



## **The Centre for Democratic Institutions**

### **OBSERVATION OF INAUGURAL EAST TIMORESE PRESIDENTIAL ELECTION APRIL 2002**

CDI Executive Officer Pierre Huetter attended the East Timorese Presidential Election as part of an observer delegation from the International Commission of Jurists (ICJ) - Australian Section. Events which transpired since the vote for independence in 1999 culminated in the final act preceding independence - the presidential election.

#### **Background and Chronology**

Following the historic vote for independence on 30 August 1999 and the ensuing violence, international pressure mounted on Indonesia to accept UN intervention in the situation, which they did. The International Force for East Timor (INTERFET) started landing on 12 September 1999. The United Nations Transitional Administration in East Timor (UNTAET) was mandated to conduct 'governance and public administration; humanitarian assistance and emergency rehabilitation' on 25 October 1999. These initial steps culminated in the last Indonesian armed forces leaving East Timor on 1 November 1999. The formal hand over of command of military and other operations from INTERFET to UNTAET was completed on 23 February 2000.

The next major step on the road to nationhood was the appointment of a 'Transitional Government of East Timor' in April 2001. The Transitional Cabinet comprised four East Timorese and four UNTAET representatives, and was later superseded by the 2nd East Timorese Transitional Government on 20 September 2001. Through this period there was much activity in East Timor. A Constitutional Commission was set up and conducted discussions throughout East Timor, to consult widely with the population on what sort of constitution East Timor should have (June-July 2001). Preparations were also made for East Timor's first parliamentary elections in August 2001. The Constituent Assembly elections were held on 30 August 2001. Following the framing and approval of the draft constitution for East Timor by the Constituent Assembly on 30 November 2001, preparations were made for the Presidential Election, which was held on 14 April 2002.

#### **Constituent Assembly Election**

The Constituent Assembly Election held on 30 August 2001 was of major importance for several reasons. It was the first formal process of political participation in the

post-Indonesia period. Second, the Constituent Assembly would be the main body to deliberate upon the form of the future East Timorese Constitution, including assisting with the public consultations and shaping through deliberation the key aspects of the governmental structure of the nation. Third, unlike the presidential election, it was hotly contested with many parties and candidates.

The results of this election saw a strong showing by Fretelin (the Revolutionary Front for an Independent East Timor) which led the independence movement, broadly under the leadership of Xanana Gusmao, now under the leadership of Dr Mari Alkatiri. Bearing in mind that the Constituent Assembly comprises representatives elected by two voting systems (district and proportional) Fretelin won 12 out of 13 district representative seats, and 43 out of 75 national representative seats delivering a total of 55 out of 88 Constituent Assembly seats.

### **Presidential Election**

The Constitutional Commission found through its public consultations a preference for a system with a strong president to promote unity and ensure integrity. Additionally however there was consensus that there should be a degree of regional autonomy and a division of powers which would discourage corruption. Accordingly the system chosen gives the president a reasonable degree of executive power balanced by a prime-minister and ministry drawn from the parliament<sup>1</sup>.

The two nominations for the Presidential Election scheduled for 14 April were Xanana Gusmao and Francisco Xavier do Amaral. Gusmao, although the former commander of Fretelin's military arm Falantil, refused to run in association with any parties (although he was nominated by several). Amaral, also with a long Fretelin history, had reconstituted elements of Fretelin into the Association of Timorese Social Democrats (ASDT) [Which had been Fretelin's original name]. Gusmao's support was so overwhelming that Amaral conceded in the lead up to the April 14 ballot that he was only participating 'to give the East Timorese a choice'.

### **Observation of Elections**

The first activity of the ICG group was attending Xanana Gusmao's address to foreign election observers. Mr Gusmao spoke at great length about the importance of this process in the birth of nation of East Timor. He applauded the observers' efforts, the efforts of the international community in providing assistance for both elections, and the people of East Timor for surviving their long ordeal and maintaining peaceful cooperation in their political activities. In response to a question from the floor Mr Gusmao asked if foreign observers could assist the democratic process by helping East Timorese observers. The ICJ group obliged as best it could by inviting 4 East Timorese observers to accompany them. The ICJ subgroup which went to Manatuto (see pictures at [www.cdi.anu.edu.au](http://www.cdi.anu.edu.au)) was accompanied by two East Timorese election observers.

The ICJ delegation comprised 13 people. The group decided to split into three groups to cover a broader range of polling centres. One group went to the Liquica area, one group stayed in Dili, East Timor's capital and largest urban centre, and one group

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<sup>1</sup> Constitutional Commission Public Hearings - Executive Summary, <http://www.undp.east-timor.org/Constitutional%20Commission.htm>

went to the Manatuto area. CDI's representative was in the group which went to Manatuto.

The Manatuto group visited 5 polling booths in all. Each was similarly organized. Polling officials, marked by electric blue hats and t-shirts, marshaled voters outside voting rooms. As voters were admitted to the voting rooms in a staggered fashion, single file they proceeded through 3 voting stations:

1. Showing their identification cards.
2. Collecting their ballot paper and moving to the polling booth to fill it in.
3. Folding and casting their vote in the ballot box, then dipping their right index finger into ink (to ensure they cannot vote twice).

From the polling stations observed by the Manatuto group several things were clear:

1. The bulk of voting had taken place very early on polling day. Polling booths were opened at 0700, and by the time the group arrived at the first polling booth on the way to Manatuto things were already, by all accounts, past their peak. Apparently many people had voted closer to opening times and the flow started to taper off from around 1030.
2. Polling stations very well organized. From the blue shirts and hats of polling officials, to the set up of the queues in the polling stations, to the clarity of the ballot papers, the polling observed was run efficiently (see Road to Manatuto). The comments from people at the various stations confirmed this view.
3. There had been no violence or intimidation, or any sort of tension. This fact was reported not only by the polling staff at each location but also by members of the international policing contingent of which there were officers at each polling station.

The group spoke to several other East Timorese and international observers and the consensus amongst those spoken to by the group was that this was a very calm and relaxed election at which there had not been, and was not likely to be, any sort of violence or tension.

The Manatuto group left the Manatuto area at approximately 1500 hours since voting seemed to have finished for the day. All three groups met in the evening back in Dili and compared results. The observations of the three groups were remarkably similar; all quiet, all calm and all voting undertaken early.

The result of the election was, as expected, a resounding win for Xanana Gusmao. He received 82.69% of the total valid vote. Francisco Xavier do Amaral received 17.31% of the valid vote. Xanana Gusmao was declared winner of the election for the Presidency of East Timor on 17 April 2002.

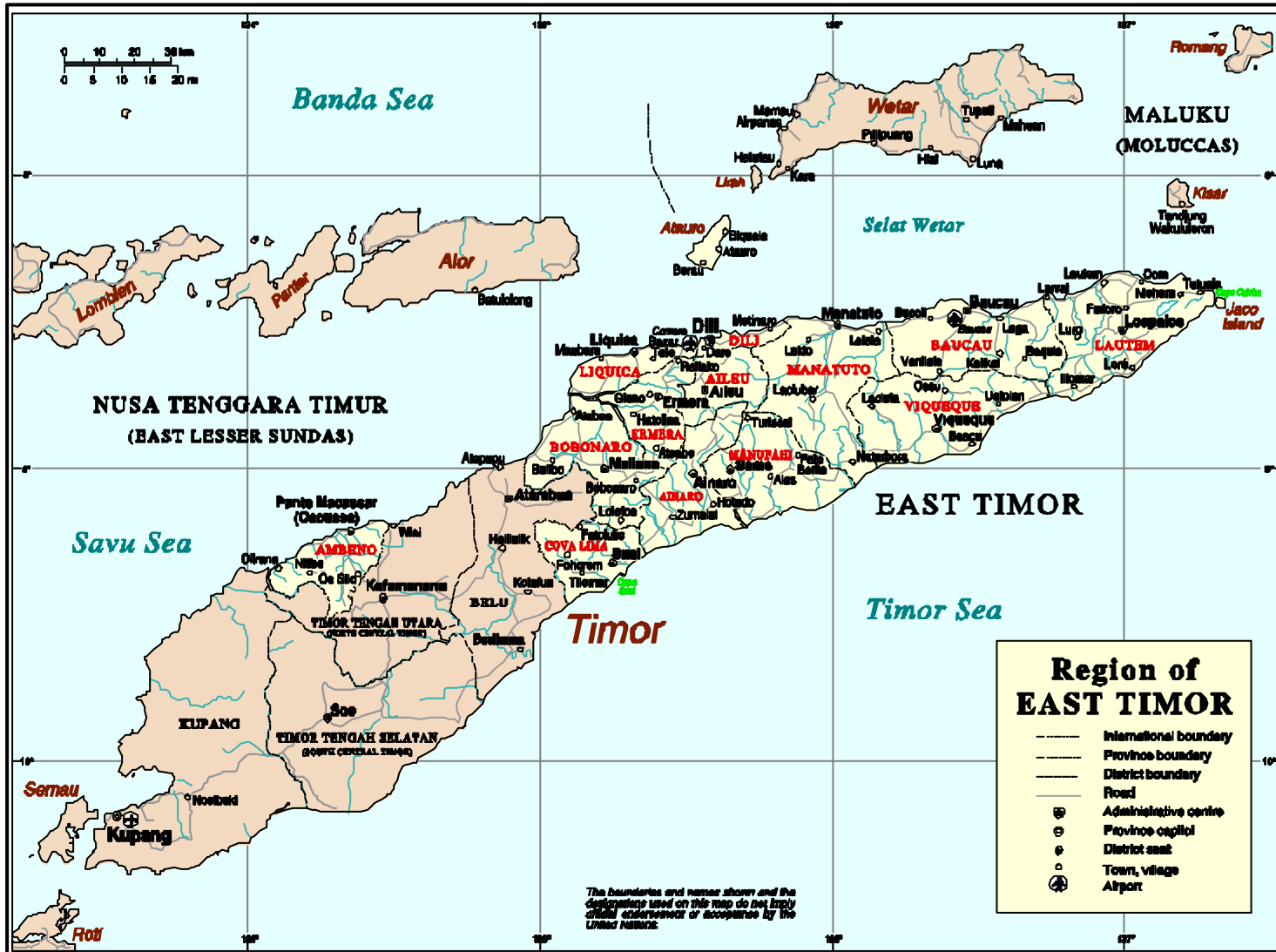
## **CDI in East Timor**

Observation of the presidential election is a continuation of several activities undertaken by CDI in support of the transition of nationhood in East Timor.

- In April 1999 CDI facilitated the 'Managing Transition in East Timor Workshop' at the ANU. The workshop explored issues surrounding East Timor's transition from Indonesian rule, bringing together East Timorese nationals from across the political spectrum, expatriates and academics.
- In April 2001 CDI was contracted by Illawarra Technology Corporation to provide assistance for the Inspector General of the East Timorese Transitional Administration, Mr Mariano Lopes Da Cruz. This involved a program of meetings with Australia's key accountability institutions.
- Following the success of the April 2001 visit and the impending constitutional deliberations in East Timor, CDI funded another project which brought to Australia two members of the Constituent Assembly of East Timor, and aimed to assist them with deliberations on accountability and scrutiny measures for the constitutional drafting process.

## **Acknowledgements**

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The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.