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East Timor Political and Election Observation Project

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The East Timor Political and Election Observation Project

Final Project Report

THE CARTER CENTER
The Democracy Program

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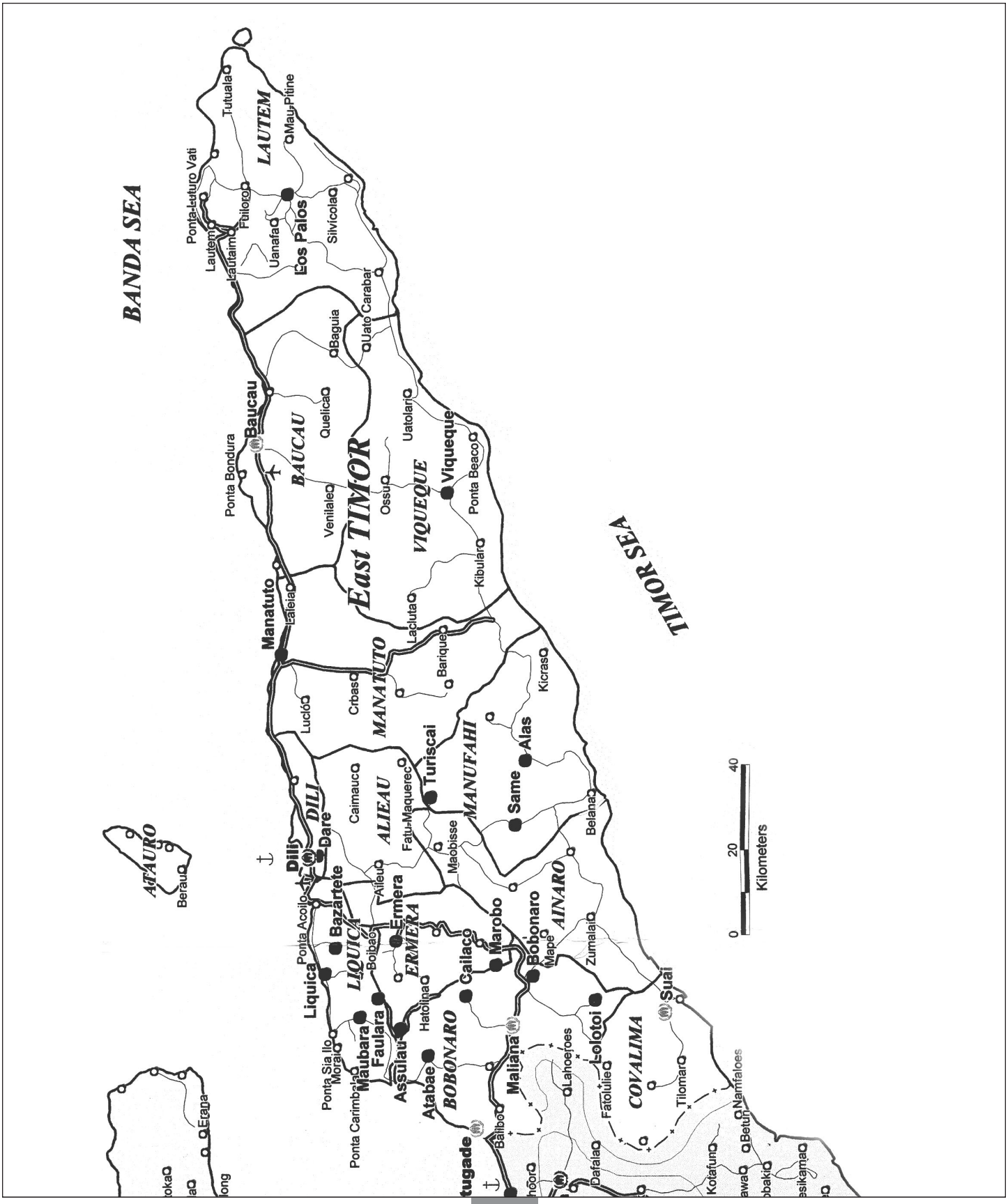
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East Timor Constituent Assembly Election Observation Delegation

Aug. 30, 2001

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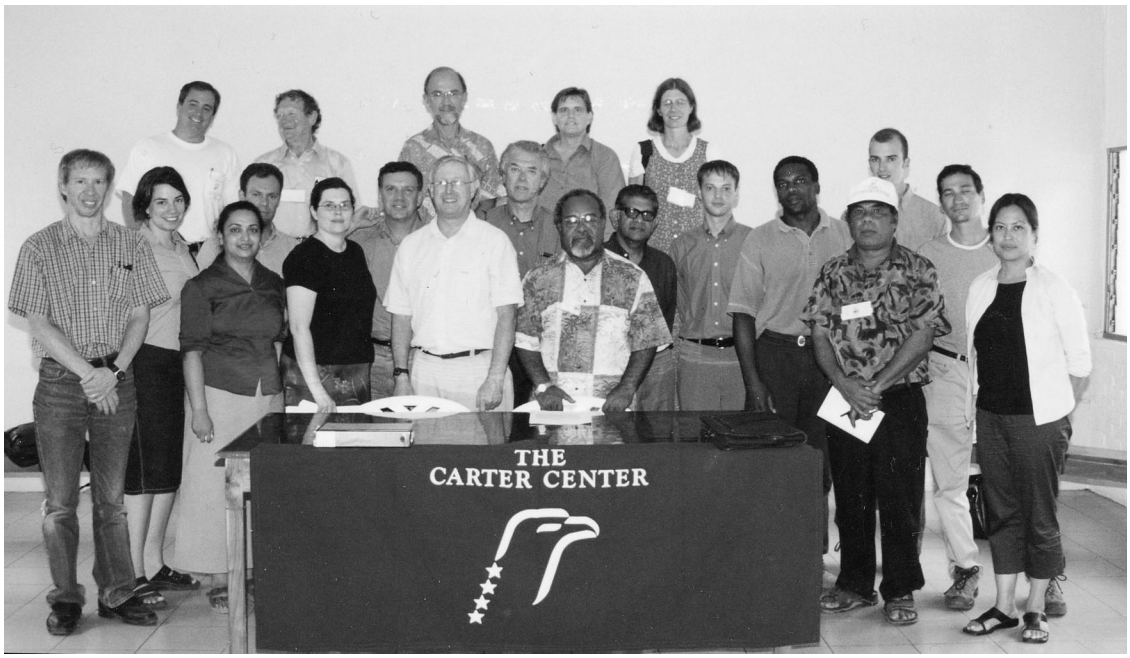

Marta McLelan

The Carter Center Delegation
East Timor Constituent Assembly Election, Aug. 30, 2001

Shown in photo from left to right, back to front: John MacDougall, David Hicks, Dwight King, Barbara Grimes, Elizabeth Coville, Janet Gunter, Jarat Chopra, James Clad, James Fox, Clarence Dias, Gabriel Morris, Jeffrey Mapendere, Kyle Lemargie, Matthew Easton, Jeff Carter, Madhu Deshpande, Rachel Fowler, Charles E. Costello, Sir Michael Somare, Belden Sevua, Aurora Medina

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** Denotes Carter Center Long-term Observer*

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April 14, 2002

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Russell Scheibel

The Carter Center Delegation, East Timor Presidential Election, April 12, 2002
Shown in photo from left to right, back to front: Daisuke Okada, Jeffrey Mapendere, Kyle Lemargie, James Fox, Ed Cain, Rachel Fowler, Robin Wyatt, Gabriel Morris, Faith Harding, George Lewis, Novi Wilujeng, Samantha Aucock, Matthew Easton, Barbara Grimes, Ann Lewis, Brett Lacy

** Denotes Carter Center Long-term Observer*

Acknowledgments

The Carter Center is grateful to the volunteer observers and staff members who conducted the East Timor project with professionalism and dedication in support of East Timor's transition to independence. The Center appreciates the collaboration and support of our funders throughout our time in East Timor, including the U.S. Agency for International Development (USAID), its Office of Transition Initiatives (OTI), and The Ford Foundation.

The Center would like to extend a warm thank you to the courageous East Timorese people, including those who served as staff members and provided personal interviews. The Center also greatly appreciates the expertise of the political party members, candidates, UNTAET staff, and civil society leaders who briefed our delegation(s) and took time out of their busy schedules to meet with Carter Center team members.

The Carter Center particularly wishes to thank Prime Minister of Papua New Guinea Sir Michael Somare, U.S. Representative of American Samoa Eni F. H. Faleomavaega, and Jeff Carter, who co-led the Constituent Assembly election observation delegation with Democracy Program Director Chuck Costello. We also wish to extend a special thanks to Ed Cain, director of the Center's Global Development Initiative, who provided leadership to the Center's presidential election observation delegation.

The Center also fondly acknowledges our long-term observers who volunteered their time and expertise to the project. These delegates traveled throughout the territory to monitor the entirety of the Constituent Assembly and presidential elections. These dedicated volunteers for the Constituent Assembly observation were Matthew Easton, David Hicks, John MacDougall, Andrea Molnar, Gabriel Morris, Kyle Lemargie, and Frederick Rawski. Kyle Lemargie, Ann Lewis, and George Lewis served as long-term observers during the presidential election. Special thanks go to professor Jim Fox for serving as an adviser to the project, and additional thanks go to John MacDougall, who returned to East Timor to conduct interviews and monitor the public consultation on the final draft of the constitution.

We would like to acknowledge the exceptional work of Field Office Director Dr. Nancy Lutz, who managed the Center's field operations during the Constituent Assembly election and observed the entire constitution drafting process, and Field Office Director Samantha Aucock, who managed field operations during the presidential election. Both field directors worked extremely long hours and performed logistical miracles to enable the Center to get its work done.

The Carter Center's program would not have been possible without the commitment of our staff in Dili. They did an outstanding job providing logistical assistance, guidance, and important insights. Local staff members Novita Wilujeng and A. Eduardo Soares Ximenes provided invaluable insight and support.

In Atlanta, Democracy Program Director Charles E. Costello and Senior Program Associate Rachel Fowler were responsible for directing the Center's programming in East Timor. Logistical support was provided by Project Assistant Brett Lacy, Program Assistant Tynesha Green, and interns Madhumati Deshpande, Robin Wyatt, and Daisuke Okada. Democracy Program intern Marta McLelan provided essential support both in the Atlanta office and for two months in the Dili office around the Constituent Assembly election. The Center would also like to thank former U.S. Ambassador Gwen Clare for her participation on a pre-election assessment and her contributions to the project.

Sections of this report were drafted by Nancy Lutz, Rachel Fowler, and Brett Lacy. Other contributors include Samantha Aucock, Jim Fox, Eduardo Soares Ximenes, and Robin Wyatt. Charles E. Costello, David Carroll, and Gordon Streeb provided edits to the report, with Rachel Fowler responsible for the final edit. Brett Lacy organized and compiled appendices and supporting documentation. Sarah Fedota of the Center's Public Information Office compiled the report into its final version.

The Center acknowledges the extraordinary work of Sergio Vieira de Mello, the United Nations Special Representative of the Secretary-General in East Timor, and mourns the great loss to the international community. Mr. Vieira died while serving as U.N. envoy to Iraq.

The Death of Sergio Vieira de Mello: A Statement from Former U.S. President Jimmy Carter

August 19, 2003
Atlanta, Ga.

I was shocked and dismayed to hear of the death of Sergio Vieira de Mello and his fellow international civil servants earlier today.

He represented the very highest standards of service to the international community and mankind. He dedicated his life to serving others, seeking to alleviate their suffering and repair their broken dreams, while performing critical roles with the High Commissioner for Refugees, in peacekeeping missions around the world, and as the High Commissioner for Human Rights.

He served where others would not or could not and was sent on the toughest missions because the United Nations knew it could count on him to accomplish those missions. My wife, Rosalynn, and I, and the staff of The Carter Center share the grief of the families, friends, and U.N. colleagues of those who sacrificed their lives today.

List of Abbreviations

Apodeti Timorese	Popular Democratic Association (earlier Association for the Integration of Timor into Indonesia)
ASDT	Association of Timorese Social Democrats
CIVPOL	United Nations Civilian Police
CNRT	National Council of Timorese Resistance
CPD-RDTL	Popular Council for the Defense of the Democratic Republic of East Timor
CRTR	Commission for Reception, Truth, and Reconciliation in East Timor
DSRSG	Deputy Special Representative of the Secretary-General
EU	European Union
Falintil	Armed Forces for the National Liberation of East Timor
FOKUPERS	Timorese Women's Communication Forum
Fretilin	Revolutionary Front for an Independent East Timor
IEC	United Nations Independent Electoral Commission
INTERFET	United Nations-sponsored International Force for East Timor
KOTA	Association of Timorese Heroes
LTOs	Carter Center Long-term Observers
NC	National Council (UNTAET-appointed East Timor advisory legislative body)
PC	Permanent Council (executive committee of CNRT)
PDC	Christian Democratic Party of Timor
PKF	United Nations Peacekeeping Forces
PNT	Timorese Nationalist Party
PPT	People's Party of East Timor
PSD	Socialist Party of Timor
RDTL	Democratic Republic of East Timor
SRSG	Special Representative of the Secretary-General
STOs	Carter Center Short-term Observers
TNI	Indonesia National Armed Forces (from April 1999)
UDC	Christian Democratic Union of Timor
UDT	Timorese Democratic Union
UNAMET	United Nations Mission in East Timor
UNMISET	United Nations Mission of Support for East Timor
UNTAET	United Nations Transitional Authority for East Timor
USAID	United States Agency for International Development

Executive Summary With Major Findings and Recommendations

On May 20, 2002, the Democratic Republic of East Timor became this century's first new nation. The Carter Center is proud to have been closely involved with the birth of this new nation. The Center first supported East Timorese efforts to choose freely between independence and special autonomy within Indonesia in the historic public consultation held in August 1999.

Then in May 2001 the Center reopened a field office in East Timor to begin implementation of a long-term political and election observation project for the territory's transition to independence. The Center focused specifically on assessing the political environment for the Aug. 30, 2001, Constituent Assembly election, the subsequent constitution drafting process, and the April 14, 2002, presidential election. This is a report of the Center's work in support of these events.

The Center deployed long- and short-term observers to East Timor prior to both the Constituent Assembly and presidential elections. Each short-term team was led by senior political leaders or Carter Center staff that met with East Timorese and U.N. leaders to discuss Carter Center findings, concerns, and recommendations. Election assessment missions to the territory were conducted prior to both elections. The field office director monitored the constitution drafting process, and with one additional observer, examined a public consultation on the draft constitution.

The Center's observation program assessed how political and civil society leaders, as well as voters, embraced and adhered to the principles and values of democracy in the context of the conduct of the Constituent Assembly and presidential elections and constitution drafting exercise. Carter Center observers focused specifically on the security situation; behavior of and relationship between the parties and candidates; citizens' knowledge of the electoral process; the role of domestic observers and political party agents in each election; and women's political participation in the transition. As this was a U.N.-administered election, the Center also looked at East Timorese involvement in and understanding of the various elements of the election process.

Through constant interaction with UNTAET and government officials, nongovernmental organizations, domestic observer groups, and other East Timorese members of society and through the release of public statements, The Carter Center supported and informed the transition process.

Jeff Carter

Hundreds of voters walked to this polling station in the early hours of the morning to be the first in line to vote for their Constituent Assembly representative.

The long-term political monitoring and observation program enabled the Center to do a comparative analysis of lessons learned as a result of the conduct of two elections and a constitution drafting process. The following is a summary of the Center's findings and recommendations.

The Constituent Assembly and Presidential Elections

As was anticipated in a U.N.-administered elections process, The Carter Center found that both the Constituent Assembly and presidential elections met international standards, that the people of East Timor were able to freely express their democratic choices, and that the official results reflected the will of the voters.

Technical administration of the election went smoothly, with only minimal concerns noted regarding the need to prepare an improved voters list and to develop a more effective electoral complaints mechanism. The greater concern centered around the role of the East Timorese in this aspect of the elections. The limited involvement of East Timorese in the administration of the Constituent Assembly election was a missed opportunity for capacity-building and transfer of knowledge. In contrast to the Constituent Assembly elections, East Timorese played a much more significant role in administration of the presidential election.

With many electoral challenges lying ahead, developing the necessary permanent mechanisms to ensure periodic free and fair elections must be a priority, including creation of a permanent, independent election commission; the drafting of electoral laws; the preparation of a new voters list; and an effective, uniform electoral complaints mechanism. Further, in preparation for the country's next election, a focus should be placed on expanding the base of polling staff that now exists by recruiting new election and poll workers and providing additional capacity-building programs in this area, including programs for senior level election officials.

Security concerns were raised prior to both elections centering around the potential for pro-integration militia, those groups which had supported integration with Indonesia, to resurface as a destabilizing force or for violent conflict to emerge between political parties. In spite of these concerns, violence was largely absent for the elections processes, and large numbers of voters turned out to cast their ballots for both elections. So-called "security groups," which had no formal links to the defense forces or police, posed the greatest threat to stability in the territory. The term became a somewhat misleading catchall reference for a variety of groups that surfaced during the transition period, ranging from gangs to former veterans groups, and whose purpose was unclear.

The political vacuum that continues to exist at the local level, unfortunately, provides space for the development and strengthening of potentially ill-intentioned groups that can undermine forward progress. Political leaders, party leaders, and members of the government, with the security forces, should continue working to identify the makeup of such groups and continue to work to address the limited political and legal structures below the national level, which may be exacerbating the problem.

Political parties were predominantly personality-based, relying on the familiarity of national and local-level leaders who were known to voters as the primary means to win votes. Given concerns about possible conflict between political parties, prior to the Constituent Assembly elections, political parties agreed to a Pact of National Unity, setting the stage for the rules of the game with respect to political party discourse and affirming parties' commitments to the democratic principles of political tolerance, participation, consensus-building, compromise, and transparency in decision-making. Commitment to the National Pact was reaffirmed prior to the presidential election.

Feared political party-related conflict never materialized. However, there were reports of intimidation of voters by local-level party leaders and supporters prior to both elections. Prior to the Constituent Assembly, some party leaders at the national level did use political rhetoric in the lead-up to the elections that could be perceived as intimidating to the electorate and counter to the spirit of the principles of political tolerance and consensus-building agreed to in the National Pact.

The need for political party development is still great. Political parties must focus on developing

policy platforms and engaging their constituency on substantive policy issues to which parties will be linked, as opposed to relying primarily on known political personalities associated with the party. Political parties should work to continue to support and follow the democratic principles put forth in the Pact of National Unity, embracing political tolerance, participation, consensus-building, compromise, and transparency in decision-making.

The Center observed some **political party agents** involved in the observation and monitoring process.

Jeff Carter

Carter Center delegation co-leader Sir Michael Somare and Charles Costello observe as polling officials seal ballot boxes before the polls open on Aug. 30, 2001.

Nonetheless, the Center found that parties needed to spend more time developing their party agent structures, including both mobilizing increased numbers of party agents (especially women party agents) and training them on their roles as scrutineers of the election process.

Voter education programs were generally well-run with high degrees of success. Voters were well-aware of the "how to" of voting. **Civic education** campaigns ultimately proved less successful, with numbers of voters unclear on the purpose of the Constituent Assembly elections. Voters were better prepared for the presidential election.

While civic education programs are oftentimes more complex and needed for longer periods of time, such programs are essential to ensuring that voters understand the electoral process and its purpose in the broader context of democracy. Civic education programs focusing on pluralism, political tolerance, and the role of political parties in multiparty democracy remain relevant. The extent and effectiveness of broad civic education campaigns will continue to be an important issue to assess, especially in advance of any future elections in the territory. Conduct of periodic focus groups and surveys remains essential.

Domestic election observer groups were active, vocal, and relatively well-coordinated. Such groups turned out in large numbers to monitor and report on both the Constituent Assembly and presidential elections processes, deploying observers in all districts both prior to and on election day. Their reports on the increased level of inflammatory political rhetoric in the days prior to the Constituent Assembly election added a critical East Timorese stakeholder voice to the call to end such party discourse. These groups also monitored and provided input into the constitution drafting process.

Domestic observer groups should seek to strengthen their capacities for networking and collaboration in anticipation of future elections and continue to call for strong political support for a vibrant and active civil society.

The **political participation of women** in the East Timor electoral process was impressive. Women served as candidates, formed a women's caucus, turned out in high numbers to vote, and served as active leaders in the domestic observer groups.

Political parties should make every effort to reach out to women in full recognition of the important role they have to play in the future of East Timor. While it is gratifying that 27 percent of those elected in the Constituent Assembly election were women, effort should be placed on increasing the number of female candidates. Women should continue and expand upon their work with civil society groups.

Drafting the Constitution

The constitution drafting process occurred between the Constituent Assembly and presidential elections.

After an intensive drafting process, in March 2002 the constitution was approved with 72 votes in favor, 15 against, and one abstention. The Constituent Assembly constitution drafting experience provided opportunity for parties to articulate policy positions on specific issues, and in some cases, coalesce around areas of common interest and concern. Many party members and outside observers expressed frustration with what ultimately proved to be a majority party (Fretilin)-dominated drafting process. Nonetheless, debate in the Constituent Assembly was for the most part open and respectful, with a good representation of alternative political views, and the drafting process saw political parties debating and articulating positions on a variety of policy issues. The drafting process also served to solidify not only Fretilin's political dominance but also the minority parties' stance as a political opposition.

The most common criticism of the constitution drafting process was the limited opportunity for citizen input. Ultimately, Constituent Assembly members agreed to hold consultations on the draft with the public at the district and subdistrict level. This event could have proved an important opportunity for community input into the draft. However, no substantial changes were made to the constitution, and in the end the East Timorese people felt little ownership of the new constitution. Many people expressed frustration toward their district representatives, who rarely visited their districts to provide progress reports or to engage their constituents in debates about the document's content.

In the future, Parliament members, as well as other members of government, must ensure that they are available, accountable to, and representative of the electorate. This is even more critical given that groups and citizens were quite vocal about the fact they wanted new elections for a legislature, and did not want the Constituent Assembly to automatically convert into the Parliament. Parliament must prove its legitimacy by being accountable to voters. The government and Parliament will have to work hard to overcome this sense of un-involvement among the East Timorese people in order to create a true feeling of ownership towards the new constitution.

The East Timor Nation-building Model

Although the East Timor nation-building model is not perfect, there are several aspects of the transition that should be noted and applauded, as well as some limitations that should be addressed in future similar exercises.

The inclusion of East Timorese leadership in decision-making from the beginning to the end of the transition period greatly contributed to the territory's peaceful and relatively rapid progress. This experience reinforces the importance of including a nation's political leadership in all stages of the transition.

Nonetheless, many members of civil society, as well as members of the local communities in areas outside of Dili, felt excluded from decision-making. This underscores the need for not only keeping the public well-informed about key decisions taken and implemented but also ensuring that effective mechanisms are in place that provide opportunity for citizens to have input into decision-making. Through ongoing communication with the larger public about the status of the transition, including necessary changes, realistic expectations about the pace and results of change can be better maintained.

It merits further study whether or not a Constituent Assembly elected through a competitive political party election and tasked with drafting a nation's constitution is indeed the best model. In such a scenario, party biases may ultimately influence the content of the constitution, which should be a document representative of and supported by all citizens in a country.

Conclusion

During the U.N.-administered transition period, East Timor made great progress toward consolidating democracy. The transition to independence went smoothly with little violence. The Constituent Assembly and presidential elections proved to be two of the most significant democratic exercises during the transition period. East Timorese, through their contributions to the development of election policies and their experiences as candidates, election workers, observers of the process, and voters, became more familiar with the mechanics and purpose of democratic elections.

East Timorese also drafted and ratified a constitution and began to put into place institutions needed to establish a strong, sustainable democracy, including an electoral system, a formal legal system, and active civil society.

All sectors of government and society should continue to work to further democratic consolidation in order to sustain and strengthen the democratic gains made thus far in this young country.

A Brief History of East Timor

The nation of East Timor, with an estimated population of 800,000, occupies approximately half of a small island off the northwestern coast of Australia. The nation also includes the small enclave of Oecussi, on the northwest coast of the island, and the islands of Atauro and Jaco. After four centuries of Portuguese rule, 24 years of Indonesian occupation, and two years of U.N. administration, East Timor gained independence on May 20, 2002.

East Timor's history of occupation began in the 16th century with the arrival of Portuguese traders who were chiefly interested in the island's sandalwood. Victoria, a ship of Magellan's fleet, was the first European vessel to visit the island on Jan. 26, 1522. By the time of this first visit, East Timor had been trading its sandalwood with merchants from China, Java, and Malacca for centuries. The Dutch arrived at the western half of the island in the 17th century, establishing a fort at Kupang in 1652. They began a struggle with the Portuguese for control of the island, which continued into the 19th and 20th centuries. In 1769, the Portuguese shifted their center of authority from Oecussi in the west to Dili in the east of the island.

Following a decision by the Permanent Court of Arbitration in June 1914, the two nations signed a formal agreement in August 1916 that divided the island with its present-day borders. The Dutch maintained control of the western side, and the Portuguese maintained control of the eastern side along with the small enclave of Oecussi in the west. East Timor then was briefly occupied by Japan during World War II. When Indonesia became a legally independent state in 1949, the Dutch recognized the western half of the Timor island as a part of Indonesia, while the eastern side of the island remained a Portuguese colony.

The 1974 military coup in Portugal sparked an increase in political activity in East Timor, with Timorese dividing around the issue of independence. The Timorese Democratic Union (UDT), Timorese Popular Democratic Association (Apodeti), KOTA, and the Association of Timorese Social Democrats (ASDT) emerged as key players. During this period, ASDT transformed itself into the Revolutionary Front for an Independent East Timor (Fretilin). UDT favored a continued association with Portugal, while Apodeti favored integration of East Timor into Indonesia. These groups, along with KOTA, aligned themselves against Fretilin, who supported an independent East Timor state. Fighting broke out, and Fretilin won this brief conflict, establishing control of Dili in September 1975 and declaring East Timor's independence from Portugal on Nov. 28, 1975. Francisco Xavier do Amaral served briefly as East Timor's president.

Rachel Fowler

An East Timorese voter casts his ballot in the 1999 independence vote.

Nine days later, on Dec. 7, 1975, Indonesian troops launched an invasion of East Timor. The East Timorese mounted a substantial resistance campaign, relying on the military wing of Fretilin, the Armed Forces for the National Liberation of East Timor (Falintil). In 1975, the U.N. Security Council called upon Indonesia to remove its troops immediately, but to no avail. The Indonesian military launched a brutal counterinsurgency strategy that included retaliation against civilians. In 1976, Indonesia named East Timor its 27th province, despite Portugal's refusal to cede the right to govern the territory. Human rights organizations claim that during the Indonesian occupation as many as 200,000 East Timorese may have lost their lives to disease, famine, and Indonesian attacks, many of them within the first 10 years after the Indonesian invasion.

The United Nations and many Western countries condemned the Indonesian occupation of East Timor and continued to recognize the territory as a Portuguese colony. Australia initially condemned the invasion but in 1979 recognized Indonesian control of East Timor. The United States considered Indonesia to be an important Cold War ally and did not attempt to prevent the annexation. In 1983, the U.N. Commission on Human Rights recognized East Timor's right to independence and self-determination. International attention towards East Timor continued intermittently until the Santa Cruz massacre in November 1991 when attention became focused on Indonesia's occupation. In 1996, Jose Ramos-Horta and Bishop Carlos Belo, two East Timorese activists, jointly were awarded the Nobel Peace Prize.

Brett Lacy

Santa Cruz Cemetery, the site of the 1991 massacre, is in Dili.

The fact that the Catholic Church, including the East Timorese Church, was directly under the Vatican and, therefore, never subject to control by the Indonesian Catholic Church played a critical role in ensuring that East Timor remained on the radar screen of the international community and began to become a focus of human rights organizations. The pope visited East Timor in 1989.

The changing political environment in Indonesia in the mid to late 1990s presented an opportunity for advocates of East Timor's independence to place more pressure on Indonesia's leaders and the international community to seek a solution to the conflict.

The East Timorese diaspora came together in Portugal in April 1998 and formed the National Council of Timorese Resistance (CNRT), an umbrella group for pro-independence groups. Resistance leader Kay Rala "Xanana" Gusmao was elected as president, and Ramos-Horta, an activist in exile since 1975, as vice president. In May 1998, B.J. Habibie replaced Suharto as president of Indonesia and reopened negotiations regarding East Timor's self-determination.

On May 5, 1999, a tripartite agreement between Indonesia, Portugal, and the United Nations was reached, allowing the United Nations to conduct a ballot with Indonesia providing security. In June 1999, the U.N. Security Council authorized the establishment of the U.N. Mission in East Timor (UNAMET) to oversee the transition period pending the implementation of a decision made by the East Timorese regarding independence.

On Aug. 30, 1999, East Timorese went to the polls and overwhelmingly voted for independence from Indonesia. Following the announcement of the consultation results, East Timorese pro-integration militia, supported by Indonesia military, launched a full-scale, deliberate campaign of violence. Many lives were lost, many East Timorese were forced to flee into West Timor, and East Timor's physical infrastructure was almost completely destroyed.

In October 1999, the U.N. Security Council established the U.N. Transitional Authority in East Timor (UNTAET), which was given the task of administering East Timor's transition to independence. A transitional Cabinet of East Timorese leaders was put into place in 2000. On Aug. 30, 2001, UNTAET administered East Timor's Constituent Assembly election in which the Revolutionary Front for an Independent East Timor (Fretilin) won 55 seats in the 88-member body. The Constituent Assembly was tasked with drafting a constitution for East Timor, originally by December of that year. The constitution was finally ratified in March 2002. The constitution established a semipresidential system of government with a strong prime minister. Ultimately, the Assembly voted to transform itself into East Timor's Parliament after independence.

On April 14, 2002, UNTAET administered East Timor's presidential election. East Timorese independence leader Xanana Gusmao won with an overwhelming majority of the votes, defeating Francisco Xavier do Amaral.

East Timor celebrated its independence on May 20, 2002. With UNTAET's mandate of overseeing the transition to independence over, the U.N. Mission of Support in East Timor (UNMISET) was established to assist East Timor in assuming full operational responsibilities for administering national affairs.

Chronology of Events

1520s	Portuguese sailors arrive in East Timor and begin trading, chiefly for sandalwood.
1859	The Timor island is divided in half, with the west becoming Dutch territory and the east becoming Portuguese territory.
1949	West Timor becomes a part of the new nation of Indonesia.
1974	Military coup in Portugal.
1983	The U.N. Commission on Human Rights adopts a resolution affirming East Timor's right to independence and self-determination.
1985	Australia recognizes Indonesia's occupation of East Timor.
1992	United States suspends defense training aid to Indonesia in protest of the killing of separatist demonstrators in 1991.
Oct. 11, 1996	East Timor Bishop Dom Ximenes Belo and Maubere resistence representative Jose Ramos-Horta were awarded the Nobel Peace Prize for their work toward a peaceful solution to the conflict.
1998	The National Council of Timorese Resistance (CNRT) is established. Kay Rala "Xanana" Gusmao is appointed president and Jose Ramos-Horta named as vice president.
1998	Bacharuddin Jusuf Habibie replaces Suharto as the Indonesian president.
May 5, 1999	Indonesia, Portugal, and the United Nations sign Agreement on the Public Consultation.
June 1999	President Carter meets with resistance leader Xanana Gusmao, then under house arrest, in Indonesia.
June 11, 1999	The U.N. Security Council establishes United Nations Mission in East Timor (UNAMET) through the end of August 1999.
Aug. 30, 1999	Public referendum polling day; nearly 99 percent of registered voters cast ballots.
Sept. 4, 1999	United Nations announces results of the public referendum: 78.5 percent of East Timorese vote for independence; Indonesia-backed militias begin campaign of terror; Carter Center staff forced to evacuate.
Sept. 20, 1999	United Nations-sponsored International Force for East Timor (INTERFET) peacekeeping troops arrive to stabilize East Timor.
Oct. 22, 1999	Gusmao returns to East Timor after seven years in an Indonesian prison.
Oct. 25, 1999	United Nations establishes 11,000-staff United Nations Transitional Authority for East Timor (UNTAET) to administer territory.
Oct. 30, 1999	All remaining Indonesian soldiers depart East Timor.
Dec. 1, 1999	Jose Ramos-Horta returns to East Timor after 24 years in exile.
Dec. 12, 1999	Gusmao meets pro-integration militia leaders to discuss reconciliation.
December 1999	The National Consultative Council (NCC) is convened in Dili. The 15-member council appointed by U.N. Special Representative of the Secretary-General Sergio Vieira de Mello and made up of East Timorese and UNTAET officials advises UNTAET.

2000	Transitional Cabinet of East Timorese leaders appointed.
Aug. 30, 2001	Constituent Assembly polling day.
Sept. 15, 2001	Constituent Assembly sworn in.
Jan. 31, 2002	Constituent Assembly votes to transform itself into East Timor's first full legislature upon final approval of the constitution with 65 in favor, 16 against, two abstentions, and five absent.
Feb. 24, 2002	One-week public consultation period begins (through March 2).
March 22, 2002	Vote of global approval of the constitution with 72 in favor, 15 against, and one absent; East Timor's constitution is signed.
April 14, 2002	Presidential election; 86.3 percent of registered voters turn out to vote.
April 17, 2002	IEC announces the results of the presidential election. Xanana Gusmao wins with 82.69 percent of the vote.
May 20, 2002	East Timor independence day; UNMISET mission begins.

Methodology for Carter Center East Timor Political Observation Program

With funding from the U.S. Agency for International Development and the Ford Foundation, The Carter Center implemented its East Timor political monitoring and election observation project from March 2001 – May 2002.

The Center believes that the period leading up to and immediately following an election is critically important, as it can demonstrate the commitment of political parties and other key stakeholders to ensuring a fair and democratic electoral period and election-day process. One can also begin to assess the level of commitment of a country's leadership to the basic principles of democracy. During the entire election period, the activities of candidates, political parties, election officials, and civil society members may directly impact the conduct and outcome of an election and sometimes the immediate and medium-term postelection environment. The Carter Center has sought to strengthen its election observation programs by extending and expanding our observation programs, placing observers in the field for longer periods of time both before and after balloting day.

A sustained long-term presence enhances the quality and effectiveness of observation by enabling the development of stronger relationships with key stakeholders, strengthening understanding of the intricacies of the political climate, and enabling greater geographic coverage. Importantly, a longer-term observation program gives observer groups greater opportunity to assess the political climate in areas outside of capital cities. In many instances there are significant contrasts between the experiences in urban areas versus rural areas. Indeed, citizens in rural areas are sometimes the most vulnerable to intimidation or manipulation.

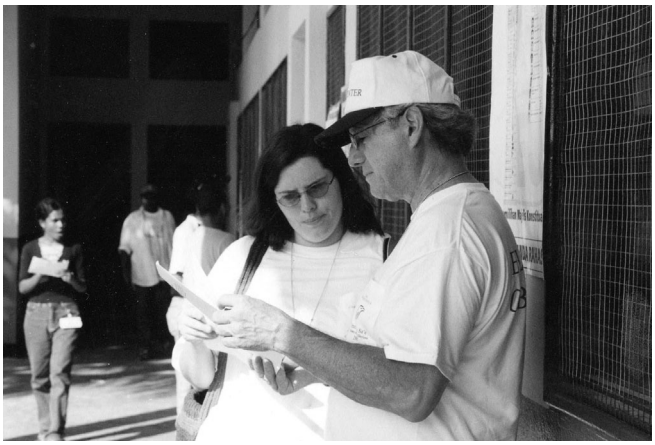
Observation of election day remains essential, as fraud and misconduct on the day of balloting are possible, even in the face of increased international attention on this part of the election process. Nonetheless, with the increased attention on election day, parties or groups inclined to corrupt or manipulate the election process have turned attention to the pre- and postelection-day period, seeking to spoil or influence the registration process and subsequent development of a voters list, intimidate potential voters in the campaign period, or manipulate the counting process. The visible presence of international observer teams during these periods of the entire election process can serve to increase voter confidence in the election. Further, in countries where the potential for electoral-related violence is high, the presence of longer-term observers serves to lessen citizens' fears.

Jim Fox

The Carter Center delegation meets in the courtyard of the Turismo Hotel to discuss their findings and draft a final statement during the 2001 Constituent Assembly elections.

Finally, while the number of domestic observation organizations is on the rise and the capacity and professionalism of these groups is also on the increase, in most countries these groups are still fledgling and in need of support from the international community. A long-term international observation presence complements domestic observer groups' efforts and provides a methodology for election observation that domestic observer groups can and should implement, as opposed to mobilizing only in the one to two weeks around an election day.

The 15-month duration of the Center's East Timor political and election observation project offered an important opportunity to further refine the Carter Center's longer-term observation methodology. The Center is flexible and tailors its observation methodology to the unique situation of each country. In East Timor, key factors included the political climate emerging out of a long struggle and recent vote for independence, a repressive past, and the United Nations-administered transition to independence.



Marta McLellan

Carter Center staff members Chuck Costello and Rachel Fowler consult about delegate findings.

Overview of Long-term Observation Program

Establishing a Field Presence and Conduct of Assessment Missions. The Center reestablished its field presence in May 2001, after conducting a pre-election assessment mission. Field staff provided the Center with periodic reports of the electoral situation and coordinated contact and activities with the United Nations and other appropriate groups in the territory. The field office remained open during the Center's entire electoral and political observation project. During this period, the Center also conducted pre-election and constitution drafting assessment missions led by headquarters' staff.

Deployment of Election Observers: Long- and Short-term Observation Teams. The selection of election observers is one of the more critical aspects of the full observation program. The appropriate mix of skills and experience for both the long- and short-term observation teams is essential to ensuring the highest quality and greatest effectiveness of an observation mission. The Carter Center delegations for both the Constituent Assembly and the presidential election were composed of observers with experience and knowledge of East Timor, regional or electoral expertise, and most with the appropriate language skills. Some observers returned to East Timor multiple times (beginning in fall 1999) with the Center, providing the invaluable opportunity for The Carter Center to build sustained relationships with civil society and political leaders in the districts and local communities. Many observers offered expertise in post-conflict development and human rights. The findings of the long- and short-term observers were the basis for Carter Center public reports and statements.

Deployment of the Long-term Observer Team. The Center was one of the first international observer organizations present in the districts well before the Constituent Assembly and presidential elections. The Center maintained an active routine presence of observers in the districts during the weeks prior to both elections, with a broad coverage at polling centers on election day. Long-term observers (LTOs) were responsible for the pre- and postelection observation.

LTOs were deployed to East Timor for up to six weeks prior to both elections to travel to districts outside of Dili. The LTOs then traveled back to Dili

The Aug. 30, 2001, Constituent Assembly Election Observer Teams in Brief

Field Office Director Nancy Lutz, a professor and East Timor expert, arrived in East Timor in mid-May 2001 to reestablish the Center's field presence in East Timor in advance of the Aug. 31, 2001, Constituent Assembly election. The long-term observation team for the Constituent Assembly election included seven observers arriving in staggered intervals from mid-June to early August 2001. Twenty short-term observers and Carter Center staff joined the team several days prior to the August election to provide greater coverage for this period.

The full 29-member election day observation delegation was led by Prime Minister of Papua New Guinea Sir Michael Somare, U.S. Congressman Eni F. H. Faleomavaega of American Samoa, Carter Center Democracy Program Director Charles Costello, and Jeff Carter, son of former U.S. President Jimmy Carter. On election day, the Center's 11 teams visited 49 polling centers in 12 districts. In the weeks leading up to the Constituent Assembly election, the Center issued two public reports on the pre-electoral period and released two postelection statements.

on a weekly basis to conduct oral debriefings and compile reports of their findings. LTOs interviewed stakeholders about the security and political environment, gathered finalized lists of candidates, numbers of registered voters per district, weekly district situation reports, schedules of campaigns, civic and voter education sessions, and other relevant election materials. The field office director and LTOs attended campaign rallies and public forums to analyze speeches, manifestos, and party pamphlets. These activities contributed to the Center's ability to assess how political parties viewed the process and whether a level playing field existed.

Long-term observers shared their political, historical, and logistical knowledge of the districts with the short-term observers during full delegation briefing sessions. The LTOs intimate knowledge of the districts, campaign issues, and other electoral issues were essential to the Center's overall observation and reporting, providing very rich analysis and enabling quick deployment of a well-prepared team prior to election day. The Center's long-term observation work allowed the Center to look both at national- and district-level processes and issues to better assess whether the processes in the districts were uniform.

Priorities for observation and reporting for both elections were political party conduct, the security situation, citizens' knowledge of the electoral process and access to information, the participation of women in the electoral process, and the participation of East Timorese in the electoral process.

Deployment of the Short-term Observer Team. STOs arrived in East Timor closer to the election date and focused primarily on the immediate pre-electoral period, balloting day operations, and the counting of ballots. The STOs enabled greater geographic coverage for the last days of the campaign period and the cooling down period immediately prior to election day. The full observation team was able to further assess the issues focused on by the long-term observers during this period of the electoral process and over a greater geographic area.

Leadership Teams. Short-term observation also included high-level political leaders and senior Carter Center staff who met with key stakeholders, including the special representative of the secretary-general of the United Nations Transitional Authority of East Timor, political party leaders, East Timorese

members of the interim government, the presidential candidates, church leaders, representatives of international development organizations, and civil society leaders. The high-level Carter Center Constituent Assembly leadership team, composed of respected leaders from the region, brought additional public attention and legitimacy to the Center's work and served to establish important relationships between Timorese and other regional leaders.

Using the reports of long- and short-term observers, the leadership team focused on delivering messages to East Timorese leaders on the importance of periodic elections in democracy, pointing to important lessons learned from the U.N.-administered model, observations on political party behavior, and security concerns for the post-U.N. period. The leadership teams reinforced the importance of establishing participatory and representative government institutions and structures and encouraged East Timorese political leaders to work together to lay a strong foundation for democracy in East Timor.

The participation of Sir Michael Somare as part of the Constituent Assembly observation team was particularly significant given his experience as the first prime minister of an independent Papua New Guinea. This resonated strongly with leadership figures in East Timor and greatly contributed to the effectiveness of the leadership meetings. U.S. Congressman Eni Faleomavaega of Western Samoa, also a respected leader in the region and part of the Constituent Assembly observation team, brought knowledge of the U.S. experience and reiterated U.S. interest in supporting the development of democracy in the territory. Ed Cain, leader of the presidential election observation mission, has long experience with the United Nations and in the area of economic development, enabling the Center to discuss with leaders the possible economic challenges the country would face in the coming years.

Geographic Coverage. For the Constituent Assembly and presidential elections, the long-term observers broke into teams and made weekly visits to East Timor's Eastern region (Manatuto, Baucau, and Viqueque); Western region (Bobonaro, Ermera, Covalima, Same); and Central region (Dili, Liquica, and Ainaro). While the territory's small size was an advantage and enabled teams to visit many districts and subdistricts each week, limited telecommunications capacity, the mountainous terrain, and poor road conditions presented challenges. The short-term teams observed all districts of East Timor, with the exception of the enclave of Oecussi in West Timor.

The April 14, 2002, Presidential Election Observer Teams in Brief

In February 2002, new Carter Center Field Office Director Samantha Aucock joined Dr. Lutz in East Timor to manage the Center's presidential election observation mission. In mid-March 2002, the Center deployed three long-term observers to assess the pre-election political environment. These observers traveled to 12 of 13 districts, meeting with a wide range of stakeholders, including U.N. personnel, political party representatives, representatives of local nongovernmental organizations, and members of the local communities. Additional short-term observers, including Carter Center staff and regional experts, joined the team to observe election day.

The Center's short-term delegation team was led by Ed Cain, director of the Center's Global Development Initiative, and Rachel Fowler, senior program associate of the Democracy Program. The presidential observation full team of 15 observers visited 60 polling centers in 11 districts on polling day. The Center released three public statements.

Observation of the Constituent Assembly Drafting Process

The Center's field office director, Dr. Nancy Lutz, remained in East Timor after the August 2001 Constituent Assembly election to observe the pro-

ceedings of the newly elected Constituent Assembly as it drafted East Timor's constitution. The Center's work focused on assessing the commitment of this body and the political parties within it to the principles of democracy and good governance. Dr. Lutz's East Timor expertise and her knowledge of both the Bahasa Indonesia and Portuguese languages greatly contributed to her ability to assess the manner and quality of the Constituent Assembly debate. Dr. Lutz was joined by one additional Carter Center observer for the constitution drafting public consultation to enable expanded observer coverage of this aspect of the drafting process.

As part of the Center's efforts to encourage and promote the adoption of democratic decision-making at the policy level, The Carter Center held a number of meetings with Constituent Assembly members, political party leaders, and members of East Timorese civil society to discuss the Center's findings.

Engagement With East Timorese and U.N. Stakeholders

During the observation program, The Carter Center maintained close contact with UNTAET and key East Timorese leaders, including new President Xanana Gusmao, Prime Minister Mari Alkatiri, Bishop Carlos Belo, Minister of Foreign Affairs Jose Ramos-Horta, and U.N. Special Representative of the Secretary-General (SRSG) Sergio Vieira de Mello.

Carter Center observers aimed to maintain communication with political parties at both the district and subdistrict levels, meeting regularly with district-level leaders. Their opinions about the campaign process, Timor's transition process in the larger context, and their concerns about the elections themselves were essential considerations for observation and reporting. Observers also worked with local domestic election observer and other civil society groups, holding periodic debriefings with groups in Dili and the districts in order to compare findings and share information.

Networking With International Observer and Other International Organizations

The Center maintained a close working relationship with the United Nations Development Program Electoral Support Center and liaised with other international observer missions such as the European Union and Australian missions. In addition to the LTO weekly debriefings in Dili, The Carter Center convened meetings of international election observers closer to the election. The Center's delegation leadership met with the leadership of other international and domestic observation groups to share findings. These meetings provided the opportunity to flag issues for focused monitoring over the election period, enabling

Jim Fox

Carter Center leadership meet with Fretilin leader and future prime minister, Mari Alkatiri.

more effective observation and reporting by the international community.

Further, The Carter Center attended weekly meetings with other USAID grantees in East Timor, including Internews, The Asia Foundation (TAF), the National Democratic Institution (NDI), the International Republican Institute (IRI), and the International Foundation for Election Systems (IFES). Such coordination meetings enabled the Center to share information on findings and update the organizations on The Carter Center observation activities.

Jim Fox

The Carter Center delegation is briefed by local observers before deploying to areas outside of Dili.

Constituent Assembly and Presidential Elections: Comparative Analysis

In August 2001, East Timorese voters went to the polls to elect a Constituent Assembly to draft the soon-to-be independent nation's first constitution. The following year, in April 2002, East Timorese voters again went to the polls to elect East Timor's first president. Both elections were key democratic events in East Timor's transition to independence.

The electoral process consists of many parts, both technical and political. An electoral body responsible for establishing and enforcing the rules and regulations for the election process, an environment free of intimidation and coercion, and an active multiparty system provide the foundation for democratic elections. Empowered domestic observer groups that serve as civil society safeguards, a political process inclusive of women and other marginalized sectors of society, and a well-informed electorate are also essential components of a strong democracy. Policy decisions made in a country's transition to democracy on these aspects of the democratic process inform and influence successive steps toward democracy.

As the United Nations administered both elections in East Timor, there was little question that the elections would be administratively sound. Thus, the Center did not focus extensively on a technical assessment of the election process. Still, a poorly administered election can undermine the entire electoral process, and the Constituent Assembly and presidential elections offered opportunities for "trial runs" for East Timorese, with potential for transfer of knowledge and technical expertise. In this context, observation of technical issues became important. A critical aspect of the monitoring program assessed East Timorese support for, involvement in, and understanding of the various elements of the election process.

The Center focused heavily on the overall political context of the elections, looking at how both political leaders and voters embraced and adhered to the principles and values of democracy. Carter Center observers assessed the security situation, the conduct of and relationship between the parties and candidates, citizens' knowledge of the electoral process, the role of domestic observers and political party agents in the process, and the participation of women in the process.

As was anticipated in a U.N.-administered process, The Carter Center found that the election processes in East Timor met international standards, that the people of East Timor were able to freely express their democratic choices, and that the official results reflected the will of the voters. The conduct of two free and successful elections, both largely absent political violence, demonstrated the East Timorese commitment to ensuring a peaceful transition to independence.

Marta McLellan

UNTAET supported political party efforts through the establishment of the Political Party Resource Center.

The Center's goals to support a calm election

environment free of violence and intimidation and an election day with a high degree of voter participation were realized. Still, there are numerous lessons learned from the Constituent Assembly and presidential election processes that merit further study as East Timorese prepare to conduct future elections. It is the Center's hope that our election observation work in East Timor will inform future electoral processes in the country.

Following is a comparative analysis of Center findings and recommendations based on the Center's observations of the Constituent Assembly and presidential elections. Copies of the Center's pre- and postelection statements are included in the appendices of this report.

The Electoral Process — Technical Aspects

There are many technical aspects of a democratic election process, including, but not limited to, voter registration, development of an accurate voters list or electoral role, election laws and rules, and an election administration unit. Prior to the transition period, many East Timorese had limited experience in administering such processes, having only the Indonesian election experience in the two decades prior to the independence vote in August 1999.

The implementation of two elections during the transition period provided East Timorese the opportunity to learn the multiple technical aspects of election administration from beginning to end, strengthening their capacity in this area of democratic governance. Indeed, the electoral processes were some of the better planned and resourced aspects of the transition period. In its observation program, the Center commented on several aspects of the electoral process: the role and performance of the Independent Election Commission (IEC); development and use of the voters list; the existence of an electoral complaints mechanism; and the role of East Timorese in administration of the electoral processes.

Role of the Independent Election Commission

The United Nations Transitional Authority of East Timor (UNTAET) established the Independent Electoral Commission (IEC) to administer both the 2001 Constituent Assembly election and the 2002

The Constituent Assembly Elections Process in Brief

In March 2001, UNTAET issued a regulation establishing the framework for the election of a Constituent Assembly that would be tasked with drafting an independent East Timor's first constitution. The regulation outlined the structure of the CA, which would include one district representative from each of the territory's 13 districts and 75 national representatives, for a total of 88 Constituent Assembly members.

While any Timorese eligible to vote was eligible to be a candidate in this election, the CA election was largely party-based, with few independent candidates. Each registered political party filed a list of up to 75 national representative nominees. Independent candidates required 500 signatures to qualify as a national representative candidate and 100 signatures to qualify as a district representative candidate. For the 13 district representatives, their names and party affiliation appeared on the ballot. For the 75 national representative slots, voters cast their ballot for a political party or independent candidate. The number of votes cast for each political party determined the number of national representative seats allocated to that political party. The political party then filled those seats, starting with the names at the top of their registered list of nominees.

On Aug. 30, 2001, the Constituent Assembly elections were held, and on Sept. 15, 2001, the new Constituent Assembly members took office.

presidential election. The electoral commission for each election was composed of one chief electoral officer who was a nonvoting member and five voting electoral commissioners appointed by the secretary-general of the United Nations.

The IEC produced and made available to the public all procedures, instructions, forms, and guidelines for the entire electoral process. The body's responsibilities also included the registration of political parties and candidates, the accreditation of international and domestic observers and party agents, and publicly broadcasting information as necessary to ensure the transparency of the process and proper dissemination of election-related information. The IEC was further responsible for coordinating the tallying of votes and announcing election results. Pursuant to the UNTAET regulations, the IEC's duties were completed upon the announcement of election results and resolution of any outstanding electoral complaints.

The IEC provided East Timorese with two efficient and effective models of election administration—one for a presidential election and the other for a constituent assembly, which has similarities to a parliamentary system. The IEC conducted its work with transparency, keeping the public informed of progress and important issues by holding periodic public briefings. The IEC functioned in a participatory and inclusive way, working with all parties and conducting effective voter education campaigns.

The most critical limitation of the IEC performance was the limited role East Timorese played in the technical aspects of administration of the Constituent Assembly elections. The Center was pleased to report on the significantly increased role of East Timorese in the 2002 presidential election. This is reported in more detail in the following section, entitled "The Role of East Timorese in Election Administration."

Further, it is notable that IEC staff attempted to provide election administration models that were replicable in the East Timorese context, given that funding for future elections will likely be at a much lower level in comparison to the funds received during the transition period. Nonetheless, some approaches and methodologies utilized—such as the computerization of the voters list and the relative easy access to radio and print media—will be difficult for East Timorese election officials to replicate in the post-independence period.

As East Timor will be responsible for the administration of future elections, East Timorese political and civil society leaders must direct attention toward the development of strong and efficient electoral policies and laws. The establishment of a permanent electoral commission with a mandate to articulate and put into place appropriate electoral procedures is essential for the consolidation of democracy in East Timor.

The Voters List

In advance of the 2001 Constituent Assembly election, UNTAET was responsible for creating a central civil registry. From this civil registry, the IEC compiled East Timor's electoral roll. The process of creating the central civil registry was plagued by technical problems, leading ultimately to a faulty registry. The problems with the registry led to questions with the voters list.

The IEC addressed the problem through a planned "exhibition and challenges" period. During this period, the voters list was posted throughout the districts. Voters were able to check to see that their names were on the appropriate list and that they had been designated a reasonable polling center. East Timorese took advantage of this process, and necessary adjustments to the voters list were made. On polling day for the Constituent Assembly, Carter Center observers witnessed relatively few instances of voters who were unable to vote because their names were not on the list at their designated polling center. Nonetheless, the list was long and cumbersome, with numerous instances of similar names recorded, which slowed the voting process.

Due to time constraints and the recognized need to correct the civil registry, the voters list created by the IEC in 2001 was not used in the 2002 presidential election. Voter eligibility requirements remained the

same during the presidential elections—namely a person over the age of 17 who was either born in East Timor or born outside of East Timor but with at least one parent born in East Timor, or who had a spouse who met those criteria. Voters, however, were able to cast their ballots at any polling center in any district with proof of civil registration. This allowed greater freedom of movement across the territory, as voters did not have to vote at an assigned polling station. In the absence of a voters list and assigned polling stations, the IEC utilized indelible ink to prevent double voting.

One immediate priority for an established elections commission should be the creation of a comprehensive and adequate voters list. Voters lists are subject to manipulation, and a flawed voters list can lead or contribute to doubts about election results. Conduct of an efficient and transparent voter registration process and preparation of a reliable voters list prior to East Timor's next election will be essential.

Electoral Complaints Mechanism

During the 2001 Constituent Assembly election, Carter Center observers found that there was a lack of effective and consistent mechanisms to address electoral complaints, leading to confusion about the process among some voters. In some districts, voters were unaware of the existence of complaints procedures. In areas where citizens were aware of the process, it appeared ineffective. Confusion seemed to center around the role of the U.N. Civilian Police versus the electoral officers in resolving or handling complaints. Observers found that complaints were handled differently in the various districts. In the 2002 presidential election, there were no objections or complaints received by the IEC and consequently no need to utilize the complaint procedure.

For future elections, an effective electoral offense complaints procedure that is both understood by and accessible to the public must be established. Such a procedure provides candidates, political parties, and voters with important protections and supports the overall legitimacy of the electoral process.

The Role of East Timorese in Election Administration

As already noted earlier, the Constituent Assembly and presidential election processes were administered by the United Nations. East Timor's first election as an independent nation will be administered by East Timorese. Thus, a critical aspect to monitor during both election processes was the degree to which East Timorese were provided the opportunity to strengthen and build capacity in election administration.

The Center's assessment mission of the 2001 Constituent Assembly elections found that the East Timorese had little responsibility for the administration of that electoral process and that an important opportunity for sustained capacity-building was lost. Many East Timorese only served as polling staff. Importantly and in contrast, East Timorese played a much greater role in the presidential election process. Unlike the Constituent Assembly election in 2001, for the 2002 presidential election, all of the polling staff and a significant proportion of the IEC managers were East Timorese.

Jim Fox

Carter Center staff member Brett Lacy and local staff interview polling officials.

During the presidential election, national, district and subdistrict-level electoral offices were run by East Timorese. Almost half of IEC headquarters staff were East Timorese. All district electoral coordinators, their deputies, voter education officers, and training officers were East Timorese. At the subdistrict level,

East Timorese composed half of 300 district electoral officers. This was a significant increase in the number of East Timorese directly responsible for implementing technical aspects of the election process. Further, in 2001 the IEC Board of Commissioners was composed of all internationals. For the presidential election, the board was comprised of two international and three East Timorese members.

In August 2001, Carter Center delegates observed high variation in the efficiency of polling staff, which ranged from exceptional professionalism in some cases to confusion and disorganization in others. Training programs occurred only a few days before polling, which allowed little time for polling officials to prepare. In some polling centers, officials appeared confused about the role of domestic and international observers and political party agents and sometimes limited observer access to polling stations.

During the 2002 presidential election, polling officials were well-prepared and performed multiple tasks with a high degree of efficiency and professionalism. Even noting that the presidential election was less complicated due to a simpler ballot and the fact that no voters list was used, the increased number of East Timorese administering the presidential election and the ease with which it was administered suggest training programs were more effective and successful.

While The Carter Center did observe an important increase in East Timorese involvement in the presidential election, some areas still lacked significant Timorese participation and input. For example, the upper echelons of the electoral administration for both elections were staffed almost exclusively by internationals. This may be explained in part by the fact that capacity-building takes time and not all functions can be taken over by national staff at once. It should be noted, too, that Carter Center observers saw varying degrees of efficiency and professionalism in the international polling staff as well. United Nations elections training programs targeting internationals could be improved.

Following the presidential election, a pool of 75 trained East Timorese electoral staff was created. Nonetheless, training needs remain great. In preparation for the country's next election, a priority should be placed on expanding the base of polling staff that now exists by recruiting new election and poll workers and providing additional capacity-building programs in this area, including programs for election officials at senior levels.

Electoral Issues — Overall Political Environment

As noted earlier, a priority focus of observation for the Center was the overall political environment in which the elections were taking place. Carter Center observation focused on the security situation, behavior of and relationship between the parties and candidates, the role of political party agents, citizens' knowledge of the electoral process, the role of domestic observers in the election process, and the participation of women in the process.

The Security Environment. While the security environment surrounding the pre- and postelection period for the 2001 and 2002 elections was an anticipated concern of some stakeholders in East Timor, no significant problems in this area materialized during either election process. Security concerns centered largely on the possible re-emergence of pro-integration militia during the elections processes, the potential for conflict among the multiple political parties, and the emergence of so-called "security groups."

Although it appeared that most parties had accepted the results of the Aug. 30, 1999, ballot, there remained concern that pro-independence militias might resurface as a destabilizing force for the Aug. 30, 2001, Constituent Assembly election. The presence of the United Nations peacekeeping (PKF) and civilian police (CivPol) forces during the transition period served to dissuade any violent activity, including militia activity. Such anticipated militia violence was not an issue prior to the 2001 or 2002 elections. Nonetheless, some militia leaders claimed they were laying low until PKF left the territory. Only time will tell if this is indeed the case. Certainly

given the extent and orchestrated nature of the violence perpetrated in the period immediately following the 1999 independence vote, such a possibility should not be ruled completely implausible.

In the lead-up to the 2001 Constituent Assembly elections, a primary security concern voiced by international and local officials was the potential for violence related to conflict between political parties, including competitive party activity at the local level. There were limited reports of intimidation by political parties and some localized incidents of violence during the civil registration process held in the months preceding the election. Some feared the political climate could become more volatile during the party registration and campaign periods. In many areas, contentious political activity could have easily exacerbated already existing clan and ethnic-based divisions, in addition to rival gang-related activity, which appeared to be on the increase. No major security concerns were reported to observers on the Constituent Assembly election day.

The history of political party conflict in East Timor and reports of political party-related, local-level intimidation are reported on in the "Political Parties" section of this report. It should be noted here, however, that the high degree of voter turnout for both elections suggests that efforts to intimidate voters had no significant impact and ultimately did not deter individuals from coming to the polls to cast their ballots. Surveys of East Timorese attitudes and concerns conducted in the months prior to the 2002 presidential election suggested that East Timorese fears of multiparty democracy had decreased. Such security fears were noted as a priority concern in surveys conducted prior to the 2001 Constituent Assembly elections.

In the weeks leading up to the 2002 presidential election, some concern about political party behavior still existed, but the growing emergence of so-called "security groups" posed the greatest threat and, in some areas, raised questions about the potential role of such groups as a destabilizing force around the election and for the future. Long-term observers heard reports in several areas of such "security groups" with no formal ties to the police or defense forces, and many seemed to be active in the districts. The purpose and activities of these groups were not clear. Some described themselves as preparing for the highly anticipated independence day celebration and activities, and others for possible inclusion in the defense forces. Some groups claimed to protect individual, local, and national interests, and still others appeared to be either "karate-" or "gang-"related groups. Carter Center observers, however, did not observe any disruptions on the presidential election day.

The Carter Center observed, however, that most parties maintain a top-down party structure at both the district level and subdistrict level. The relative lack of a representative political structure below the national level served to form a political vacuum, which likely contributed to the existence of various "security groups." While it appeared that the "security groups" posed no threat to the elections, there is concern over the future role and further development of such groups. The Center raised this issue with various UNTAET members, the candidates, political party representatives, members of the government, and the church, encouraging leaders to identify the makeup of such groups and quickly address the limited political and legal structures below the national level, which could serve to exacerbate the problem.

Indeed, the post-May 2002 period has seen several incidences of violence in Dili and other areas of East Timor. Often it is unclear who is responsible for such acts.The path to democratic consolidation can be difficult, with many challenges. Organized groups, with intent to disrupt development in the country, can capitalize on, as well as foster, the frustrations of the population during this continued transition period.

The Political Parties. One aspect of the Carter Center's observation work focused on assessing the commitment of East Timorese political leaders to inclusive, multiparty governance. The Center also sought to encourage the promotion and implementation of democratic policy decisions by East Timorese

leadership, relating both to the election process and to policy deliberation.

The Aug. 30, 2001, Constituent Assembly election provided the first opportunity for multiparty political party development in East Timor since the mid-1970s. The Constituent Assembly election was followed by the constitution drafting process, which provided opportunity to further strengthen the political party system in East Timor. The subsequent section on the constitution drafting process offers more analysis of party development during this aspect of the transition to independence. The presidential election involved only two candidates and was largely personality-based, and thus provided only a limited opportunity for party development.

Political parties—free to assemble, campaign, and take office—are an essential condition in a democratic society. The political party system becomes the mechanism through which citizens, voters, and partisan interests are assured representation in policy discussions and decisions. Political party development must be a priority focus for transitioning countries. Multiparty democracy, with periodic free and fair elections, provides an opportunity for alternation of power and protects against the potential for one-party domination. The Center supports open and equal participation for all legitimate political parties and independent candidates.

The Constituent Assembly Elections. For the 2001 Constituent Assembly election, 16 political parties registered with the IEC and developed candidate lists. Some of the smaller parties formed very shortly before the Constituent Assembly election but were still able to organize campaigns quickly, register and field party agents, and secure votes. One party, the Democratic Party (PD), came into existence only months before the Constituent Assembly election. Largely supported by East Timorese youth, PD made an impressive showing during the Constituent Assembly, gaining seven seats in the Assembly. Ultimately, representatives of 12 political parties and one independent candidate took seats in the Assembly.

Some parties articulated party platforms, such as the Socialist Party that advocated on behalf of workers. In very limited ways, party platform messages were delivered at the district and subdistrict level. Yet, even with the large number of parties and candidates, parties were largely personality-based, with minimal focus on developing policy platforms. At the district and village level, parties were more closely associated with individuals who were leaders or well-known in the community.

The Presidential Election. There were only two candidates for the presidential election, Francisco Xavier do Amaral, the president of the Social Democratic Association of Timor (ASDT), and independence leader Xanana Gusmao. Amaral was nominated by ASDT and the youth party, Parentil. Gusmao was nominated by nine parties: PSD, PD, UDT, KOTA, PNT, PST, UDC/PDC, PT, and PDM.

For many months, do Amaral had stated his interest in running for the presidency, noting that given his long history in the struggle, it was his duty to "fulfill his promise" by taking East Timor into independence. Fretilin unilaterally declared do Amaral

Jeffrey Mapendere

Supporters of the Fretilin party celebrate after a rally in Dili.

Jeffrey Mapendere

Alexandre "Xanana" Gusmao delivers his acceptance speech after the results of East Timor's presidential election were announced, with 82.69 percent of the vote in his favor.

the first president of East Timor shortly before the Indonesian invasion in 1975.

Ending the long period of speculation on whether he would run for the presidency or not and despite having received much advice to run as an independent, Gusmao held a press conference on Feb. 23, 2002, in which he announced that he had accepted the nominations and would run for president. Gusmao set up an Independent National Commission (INC) that would, under the management of a PSD party leader, direct the campaign.

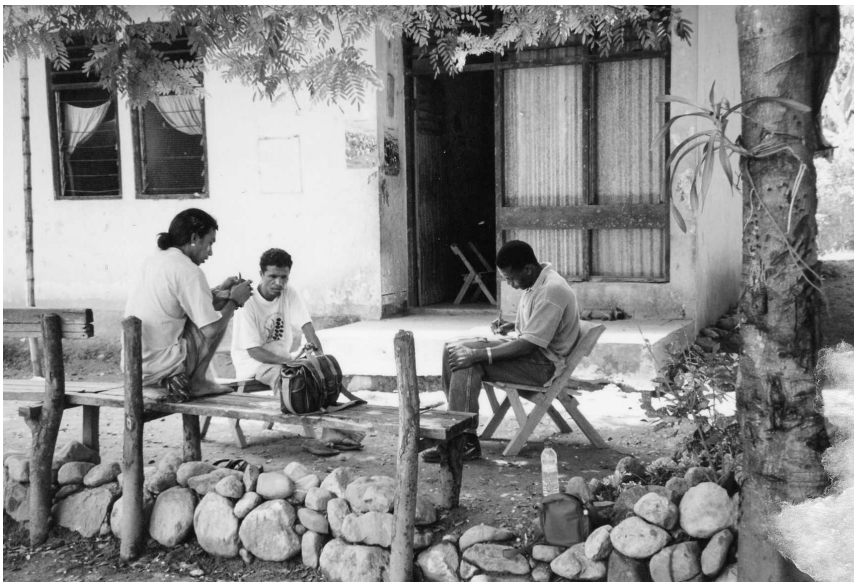
In comparison to the Constituent Assembly election, Carter Center observers witnessed considerably less political party campaigning over the course of the presidential election. Both the do Amaral and Gusmao campaigns were heavily dependent upon the involvement of the candidates themselves. Campaign events were rarely organized unless a personal appearance of the candidate was scheduled as a part of the event. Xanana Gusmao visited each district, continually drawing large crowds of up to 10,000 supporters. Do Amaral's health suffered as the campaign period got underway, and he was unable to attend many events in the districts outside of Dili. As a result, do Amaral's campaign was significantly less visible. While resources for campaigning were provided by the UNDP, political parties did not maximize the opportunity of another election to develop or consolidate policy platforms and actively campaign in the districts.

Challenges to Campaigning. During both elections, the challenges to effective communication and travel between Dili and the districts were at times an obstacle to the campaign process. Political parties suffered from the lack of a nationwide communication infrastructure to assist them in coordinating campaigns, oftentimes leading to disconnects between party leadership based in Dili and the district and subdistrict-level leaders. Rallies were sometimes poorly attended, due to either scheduling conflicts or poor planning. In some districts, parties were more successful in planning joint activities, while in others there appeared to be little if any communication between parties.

Party Conduct. After Portugal withdrew from East Timor in the mid-1970s, East Timor witnessed a civil war precipitated by political party conflict and party-related violence. As a result, many East Timorese citizens feared and distrusted the idea of multiparty democracy in the initial stages of East Timor's transition to independence. As the United Nations and East Timorese leaders prepared for the Constituent Assembly election, a concern for some stakeholders (importantly many voters) was the potential for the re-emergence of such party-related political violence during the lead-up to the elections. Some suspected the likelihood of political party violence to be greater than the threat of violence stemming from any potential pro-integration militia activity. In addition, in the decades prior to the independence vote, East Timorese had the experience of a nondemocratic Indonesian elections process. Concerns about party-related violence, coupled with the limited experience of political parties with the practices of multiparty politics, led to concerns of false representation, intimidation, and harassment by political parties during the campaign period.

In the lead-up to the Constituent Assembly

election, political parties developed and adhered to the Pact of National Unity, which included a commitment to defend multiparty democracy, respect the rights of all legally established parties, and support nonviolent discourse and interaction between political parties. During the presidential campaign, both candidates and their nominating parties respected the principles of tolerance expressed in the 2001 Pact of National Unity.



The Carter Center

Carter Center staff Jeffrey Mapendere and local staff interview a village leader in the district of Maliana.

Agreement on the Pact of National Unity by political parties was a significant and positive development. The pact set the standard for party behavior and discourse during both election processes. Ultimately, the behavior of the parties was critical for assuaging people's fears of violence. The limited incidences of violence during both elections contributed to a relatively calm pre-election environment, campaign period, and election-day environment.

Intimidation. Prior to both elections, there were limited reports about intimidation of voters in some local villages by political party supporters. Carter Center observers and staff also heard reports of intimidating behavior by party members at the local level, especially at the village level. Some parties expressed concern that voters could be easily intimidated below the radar of the IEC or U.N. Civilian Police (CivPol), particularly in the more isolated areas such as Manufahi and Ainaro. Carter Center observations, as well as meetings with some party leaders, suggest that some parties remained heavy-handed within the party structure at both the district and subdistrict level. It was unclear whether such incidents were instigated by individual party members in the villages or districts or instigated with the knowledge of party leadership.

Rhetoric. Overall campaigning was conducted largely without incident during both the Constituent Assembly and presidential elections. However, during the weeks preceding the Constituent Assembly election, Carter Center observers reported that some parties used language that both voters and other parties found inflammatory and intimidating. In a political environment such as East Timor, a territory transitioning from a repressive past and brief negative experience with multiparty democracy, messages and political rhetoric delivered by political leaders can have an intimidating effect on voters. Thus, political leaders must set the standard for appropriate political competition and discourse. The Carter Center condemned the use of such language in the Aug. 23, 2001, public report issued prior to the election. Concerns about such rhetoric also were raised publicly by Timorese observer groups and leaders. Following considerable attention from the media, the rhetoric decreased in the days prior to the election.

The Carter Center did not report any incidences of inflammatory language leading into the presidential election. Discourse between candidates remained cordial and respectful. In the lead-up to the presidential election, there was some speculation that the majority party, Fretilin, might discourage voting on polling day in order to ensure that the newly elected president (expected to be Xanana Gusmao) did not enjoy broad support of the electorate. Fretilin leadership sent

inconsistent messages to its supporters, suggesting both that people refrain from voting in the election or that they spoil their ballot. Voter turnout and the number of spoiled ballots became two important indicators for the observers to monitor on polling day and the subsequent count. Although the voter turnout was lower than the Constituent Assembly election, an overwhelming 86.3 percent of the population still turned out to vote, and the rate of invalid votes was a very respectable 3 percent.

Issues of Contention. The main issue of contention that occurred during the presidential election related to the use of party symbols on the election ballot. Candidate Xanana Gusmao, who wanted to maintain his political independence, protested the decision to place the logos of each party that had nominated him next to his face on the presidential ballot. In early March 2002, he announced his intent to withdraw his candidacy for the election if the design was not altered. Initially all parties requested that the Board of Commissioners (BOC) of the IEC remove the party logos from the ballot. However, ASDT and Parentil later changed their positions and went to the BOC a second time requesting that the logos remain on the ballot. Because not all parties wished to remove the logos, the BOC decided the logos would remain. It was this decision that Gusmao demanded be revisited or he would be forced to pull out of the race. The statement made at the press conference was not as firm as expected. The threat led to several days of behind-the-scenes negotiations between the parties, facilitated in large part by East Timorese leaders, which resulted in Amaral's ASDT party and Parentil agreeing to ask the BOC to remove the symbols. This allowed the BOC to reverse its decision without compromising itself.

Political Party Development. As noted earlier, opportunity for establishing and strengthening strong and distinguishing party platforms was limited during the entire transition process. Ultimately, the presidential election very much centered around the personas of the two candidates and less so around the party or parties which had indicated support for their candidacy.

In reality, the Constituent Assembly election process and the subsequent drafting process provided more opportunity for political party development. Parties had to rally around candidates and build support for candidates in efforts to win seats in the Assembly. During the constitution drafting process, parties spent time distinguishing positions on and developing coalition positions around policy issues. (See page 41.) Nonetheless, as debate centered on content of a constitution, opportunity for party platform development again remained limited.

In a transition period, a country and its leaders face innumerable challenges. Although it seems a lofty goal to expect political parties to focus on issues of party development during such a period, the fact remains that the country's citizens often have clear ideas about their immediate needs and preferences—be it a desire for security, jobs, or better housing. The honeymoon period is short. Political leaders and parties must begin to distinguish themselves as individuals or groups who are aware of such needs and who have a plan for addressing them.

In future elections, political parties should work to establish and strengthen their political platforms and work to develop an internal democratic and decentralized party structure, strengthening the party structures that reach from the national to the village level. Further, given the relatively small electorate in East Timor, many smaller parties should consider forming coalitions to strengthen their capacity to win seats in Parliament.

Role of Party Agents. During both the Constituent Assembly and presidential elections, Carter Center observers witnessed the presence of political party agents in most districts visited. During the Constituent Assembly election, most of the 16 political parties were well-represented with about 4,000 accredited party agents. Although fewer parties were active in support of the two presidential candidates, during the presidential election there were

3,000 party agents accredited. Political party agent training programs were organized by the International Republican Institute (IRI) in every district prior to the elections.

With many parties relatively new to the scene and with difficult logistical challenges in the country, political parties understandably faced hurdles in developing an effective network of political party agents. Accreditation of party agents, for example, was particularly slow at the district level due both to limited party activity at the district level and the requirement that all agents had to be accredited at the IEC headquarters based in Dili. During the presidential elections, there was also considerable confusion by the parties supporting Xanana Gusmao, as they were not clear whether they could register as individual agents or had to register through the Gusmao campaign.

Political party agents can play important roles as both scrutineers and observers of the electoral process. Mobilization of party agents can ensure more thorough and comprehensive geographic coverage of polling stations, especially in rural areas where voters may be more vulnerable to intimidation. Importantly, too, building a base of political party agents can strengthen the political party constituency base and cultivate national, regional, and local-level party leadership.

On election day for the Constituent Assembly elections, Carter Center delegates observed numerous instances of party agents being unclear of their roles, at times stepping beyond them, particularly when attempting to assist polling officials who were performing inadequately. During the presidential election, drawing on their experience in the Constituent Assembly election, political party agents demonstrated a much clearer understanding of their roles and enthusiastically performed their duties.

In meetings with political party leadership at the national and district level, Carter Center staff reinforced the importance of securing party agents and deploying them at all polling stations. Given concerns about the potential for dominate behavior by some political parties in East Timor, party agents will play an important role in future elections processes. Development of this party structure should be fostered.

Voter and Civic Education. Given East Timor's long history of repression and citizens' fears of multi-party democracy stemming from the brief experience with independence in the mid-1970s, it became clear early in the transition period that priority had to be placed on strengthening a democratic political culture in East Timor. Leading into the Constituent Assembly election, the first democratic election of the transition period, there was concern that a large majority of the East Timorese population would not be well-prepared for the vote.

It is important to distinguish between voter education campaigns, which focus on the basic "how to" of voting, and civic education campaigns, which address the broader issues of democratic governance. East Timorese citizens needed to better understand both the mechanics of voting and the purpose and function of the democratic institutions to which they would provide legitimacy through the casting of their ballots. Voter education and civic education became a priority for East Timorese stakeholders, international nongovernmental organizations, and the United Nations.

In the lead-up to both elections, Carter Center observers assessed East Timorese voters' understanding of the purpose and process of the elections. Both long- and short-term observers interviewed citizens and voters on their knowledge of the elections process. When feasible, observers attended voter and civic education training programs. Although the Center did not undertake a systemic study or formal survey, Carter Center observers found through interviews and discussions with voters and other stakeholders that in both the Constituent Assembly

and presidential elections voters exhibited a good understanding of the technical process of voting with minimum levels of confusion. Voter education programs appeared generally successful, while civic education campaigns, which were more prevalent prior to the Constituent Assembly elections, saw varying degrees of success.

During the pre-election period for the Constituent Assembly elections, UNTAET conducted a national civic education campaign that focused on the broader concepts of multiparty democracy. Many local NGOs, supported by international NGOs and various donor agencies, also conducted civic education campaigns, focusing both on broad concepts of multiparty democracy and voter education.

It is difficult to ascertain the total number of people actually reached by the civic education campaigns and whether messages were consistent, given the number of groups implementing such campaigns. Although UNTAET personnel were satisfied that the messages that a pluralist, multiparty democracy could include the peaceful coexistence of competing political parties reached a large number of voters (indicated by the high voter turnout), staff acknowledged that campaigns started late and that more civic education campaigns were needed.

In 2001, Carter Center delegates noted that some voters seemed unclear about the purpose of the election, in some cases saying that it was for president of Parliament and in some cases saying that "we the people don't know what it is about." The degree of understanding of the purpose of the election varied among districts, rural and urban areas, and the young and the old.

The 2002 presidential elections were relatively uncomplicated as they had only one ballot with two candidate choices to mark, only one ballot box to place it in, and no voters list to check. Not surprisingly, East Timorese voters demonstrated a clearer understanding and knowledge of the election process compared to the 2001 Constituent Assembly election. In contrast to the Constituent Assembly elections, Carter Center observers noted that voters were very aware of the purpose of the April 14 election and were keen to elect their president. Even noting the simpler process, the increased and lead role East Timorese played in designing and implementing the education programs for the presidential election is notable and may have contributed to the success of the 2002 voter/civic education programs.

It is notable that Carter Center observers learned that in at least two districts civic education officers were well-known to have strong political party ties. Although it is unrealistic to expect individuals not to have political affiliations, individuals serving in such capacity should exhibit neutrality and professionalism in the conduct of their function.

Civic education programs focusing on pluralism, political tolerance, and the role of political parties in multiparty democracy remain relevant. The extent and effectiveness of broad civic education campaigns will continue to be an important issue to assess, especially in advance of any future elections in the territory. Conduct of periodic focus groups and surveys remains essential.

Domestic Observers. Throughout its observation program, The Carter Center assessed and reported on domestic observer group activities and supported domestic observer groups by reinforcing the critical role such groups play in the election process with East Timorese leaders. The Center coordinated with local groups by establishing strong ties with domestic groups active in the districts during the pre-election period. The full Carter Center team cooperated with many observer groups on election day. In most instances, Carter Center observations directly supported those of the domestic observer groups.

The Center found that domestic observer groups were eager to play a role in East Timor's transition process. Despite funding, logistical, and other limitations, many local NGO groups, including groups such as Legal Aid, Jurists Association, Judicial System Monitoring Program, La'o Hamutuk , Renetil, Gomutil, Fokupers, Yayasan Hak, NGO forum, Grupo Feto Foin Sae Timor Lora Sae (GFFTL), and other local NGOs based in the

districts, mounted domestic observation delegations. The number of domestic observer groups mushroomed between the Constituent Assembly and presidential elections with some 29 domestic observer groups registered for the Constituent Assembly election and 74 such groups registered for the presidential election.

The high degree of involvement of domestic groups in the Constituent Assembly and presidential elections is a positive and promising achievement of the transition period. During both elections, Carter Center observers found domestic observers present at every district capital as well as many subdistrict polling stations. Such expansive coverage is especially commendable given resource and funding limitations. The resource challenge was expressed by such groups particularly during the presidential election. Showing their commitment and innovation, some domestic observers focused on district specific observations and sought to coordinate their efforts to maximize impact. International nongovernmental groups such as The Asia Foundation provided support to help facilitate coordination among the groups. Groups generally appeared well-coordinated, even releasing joint public statements.

While observers noted some confusion over their role and function in the Constituent Assembly elections, during the presidential election domestic observers conducted their duties with greater professionalism, showing a clearer understanding of their role as observers. Domestic observers generally knew what to expect and were more focused on the functions of being an observer rather than just being present at the polling stations.

During the transition process and especially during both election processes, domestic observer groups proved a critical part of the process, providing reports on their observations of the immediate pre-election environment and balloting day. However, Carter Center observers did find a more limited domestic observation of the return and check-in of ballots and other voting materials at the end of balloting day, especially for the presidential election. For future elections, the Center recommends that domestic observer groups broaden their observation activities to include accompanying ballots to the designated counting centers. Further, local civil society groups must continue to strengthen their capacity to monitor and report on political developments, including election processes, and work to improve networking and collaboration between such groups.

The Center recognizes the essential role civil society groups play in the democratic process, both by monitoring the action of government institutions and serving as local resources for expert policy advice. In the context of elections, domestic election observer groups become one of the most important mechanisms for monitoring and reporting on all aspects of the election process, both technical and political. **Domestic observation** allows greater observation coverage, including areas outside of the capital and at the local level. Such comprehensive observation serves to increase voter confidence and ultimately participation in the election process.

A critical role for international observer groups is to support the observation efforts of domestic groups, not only by supporting the groups' right to observe but also through cooperation and information sharing. Further, many domestic observer groups in transition countries are fledgling, with limited organizational and technical experience. While local observation groups are in formative stages, international observer groups can provide them instructive models for observation and support and enhance their credibility.

Participation of Women. Historically, women have been one of the sectors of society most affected by poverty and inadequate access to health care and education and a sector with the least voice in decision-making processes. Women in East Timor have been subjected to various forms of abuse and inequalities, including making up a majority of the unemployed.

The Carter Center strongly supports the participation of women in the political process. During both election observation programs, the Center monitored the turnout of women voters, the inclusion of women in the political and elections processes, and the role of women in domestic observation and as political party agents. The Carter Center observed consistently high participation of women in both the Constituent Assembly and presidential electoral processes.

Women of all ages, including mothers of small children, students, and the elderly, made their way in impressive numbers to cast their ballots in both the Constituent Assembly and presidential elections, a testament to the determination of the East Timorese women to have a voice in the developments of their country.

Many women served as polling officials in both elections and as electoral officers in the presidential elections. Approximately one-third of the district electoral officers for the presidential election were female. Many domestic observer groups included women, with female domestic observers present at many polling stations across the territory on voting day. During the presidential election, some 28 percent of domestic observers were women. One domestic observer group, Gomutil, was predominantly female.

Although it was expected that at least 30 percent of each party's candidate list for the Constituent Assembly would be female, this was not an official requirement, nor was there a requirement regarding the ordering of the candidates on each list. Ultimately, 25 percent of the Assembly was made up of women, with several parties having 50 percent female representatives holding seats. It also is noteworthy that three women ran as national independent candidates in the Constituent Assembly election. Although none of these women were elected, their candidacy and campaigns were an important and significant achievement for women's political participation. While no woman ran as a presidential candidate, women played an important role as advisers to the candidates and leaders of the candidates' campaigns. The Women's Caucus, which was established prior to the Constituent Assembly elections, served the important role of encouraging, identifying, training, and supporting women political candidates and future East Timorese leaders.

While the participation of women as election administrators or domestic observers was generally high, a more limited number of women served as political party agents. The Center observed few, and in some instances no, female party agents at polling stations in both the presidential and Constituent Assembly elections. In both elections, there were less than 20 female political party agents registered, with no increase in the participation of female party agents observed between the two elections.

The incorporation of women at every level of political activity and discussion in the territory has meant that women have played an important role in evolving democratic institutions, including domestic observer groups, NGOs, political parties, and ultimately, in government structures. The gains made in this area should be built upon, with increased opportunities provided for women to participate in and inform politics. Political parties should be encouraged to develop a cadre of female party agents.

East Timor Constituent Assembly Election Results, August 30, 2001

Party or Independent Candidate	District Seats	National Seats	Total Seats	Percent of Seats
Frente Revoluncionaria de Timor Leste Independente (FRETILIN)	12	43	55	62.5
Partido Democrático (PD)	0	7	7	8.0
Associação Social-Democrata Timorense (ASDT)	0	6	6	6.8
Partido Social Democrata (PSD)	0	6	6	6.8
Klibur Oan Timor Asuwain (KOTA)	0	2	2	2.3
Partido Democrata Cristão (PDC)	0	2	2	2.3
Partido Nasionalista Timorense (PNT)	0	2	2	2.3
Partido do Povo de Timor (PPT)	0	2	2	2.3
União Democrática Timorense (UDT)	0	2	2	2.3
Independent (Oecussi)	1	0	1	1.1
Partido Democrata-Cristão de Timor (UDC/PDC)	0	1	1	1.1
Partai Liberal (PL)	0	1	1	1.1
Partido Socialista de Timor (PST)	0	1	1	1.1
TOTAL	13	75	88	100.0

East Timor Presidential Election Results, April 14, 2002

Candidates	Number of Votes	Percent of Total Valid Votes Cast
Xanana Gusmao	301,634	82.68 percent
Francisco Xavier do Amaral	63,146	17.31 percent

Observation of the Constitution Drafting Process

Following the August 2001 Constituent Assembly elections, The Carter Center remained in East Timor to monitor the constitutional drafting process. The drafting process proved a critical opportunity for East Timorese political leaders to engage in substantive debate on proposed constitutional articles and for civil society leaders to monitor the action of public officials and attempt to inform and influence debates on proposed articles. Citizens followed the discussions through radio and newspaper reports and participated in the public consultation process held to discuss the final draft. Political parties supported their Constituent Assembly representatives formally and informally, and smaller parties sometimes protested decisions made by the majority Fretilin party.

At the outset of the drafting process, there was concern that a largely Fretilin-dominated Assembly would attempt to push a party constitution, rather than engage in a more democratic or consultative constitutional drafting process. Ultimately, a constitution was passed that was based on the Fretilin version but which also included sections proposed by other parties, civil society groups, and international technical advisers. Although the drafting process ultimately provided only limited opportunity for citizen participation or political party development, it served to strengthen democratic processes and practices in East Timor—even if in a limited way.

The Constitution Drafting Process in Brief

The 88 members of the Constituent Assembly, elected on Aug. 30, 2001, were sworn in by United Nations SRSG Sergio Vieira de Mello on Sept. 15, 2001, and were charged with writing and adopting a new constitution within 90 days (by Dec. 15, 2001).

Four thematic committees were formed to address the themes, as follows: (I.) Rights, Duties and Liberties; and Defense and National Security; (II.) Organization of the State; and Organization of Political Power; (III.) Economic, Social, and Financial Organization; and (IV.) Fundamental Principles; Guarantees, Control and Amendment of the Constitution; and Final and Transitional Provisions. Committees were tasked with studying various constitutional models and presenting drafts of their sections to the Systematization and Harmonization Committee (SHC). The SHC was charged with analyzing, harmonizing, and compiling the reports from the four thematic committees and presenting the first draft of the constitution to the Assembly president and full Assembly. The SHC deliberated on recommendations and proposals received from the public, government, and civil society.

After six months, the first constitution, consisting of 170 articles, was approved by the Constituent Assembly. Sixty-five voted in favor, with 16 voting against. On March 22, 2002, a vote for global approval of the constitution was taken, and the text was approved by 72 votes in favor (15 against and one absent). The parties voting against or abstaining felt that the constitution reflected a single-party (Fretilin)-dominant constitution, that only minor changes were made to the initial constitutional draft, and that the Assembly failed to consider issues raised by the population during the district consultations.

Carter Center Observation

While other organizations provided input into and analysis of proposed constitutional articles, the Carter Center observation focused on monitoring the process itself, assessing how the process contributed to the deepening of democracy in the new state. The Center's work focused on assessing the commitment of the Constituent Assembly and the political

parties within it to the principles of democracy and good governance. During this time, the Center sought to encourage the promotion and implementation of the democratic principles of transparency, participation, and political tolerance by the East Timorese leadership.

The Center's field office director and observers held meetings with members of the Constituent Assembly, political party leaders, and East Timorese stakeholders to discuss and support these issues. During the two election observation missions and an interim assessment trip in January 2002, Center headquarters staff and leadership teams raised key concerns with East Timorese political leaders. On Nov. 14, 2001, Carter Center field office director Dr. Nancy Lutz addressed the seminar on The Socio-Economic and Political Development of East Timor, Post-U.N. Presence, organized by the National University of East Timor, by presenting a paper on "Democratization in East Timor: An Observer's Perspective." The Carter Center field office director regularly attended Constituent Assembly debates and press conferences, as well as the smaller meetings of the Systematization and Harmonization Committee. The field office director and one observer also observed the public consultation of the Assembly's draft constitution in five districts: Dili, Ermera, Liquica, Manatuto, and Bobonaro from Feb. 28 to March 6, 2002.

Carter Center Key Findings

Political Parties in the Assembly. The constitution drafting process presented an opportunity to strengthen the development of multiparty participatory democracy in East Timor. While political parties attempted to participate in this process to full advantage, there were obstacles to their full participation.

Open Voting. The first task of the Assembly was to formulate rules and procedures. A system of voting by simple majority through an open show of hands was decided upon, although some members preferred a secret ballot. Concern was expressed that open voting would encourage voting by party platform, rather than Assembly members voting their consciences.

Although there were a few attempts (mostly by Fretilin) to enforce strict party discipline in voting, members of parties, including at times, Fretilin, voted independently of their parties. The only parties that appeared to vote consistently and strategically in a bloc were Fretilin and PSD.

Jim Fox

Carter Center field office director Dr. Nancy Lutz prepares to observe the constitution drafting process.

Debate. Debate in the Constituent Assembly was for the most part open and respectful, with a good representation of alternative political views. Both Francisco "Lu Olu" Guterres, who "grew into" his role as Assembly president, and Assembly Vice President Arlindo Marcal, who was frequently given the president's moderator role, listened well to Assembly members and endeavored to be fair in allocating time for comments or presentations. Differing political views were expressed without acrimony or personal attack, and minority parties were given equal time to Fretilin in expressing their views. Overall, therefore, although majority opinion often dominated the final votes, the debates preceding the votes were generally democratic and participatory.

Majority Party Dominance. Despite generally fair and open debates, many Assembly members and civil society observers complained about the overwhelming voting power of the dominant party, Fretilin. When it came time to vote on articles or proposed amendments, the majority of Fretilin tended to vote a conservative party line. Since the Assembly president and vice presidents sat facing the Assembly, many members would wait to see how the leadership was voting to raise their own hands. This situation was

exacerbated by ASDT and PDC also voting with Fretilin, adding another eight votes to the majority Fretilin position. Amendments or additions were rarely considered if not initiated by the Fretilin leadership themselves. Even small or reasonable changes that would not have affected the substance of articles were voted down time and again. This led to increasing frustration and a sense of futility among many of the smaller parties, who felt that their opinions and suggestions, as well as those of civil society, were disregarded in the drafting of the constitution.

As a result, many Assembly members and observers felt that ultimately the constitution was not the product of genuine legal and intellectual debate but merely the result of consensus among Fretilin leaders. Many believed that Fretilin pushed its agenda to the forefront of any voting process. This opinion was also expressed during the public consultations, when Center observers found that some East Timorese in the districts felt that the draft constitution was a "Fretilin document," reflecting party objectives rather than more inclusive national interests.

Role of Minority Parties. Throughout the constitutional drafting process, intensive debates were held in the Assembly between members of different parties. Every political party, no matter how small, participated in the drafting process. As noted, some of the smaller political parties expressed anger at being marginalized in the voting process. At one point they threatened to withdraw from the Assembly if there were no opportunity for genuine negotiation or compromise. The threat did not materialize, however, and all the parties remained engaged through the length of the drafting process, showing that they were willing to work within the institutions available and with the Fretilin-dominated Assembly. As the drafting process continued, moreover, constructive suggestions were recognized based more on the individuals presenting them than on their party affiliations. The final draft created by the SHC, in fact, was primarily the work of three individuals: one from Fretilin, one from UDC/PDC, and one from KOTA.

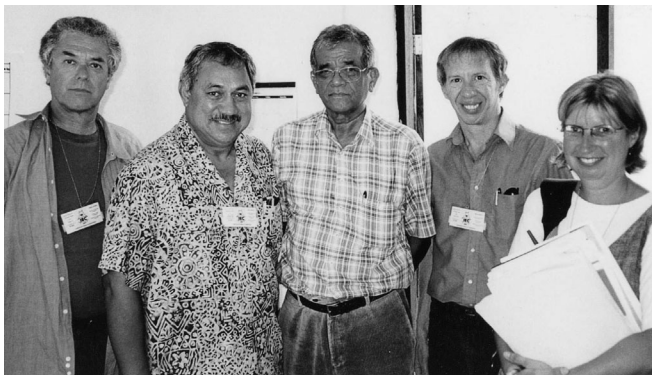
Role of District Representatives. For the most part, the 13 district representatives did not play an active part in the constitutional drafting process. Except for issues specifically involving their districts, such as the special status of Oecussi, the district representatives contributed little to the drafting debates. This can partially be explained by the fact that, except for the independent Oecussi representative, they were all Fretilin-elected representatives and thus supported the majority Fretilin position. Like many of the other Assembly members, moreover, most of the district representatives had little legal or legislative experience and were unfamiliar with many of the substantive or technical issues in constitutional drafting.

To the ire of district residents, however, district representatives also did not consult widely, and in some cases, at all, with their constituents during the drafting process. During public consultations, citizens repeatedly expressed their frustrations toward the Constituent Assembly in general and their district representatives in particular, saying that Assembly members did not consult their constituents, visit their districts to give progress reports, or involve their constituencies in any way during the drafting process. Many felt that the constitution drafting process was Dili-based, "elite politics"-centered, and did not represent the full citizenry. The government and Parliament will have to work hard for some time to overcome this sense of uninvolvement among the East Timorese people in order to create a true feeling of ownership toward the new constitution.

Opportunities for Civil Society Input

The most common and consistent concern raised by East Timorese during the entire drafting process was the very limited opportunity for broad civil society input into the drafting process.

Assembly leaders stated their intent that the constitution accurately reflect the desires of the East Timorese people. Individual citizens were provided the opportunity to voice their aspirations and opinions directly to members of the Constituent Assembly by writing letters to the Assembly and the Assembly president. Leaders of civil society, members of government, and others often wrote. This process



Jim Fox

The Carter Center leadership team meets with the leader of the Social Democratic Party (PSD) and future member of the Constituent Assembly, Mario Carrascalao.

served as a mechanism for input from civil society, the government, and the international community. However, the Assembly president decided what issues were shared with the larger Assembly and when. This contributed to the general perception of a lack of transparency in decision-making and the feeling that the opportunity for citizens' input into the process was limited.

Prior to the Constituent Assembly elections, UNTAET Regulation number 2001/2 provided for constitutional commissions to be set up in each district, whose task was to gather public opinion about what should be included in the constitution. These commissions would then record their findings and report them to the special representative of the U.N. secretary-general who, in turn, would communicate them to the Constituent Assembly. Constitutional commissions were held in every district, and reports were compiled in English, Portuguese, and Indonesian. Copies of the report were given to every Assembly member in the language of their preference. Nevertheless, the reports were never referred to in the Assembly's constitutional drafting debates. At least some Assembly members, such as many members of East Timorese civil society, felt that the consultation process had been United Nations-dominated, too short, and not representative of a genuinely East Timorese process. Therefore, the results were unnecessary to consider in the Assembly's drafting process. More importantly, though, the majority of Assembly members felt that they themselves were sufficient representatives of East Timorese public opinion. Ambivalence about public consultations, and indeed about any kind of public input into the constitution, created tension both within the Assembly and between the Assembly and civil society throughout the constitutional drafting process.

Public Consultation Period. As noted, there was ambivalence throughout the constitutional drafting process about the necessity of public consultations. The Assembly did agree on a one-week consultation period before final approval of the constitution, but there was considerable discussion as to whether this meant solicitation of public input on the content of the constitution or simply dissemination of the constitutional draft. Ultimately, the Assembly decided that the weeklong period would be to inform people in the districts of the content of the constitutional draft.

From Feb. 24 to March 2, panels of five to seven members of the Constituent Assembly traveled to East Timor's districts and subdistricts for the public consultations. The format of the consultations varied from district to district but generally included readings of parts of the constitution followed by question-and-answer sessions. Notes on the consultations were taken by members of the Assembly secretariat, and many if not all of the sessions were tape-recorded. The consultations thus provided Assembly members the opportunity to hear the feedback, comments, and concerns of many East Timorese citizens.

When they arrived in the districts, Assembly members found East Timorese eager to discuss the new constitutional draft. In every district, the people attending the consultations had questions on the content of specific articles. Issues of particular interest included the concept of nationalism, separation of church and state, swearing to God in the presidential oath, Falintil/FDTL as the name of the armed forces, the national flag, the date of independence, and freedom of religion.

Many attendees expressed frustration with the limited nature of the public consultations. For

Jeff Carter

Ballots cast by East Timorese to elect their Constituent Assembly representatives are ready to be counted.

example, on March 2, 2002, in Maliana, the first questions/comments posed by a participant were: "Is this a consultation or a socialization of the laws? If it is only a socialization, then we'll go home. We have fields to tend to. If it is a consultation, sit down and be quiet. We already know who you are (i.e., we need no formal introductions) so be quiet because we have plenty of questions."

Due to last-minute edits to the constitution and technical difficulties with translation (from Portuguese into Tetum and Indonesian) and photocopying, drafts of the constitution were only available three days before the consultations began. Only in district capitals and a few areas around Dili did the constitution arrive before the consultation teams themselves. This proved problematic in some areas, as citizens wanted more time to analyze the contents of the constitution before the consultations. Nevertheless, in many areas schools had provided copies of the constitution even where the official version had not arrived, and everywhere people were informed. Daily radio and television broadcasts of the Constituent Assembly sessions had kept citizens informed of both the progress and content of the constitution as well as of the debates that occurred on the Assembly floor. As a result, even illiterate villagers had opinions on the constitution, and all who participated listened intently during the consultations.

The energetic participation of citizens underscores the fact that the people of East Timor are deeply concerned that their voices be heard in their governing bodies. Citizens at all levels voiced concerns both over issues affecting their daily lives and issues of national identity. Through their participation, the people of East Timor insisted that the consultations not be a token gesture and that their aspirations be voiced and respected by Assembly members.

The consultations provided an opportunity for East Timorese people to remind their leaders why they were elected and by whom. Citizens wanted their representatives to know that they were disappointed with their silence and lack of accountability during Assembly debates. In traveling to the districts during the consultations, Assembly members were forced to leave Dili and to face the concerns and criticisms of the people who chose them. For the first time during their term in office, Assembly members felt what it meant to be accountable to public citizens.

Upon return from the districts, each Assembly team compiled the recommendations they had heard from the people. These recommendations were discussed by the political party benches in the Assembly and then brought to the full plenary for discussion and debate. Although PD in particular tried to have as many as possible discussed, very few issues were in reality debated.

Observers suspected that the Assembly did not intend to make any significant changes to the constitutional draft, and ultimately they did not. It should also be noted, however, that many of the changes suggested by people in the districts were more conservative than those in the constitutional draft. So it is perhaps to the Assembly's credit that they were not swayed by public opinion on such critical issues to a democracy as participation in public office, freedom of religion, or the separation of church and state.

Domestic Observation of the Drafting Process

During the Constituent Assembly elections, a number of student and civil society groups were accredited by the IEC as election observer groups.

Groups like Renetil (formerly a student group), Gomutil (another student-based group, but mostly women), and others played a valuable role as domestic observers and were energized by their involvement in the election process. After the election, a number of them wanted to continue as observers of the Constituent Assembly and banded together into a loosely knit group called Assembly Watch. Assembly Watch members diligently attended Constituent Assembly debates and issued periodic reports of their findings, which were published in the two daily newspapers, Suara Timor Lorosae and Timor Post.

In addition to Assembly Watch, the human rights group Yayasan Hak also had observers at the Constituent Assembly (often Anicetto Guterres, who as a lawyer was a particularly valuable observer of the constitutional debates) and issued reports and analyses, as did the National University of East Timor. The university had run civic education programs prior to the Assembly elections. Valentim Ximenes, the dean of social and political sciences, who often attended Assembly debates, was an articulate and respected analyst of the constitutional proceedings.

The third major civil society group observing the Constituent Assembly process was the Women's Caucus, a group that had formed during the Constituent Assembly elections to support women candidates from all political parties. They also continued to be active as observers of the Constituent Assembly, shifting their support to women members of the Assembly. In addition to their observation activities, the caucus tried to bring women Assembly members together. They had limited success in this endeavor because many women Assembly members felt that their loyalties were only to their political parties, but valuable groundwork was laid for continued lobbying and support in the future Parliament.

Jim Fox

The Carter Center leadership team meets with ASDT leader and future presidential candidate, Xavier do Amaral.

Civil society observer groups and individual experts from the civil society sector played a valuable role in the Assembly proceedings and in catalyzing women and youth to engage in the political process. The Carter Center often exchanged information with these groups, especially Renetil, the university, the Women's Caucus, and domestic observer groups, which provided important East Timorese perspectives on the Assembly proceedings and debates. Their presence and participation also added greatly to the transparency of the constitutional drafting process and laid the basis for active and continuing observation of the East Timorese national Parliament.

Role of Women and Youth in the Constituent Assembly

Twenty-seven percent of the Constituent Assembly members were women, and many were active participants in political party deliberations and Assembly debates. Particularly active were the women members of PSD, UDT, and PNT. A number of women Fretilin members were also active in Assembly debates. Then minister of justice and Assembly member Ana Pessoa was extremely influential on the days she attended Assembly sessions, and her influence was second only to that of chief minister and Assembly member Mari Alkatiri. Beyond participation in Assembly debates, many women Assembly members extended themselves to meet with civil society groups and observer groups like the Women's Caucus. Women Assembly members from PSD, UDT, PNT, and Fretilin also willingly and frequently talked to the press. Through their active participation and the respect they earned from both their fellow Assembly members and the public, women Assembly

members set a precedent for the vigorous and serious participation of women in the Parliament and government of an independent East Timor.

Youth members of the Constituent Assembly also played a significant role in the debates and proceedings of the Assembly. PD youth were especially active, but so were youth members of PDC, PL, and Fretilin. Younger Fretilin members sometimes took positions contrary to the core of their party, voting with PSD and PD, including the Fretilin whip, who was one of the younger members. After the public consultations, PD members were particularly concerned to have the voices of the people placed in the public record and their suggestions and concerns debated. It cannot be denied, though, that they may also have been looking ahead to the next elections, knowing that their party came in second in the Constituent Assembly elections and could be expected to grow in support. Overall, though, the energetic participation of youth members of the Constituent Assembly and the experience they gained in the process of constitutional drafting provided an excellent foundation for continued youth participation in East Timorese politics and for the development of a spirit of democratic constitutionalism in East Timor.

The experience of the Constituent Assembly shows that the women and youth of East Timor are active and eager to assist in the development of a strong and democratic East Timor. Programs targeting these two sectors of society that are aimed at strengthening their leadership skills should be supported and given priority.

Constitution Drafting Process: Conclusion

Ultimately, those who voted against the final constitution were members of PD, PSD, and one from UDT, with the second UDT Assembly member abstaining. Sixteen members were absent and did not vote. Many who voted against the constitution or abstained felt that the process had been too one-sided, without enough cooperation or compromise within the Assembly or enough input from civil society. Minority parties like PSD and PD were more upset with the process, especially as related to the actual process of voting on articles, than with the result. In many ways, the Constituent Assembly experience solidified not only Fretilin's political dominance but the minority parties' stance as a political opposition. Toward the end of the drafting process, parties like PSD and PD were more upset with the Assembly's decision to directly transform itself into the first Parliament than they were with the rest of the constitution. A vote against the constitution, therefore, could be interpreted as a vote against the process as much as a vote against the document.

It remains important to create mechanisms for continued dialogue between East Timorese legislators and civil society. Although the Constituent Assembly did make some efforts to incorporate the input of the public and the international community into the constitution, a major weakness of the process was the resistance to support public hearings and civil society input. Time constraints all around created a proclivity to go with the majority party's constitutional draft and to curtail time for public hearings on the subject. The constitution itself was vague in several sections critical to civil society, such as the nature of district divisions and local administration. Nonetheless, the involvement of civil society, even in the limited arenas available, provided the basis for an active and engaged civil society in the months and years to come.

It should be reiterated that some Assembly members and political parties felt strongly that the Constituent Assembly should not become the Parliament; that instead a new parliamentary election should be held. It proved a controversial decision for the body to transform itself into the Parliament. As noted in the previous section, it merits further study whether, in fact, a party-based election is the best formula for establishing the body charged with drafting a constitution. It also merits further study whether this body should indeed become the legislative body in a new government—foregoing new legislative elections.

Brief Analysis of Lessons Learned Through the Nation-building Experience

The Carter Center's work in East Timor focused on the election and constitution drafting processes. However, through our intensive and ongoing observation of these processes, the Center, similar to many others in the international community, observed aspects of the broader international nation-building effort that should be emulated or improved upon in future similar exercises. Since East Timor's transition to independence began, the global community has witnessed the invasion of both Afghanistan and Iraq. East Timor's role as a model of nation building for other countries has become ever more pertinent.

The following is a summary list of nation-building lessons learned developed by the Carter Center's Democracy Program staff based on the East Timor experience.

1. **In post-conflict environments where the country has sustained considerable damage to its physical infrastructure, governance and social reconstruction concerns should receive equal attention with infrastructure rebuilding.**

Focused attention on building a political culture based on respect for human rights and other democratic values is needed at the same time that homes, roads, and schools are rebuilt. Broad-based civic education campaigns started very late in East Timor. The jury is still out as to whether the entirety of the Timorese political leadership supports participatory and inclusive democracy. It is also questionable whether the broad Timorese population has a strong enough knowledge of democratic principles and practices to challenge, guide, and inform their leadership.

2. **Political and civil society leaders (including nongovernmental, religious, and business leaders) have to be included in the reconstruction planning and design process from the outset and remain effectively engaged during the entire process. Some type of joint governance structure should be sought.**

Early in the UNTAET administration, East Timorese political and civil society leaders sharply criticized the United Nations for excluding East Timorese from the transition process. Resentment toward the expatriate presence (and patronizing attitude) can emerge very quickly. The U.N. special representative to the secretary-general in East Timor worked very hard to repair relations with key stakeholders and to "Timorize" the process—creating a National Consultative Council. The NCC was a very positive development and served an important role. Co-governance encourages leaders in the country to begin working through conflicts and disputes early in the transition process and serves to build local capacity. Nonetheless, discussions and deliberations in very large part remained Dili-based. The political elite and select members of the Timorese leadership remained most influential on policy issues.

3. **U.N. missions, with the broader international community, should seek to ensure that effective information gathering and dissemination mechanisms that reach broad sectors of society are put into place very early in the reconstruction program. Particular emphasis needs to be placed on disseminating information to citizens who live outside of capital cities and in smaller cities and rural areas.**

In East Timor, the already limited communication system was completely destroyed by the territory-wide post-referendum destruction. Initially, Timorese in the districts received virtually no information on the governance reconstruction process. The disconnect between Dili, districts, and subdistricts remained a problem throughout the transition process. This fact also contributed to the re-emergence and intensification of traditional leadership structures that ultimately were in direct competition with

Conclusion

During the U.N.-administered transition period, East Timor made great progress toward consolidating democracy. The transition to independence proceeded smoothly with little violence. With the support of the international community, East Timor successfully conducted two democratic elections, drafted and ratified a constitution, and began to establish other essential representative institutions needed to establish a strong, sustainable democracy. An important foundation on which to build democratic values, practices, and institutions was put into place.

East Timorese came out of the transition period with a greater understanding of the role of periodic free and fair elections in a democracy, with political and civil society leaders enthusiastically engaging in all aspects of the electoral process. Voters overwhelmingly came out to cast ballots, showing a strong commitment for this aspect of the democratic process. Political leaders debated the constitution, and citizens made clear to national and local leaders their dissatisfaction that they did not have more opportunity to shape that document.

While democracy depends on a foundation of a democratic constitution and periodic free and fair elections, The Carter Center recognizes that building a flourishing democracy entails much more. Only limited progress was made toward developing local administrative structures, resulting in a political vacuum at the district, subdistrict, and village levels. Support to ongoing efforts to firmly establish local government, in addition to legal, administrative, and other representative institutions, should remain a priority. East Timorese still seek greater transparency in decision-making and more opportunity for input into decision-making. It is the continuing responsibility of Timorese civil society and the elected government, with the full support of the international community, to work to achieve these democratic goals.

The nation faced challenges in its first year of independence and will face more in the years to come. The international community must stay engaged in East Timor, supporting the efforts of the East Timorese as they work to consolidate democracy.

East Timor demonstrates that with the concerted and sustained support of the international community, viable states offering hope for the future can be created. The Carter Center commends the East Timorese people on a successful and peaceful transition process. The Carter Center remains impressed by the dignity and determination exhibited by the East Timorese people during the entire process. The Center is very proud to have contributed to the transition and values the appreciation expressed by East Timorese political leaders, civil society members, and citizens, in addition to the U.N. personnel, for our work in East Timor. It is our hope that we helped to support and inform this successful transition process.

the United Nations-created district administration system. To settle conflicts and disagreements that emerged in the communities, Timorese turned to the traditional leadership with which they were familiar, as opposed to U.N. CivPol and district administrators. Such occurrences have implications for the prospects for decentralization and development of local government in the country.

4. **It is essential that the monopoly of force remains with international security forces during the transition phase.**

Repeated failures in governance will likely lead to outbreaks of violence, and an international security presence should be responsible for handling such conflicts. Local groups should be included in the security administration early in the process, and on a gradual basis the new national security apparatus should be made operational. It is likely that more instances of militia-related violence would have occurred during the transition period had the international security presence not been in East Timor. Conflicts and instances of violence, which have emerged in East Timor since independence, underscore the need for a longer-term commitment of international security forces.

5. **Both the people of the country and the international community have to understand that the transition to democracy and stable governance may take a long time.**

In many instances, the honeymoon period is very short and citizens' expectations for immediate change and improvements are very high. Political and civil society leadership and the international community must work to temper citizens' expectations and inform them of the process. In addition, the international community must be prepared to remain engaged for the long term.

6. **Many East Timorese continued to suffer at the mercy of militia in West Timor during much of the transition period. They received misinformation and were discouraged from returning to East Timor if they wanted to do so.**

Adequate attention and resources should be provided for all parties affected by the conflict, even those outside the territory.

7. **Further study is needed to explore whether a constituent assembly should be elected through party-based electoral competition.**

Should one party win the majority of seats in the assembly, the potential exists for drafting and approval of a party-biased constitution. In any event, mechanisms should be put into place that keep the citizenry informed of the constitution drafting debates and discussions and allow for citizen input into the drafting process.

8. **A very deep understanding of the country's traditional practices and beliefs is needed.**

Respect for and consideration of these practices and beliefs must be considered in the design and implementation of the reconstruction program.

9. **Care must be taken to understand and develop mechanisms to address the "dual economy" scenario that is likely to emerge very early on in any internationally administered and/or supported transition or reconstruction process.**

Fred Rawski

East Timorese leader and Nobel Prize winner Jose Ramos-Horta returns to the territory to work with U.N. Special Representative of the Secretary-General Sergio Vieira de Mello in East Timor's nation-building efforts.

Other Carter Center Activities in East Timor

The 1999 Public Consultation

In a June 1999 meeting with President Carter, independence leader Xanana Gusmao conveyed his concerns for the safety of the East Timorese people during the planned August 1999 public consultation vote for independence. Gusmao expressed his belief that international observation would be essential to the safe conduct of the ballot. Given East Timor's long history of oppression and the presence of pro-integration militia, there was concern that these militia would create an atmosphere of intimidation prior to the vote, causing East Timorese to stay away from the polls on voting day.

After receiving an invitation from Indonesian President B. J. Habibie and discussing a possible observation mission with the United Nations, The Carter Center was accredited as the first international observer group and opened an office on July 4, 1999, in East Timor's capital of Dili. By mid-July, the Center had deployed a team of eight long-term observers to East Timor to begin monitoring the political and security environment in the lead-up to the Aug. 30, 1999, Public Consultation. The team was joined by additional short-term observers in the days before the vote.

The Center reported on the pre-election political and security environment through regular fact-finding throughout the territory on necessary preconditions for a free and fair ballot. From July 5 through Oct. 6, 1999, a series of 11 weekly public reports and five press statements were released assessing the security environment and adherence to human rights standards during the consultation process. The Center's weekly reports received wide local and international attention and provided information considered to be critical and trustworthy to the United Nations, other policy-makers, and the press. Public statements by President Carter helped to rally international condemnation of human rights abuses relating to the consultation process.

Associated Press

President Carter meets with resistance leader Xanana Gusmao, who was under house arrest in Indonesia, in June 1999.

In the face of continuing violent repression designed to subvert the ballot, the Center observed a high voter turnout on Aug. 30 in which Timorese voted overwhelmingly for independence from Indonesia. Following the announcement of the consultation results, East Timorese pro-integration militia, supported by Indonesia military, launched a full-scale, deliberate campaign of violence. Many lives were lost, many East Timorese were forced to flee into West Timor, and East Timor's physical infrastructure was almost completely destroyed. Carter Center staff were forced to leave East Timor on Sept. 5, 1999, due to the post-ballot violence.

Post-1999 Public Consultation Assessments and Monitoring

Carter Center staff were then deployed to Jakarta, Indonesia, and Darwin, Australia, to continue to monitor the postelection situation. The Center

reestablished its field presence in October and remained in the territory through December 1999.

Following the public consultation, the Center continued to release public reports on the security environment in East Timor, joining the international call for deployment of a multinational peacekeeping force. The force was deployed in September 1999, the United Nations took over administration of the territory, and working with East Timorese, began the reconstruction process.

The Center conducted a post-public consultation assessment mission in December 1999 in order to determine priorities for promoting democratic development and to identify specific areas in which the Center and others might assist East Timor during the transition to full independence. During the assessment, the Carter Center team met with key actors, including East Timorese and U.N. leaders, as well as a wide array of local NGOs, media organizations, and others.

The assessment team found that although there was a strong commitment to the principles and values of democracy, much institutional strengthening and civil society capacity-building work was needed to lay the foundation for a sustainable, democratic East Timor. A report of the assessment served as the basis for Democracy Program Director Charles E. Costello's congressional testimony on East Timor in February 2000. In his testimony, Costello encouraged the U.S. government to support initiatives that would promote democratic development simultaneously with infrastructure and economic development.

Prior to observation of the Constituent Assembly election, the Center made several assessments and then reestablished its field presence in the territory. In May 2000, Costello returned to the territory to meet with key UNTAET personnel, representatives of various international aid agencies, and NGO staff in order to assess the status of the transition process.

Rachel Fowler, Democracy Program senior program associate, and Carter Center consultant Dr. Nancy Lutz traveled to the territory in November 2000 to assess plans for the national elections and constitutional drafting processes. The team found that, among other issues, security concerns continued related to expected competition among political parties and that international observation of the Constituent Assembly elections would be needed. After receiving funding to observe the political and electoral processes surrounding the Aug. 30, 2001, Constituent Assembly elections, Fowler and Lutz returned to Dili in May 2001 to reopen the Center's field office in Dili.

Strengthening the Rule of Law

From December 2001–March 2002, the Center implemented a project designed to strengthen rule of law by improving links between communities, local organizations, the police, and the courts. The short-term project was funded by the United States Agency for International Development's Office of Transition Initiatives (USAID-OTI). The project sought to promote good governance, accountability of public institutions through the dissemination of public information to citizens, and the work of local organizations at the grass-roots level. To meet these ends, Carter Center consultant Ron West coordinated several community conferences at the subdistrict level to create an environment in which members of the local community could discuss issues related to the role of police in a democracy, human rights, and the law with representative and knowledgeable parties working in those areas.

Small Grants Program

As a component of its overall program to support the growth of democracy in East Timor, The Carter Center administered small grants to East Timorese NGOs in a effort to contribute to building a stronger civil society.

Through a small grant to the Association of Men Against Violence, the Center supported workshops focused on the role of men in preventing gender-based violence. Male activists from across the country gathered in Dili for two days to lay out priorities and specific plans for the first stages of a five-year campaign against gender-based violence. Men attended from Dili and other districts, including several rural areas.

The Center provided support to the Grupo Feto Foin Sae Timor Lora Sae to conduct two women's civic education workshops in Dili district. The workshops provided information on human rights, domestic violence, gender, and democracy and on increasing awareness of the rights and duties of citizens in democracy. Trainings were targeted at the grass-roots level, and discussions were based on the needs of the community, highlighting the importance of awareness-raising and citizen participation in addressing community problems and concerns.

Voter education teams, focusing on the balloting process itself, have achieved wide coverage, sometimes down to the sub village level. Sample ballot posters, flipcharts, and illustrative comics can be see throughout the territory. Voter education programs have been hindered, however, by constraints of time, transport and translation, as well as technical problems. The final phase of voter education covers technical aspects of voting, vote counting, and the secrecy of the ballot. As with the civic education programs, parallel NGO voter education programs are important for ensuring better coverage and supporting democracy in the long term.

Party Candidate Registration: In a number of districts, political parties with significant local level bases of support were unsuccessful in placing their district level candidates on the ballot. Candidates were rejected largely due to application errors, such as registering the same person for national and district elections or selecting someone with an address outside the district. Despite a one-week extension in application deadlines by the IEC, last-minute submissions made it impossible for some parties to correct their errors in time, also leading to rejections. Although most parties have accepted their errors in registration, the lack of local candidates in some districts may exacerbate party tensions.

Political Activity: Since the beginning of the campaign period on July 15, parties have carried out rallies and events largely without violence or inter-party conflict. Feared threats from those opposed to the political process have not materialized, as most East Timorese have decided to join the electoral process.

A significant step in the in the political process was the signing of the Pact of National Unity by 14 of the 16 political parties on July 8, 2001. The Pact is especially important as it was generated by the political parties themselves. A critical clause in the Pact (Article 3) states that, “the representatives of the political parties signing this Pact commit themselves to defend the principles of non-violence by fostering dialogue, a culture of tolerance and mutual respect, and observe the principles of good citizenship and social conviviality.” The Pact has also been replicated in a number of districts by district-level unity pacts, which have helped to maintain tolerance between political parties in those districts. In some districts, smaller political parties have successfully campaigned together, reinforcing the idea of multiparty democracy.

However during the campaign period, some political parties have used inflammatory or provocative language in their campaign speeches that raise serious questions about the parties’ adherence to the Pact. References to opponents as “communists” or “traitors” are unfortunate examples. The most troubling statements involve references to “sweeping up,” a phrase in the local Tetum language reminiscent of previous Indonesian military and militia threats. Following these statements, East Timorese in some areas have expressed fears of post-election retribution toward political parties, their leaders and supporters. Carter Center observers have also received credible reports of similar statements by non-party political organizations.

In addition to verbal statements, limited but credible reports of sporadic intimidation and violence at the local level, including at least one case of physical assault, which resulted in criminal charges, have also been received. A number of parties cite these instances of intimidation as affecting their ability to campaign, causing them to scale back planned campaign activities, and in some cases party members have resorted to meeting in secret. Any such intimidation is clearly contrary to both the spirit and the letter of the Pact of National Unity.

As the political campaign period draws to a close, political parties should refrain from language that can be interpreted as a call for followers to intimidate other parties. A peaceful campaign period is one of the most important steps that East Timor can take towards ending the fears of the past and establishing a strong and successful democracy.

National Observer Groups: Domestic observer groups supply both geographical coverage and local knowledge, which is critical to ensuring free and fair elections. Carter Center observers have benefited from discussions and cooperation with the national observer groups in various stages of development. Logistics and transportation, however, have been difficult, and in some districts groups that were interested in becoming observers had to decline due to lack of transportation. The IEC has been very responsive in accrediting groups wanting to do election observation, and this should build considerable domestic observation resources for future elections.

Political Party Agents: Despite initial confusions and delays regarding the registration of political party poll-watching agents, these party observers are now being identified and trained throughout East Timor. Like the problems with candidate registration, much of the problem lay in the breakdown of communication between national and district party offices. Political party agents will be responsible for informing IEC officials of observed irregularities in polling stations on voting day. Each party can field one political party poll watcher at each polling station.

Women in the Political Process: Most of East Timor's political parties have incorporated women candidates in their national and district party candidate lists. While UNTAET suggested a goal of 30 percent women candidates, the national average for all parties is 27 percent. In addition, there are 3 independent candidates at the national level and 3 at the district level. Of potential concern is the number of women who will actually win seats in the Constituent Assembly, as many of the women candidates on national party lists are near the bottom of the lists and less likely to be elected. The Women's Caucus, however, has been lobbying strongly for women candidates and women's issues, and intends to provide support for elected assemblywomen as well. Women are also playing an active and important role in NGO elections-related activities and as election observers.

Although there were serious technical problems in the production of the civil registry from which the voters roll was drawn, the IEC worked hard to ensure that all eligible voters would be able to cast a ballot. The Exhibition and Challenges period proved an important step in the process for identifying and addressing the problems.

UNTAET's civic education programs started too late, leaving very little time before the elections for civic education teams to build a strong understanding of multiparty democracy and the political process. Political activity, including campaigns, proceeded smoothly for the most part and without serious incident. This was due in large part to the Pact of National Unity developed by the political parties themselves. Some parties, however, for a time used language that both voters and other parties found inflammatory and intimidating, and a few incidents were reported of threatening behavior on the part of political parties.

On election day, our delegation observed 49 polling centers in 12 districts. This preliminary statement covers initial findings from our observation on balloting day and the days immediately prior to the election. Observers reported no major irregularities and a relatively small number of minor irregularities. The teams' observations were as follows:
Security: Overall, the security climate was calm and very positive. No campaign activity was seen in the vicinity of polling centers, nor were identifiable party security groups visible near any polling centers. Neither CIVPOL nor IEC officials reported any security issues or major irregularities. Anticipated problems in Viqueque, as in the Ossu area [where significant numbers of people chose not to register for the election], did not materialize.

Turnout: Turnout averaged 91 percent, according to figures released by the IEC on August 31. The district with the highest voter turnout was Ermera, with 94.3 percent, while Dili had the lowest voter turnout, with 87.1 percent. Voting was peaceful and orderly throughout the territory. As in 1999, hundreds of voters were already present at the opening of the polls, some having spent the night at the polling center or arriving as early as 1:00 or 2:00am. Voters waited patiently, often for long hours, before voting. Except in large population centers, voting for the most part was finished by 4:00 p.m., and polls closed without incident.

Poll Openings: In some polling centers voting began after 7:00am. Delays were mostly caused by confusion on the part of newly trained polling staff or a lack of necessary materials. No poll openings were delayed by violence or intimidation.

Polling officials: Training programs only occurred a few days before polling and teams observed a range in the efficiency of polling staff. In some instances stations ran very smoothly, while others were quite disorganized. In almost all cases, the process improved over the course of the day. Many polling officials were conscientious about elderly men and women, pregnant women, and women with small children, allowing them to move to the front of the voting lines as advised in the polling manual. Some officials obstructed the legitimate work of observation perhaps due to misunderstanding of the IEC's code of conduct for observers.

Opportunities for the East Timorese to increase their capacity to independently conduct an election was constrained by insufficient training and too little decentralization of authority from the international polling staff. Restrictions over central elements of the process such as ballot handling were requested by Timorese political leaders and agreed to by the IEC. A sense of ownership of the process by the East Timorese polling officials was noticeably absent in many polling stations, a matter of concern for future elections.

Voters List: Prior to election day, there was concern that substantial numbers of potential voters might not find their names on the voters list. The IEC put mechanisms in place to deal with this potential problem. Voters not found on the official voters list who had proof of registration were successfully able to vote. In a few cases, voters were redirected to the correct polling centers within their districts.

The format of the voters list, however, made it difficult for polling officials to expeditiously locate voters' names. This substantially delayed the process and sometimes contributed to confusion. A poorly done civil registry compiled by a UN contractor from which the voters list was extracted will create problems in the future and will require further repair work.

Political Party Conduct: We commend the political parties for adhering to the Pact of National Unity by respecting the August 29 cooling-off day and refraining from party activities on election day. For the most part, political party campaigns did not focus on clear party platforms and parties' plans for the future constitution. Some parties relied on networks established during the pre-transition period to garner support and the popularity and influence of key leadership within the party.

Now as the counting process moves forward, it will be important that all political leaders respect the result of the ballot, which reflects the will of the people. Carter Center leadership met with major party leaders who all assured the delegation they would accept the election results. In addition, parties should engage in and support inclusive discourse and debate on critical policy issues.

Presence of party agents: Political party agents were present in all districts visited. In most districts, both large and small parties were represented. However in numerous cases, political parties had more than one party agent in each polling station and large groups of party agents from a single party were often outside a polling center. At times, political party agents were unclear of or overstepped their roles, assisting voters with their ballots, walking people to vote, giving advice, and attempting to do crowd control.

Domestic Observers: Domestic observers were present in most polling centers visited although their numbers were considerably less than anticipated. The combination of misinformation among domestic observers and strict rules on voting location prevented many from voting. We commend the numerous domestic groups whose coverage was an important contribution to a free and fair election.

Voter and Civic Education: Voters generally exhibited a good understanding of the technical process of voting. We commend the IEC, as well as many nongovernmental groups, for conducting effective voter education campaigns in a short period. However, the effectiveness and impact of the broader civic education campaigns are far less clear. What could have been a broad and comprehensive UNTAET-sponsored civic education campaign started too late, and its effectiveness was reduced as a result. Voters in many instances seemed unclear about the purpose of the election. In order for the constitutional drafting process to be inclusive and participatory, a better understanding of the purpose of the constituent assembly is needed. Civic education should continue in the succeeding months as the Constituent Assembly meets and begins to draft the new nation's constitution.

The delegation's overall sense of the electoral process was positive. Our observers were impressed by the IEC's commitment to ensuring a free and fair election. We also commend the poll workers, party agents, and domestic observers who worked long hours over the past few months to take advantage of this opportunity for an exercise in democratic self-government. The impressive degree of voter participation; the calm and overwhelmingly tranquil election day environment; self-restraint by established and fledgling parties – all these characteristics of the Timor Lorosa'e election provide a lesson in democratic conduct to countries in the Pacific region, and elsewhere, facing challenges to their own democratic commitment.

Two years after their vote for independence, East Timorese turned out in large numbers, almost 91 percent, to participate in the elections to elect the territory's first Constituent Assembly. This is a precedent setting event and the election will set the tone for the next phase of the transition. Building democracy requires more than a single event of an election, the East Timor people have much work ahead and it is important for UNTAET to consider the elections as one of many steps still required to fulfill its mandate. We will continue to monitor the counting and tabulation of votes in the days ahead as well as the constitutional drafting process, and the Center will publish a final and more comprehensive report by late September.

Campaigning is low key, as voters respond mainly to the candidates being present at campaign events and only after the visit of the candidate. The presidential campaign, mirroring the approach of most East Timor parties, is highly personalized. Many political parties have not actively campaigned for this election; thus there has been little campaigning around specific party issues and platforms. The candidates have agreed to be respectful of one another and have refrained from personal attacks directed at each other. The televised debate on April 11th, sponsored by the university, is a good example of issue-oriented campaigning and is to be commended for its contribution to political discourse.

More than 1,800 domestic observers have registered with the IEC to observe the elections despite facing obstacles of limited resources. Although domestic observer presence appears to have been limited leading up to the election, a high number of domestic observers is expected on election day. Their active participation is of key importance to the future development of democratic civil society in East Timor.

Observers have noted various organized security groups that have no formal relationship to the civilian police force or defense force. Reports are contradictory as to the origin and purpose of these groups. Some appear to be ceremonial, preparing to take part in May 20 Independence ceremonies, and others are seen to be eager for recognition and seeking benefits from having played a role in the struggle for independence. Others may have a self-declared security role, given the early stage of development of official indigenous security forces in the country. Some may be up to no good. While it appears these groups present no threat to the upcoming election, the fledgling nature of political and legal structures below the national level leaves political space for their influence in the districts and subdistricts outside Dili. These groups bear close watching, with careful consideration of their activities and possible threats to citizen's democratic rights.

East Timor is witnessing an increasingly high rate of return of refugees from West Timor. The IEC has worked to accommodate as much as possible the large number of people who desire to vote on election day. However, due to the high numbers, concern has been raised that not all returnees may be able to register in time to vote. This could create confusion and frustration on polling day.

A large number of political party agents have registered with the IEC. Although they play a critical role in confirming the transparency of the election, they too face resource and logistical constraints. Observers have witnessed a high level of activity by party agents in some districts, and virtually no activity by these groups in other districts. Even with the challenges noted, it is anticipated that party agents will be present at most polling stations on election day.

Timorese. IEC headquarter offices in each of the 13 districts were coordinated by Timorese, in what is clearly an achievement in capacity building. This election demonstrates that East Timor has a cadre of trained and qualified electoral staff needed to conduct future elections at an international standard.
Political Conduct: The two presidential candidates, Xanana Gusmao and Xavier do Amaral, adhered both to formal rules and informal agreements as the campaign period came to an end. No campaigning was observed on the day before the election or on election day itself. Gusmao and do Amaral's decision to vote together was a fitting seal to the informal agreement struck by the candidates to conduct a respectful campaign. This gesture contrasted with statements made by other political leaders regarding their intention to abstain or to invalidate their ballots.

Domestic Observers: Carter Center observation teams encountered many of domestic observers actively monitoring polling stations across East Timor. The spectrum of groups engaged in ensuring accountability is a positive signal for future elections and the development of democratic civil society. Domestic nongovernmental organizations (NGOs) were instrumental in training and deploying domestic observers.

Party Agents: There was a marked increase in party agent professionalism compared to their first efforts in August 2001. It was noted in some districts, however, that party agents were not present to witness the return and check in of ballots and other voting materials after closely watching the balloting all day. In a few districts, some stations had only one party or candidate agent present.

Security Groups: Before election day, observers noted so-called "security groups" with no formal ties to the police or defense forces. Some described themselves as preparing for independence day activities and possible inclusion in the defense forces. We did not observe any disruptions on election day.

Registration: Extensive registration efforts appear to have been successful, including mobile registration teams, even with the added challenge of a sharp rise in the return of refugees from West Timor since March. Observers saw no voters being turned away except for those genuinely ineligible due to problems with age or citizenship.

Participation of Women: One third of the District Electoral Officers were female. Women observers representing Timorese NGOs were present at most polling centers. Women of all ages, including mothers of small children and elderly made their way to the polls. In polling centers in some districts, however, observers noted few or no female party agents.

Background: After observing the 1999 referendum and being forced to leave amid the violence that followed, the Carter Center re-opened a field office in East Timor in May 2001 for the long-term observation of the August 30, 2001 Constituent Assembly elections and the subsequent constitution drafting process.

Carter Center long-term observers were deployed again to East Timor in March 2002 to monitor the pre-electoral environment in the lead-up to the territory's first presidential election on April 14, 2002. Observers met with political parties, nongovernmental organizations, domestic observers, and voters in 12 districts.

####

PRE-ELECTION ENVIRONMENT FORM

**PRESIDENTIAL ELECTION,
EAST TIMOR**

April 13, 2002

Observer Team: _____

_____

District: _____

Time of Arrival in District: _____

Suco: _____

At UNPOL

1. Were you able to check in with UNPOL upon your arrival	Y	N
2. Have all election materials been delivered to DEOs'	Y	N
3. Did DEOs place election materials in secure storage at UNPOL'	Y	N
If no, does it appear that DEOs and selected presiding officers will store materials at the pollin station and are prepared to sleep in the same room with the materials	Y	N

In the District

4. Is there evidence of any activities of a political nature being conducted on April 13? If sc please describe: _____	Y	N
5. Were there voter and civic education programs in the district? If so, please describe: _____	Y	N
Have they been successful? Y N If yes, please explain. _____		
6. Has there been party activity? If yes, give summary of activitie	Y	N
7. Are there reports of activities by any "security groups"? If yes, please explain. _____	Y	N
8. Have refugees returned to this area in the last week? If so, how many? _____	Y	N
9. Is the process of registration proceeding smoothly? Please explain. _____	Y	N

General Mood

10. Has the campaign period been peaceful'	Y	N
If not, describe incidents		
11. Have there been instances reported of intimidation of voters? Please describe. _____	Y	N
12. Do people seem to understand the purpose of the election'	Y	N

Comments

POLLING STATION OPENING FORM

PRESIDENTIAL ELECTION,
EAST TIMOR

April 14, 2002

Observers: _____
District: _____
Suco: _____
Polling station: _____
Polling center: _____

1. Did all polling officers arrive at 0600h? If not, which were absent?	Y	N
2. Is this polling station managed by East Timorese or International staff? (please circle one)		
3. Were any voters already present? If so, approximately how many? _____	Y	N
4. If there were voters present, were they in a controlled and orderly queue?	Y	N
5. Was UNPOL present?	Y	N
6. Was ETPS present?	Y	N
7. Were all election materials delivered safely and securely?	Y	N
8. Did the set-up of the polling station conform to election regulations?	Y	N
9. Were all polling officers wearing the appropriate t-shirt, cap and badge?	Y	N
10. Did all polling officers sign a declaration of impartiality and secrecy and return it to the DEO?	Y	N
11. Was the ballot box presented to you empty?	Y	N
12. Was the ballot box presented to you properly sealed?	Y	N
13. Did the DEO allow the polling officers to place their votes before polling opened?	Y	N
14. Did polling begin promptly at 0700h?	Y	N

If no, please check all the boxes that give applicable reasons:

- ☐ Confusion
- ☐ Insufficient materials
- ☐ Late arrival of materials
- ☐ Infringement or obstruction of IEC authority
- ☐ Insufficient number of polling staff
- ☐ Electoral campaigns
- ☐ Other (please list) _____

15. Were party agents present? If so, which ones? _____ Y N

16 Were domestic observers present? If so, which ones? _____ Y N

If you answered no to any questions, please explain why here:

_____
_____
_____
_____

General Comments:

_____
_____
_____
_____
_____

OBSERVATION FORM

PRESIDENTIAL ELECTION
EAST TIMOR

April 14, 2002

Observer: _____ Time of visit: _____
District: _____ Suco: _____
Polling Station: _____ Polling Center: _____
How many voted? _____

Outside the Polling Station

1. How long had the first person in line been waiting to vote? _____ Hours _____ Minutes
2. Approximately how many voters were waiting in line? _____
3. How long did they travel to arrive at the polling station? _____ Hours _____ Minutes
4. Was the queue controlled and orderly? Y N
5. Were appropriate security arrangements in place? Y N
6. If there was a military or police presence, did this create an atmosphere of intimidation? Y N
7. Were ETPS performing their function? If not, please explain. Y N
8. Were there groups outside the polling station? Y N
   If so, please identify and explain: _____
9. Were political party security groups and/or other non-party groups present outside or inside the polling station? Y N
   If yes, please identify and explain: _____
10. Were there any party or other political banners, displays, demonstrations, canvassing, or gatherings within 100 meters of the polling station? Y N
    If yes, please identify and explain: _____
11. Was the "no alcohol" rule enforced correctly? Y N

Inside the Polling Station

12. Did the polling station appear to be in an accessible place? Y N
13. Were all polling officials present and adequately performing their roles? Y N
    If no, please check the polling officials that *were absent*:
    - ☐ Polling Station Queue Controller
    - ☐ Identification Officer
    - ☐ Presiding Officer
    - ☐ Ballot Paper Issuer
    - ☐ Ballot Box Controller

    Please explain if any of the above were not performing their roles adequately: _____
    _____
14. Were party agents present? Y N
    Which parties did they belong to?
    A._____ B._____ C._____ D._____
    E._____ F._____ G._____ H._____
15. Did any party(/ies) appear to have more than one party agent present in the polling station? Y N
    If so, which ones?
    A._____ B._____ C._____ D._____
    E._____ F._____ G._____ H._____
16. Were unauthorized people present inside the polling station? Y N
    If so, who? _____

OBSERVATION FORM

PRESIDENTIAL ELECTION
EAST TIMOR

17. Were other international or local observers present? Y N
    If so, which countries / organizations?
    A._____ B._____ C._____ D._____
    E._____ F._____ G._____ H._____

18. Were sufficient election materials present? Y N
    If not, what was missing? _____

Voting

19. Did the polling officials appear to be impartial? Y N
20. Did the polling officials appear to be adequately trained? Y N
21. Was ballot secrecy assured satisfactorily? Y N
22. Were there any problems concerning voter identification documents? Y N
    If so, what were they and how were they dealt with? Especially note returnees where appropriate.
    _____
23. Were some people unable to vote? If so, why? Y N
    - ☐ Not registered
    - ☐ Registered in another district
    - ☐ No proof of identity
    - ☐ Other: _____

24. Were there any irregularities? Y N
    - ☐ Under-age voting
    - ☐ Foreigners voting
    - ☐ Threats
    - ☐ Eligible voters turned away
    - ☐ Double voting
    - ☐ Slow progress
    - ☐ Others (please identify): _____

25. Were procedures concerning indelible ink and the stamping, initialing and issuing of ballot papers followed correctly? Y N
    If not, please explain: _____
26. Were people with special needs dealt with correctly? Y N
27. Did you encounter any disputes? Y N
    If yes, please explain, including how they were handled: _____

Overall assessment

28. Polling officials say the process is:
    ☐ Going very well ☐ Satisfactory ☐ Unsatisfactory
    Party agents say the process is:
    ☐ Going very well ☐ Satisfactory ☐ Unsatisfactory
    Observers (if present) say the process is:
    ☐ Going very well ☐ Satisfactory ☐ Unsatisfactory
29. Did the majority of the voters appear to understand the process? Y N
30. What is your overall assessment of the polling process?
    ☐ Going very well (Good) ☐ Satisfactory (Minor problems) ☐ Unsatisfactory (Major irregularities)

Please write any comments or observations on back of page.

POLLING STATION CLOSING FORM

PRESIDENTIAL ELECTION
EAST TIMOR
April 14, 2002

Observers: _____
District: _____
Suco: _____
Polling center: _____
Polling station: _____

1. At 1600h, did the Polling Center Queue Controller ensure that all voters had joined a polling station queue and close the door to the polling center/station?	Y	N
2. Is the polling station managed by East Timorese or International staff? (please circle one)	Y	N
3. Were those that were queued up at the legal closing time given a ticket and allowed to vote?	Y	N
4. Were any voters who arrived after 1600h allowed to vote?	Y	N
5. Were all the correct procedures for closing the polling station followed?	Y	N
6. Were there any disruptive or violent incidents related to the closing of the poll?	Y	N
7. Were the ballots accounted for properly? Number of spoiled ballots: _____ Number of unused ballots: _____	Y	N
8. Was the ballot box sealed tightly? Ballot box seal number: _____	Y	N
9. Were sensitive materials parceled appropriately?	Y	N
10. Were all sensitive materials (ballot boxes, TEBs) delivered safely and securely to the DECs office?	Y	N
11. Were all polling officials present in the polling station during this process?	Y	N
12. Were security personnel present at the polling center during this process?	Y	N
13. Were party agents and observers satisfied with how the officials handled the close	Y	N
14. What was the general mood inside the polling station? Please explain _____		
15. What was the general mood outside the polling station? Please explain _____		
16. Were the materials accompanied to the counting center? If so, by what groups _____	Y	N

Comments (please use back of page if necessary):

_____
_____
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The Carter Center at a Glance

Overview: The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A nongovernmental organization, the Center has helped to improve life for people in more than 65 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production.

Accomplishments: The Center has observed 45 elections in 23 countries; helped farmers double or triple grain production in 15 African countries; mediated or worked to prevent civil and international conflicts worldwide; intervened to prevent unnecessary diseases in Latin America and Africa; and strived to diminish the stigma against mental illnesses.

Budget: $36 million 2002–2003 operating budget.

Donations: The Center is a 501(c)(3) charitable organization, financed by private donations from individuals, foundations, corporations, and international development assistance agencies. Contributions by U.S. citizens and companies are tax-deductible as allowed by law.

Facilities: The nondenominational Cecil B. Day Chapel and other facilities are available for weddings, corporate retreats and meetings, and other special events. For information, (404) 420-5112.

Location: In a 35-acre park, about 1.5 miles east of downtown Atlanta. The Jimmy Carter Library and Museum, which adjoins the Center, is owned and operated by the National Archives and Records Administration and is open to the public. (404) 331-3942.

Staff: 150 employees, based primarily in Atlanta.

Martin Frank

Mission Statement

The Carter Center, in partnership with Emory University, is guided by a fundamental commitment to human rights and the alleviation of human suffering; it seeks to prevent and resolve conflicts, enhance freedom and democracy, and improve health.

While the program agenda may change, The Carter Center is guided by five principles:

- The Center emphasizes action and results. Based on careful research and analysis, it is prepared to take timely action on important and pressing issues.
- The Center does not duplicate the effective efforts of others.
- The Center addresses difficult problems and recognizes the possibility of failure as an acceptable risk.
- The Center is nonpartisan and acts as a neutral in dispute resolution activities.
- The Center believes that people can improve their lives when provided with the necessary skills, knowledge, and access to resources.

The Carter Center collaborates with other organizations, public or private, in carrying out its mission.