Constituent Assembly, to take place on 30 August 2001, pursuant to the electoral legislation in force;
3. Defend the principles of non-violence by fostering dialogue, culture of tolerance and mutual respect, and observe the principles of good citizenship and social conviviality;
4. Disseminate the practice of non-violence in relations between political parties, and appeal to the members and the supporters of the political parties and the population not to resort to physical or verbal aggression, instead promoting the accomplishment of peaceful and orderly electoral campaign;
5. Defend multi-party democracy, respecting the rights of all legally established parties;
6. Defend peace and stability, by means of a process of national reconciliation based on justice and the respect for human dignity;
7. Defend the integrity of the national territory in all of its components;
8. Promote national unity searching for concrete solutions in favor of social and economic development aimed at fulfilling the material and spiritual needs of the East Timorese people;
9. Promote equality of rights and the principles of non-discrimination and non-exclusion, specifically with regards to place of residence, economic and social status, political beliefs, religion, and gender, in order to build a broad consensus and ground for understanding;
10. Promote the principles of social solidarity, with particular emphasis on the most vulnerable groups, such as widows, orphans, the disabled, those injured in war and the members of the resistance;

11. Reject funds coming from foreign countries, associations, groups and individuals that are contrary to the independence of East Timor.
12. Recognize the East Timor Defence Force (FDTL), established by UNTAET, as the embryonic future national armed force;
13. Defend the Constitution to be approved by the Constituent Assembly to be elected on 30 August 2001;
14. Raise the awareness of as many people as possible of the Pact of National Unity;

APPENDIX 3

Major events on the Electoral Calendar

16 March 2001

- UNTAET Regulation number 2001/2 on the Constituent Assembly Elections was promulgated and IEC was established.

16 March - 23 June 2001

- Civil registration campaign in 13 districts

7 May - June 2001

- The registration of political parties and independent candidates for the Constituent Assembly Elections began.

24 June 2001

- The registration of independent candidates for the Constituent Assembly Elections finished.

27 June 2001

- The registration of political parties for the Constituent Assembly Elections finished.

8 July 2001

- The Pact of National Unity was signed by 14 of the total 16 political parties contested in the Constituent Assembly Elections.

15 July - 28 August 2001

- The campaign period for the Constituent Assembly Elections began.

30 August 2001

- Polling day for the Constituent Assembly Elections began.

10 September 2001

- Results of the Constituent Assembly Elections were officially certified by IEC.

15 September 2001

- All elected candidates were sworn-in as members of the Constituent Assembly Elections.

APPENDIX 4

Statements of ANFREL Election Observation Missions

22 AUGUST 2001

ANFREL to Deploy International Election Observers in East Timor

Formed in 1997, the Asian Network for Free Elections (ANFREL) is a Bangkok-based regional network of election monitoring and human rights organizations with a fundamental mandate to support democratization and related initiatives in Asia. ANFREL has represented international efforts to ensure the integrity, credibility and transparency of electoral process in Cambodia, the Philippines, Indonesia, Malaysia, Sri Lanka, Nepal, Japan, Hong Kong, and Thailand. In East Timor, ANFREL has contributed to the making of history towards the attainment of long-fought freedom during the 30 August 1999 Popular Consultation.

For the upcoming Constituent Assembly Elections on 30 August 2001, ANFREL is invited by Sergio Vieira de Mello, Special Representative of the Secretary General and Transitional Administrator of the United Nations Transitional Administration in East Timor (UNTAET), to send international observers to witness the historic Constituent Assembly Elections in which the people will elect 88 representatives to write and adopt the Constitution for an independent and democratic East Timor.

ANFREL's missions will be a continuation of its supports to the formation of East Timor as a new nation in Asia. In this regard, ANFREL has worked in cooperation with the Asia Foundation (TAF) to raise awareness of civil society organizations and grassroots groups in East Timor, including human rights organizations, women organizations, and student movements, about the importance and process of the Constituent Assembly Elections, election monitoring, and democratic governance in general.

On 26 August - 2 September 2001, ANFREL Chairperson General Saiyud Kerdphol will lead ANFREL's mission comprising of a strong team of 26 international observers from 12 countries. Out of the total 13 districts in East Timor, ANFREL will deploy international observers from Asia, Australia, Canada, and Europe in 12 districts, including Dili, Manatuto, Baucau, Viqueque, Lautem, Aileu, Liquica, Ermera, Manufahi, Ainaro, Bobonaro and Covalima (Suai).

Extensive cooperation between ANFREL's experienced international observers and local monitoring organizations will uphold the integrity, credibility, and transpar-

ency of electoral process in East Timor. Equally important, ANFREL will also meet and exchange views with representatives of the UNTAET, the Independent Electoral Commission (IEC), the United Nations Development Program (UNDP) about situations surrounding the Constituent Assembly Elections. Visits will also be made to domestic election monitoring organizations to share basic standards in administering and monitoring democratic elections. ANFREL will conduct interview with Xanana Gusmao and other prominent persons as well as leaders of political parties about the making of the Constitution.

ANFREL's missions in East Timor will be officially announced on 26 August 2001 during the welcome dinner at the Central Maritime Hotel in Dili.

24 AUGUST 2001

ANFREL Calls for Free, Fair and Peaceful Elections in East Timor

The last batch of ANFREL international observers headed by General Saiyud Kerdphol, is arriving in East Timor tomorrow.

Upon the invitation of Sergio Vieira de Mello, Special Representative of the Secretary General and Transitional Administrator of the United Nations Transitional Administration in East Timor (UNTAET), ANFREL will witness the historic Constituent Assembly Elections on 30 August 2001, in which the people will elect 88 representatives to write and adopt the Constitution for an independent and democratic nation.

Out of the total 13 districts in East Timor, ANFREL will deploy 28 international observers in 12 districts, including Dili, Manatuto, Baucau, Viqueque, Lautem, Aileu, Liquica, Ermera, Manufahi, Ainaro, Bobonaro and Covalima (Suai).

Based on reports of ANFREL long-term observers and partner organizations in East Timor, the campaign process has witnessed widespread public enthusiasm in the districts of Dili, Baucau, Ermera, Lautem, Aileu, Suai, Liquica and Ainaro. With less than a week before elections, in which 16 political parties and five independent candidates are competing, violence has generally been kept to a minimum. Most candidates have been able to conduct campaign activities smoothly.

These are positive credits for the Independent Electoral Commission (IEC) as the first independent body given the responsibility to organize elections in East Timor after the Referendum to end Indonesia's colonization in 1999. The IEC has per-

formed independent from the interests of political parties and independent candidates. Related to the registration of political parties and independent candidates as well as the cooperation with independent international and local monitoring organizations, the IEC has so far done its job properly.

However, one of the concerns expressed by ANFREL as well as other international and local monitoring organizations are related to misleading and deceptive announcements made by certain candidates. A number of candidates intentionally discredited other political parties, while others tended to talk about their glorious and heroic actions in the past irrelevant to issues related to the draft of the new constitution; the ideology and eventual political system of the nation; and party platforms.

Regarding intimidation and violence, local monitoring organizations continue to report about threats and violence perpetuated by certain political party supporters against the people as well as supporters of other political party in Maliana, Liquica, Ermera, Viqueque and Suai.

In the efforts to ensure an environment conducive to the conducts of free, fair and peaceful elections in East Timor, ANFREL recommends the following:

ANFREL calls for political parties and independent candidates to respect the Pact of National Unity signed by 14 of the 16 political parties on 8 July 2001. In particular, they must strictly observe the principles of non-violence by fostering a culture of tolerance, mutual respect, amity and good citizenship. To maintain national reconciliation, they must not make statements that could instigate public unrest. Instead, they are sincerely urged to focus on messages related to the new constitution during the remaining days of the campaign

Although ANFREL praises IEC for its ability to put together the voter list in such a short time period and with unprecedented constraints, ANFREL calls for IEC to speed up the process of re-checking the voter list by adding additional human resources and facilities to the task. Election-related materials must also be disseminated widely and quickly. Above all, IEC and UNTAET are entrusted with the authority to ensure fair play, transparency and peace in the upcoming elections.

The people of East Timor should not be provoked by certain groups or individuals who may intend to create disorder during the elections. They should be tolerant and respect the choices of all political party supporters. They should respect the presence of every candidate and their campaign activities in every place all over East Timor.

3 SEPTEMBER 2001

People of East Timor Voted Peacefully and Overwhelmingly to Determine Their Future

From 26 August - 2 September 2001, General Saiyud Kerdpholia, ANFREL Chairperson, led 28 international observers from 12 countries to observe East Timor's Constituent Assembly Election in 12 districts, including Dili, Manatuto, Baucau, Viqueque, Lautem, Aileu, Liquica, Ermera, Manufahi, Ainaro, Bobonaro and Covalima (Suai).

In the election that would lay a foundation for East Timor as an independent democratic nation, ANFREL finds enthusiasm on the side of voters, candidates, political parties and agencies in charge of various aspects of electoral process. The voting public participated actively in the determination of East Timor's future. Polling stations in every district recorded high voter turnout, more than 90 percent, on 30 August 2001. ANFREL praised political parties and independent candidates for their commitment to the Pact of Unity by adhering to peaceful contest and fair play, making the election violence-free. In the same token, ANFREL also appreciates efforts of UNTAET, CIVPOL, PKF and all East Timorese authorities to ensure order and security throughout election period. Regarding the administration of the polls, ANFREL finds that in general IEC has performed its duties properly and independent from the interests of political parties and independent candidates. Local election observers also contributed greatly to efforts to uphold the integrity of electoral process.

ANFREL, however, regrets that the rights to vote of many East Timorese were deprived as a result of errors and confusions in voter registration process and in the allocation of voters to polling stations. In addition, ANFREL is also concerned about lapses in procedural and technical consistency on the side of IEC officers in administering electoral process in certain polling stations. Most outstanding problems that frustrated voters are related to ineffective queue management, the lack of sound understanding of voting procedures and the inability of some IEC officers, particularly inexperienced DEOs, to apprehend the situation and adjust electoral process to be more accommodating to high voter turnout. In these areas, the opening of polling stations was delayed, the queue was unnecessarily long and the voting process was slow. Nevertheless, these problems were found only in some places and they should not compromise the overall integrity of electoral process.

From the above problems, it is clear that election officers still need more education and systematic training to ensure consistent and fair electoral process in

the future. ANFREL notes that long-term efforts focusing on capacity building for East Timorese to be able to administer electoral process independently with professional and ethical integrity are much needed. The recruitment of election officers must put into consideration their thorough understanding of laws and regulations governing electoral process as well as their ability to make practical judgment. More consistency and decisiveness in the conduct of election officers at all levels will support people's faith in democratic balloting. At the same time, ANFREL stresses that the roles of people's organizations in upholding the integrity of East Timor's electoral process merit consistent support.

Although the last batch of short-term observers will be leaving East Timor today, long-term observers of ANFREL will stay in Dili to examine the way in which complaints about problems and irregularities are handled by IEC so as to ensure that results will be acceptable to all. And after the formation of the Constituent Assembly, ANFREL will continue to support East Timor's nation-building process. Constitution experts, democracy advocates and human rights activists will come to East Timor to monitor the drafting of constitutional orders to ensure that genuine people's concerns and interests are respected and incorporated into the Constitution. Resource persons will be provided to support human resource development in East Timor, particularly civic education programs focusing on participatory democracy and good governance as well as the institution-building of people's organizations working in those areas.

APPENDIX 5

List of ANFREL Election Observers

Name	District
General Saiyud Kerdphol Ms. Auxilium Olayer Ms. Eva Dengli Albizi Mr. Naoto Sakaguchi Mr. Cecilio (Interpreter)	Dili and Baucau
Mr. Steven Beeby Ms. Somsri Berger Ms. Mayumi Hachisuka Mr. Hassan Ariff Mr. Kiyotaka Takahashi Mr. Fedilius (Interpreter)	Liquica and Aileu
Ms. Laddawam Tantivitayapak Ms. Anna Marie Loong Mr. Muflizar	Viqueque
Mr. Koul Panha Mr. Noriaki Matsumura Mr. Ken Inoue Toto Barros (Interpreter)	Lautem
Mr. Sunai Phasuk Mr. Tomoaki Hayakawa Mr. Martinho (Interpreter)	Ermera
Ms. Chalida Tajaronsuk Mr. Kang long Nian Mr. Tomohiro Tamaki	Manufahi and Ainaro
Dr. Withaya Sucharithanarugse Mr. Joseph Philips Mr. Takahashi Katsuyuki	Bobonaro
Dr. Nobuhiko Suto Dr. Mitsuru Yamada Ms. Kae Matsura Mr. Kazuo Watanabe Mr. Yuji Uesugi Mr. Yoichiro Kobayashi Ms. Hiromi Fukuchi	Covalima
Ms. Deep Ranjani Rai Mr. Sher Zaman Helarique De Rozario (Interpreter)	Baucau

REFERENCES

1. Reports, Manuals and Information Kits

ANFREL, Reports on the 1999 Indonesia Elections in East Timor (1 - 10 June 1999), ANFREL Election Observation Provincial Report, 1999.

ANFREL, East Timor: A Triumph of the Human Spirit in the 1999 Popular Consultation (25 August - 2 September 1999), ANFREL Election Observation Report, 2000.

ANFREL, Information Kit for ANFREL Observers in East Timor, 2001.

Media Mediation Panel, Reports of the Independent Media Mediation Panel (30 July - 7 September 2001): Work, Conclusions and Recommendations, 2001.

The Asia Foundation, Observer Manual East Timor: Constituent Assembly Elections, 2001.

The Asia Foundation, East Timor National Survey of Voter Knowledge (Preliminary Findings), 2001.

2. Briefing Notes for ANFREL Election Observation Missions in East Timor 2001

Andrew Thornley, the Asia Foundation, Deployment of Election Observers.

General Saiyud Kerdphol, ANFREL, Security Situations in East Timor.

Joaquim, YAYASAN HAK, Political Situations and Security Issues in East Timor.

Johanna Kao, the International Republican Institute, Political Parties in East Timor.

Lin Newman, the Media Mediation Panel, Introduction to the United Nations Media Mediation Panel and Roles of the Media in East Timor.

Muflizar, Komite Independen Pemantau Pemilu (KIPP), Understanding IEC Polling Center Manuals.

Ray Kennedy, the Independent Election Commission, East Timor Constituent Assembly Elections: Design and Mechanism.

Sunai Phasuk, ANFREL, Code of Conduct for ANFREL Election Observers.

3. Press Releases of East Timorese Civil Society Organizations (July - September 2001): FHJ, GOMUTIL, KBPP, UNATIL, YAYASAN HAK

4. Web Sites for Official Information on Electoral Process and Results

Independent Election Commission (IEC) <http://domino.un.org/etelec.nsf/>

The United Nations Transitional Administration in East Timor (UNTAET) <http://www.un.org/peace/etimor/etimor.htm/>

The United Nations Development Programs in East Timor (UNDP East Timor) www.undp.east-timor.org/

5. Web Sites for Additional Information on Electoral Process and Results East Timor Election Web Site www.easttimorelections.org/

YAYASAN HAK Official Publication, CIDADAUN <http://www.yayasanhak.minihub.org/>



Against the backdrop of political violence that entailed the Popular Consultation in 1999, the people of East Timor showed their strong commitment to democracy and peaceful coexistence in the Constituent Assembly Elections on 30 August 2001. ANFREL dispatched a strong team of 26 international observers from 12 countries to monitor the historic elections that would lay a foundation for East Timor as an independent democratic nation. ANFREL found that East Timorese were ready and able to embrace democracy by voting peacefully and overwhelmingly to elect their representatives to write and adopt the constitution for the country. This report presents the findings of ANFREL observation missions during the Constituent Assembly Elections in East Timor and the recommendations regarding future support for democratization initiatives in this new born country.

ANFREL is a special project of Forum-Asia. It came about as part of Forum Asia's campaign for human rights and democratization in the region, starting from Burma, Indonesia, Cambodia and Malaysia. Formed in November 1997 by election monitoring groups and human rights organizations in Asia, ANFREL aims to contribute to the democratization process by building capacities through training and supporting actual monitoring of elections by local groups, lobbying and disseminating election-related information.

Forum Asia is a regional network of human rights and development organizations in Asia. It was established in Manila, Philippines in 1991. It strives to promote, on the basis of global perspective, a regional initiative towards the protection of human rights, development and peace in the region through collaboration of human rights and development NGOs and peoples organizations in Asia.