





“Supporting the 2017 elections”

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I. Timorese electoral system

- The Timorese Constitution [2002] provides that the political power lies in the People and it is exerted in accordance with the Constitution;
- furthermore the direct and active participation of men and women in the political life constitutes a condition and the fundamentals of the democratic system and all citizens have the right to participate, individually or through democratically elected representatives, in the political life and in the country's public affairs.
- every citizen above the age of 17 is entitled to vote and to be elected (active and passive electoral capacity). The right of vote is personal and constitutes a civic duty.
- the elected sovereign bodies and the elected bodies of the local power are chosen by means of universal, free, equal, direct, secret and periodic suffrage;



I. Timorese electoral system

- The abovementioned elected bodies are:
 - the President of the Republic (5 year term, renewable for 1 additional term);
 - the National Parliament (5 year term)
 - the elective bodies of the Local Power (yet to be created)
- Mixed system of electoral administration (2 bodies):
 - the National Elections Commission [CNE] and the Electoral Administration Technical Secretariat [STAE];
 - both entities are engaged in all electoral acts pertaining the election of elected sovereign bodies, elected bodies of local power, referendums and elected bodies of “Sucos” (community organizations).



I. Timorese electoral system

- All decisions taken by the electoral administration bodies may be appealed to the High Court of Appeals;
- the National Election Commission [CNE] is an independent elected body (with constitutional status),
 - responsible for the monitoring and supervision of voters registration, elections and referendums;
 - responsible for the supervision of the sole national voters database;
 - granted with administrative and financial autonomy;
 - composed of 7 Commissioners - appointed by the National Parliament (3, one at least being a woman), the Government (1), the President of the Republic (1), 1 Judicial Magistrate, 1 Public Prosecutor.



I. Timorese electoral system

- the Electoral Administration Technical Secretariat [STAE] is an autonomous administrative entity, a public institute, under the tutelage of the Minister of State Administration, which is;
 - responsible for the preparation, organization and execution of voters registration, elections and referendums;
 - responsible for the creation, update, maintenance and storage of the national voters database;
 - granted with administrative, financial and technical autonomy.



II. Recent electoral related reforms

- In order to strengthen our electoral system the VI Constitutional Government has prepared important legislative reforms which have already been enacted by the National Parliament, pertaining the:
 - **Law on Electoral Registration** (Law nr. 6/2006, of 25 May);
 - the Timorese Constitution determines that electoral registration is mandatory, carried out ex officio, unique and universal, being updated in every election;
 - this law fills a legal regulation gap in this matter in the Timorese electoral system and now sets out clear rules on electoral registration, process and procedures of electoral registration, on the creation, update, maintenance, integrity and security of the sole national voters registration database and its supervision by the CNE – National Elections Commission;



II. Recent electoral related reforms

- another significant innovation which aims at further strengthening our democracy is the establishment of procedures for our national citizens living abroad being able, for the first time in our country's history, to register themselves in the electoral register and vote through our consulates and embassies overseas;
- **Law on the Bodies of Electoral Administration** (Law nr. 5/2006, of 28 December, as amended by Law nr 6/2011, of 22 June and Law nr 7/2016, of 8 June)
 - the 2016 amendment introduced some needed adjustments to the organic and functional structure of the CNE – National Electoral Commission;



II. Recent electoral related reforms

- CNE have had 15 Commissioners, however the National Parliament considered that given the territorial and population dimensions of Timor-Leste this body was oversized. Its members were reduced and it now has 7 Commissioners, appointed by the Parliament (3, one at least being a woman), the Government (1), the President of the Republic (1), 1 Judicial Magistrate, 1 Public Prosecutor;
- key drivers were the uphold of the democratic legitimacy of the body as the Parliament still appoints the majority of its members and to address gender imbalances;
- another innovation is that the President of the CNE and its Secretary now perform their functions on a full time, exclusive and paid basis, in order to strengthen the prestige and impartiality of this body.



III. Interrelation with the SDG's and Governmental Programs and Plans

- these reforms are interrelated with the pursuit and execution at the national level of the United Nations Strategic Development Goals, notably goal nr. 16 pertaining Peace, Justice and Strong Institutions;
- thus they constitute an additional step towards effective, accountable and transparent institutions, the promotion of the rule of law, the protection of fundamental freedoms and the promotion of a peaceful and inclusive society;
- these reforms are also in line with Timor-Leste's Strategic Development Plan 2011-2030, acting on strategic pillar number 5, Institutional Framework;
- and in line with the VI Constitutional Government's Program pertaining the development and enhancement of the public and governance sector (pillar number 4)



IV. Upcoming electoral registration process and 2017 elections

- elections for the President of Republic and for the members of the National Parliament are to held in 2017, the completion year of the 5 year constitutional mandate of these elected sovereign bodies;
- the President of the Republic will decree on the elections date for these bodies up to 60 days prior to the elections date set therein for the election of President of the Republic election and 80 days for the election of members of the National Parliament;
- as per the Timorese Constitution electoral registration and update of the sole national voters database must be carried out before every election;
- the recently approved Law on Electoral Registration sets out the rules, the process and the procedures for electoral registration in national territory and overseas;



IV. Upcoming electoral registration process and 2017 elections

- electoral registration process is assured by the following entities:
 - domestically, by STAE – Technical Secretariat for Electoral Administration
 - overseas, by electoral registration commissions composed of 2 consular public servants (in their absence, by 2 diplomatic public servants, excepting the Ambassador), being one delegate for STAE other delegate for CNE – National Elections Commission.
- hence, the Government is currently working, notably through STAE and the Ministry of Foreign Affairs and Cooperation, and in collaboration with CNE, on the necessary regulatory, logistic and operational arrangements to commence the electoral registration process and update of the voters national database in the ensuing months of 2016.



V.

Conclusions

- The successive Constitutional Governments have been committed in implementing the Constitution's provisions in order to set up a sound and transparent electoral system capable of assuring free, fair and transparent elections for our People;
- The recent reforms in the electoral domain add certainty, clarity and juridical security to the People, to our institutions and to our development partners, as well as creditworthiness to our wider electoral processes and procedures and ultimately to the quality of our democracy;
- These commitments falls under the wider constitutional purpose of building and developing a country based and built on the rule of law, democracy and democratic values, and on the uphold of fundamental human rights of the People;



VI. Areas for international development partners collaboration

- Carrying out the national (and overseas) electoral registration process, the update of the voters national database, organizing and executing elections for two sovereign bodies altogether within the timeframe of approximately 1 year is an overwhelming task for any public administration, specially in such a young and resource constrained country like Timor-Leste;
- in this context Timor-Leste's development partners have been performing throughout the years since the restoration of our independence, and we believe will continue to perform, an invaluable and crucial role in supporting and assisting our electoral institutions in providing transparent, free and fair elections for the Timorese People;



VI. Areas for international development partners collaboration

- Several opportunities arise for collaboration between our electoral institutions and international development partners and for international assistance, such as:
 - electoral and civic education for our People;
 - technical assistance (logistics, IT, and legal experts) to our electoral entities;
 - goods and equipment (computers, printers, scanners, vehicles, wide screen monitors, ballot boxes, paper, ink, electricity generators, tables, chairs) for our electoral institutions;
 - infrastructure rehabilitation;
 - training and formation to our electoral officials and staff, electoral observers, and other stakeholders;
 - electoral monitoring and observation;



Thank you !

Obrigadu barak !

Muito obrigado !