



Statement on the Community Leaders Elections

On October 9, 2009, Youth for Democracy in Action (JDA) deployed 72 accredited election observers to 44 polling centers in and around Dili, Timor-Leste, during the election of community leaders at the suco level. In total, data was gathered in 22 sucos between 6:00 AM and the completion of counting. Of JDA's 72 observers, 45 were men and 27 were women. This statement is based on the qualitative and quantitative data gathered by JDA's observers within these parameters and should not be taken as a comment on the conduct of the election outside of the area of observation in Dili District.

Overall, JDA found the election satisfactory and noted significant voter turnout and relatively few complications at polling centers. Polling stations were easily identified and nearly uniformly efficient in their layout. Polling station staff recruited by the Technical Secretariat for Election Administration (STAE) acted professionally and polling center staff, observers, and candidate agents were easily identifiable because of consistent credentialing; JDA's observers noted very few unauthorized persons present at polling stations although candidates were reportedly actively campaigning near voting locations in Comoro and Acadiru Hun. Police were also seen regularly within 100 meters of the entrances of most polling stations despite being prohibited from that area.

Successful public information campaigns appear to be responsible for the higher than anticipated voter turnout and the low number of potential voters who arrived at polling stations without their new voter identity cards. JDA did not observe many instances of voters without new voter identity cards being allowed to vote.

The most common reason documented for would-be voters being turned away from polling stations was that they were registered to vote in a different suco. The second most common reason was that voters had brought identification other than their new voter identity cards; these include cases of people trying to use their old voter identity cards, bringing no identification, or bringing the voter identity card of a family member. Neither reason for being turned away from the polling station occurred so frequently as to indicate more than expected normal error on the part of the voters. However, JDA did observe that queue controllers rarely confirmed that those arriving in the queue held valid voter identity cards for that suco, and if queue controllers had followed their procedures, many voters could have been spared long and futile waits.

JDA found average lines of 65 voters throughout the day although that average declined in the afternoon hours. Nineteen voters, on average, were in queue already when the polls opened. Lines sharply rose through the morning and peaked during the period of 10-11 AM with an average of 135 voters waiting. After 11:00 AM, the number in line fell almost as sharply as it had risen. At the scheduled time for closing off queues, 3:00 PM, 12 voters were present, on average. Worrisomely, voters at several stations reported having to wait in line for more than two hours to vote.

Only one observed polling stations was required to stay open more than an hour past the scheduled 3:00 PM closing time just as all but four had opened very close to the 7:00 AM official opening time. JDA observers were present when two polling stations opened at 6:30 AM and one opened at 6:00 AM and without the presiding officer present. One polling station opened an hour late.

However, the prioritized voting of polling center staff, observers, and candidate agents at opening meant that the first voters in line had to wait up to an additional half an hour after the polling center opened before getting their opportunity to cast their ballots. **JDA recommends that STAE consider changing procedures so that polling center staffs and other authorized personnel vote at closing or another slow period during the day.**

The matching of voters' identities to the voters list created a bottleneck at most stations producing the lengthy lines at many stations during morning and well into the day. Despite being equipped to handle up to five voters in separate private ballot marking areas, most polling stations serviced only one voter at a time. It was not immediately apparent why locating names on the list proved to be the slowest part of processing voters. **JDA suggests STAE explore alternatives in the organization of the voters list or the staffing of polling stations to reduce the wait between the front of the queue and being issued a ballot.**

JDA found serious deviation from STAE procedures on the inking of the right index finger after voting. Although the majority of polling stations complied with STAE procedures, approximately one third of polling stations allowed voters to ink an alternative finger in some instances, usually the right pinkie or the left index finger. A smaller but still significant number of polling centers consistently inked the incorrect finger. Given that all polling stations in the same suco work off of identical voters lists, inconsistencies in inking voters fingers easily opens the door to duplicate voting as having the name of those who have already voted crossed off the voters list does not provide a check against repeat voting. **JDA recommends that STAE emphasize proper inking procedures and their importance to the integrity of the election in polling officer**

trainings for future elections. JDA further suggests that STAE consider providing a visual illustration of the proper inking procedure to be placed next to the ink as a reminder to the polling center staff and for the reference of voters.

JDA also found serious deviation from STAE procedures during the counting process. After the opening of the ballot boxes, rarely were the backs of the ballots inspected for the official stamp, signature of the ballot controller, and a single puncture and sorted into piles of valid, invalid, and blank ballots before the valid ballots were counted. If the back side of the ballots were not inspected for the validating official stamp and signature when removed from the ballot box, in no instances did JDA observers see them checked after the initial sorting or counting. This omission undermines the entire purpose of this important control mechanism. **JDA recommends that STAE emphasize in future trainings for polling officers that the proper counting procedure requires polling officers to inspect the backs of ballots for the official stamp, signature of the ballot controller, and a single puncture before setting aside the invalid and blank ballots and counting only valid ballots. Additionally, JDA suggests that the importance of this sequence to the integrity of the election be raised both when covering the responsibilities of the ballot controller as well as when explaining counting procedures.**

JDA's observers noted no confusion by polling officers or challenges from witnesses at the counting of ballots over the determination of how a ballot was marked, blank ballots, and ballots invalidated by improper placement of the puncture or multiple punctures.

Only a few polling stations were observed to have a significant number of voters still in queue at the official closing time of 3:00 PM. In several observed polling stations voters arriving after 3:00 PM allowed to vote contrary to the procedures, although at least in polling stations in Comoro and Mascarenhas there was noticeable disagreement over whether voters present at the polling station at 3:00 PM but not in the queue would be allowed to vote. In Mascarenhas, where late arrivals were not allowed to vote, the counting process did not start until approximately 7:00 PM because of these disputes although voting ended four hours earlier.

On average, the seals of the ballot boxes were broken at 3:36 PM. (This average includes polling stations which did not finish balloting until after 3:00 PM.) The first ballots were removed from ballot boxes approximately five minutes after the seals were broken. With the sorting of valid, invalid, and blank ballots largely skipped, counting of ballots took an average of 64 minutes. The

public posting of results at the polling station lagged seriously, taking place more than 35 minutes after the conclusion of the counting or not at all.

JDA's observers saw very few disabled persons or elderly persons requiring assistance voting on Election Day. Physical accessibility of the polling stations did not seem to be a problem and most (but not all) queue controllers and/or presiding officers gave priority to the disabled, elderly, pregnant, and others incapable of long waits. **JDA recommends that STAE and non-governmental organizations coordinate on stronger public information campaigns specifically encouraging families to ensure the voting rights of the disabled and elderly in their care. JDA suggests that the problem may have its roots in the voter registration process and may need to be addressed there as well. JDA further suggests that STAE consider options for special needs voting such as mobile teams to visit the homebound or postal balloting.**

In the eight hours of voting in the 44 polling centers where JDA's observers were deployed, no candidate agents filed any complaints. (Two complaints were filed by candidates during the counting process when polling officers were unable to successfully reconcile the ballots.) The near absence of complaints plus interviews with candidate agents indicate a poor understanding of their role in the election. With two exceptions, candidate agents revealed that they had received no preparation or instructions from the candidates they represented beyond some being given a copy of the suco law.

Candidate agents became most active during the counting process but merely to record the results. All candidate agents interviewed reported that they personally knew the candidate they represented and that they had been personally asked to serve as a candidate agent by the candidate but just a couple of days earlier; candidate agents had not been involved with the campaign. Almost all candidate agents had been promised unspecified future compensation for their service. **JDA suggests that candidates (and in future partisan elections, political parties) invest more effort in selecting and preparing their agents to represent their interests in the polling stations.**

Candidate agents were present inside the polling stations only about half the time. Women were well-represented among candidate agents; approximately one third of polling stations had at least one female candidate agent working.

Although political parties were not allowed to participate, voters were easily able to identify candidates at the heads of the lists by their party. **JDA recommends decision-makers consider**

whether the official exclusion of political parties from the community leaders elections met the intended goal of the legislation.

JDA's observation was sponsored by the International Republican Institute (IRI), a non-profit organization which works to strengthen democratic institutions in countries around the world, and which has been active in Timor-Leste since 2000. IRI provided all 72 observers with two days of training on the new suco council law, election procedures, the purposes of election observation, and specific reporting guidelines based on international best practices. IRI also prepared JDA's reporting forms and assisted in debriefing observers and compiling the election observation data.

The views in this statement reflect the eyewitness observations of JDA's accredited observers on Election Day deployed in and around Dili. They are offered in goodwill to contribute to the integrity of this and future elections in Timor-Leste. JDA would like acknowledge its gratitude to the International Republican Institute for its sponsorship of JDA, coordination of preparations for JDA's election observation mission, and its continuing counsel. JDA also appreciates the National Election Commission and the staff of STAE for facilitating the accreditation of JDA's observers, Fundacao Oriente for providing space for trainings, and the United Nations Development Programme for allowing use of some of its materials as a part of IRI's training for JDA.