



European Union
Election Observation Mission

TIMOR-LESTE 2022

Final Report



Presidential Elections
19 March 2022
and
Presidential Run-Off
19 April 2022



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ACRONYMS

ADN – Asian Democracy Network
AJTL – Timor-Leste Journalists Association
ANFREL – Asian Network for Free Elections
CEDAW – Convention on the Elimination of all Forms of Discrimination against Women
CERD – Convention on the Elimination of all Forms of Racial Discrimination
CNE – National Elections Commission
CNRT – *Congresso Nacional de Reconstrução de Timor*
COVID-19 – Corona Virus Disease 2019
CPLP – Community of Portuguese Language Countries
CRAM – Commission for the Regulation of Martial and Ritual Arts Groups
CRPD – Convention on the Rights of Persons with Disabilities
EEM – Election Expert Mission
EMB – Electoral Management Body
EOM – Election Observation Mission
EU – European Union
EUR – Euros
FM – *Frenti-Mudança*
FRETILIN – *Frente Revolucionária de Timor-Leste Independente*
GMN – *Grupo Media Nacional*
ICCPR – International Covenant on Civil and Political Rights
ICESC – International Covenant on Economic, Social and Cultural Rights
IFES – International Foundation for Electoral Systems
International IDEA – International Institute for Elections and Democracy Assistance
IT – Information Technology
KHUNTO – *Partidu Kmanek Haburas Unidade Nasional Timor Oan*
OCV – Out-of-country voting
OIPAS – *Observatório da Igreja para os Assuntos Sociais*
PATIFOR – *Partido Timor Forte*
PC – Polling Centres
PD – *Partido Democrático*
PDHJ – *Provedoria dos Direitos Humanos e Justiça*
PDRT – *Partido Democrático República de Timor*
PLP – *Partido Libertação Popular*
PNTL – *Polícia Nacional Timor-Leste*
PS – Polling Stations
PTTL – *Partido Trabalhista Timor-Leste*
PUDD – *Partido Unidade Desenvolvimento Democrático*
PVT – *Partido Os Verdes de Timor*
RAEOA – Special Administrative Region of Oecuse-Ambeno
RHTO – *Pa'es Hadomi Timor Oan*
RTM – *Rádio e Televisão Maubere*
RTTL – *Rádio-Televisão Timor-Leste*
SECOM – State Secretary for Social Communications
SPCNE – CNE permanent secretariat
STAE – Technical Secretariat for Electoral Administration
UNCAC – United Nations Convention against Corruption
UNHCR – United Nations Human Rights Council
UDT – *União Democrática Timorese*
UNDP – United Nations Development Programme
USD – United States Dollars

1. EXECUTIVE SUMMARY

In the 2022 presidential elections, the Timorese determined who would serve as the country's President for the next five-year term. In a competitive but peaceful political environment, the electoral process was overall credible and transparent, and concluded successfully in the decisive verdict of Timorese voters. These were the fifth presidential elections since Timor-Leste's independence in 2002.

The elections took place against the background of long-standing political rivalries, intense debates regarding the powers of the president, a political crisis that led to snap legislative elections and a change of government during the last term. In this context, the Timorese voted in elections that were contested by a record number of 16 candidates, including four women. The competition culminated in a run-off in which voters chose former President José Ramos-Horta, who was backed by *Congresso Nacional de Reconstrução de Timor* – CNRT, over incumbent President Francisco Guterres “Lú-Olo,” who was the candidate of *Frente Revolucionária de Timor-Leste Independente* – FRETILIN. The results gave a comfortable victory to Ramos-Horta with 62.09 per cent of the vote, and Lú-Olo conceded defeat on the day after the election.

The campaign demonstrated genuine competition among key contestants, in which the freedoms of expression, assembly, and association were well respected. However, greatly differing financial resources – in the context of under-regulated campaign finance – resulted in an uneven playing field for contestants without the support of political parties. The candidates courted martial and ritual arts groups although the groups' wider association with political parties was prohibited. EU observers further noted that out of 185 observed campaign events, messages were rarely aimed at issues affecting women. Ahead of the run-off, the campaign turned into a race on the composition of government, with promises of new programmes and financial support, in particular on Lú-Olo's side. The payment of campaign subsidies by the government after the elections lacks certainty, giving this procedure an arbitrary character.

The legal framework offers sufficient guarantees for an inclusive and transparent electoral process while respecting fundamental freedoms. Nevertheless, the framework is dispersed, with a number of different laws that are not organised coherently. This gives rise to ambiguities including the scope of the National Elections Commission (CNE) oversight responsibility over voter registration, political finance, and the media. The CNE has lobbied the government in its regulatory capacity and the parliament in its legislative capacity to further define measures to enable it to better fulfil its mandate of overseeing adherence to campaign principles. Amendments introduced since the 2018 snap elections enhanced inclusiveness, legal certainty, and transparency. Awareness-raising efforts are challenged by the fact that the laws are not systematically translated into Tetun. Late introduction of amendments to regulations resulted in some difficulties and did not constitute good practice.

There were 859,925 registered voters for these presidential polls, including out-of-country voting. A legal challenge to holding elections in Australia caused some minor confusion ahead of the first round before a court order confirmed elections would go ahead. Introduction of parallel voting with an absentee ballot was a positive advancement, however government regulation of the registration process could be simplified, without intermediaries between voters and the Technical Secretariat for Electoral Administration (STAE).

Stakeholders expressed confidence in the professionalism, experience, efficiency, and independence of the CNE and the STAE. The electoral authorities held inter-institutional dialogues and conducted informal conflict mitigation efforts. They frequently consulted with parties, candidates, police, local authorities, youth groups, civil society, and the media on electoral preparations. Publication of all plenary decisions in the official gazette could, however, further enhance transparency in CNE decision-making.

Legal provisions for freedom of expression and freedom of the press were broadly respected. In the near absence of paid advertisements, public and private media offered a generous amount of free airtime to candidates in both rounds, providing valuable exposure to independent candidates without party support. The distribution of space in editorial and news coverage was not balanced during the first round in the public media (TV and radio), however run-off candidates received a more equitable coverage. Private *Grupo Media Nacional* (GMN TV) favoured Ramos-Horta, while FRETILIN's *Rádio e Televisão Maubere* (RTM) Radio almost exclusively broadcast live campaign activities. Compared to their male counterparts, women candidates mostly received equitable media coverage during the first round.

About half of the candidates campaigned on-line, almost exclusively on Facebook, where they could address a predominantly young audience. Candidate support pages and party pages campaigned as well for their preferred candidates. The campaign in social media was generally calm and respectful, but did not significantly engage users or contribute to the debate. Information manipulation was not a phenomenon during the elections, but there is an awareness among authorities, journalists, and electoral stakeholders of its disruptive potential. Paid online advertising appears to have been used modestly and mostly by the larger campaigns, but this aspect lacked transparency as Meta's tools to safeguard elections were not activated for Timor-Leste.

Both election days had a high voter turnout and took place in a calm and organised environment, with only minor incidents. Polling procedures were well implemented. Counting and tabulation were generally well managed with progressive results being made public throughout the process. A strong participation of over 798 national observers and some 151 international observers constituted a positive transparency measure. Civil society organisations were active and issued numerous qualitative reports throughout the electoral process and on election days.

Despite a campaign pledge to call early legislative elections, Ramos-Horta committed himself to stability and national dialogue after the vote. Developments in the immediate post-election environment – including the proposal of a rectification budget in the amount of over one billion USD prior to the presidential handover – pointed to campaign efforts ahead of the next legislative elections which are expected for May 2023, if they are not called earlier. It is anticipated that FRETILIN and CNRT may compete for power again through, *inter alia*, forming pre- and post-electoral coalitions with a number of other political parties.

The EU EOM identified shortcomings which merit attention to improve future electoral processes in Timor-Leste. The following priority recommendations are offered for consideration and action to the National Parliament, Government, CNE, and STAE. A detailed table of recommendations can be found in the final chapter of this report.

- 1. Consolidate all electoral legislation into a consistent and unified Electoral Code, with accompanying electoral regulations, available in Portuguese and Tetun.*
- 2. Undertake legal reform, including introduction of regulations, early enough in the electoral cycle to provide stakeholders time to understand and prepare for the new rules.*
- 3. Consult the CNE in a consistent and systematic manner when preparing the regulatory framework for elections.*
- 4. Strengthen campaign finance oversight by giving the CNE a clear competency in this field and empower this body to take a more assertive and proactive role.*
- 5. Review campaign finance rules and reporting requirements to strengthen equality, transparency, and accountability in the electoral process.*

2. INTRODUCTION

At the invitation of the Government of Timor-Leste and the National Elections Commission (CNE), the European Union deployed an Election Observation Mission (EU EOM) to monitor the 19 March presidential polls. The mandate of the EU EOM was to assess the conduct of the electoral process in accordance with Timor-Leste's national and international commitments for democratic elections. The mission was led by Chief Observer Domènec Ruiz Devesa, a Member of the European Parliament, and was composed of eight election experts and 26 Long Term Observers. The mission was supported with the election day participation of Locally-Recruited Short Term Observers from EU diplomatic missions in Dili and Jakarta. The EU observed Timor-Leste's elections in 2002, 2007, 2012, 2017 and sent an Election Expert Mission (EEM) in 2018. On all occasions, conditions for effective and credible observation were confirmed to be in place.

3. POLITICAL CONTEXT

Peaceful elections held against the background of long-standing political rivalries, with differing interpretations of presidential powers 20 years after independence

The 2022 elections took place against the backdrop of ongoing political polarisation, factionalism within parties and changing alliances, and a political crisis that culminated in 2020, involving questions regarding the powers of the president, the constitutionality of government arrangements, and parliamentary rules of procedure.

Following a period of power sharing between *Frente Revolucionária de Timor-Leste Independente* – FRETILIN and *Congresso Nacional de Reconstrução de Timor* – CNRT, Francisco Guterres “Lú-Olo” was elected president in 2017. A few months later in the legislative elections, FRETILIN won the highest number of seats with a small advantage of votes and formed a minority government under its Secretary General Mari Alkatiri with *Partido Democrático* – PD. After the government's programme was rejected in the National Parliament, President Lú-Olo used the never before enacted mechanism to dissolve the legislature and call early elections.

In the 2018 snap elections, a coalition of CNRT, *Partido Libertação Popular* – PLP, and *Partidu Kmanek Haburas Unidade Nasional Timor Oan* – KHUNTO won a majority of seats. The President refused to accept Prime Minister Taur Matan Ruak's nomination of seven CNRT and two KHUNTO ministers. CNRT voted down the state budget proposed by the government of which it was part in early 2020. Following intense negotiations, a new government was formed of FRETILIN, PLP and KHUNTO in April, with FRETILIN replacing CNRT as the biggest party. This new formation, demonstrating the powers of smaller parties as kingmakers, did not represent the coalition that voters had elected.¹

The political struggle also resulted in a FRETILIN member replacing a CNRT member as President of Parliament, following what CNRT and allies considered an irregular process. The Court of Appeal ruled that this replacement did not violate the Constitution. The court did not accept a CNRT motion to investigate the constitutionality of the president's discretionary powers, arguing this can only be done in the context of an impeachment process which requires a majority of two-thirds of parliamentary seats.

The fifth presidential elections since Timor-Leste's independence were contested by a record number of 16 candidates, including four women (see Annex A). Incumbent President Lú-Olo was running for a second term, supported by his political party, FRETILIN. The party's vote was expected to split, as

¹ Ahead of these elections, the 65 seat National Parliament was composed of FRETILIN (23 seats), PLP (8 seats), and KHUNTO (5 seats) who formed the government. In the opposition were CNRT (21 seats), PD (5 seats), *União Democrática Timorense* – UDT (1 seat), *Partido Unidade Desenvolvimento Democrático* – PUDD (1 seat), and *Frenti-Mudança* – FM (1 seat).

Tito da Costa Cristovão “Lere Anan Timur”, who resigned as Chief-of-Staff from the Defence Forces to compete in these elections, appealed to a similar vote base, but his candidature was not endorsed by the party. Other contestants included Deputy Prime Minister Armanda Berta dos Santos, the first-ever KHUNTO presidential candidate, and PD’s Mariano Sabino Lopes “Assanami”.

The biggest challenge, however, came from seasoned politician and former President José Ramos-Horta, supported by independence hero Xanana Gusmão and his CNRT. Gusmão, first president of independent Timor-Leste and still seen as the most influential politician, had supported all successful presidential candidatures in the past. The first round results confirmed that Ramos-Horta and Lú-Olo would head to a run-off, which Ramos-Horta won with a wide margin, appearing to lend much legitimacy to his future mandate.

The political elite continues to be dominated by leaders of the independence struggle, with frictions between key players that often date back to the pre-independence period. A patronage system comprised of influential traditional and religious authorities, local administrators and resistance veterans act as a considerable vote base, as well as having linkages with martial and ritual arts groups. Other factors that determined the political climate included a young population, with up to a third of the electorate being potential first or second time voters, the lack of economic prospects beyond the exploitation of the country’s “Norwegian-style” petroleum fund and development issues, as well as the handling of the COVID-19 pandemic.

The next legislative elections are foreseen for 2023. However, in return for its endorsement, the CNRT expected Ramos-Horta, once elected as President, to dissolve parliament and call a snap election, as well as to restructure the Court of Appeal and the Attorney General’s Office. While Ramos-Horta started his campaign on the platform of restoring constitutional order, and kept emphasising that changes in parliament did not take place according to the law, it was uncertain whether he would dissolve parliament early or pursue other ways out of the political impasse.

4. IMPLEMENTATION OF 2017 AND 2018 EU RECOMMENDATIONS

A number of past EU recommendations were implemented, while key recommendations regarding political finance and media oversight remain unaddressed

Both the 2017 EU EOM for presidential and parliamentary elections and the 2018 EU EEM for early parliamentary elections issued recommendations to improve future elections.

The 2017 EOM offered 22 recommendations. Six of these recommendations did not require legislative change and were implemented by the STAE within a short time frame of five months prior to the 2018 snap elections. These included: i) The publication of the official lists of candidates of all competing parties and coalitions; ii) The display of updated voter lists at *suco* level to allow opportunity for corrections; iii) CNE-STAE collaborative actions for improved oversight; iv) Inclusion of candidate agents (*fiskais*) training in STAE calendar; v) Voter and civic education that improved participation and reduced the number of invalid votes; and vi) Timely transfer of salaries to STAE workers.

The 2018 EEM validated the 16 remaining 2017 recommendations and added an additional five recommendations. Ahead of the 2022 presidential polls, three of these were implemented. One increased voter inclusiveness by bringing the vote closer to electors through mobile voting for hospital patients, absentee voting for students in Dili, and workers on election day duty outside their *sucos*. Another improved journalists’ ability to cover election day through repealing a government decree that prohibited taking photographs within 25 metres of voting centres. The removal of this prohibition also addressed the 2017 recommendation for a more comprehensive coverage of election day by state television.

The 2022 EOM noted ongoing activity toward implementation of two of the remaining 18 recommendations, including making CNE plenary sessions open to candidate agents and civil society organisations, and journalist training to prevent hate speech, defamation, and misinformation. The 2022 EOM also found that three recommendations were no longer relevant. However, some key recommendations remain unaddressed, including those pertaining to the CNE’s authority and oversight capacities regarding the media and campaign finance.

5. LEGAL FRAMEWORK

Despite a few inconsistencies and lacunae, the electoral legal framework offers sufficient guarantees for democratic elections

5.1 Electoral system

The President of the Republic is directly elected, following a 15-day campaign period, in one national constituency and on an uninominal list. If no candidate achieves an absolute majority of validly expressed votes, a second round between the two most-voted candidates takes place. The President is elected for a five-year term, and can serve a maximum of two mandates.

In Timor-Leste’s semi-presidential system, the presidential role goes beyond that of a ceremonial head of state. The president is also the supreme commander of the armed forces and has significant powers including a central role in appointing the government following parliamentary elections, the prerogative to dissolve parliament, a reversible veto over legislation, a complete veto over executive decree laws, the power to refer legislation for constitutional review and the power to issue pardons. The semi-presidential powers were subject to intense debates among political stakeholders throughout the 2017-2022 presidential mandate.

5.2 Legal framework

As a member of the United Nations, Timor-Leste is a signatory and has ratified a series of international treaties for the protection of human rights and the guarantee of fundamental freedoms including the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the International Convention on the Elimination of Racial Discrimination (ICERD), the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW), and the Convention Against Corruption (UNCAC).² At the time of writing, Timor-Leste was in the process of ratifying the Convention on the Rights of Persons with Disabilities (CRPD).

Timor-Leste’s Ombudsperson for Human Rights and Justice (*Provedoria dos Direitos Humanos e Justiça* – PDHJ) is the national body for the defence of fundamental human rights. It observed irregularities concerning the use of state resources during elections and the participation of public servants in campaign events. These cases were forwarded to the Anti-Corruption and Public Servant Commissions for investigation and action. The PDHJ issued recommendations on complaints received.

The applicable legal framework for elections includes the Constitution of the Democratic Republic of Timor-Leste, approved in 2002, which incorporates fundamental democratic rights and guarantees non-discrimination on the basis of colour, race, gender, ethnic origin, language, political opinion, religion, education, or physical or mental conditions. In addition to the Constitution, several regularly updated electoral laws and regulations comprise the legal framework for elections, and the Penal

² Timor-Leste also signed the Convention on the Rights of the Child, the Convention Against Torture, and the International Convention on the Protection of the Rights of all Migrant Workers and Members of their Families.

Code provides heavy sanctions in relation to some of the 14 electoral crimes, *inter alia*, fraud during voter registration, voting or counting, and illicit election propaganda.³

The legal framework for elections offers sufficient guarantees for an inclusive and transparent electoral process while respecting fundamental freedoms for the conduct of democratic elections. Nevertheless, the law establishes a blanket exclusion of the right to vote and stand for citizens issued with a legal interdiction on the basis of mental health issues, allowing for a disproportionate restriction of a constitutional right.⁴

Past EU missions identified inconsistencies and lacunae in the electoral legal framework. The framework is dispersed in a number of different laws that are not organised coherently, in part due to the successive *ad hoc* introduction of amendments to laws and regulations ahead of each election without conducting a systematic review of the laws. A few examples of legal ambiguities that were identified by the EU EOM during the 2022 electoral process included shortcomings in procedural rules defining deadlines for appealing CNE decisions, the lack of clarity in the law as to whether state subsidies for presidential candidates apply in case of a run-off, and specifications regarding the design and symbols of the presidential ballot. The electoral framework does not clearly define the scope of CNE oversight responsibility over campaign finance, voter registration, and media monitoring. Electoral legislation is passed in one of the official languages of the country, Portuguese, but is not systematically translated into Tetun.

In a recent decision, the Court of Appeal identified a gap regarding the timeline to appeal against CNE decisions.⁵ Law No. 15/2021 on the Election of the President stipulates that CNE decisions are appealable on candidate registration and against election results within short timelines, while *ad hoc* CNE decisions based on its overall supervisory mandate of the election process lack a timeline for appeal. The Court of Appeal interpreted the lacunae through analogical reasoning, adopting the 15-day timeline from the administrative procedural law. Timelines to appeal against CNE decisions typically range from 24-hours to 48-hours. While the lacuna in the law was overcome, the 15-day time frame is lengthy and contradicts the need for swift and timely electoral justice.

Recommendation: Consolidate all electoral legislation into a consistent and unified Electoral Code, with accompanying electoral regulations, available in Portuguese and Tetun.

Amendments introduced since the 2018 snap legislative election enhanced inclusiveness, legal certainty, transparency, and adopted adjustments in light of the COVID-19 pandemic. The sixth amendment to the Law on the Election of the President passed on 14 July 2021 also opened the possibility for voters who were registered in other districts, but lived in the capital city, to cast their ballot in Dili (*voto paralelo*). Oversight of the process was improved with the introduction of CNE electoral supervisory officers at each voting station, and journalists were added to the list of those eligible to vote in the location where they were on election duty. The re-introduction of the final verification of invalid ballots by the CNE at national tabulation contributed to the transparency and accuracy of election results, although there was some criticism that this endowed the CNE with an administrative role that went beyond its supervisory mandate.

³ Sanctions for electoral crimes vary between fines and heavy sanctions with up to eight years imprisonment. Sanctions can be doubled in case the offender is a publicly elected official or a member of the military or police. Penal Code, Articles 229 to 242.

⁴ Constitution, Art. 63 (2) - “The law promotes equality in the exercise of civil and political rights (...).” Art. 65 - The Constitution enshrines the principle of universal suffrage. See section on the Participation of Persons with Disabilities.

⁵ The legal void was identified in the 10 March Court of Appeal decision that upheld the appeals from Lú-Olo and the CNRT against a CNE decision which cancelled out-of-country voting in Australia. The Court of Appeal considered the CNE decision violated Article 47 of the Constitution on the right to vote, while the Public Prosecutor’s advice underlined that all fundamental rights, including the right to vote, should be interpreted in line with the Universal Declaration of Human Rights and out-of-country voters’ rights should be protected by the state.

The third amendment to the Law on Election Administration Bodies approved on 28 July 2021 included the requirement for the CNE to be consulted by government on draft regulations for the implementation of election laws. The government did not systematically consult the CNE prior to introducing new regulations, as was the case with the rules on parallel voting, on COVID-19 preventive measures during elections, and on voting in hospitals and COVID-19 isolation centres.

Recommendation: Consult the CNE in a consistent and systematic manner when preparing the regulatory framework for elections.

The amendment also required the STAE to consult the CNE on the codes of conduct for candidates, observers, party agents, and media. This consultation was made in general terms, but without a meaningful exchange or involvement of the CNE.

The first amendment to the Voter Registration Law, introduced on 8 September 2021, specified that only documents issued by official authorities were accepted for registration. It introduced biometric registration of voters and the inclusion of an electronic chip in the voter card to be implemented in the future, in addition to the distribution to CNE and the political parties of updated voter registers. The Court of Appeal considered Article 17/2 of the amendment to the Law on Voter Registration, regarding sharing of private data with financial and telecommunication institutions, was in violation of the constitutional right to personal data protection.⁶

Late introduction of amendments to regulations did not constitute good legislative practice and risked creating uncertainty and diminished confidence in the legal framework. Ten regulations were passed by the government in January 2022 with only a short period of two months for awareness-raising before election day. Notwithstanding the late approval and lack of awareness-raising, EU observers reported that municipal-level election management bodies were familiar with the changes. It was clear that other mission interlocutors, including domestic observers, were unaware of the recent regulations.

Recommendation: Undertake legal reform, including introduction of regulations, early enough in the electoral cycle to provide stakeholders time to understand and prepare for the new rules.

Regulations address nomination of candidates, electoral propaganda, media coverage, and prison, hospital and COVID-19 isolation centre voting. The distinction between election observers and monitors was also newly regulated, with the latter coming from parastatal institutions including the PDHJ, the Civil Service Commission, and the Anti-Corruption Commission.

6. ELECTORAL ADMINISTRATION

Professional election management and preparations contributed to public confidence in the electoral authorities

6.1 Structure and composition of the Electoral Administration

The administration of elections falls under the responsibility of two electoral management bodies (EMBs), the CNE and the STAE. The CNE is an independent permanent collegial body mandated to supervise the conduct of the elections and guarantee that constitutional and legal principles and provisions related to the electoral processes are respected. The STAE is an autonomous service under the oversight of the Ministry of State Administration. It is responsible for the organisation and implementation of elections and holds technical and administrative autonomy.

The CNE selection process was seen as a way of balancing the political forces within the electoral authority and to include representatives of the judiciary. Of its seven members, one is appointed by the President of the Republic, one by the Government, three by the National Parliament, one judge

⁶ Court of Appeal Case No. 02/2021/TR. The court considered Article 17/2 of the Amendment to the Voter Registration Law in violation of Article 38 of the Constitution on the protection of personal data.

appointed among peers, and one judge from the Attorney General’s Office. Only one commissioner is a woman. The CNE President is elected by the parliament from amongst the CNE members. The law guarantees CNE tenure and independence of mandate, with a five-year term, renewable once. Throughout the electoral process, the CNE showed capacity to fulfil its mandate independently and acted in a transparent and accountable manner.

The CNE’s national structure was improved with the 2022 amendment creating the CNE permanent secretariat (SPCNE), including three national directorates. Country-wide the CNE is represented in 12 municipal offices and in the Special Administrative Region of Oecuse-Ambeno (RAEOA). The decentralised municipal SPCNEs, headed by a CNE official, were responsible for coordinating technical, logistical, and administrative issues. This structure was sufficient and adequate to allow the CNE to fulfil its supervisory mandate. The CNE made efforts to promote women in executive positions, and also included questions for the presidential debate on women’s political participation.

The CNE is mandated to supervise voter registration, the electoral campaign, and to conduct civic education and compile provisional national election results. It also approves the Codes of Conduct for candidates, observers, political parties, and the media. The CNE’s mandate regarding political finance oversight is not explicitly spelled out in the law. All public institutions, including the STAE, are required to assist the CNE in electoral matters. EU observers reported on the presence of CNE supervisors countrywide in addition to the presence of commissioners assigned oversight duties in municipalities.

The STAE has a technocratic composition, headed by a General Director and supported by three national directorates, ten departments, and 23 sub-divisions. Like the CNE, it has 12 permanent municipal offices and one in RAEOA. The STAE prepares and implements all administrative and logistical aspects of the elections, including updates to the voter register. The STAE was sufficiently resourced and performed efficiently and professionally. The STAE published a detailed electoral calendar by 17 January 2022, including the legal timeline for the run-off.⁷ Good planning and a motivated staff delivered inclusive and well-managed elections.

Stakeholders expressed confidence in the EMBs’ professionalism, experience, efficiency, and independence. The EMBs held inter-institutional dialogues and conducted informal conflict mitigation efforts. Throughout the electoral process, the EMBs frequently consulted with parties, candidates, police, local authorities, youth groups, civil society, and the media on electoral preparations.

6.2 Decision-making and public communication

Transparency in CNE decision-making was satisfactory, and enhanced through the consultation with stakeholders. Publication of all plenary decisions in the official gazette could further enhance transparency in CNE decision-making. While some CNE plenary sessions were open to candidate agents and observers, tracking plenary decisions – taken by consensus with a quorum of four members – was not always easy. Yet, a short press release was issued on CNE’s media Facebook page after each meeting to give an account of matters discussed.

Recommendation: Publish all deliberations pertaining to the election process in the official gazette.

The EMBs’ public communication strategies were adequate with press releases, television interviews, and regular postings on the STAE Facebook page and less so on the CNE page. Information on the institutional webpages was not kept up to date. The STAE website had less information, but included a link where the electoral legal framework could be consulted. The CNE website had more information, but was under construction. The CNE and STAE provided links to the municipal and

⁷ Law No. 15/2021, Article 12 (2), stipulates the run-off to be held on the 30th day after the first election. The electoral calendar defined the run-off to take place on the 31st day after the first round, one day past the legal timeline.

national progressive results, which offered accurate and timely information, contributing to public confidence in the tabulation process.

6.3 Administration of the elections

Election preparations remained on track for both electoral rounds. A total of 1,500 polling stations (PS) and 1,200 polling centres (PC) were identified, including nine out-of-country centres in South Korea (1), Portugal (2), United Kingdom (2), Northern Ireland (1), and Australia (3). Updated voter numbers with gender disaggregated information down to 452 *sucos* were available and were shared with candidates. In line with legal requirements, PS lists and voter numbers per *suco* were published in the official gazette within the legal deadline of 30 days before election day.

Election materials such as ballot boxes and indelible ink were procured on time and were in place on election day, according to reports of EU EOM observers. In addition to producing poll worker manuals and voter education spots, the United Nations Development Programme with support from the Government of Japan, provided COVID-19 personal protective equipment, disinfectants, and thermometers. This allowed the STAE to have biosecurity measures in place for election day, including basic sanitary protocols. The STAE decided against measuring body temperatures, as it was felt this could have discouraged participation. Poll workers had to present proof of vaccination against COVID-19.

The CNE trained and deployed 1,500 supervisors countrywide, with a policy to employ youth to monitor the electoral campaign, voting and counting, transportation of election materials, and election day complaints. Supervisors reporting from the field allowed for timely feedback on problems and challenges identified, and quick information sharing between CNE and STAE. CNE commissioners also engaged in supervisory activities and shared information with different state institutions, including the STAE, police, and the Ombudsperson. This allowed STAE to react and take timely measures where necessary. Also, incidents and campaign violations were shared via a WhatsApp group with the STAE and the police for quick assessment and action.

A total of 1,200 PC presidents were trained by STAE in February, and a short refresher course was provided ahead of the run-off. Training was of adequate quality, supported by polling manuals and in some cases Power-Point presentations in Tetun. A cascade training of some 15,000 poll workers, including for out-of-country voting, was organised. The PC presidents conducted the training on election day and counting procedures. The STAE was proficient in preparing poll workers, including the first-time recruitment of many young men and women. Poll workers performed better during the run-off election, probably due to their experience with the first election day.

The printing of some 973,600 ballot papers for each election, including a 10 per cent margin, was managed by the STAE in cooperation with the national printing house. While presidential candidacy is uninominal, some candidacies had pictures of two people on the ballot paper.⁸ Candidates Lú-Olo, Armanda Berta, and Anacleto Bento Ferreira used the FRETILIN, KHUNTO, and the *Partido Democrático Republica de Timor* (PDRT) party symbol next to their pictures, respectively. While the regulatory framework allows candidates to freely choose photographs and symbols that represent them, the result was a lack of uniformity in the representation of the candidates on the ballot paper.

The introduction of absentee voting at three parallel voting centres in Dili contributed to greater voter inclusion. Some 4,030 voters registered for this new voting modality and were able to use an absentee ballot. Operationalisation issues were clearly noted, however, on the first election day when several voters did not find their names at the parallel voting stations. Absentee polling also suffered from a cumbersome registration process, inter-institutional communication shortfalls, limited voter

⁸ Candidate José Ramos-Horta appeared with Xanana Gusmão, Candidate Constancio Pinto appeared with Xavier do Amaral, founder of FRETILIN and the first President of Timor-Leste. Candidate Mariano “Assanami” Sabino Lopes included in the background of his picture Fernando Lassama de Araújo, founder of his party PD. Candidate Martinho Gusmão included a picture of freedom fighter Nicolau Lobato.

information, and was reliant on ambiguous and unclear registration procedures. Both the CNE and the STAE recognised that improvements were needed for parallel voting and that more voter information would be required moving forward.

There was no framework for alterations to the voter register for the run-off election. Voters who did not manage to get registered for parallel voting in the first presidential round could only vote in the *suco* identified on their voter card. Conversely, those who were registered for an absentee ballot could not vote in the *suco* identified on their voter card, but could only vote at the parallel voting centre in which they were registered. A repeat of the first-round confusion at parallel voting centres was avoided as the STAE informed voters about these regulations.

No special voting arrangements were made to improve conditions for the participation of some 38,000 persons with disabilities (PWD) on election day. According to EU observer reports, polling station access was difficult for physically disabled voters, there was no tactile ballot template, nor ramps built for improved access to polling centres. Stakeholders claimed that this led to the disenfranchisement of thousands of voters.

Voting was made available for those in hospital, prison, and quarantine isolation centres. Voters in prophylactic home isolation were not able to vote. The STAE reported operational difficulties in reaching out to voters in home-based isolation.

The EMBs emphasised that bad weather conditions, landslides, poor road conditions, difficult access, remote locations, and the lack of electricity in some *sucos* challenged the operational implementation of the polls. The EMBs coordinated closely with the police on campaign and election day security, including the protection of sensitive materials and polling and tabulation centres.

Civic and Voter Education

Voter education efforts were seen by EU observers to be low key, mostly in the form of posters outside EMB offices explaining the parallel voting procedures, combined with some information on local activities conducted by EMBs. Some information sessions were conducted in universities, secondary schools, hospitals, markets, and with *suco* chiefs. A *Joven Vota* event in Dili, organised by the UNDP with the support of Japan, provided voter information and a polling simulation for young and first-time voters. EU observers noted almost no election-related awareness measures or materials on COVID-19 prevention in the municipalities.

The CNE engaged in limited communication with voters, and this was mostly provided through its Facebook page. With assistance from the UNDP CORE TL project, some good quality Tetun-language messages were produced and shared on social media. Short public service announcements on the importance of the secrecy of the vote, parental responsibility to protect children from participating in political campaign events, and election-related COVID-19 preventive measures were posted on Facebook. These, however, received little user engagement.

Additionally, STAE polling officials (*brigadistas*) were involved in grass-roots voter education activities with the aim to reduce the number of invalid ballots and to deliver accurate, consistent, and reliable information. Topics addressed also emphasised the importance of voting secrecy, active participation, the order of contestants on the ballot paper, and the needs of persons with disabilities.

7. VOTER REGISTRATION

Stakeholders expressed confidence in the quality of the voter register

7.1 The right to vote

The legal framework grants the right to vote to citizens over 17 years of age. The Constitution determines that voter registration is compulsory, active, individual, and universal, and that the voter register must be updated ahead of each election. Timorese living abroad are eligible to vote in

presidential and legislative elections. Prisoners in pre-trial detention and those with convictions are eligible to vote.

The Law for the Election of the President establishes a blanket exclusion on the right to vote for citizens issued with a court issued legal interdiction on the basis of mental health issues. This amounts to a disproportionate restriction on the constitutional right to vote. The law further excludes citizens who are “notoriously and publicly recognised” to be of unsound mind, even in the absence of a judicial decision.

7.2 Voter registration

There were 859,925 registered voters for these presidential polls. Timorese who had attained the age of majority (17) and were on the voter register were eligible to vote. This included the 312 young people who came of voting age between the two rounds. While stakeholders did not express concern about the reliability of the voter register, issues remained, such as the inclusion of a number of deceased and emigrated voters.

A voter register update was conducted by STAE between 1 July 2021 and 14 January 2022 at *postos administrativos*, nationwide. Timor-Leste uses an active voter registration system whereby voters must apply to the STAE, in their area of residency, for inclusion in the voter register. Upon registration the voter is issued a voter card featuring personal and geographical data which allows for identification at polling station on election day. There were 852,812 voters registered to vote in-country, an increase of around 99,000 voters (9.6 per cent) compared to 2018. Registered women made up 48.1 per cent of the total register. The municipality of Dili had the highest number of registered voters at 190,710, followed by Baucau with 96,207 and Ermera with 82,714.

An out-of-country registration update was conducted in the United Kingdom (2,229), in South Korea (1,277), Northern Ireland (1,264), and Portugal (856). The CNE initially cancelled voting in Australia, as the constitutionally required update to the voter register was not undertaken (due to COVID-19 travel restrictions). This CNE decision was subsequently voided by the Court of Appeal as it violated the constitutional right to vote. Therefore, some 1,487 voters were eligible to vote in Australia, the same number as registered for the 2016 elections. Registration and updates for out-of-country voting (OCV) are conditional on prior consular registration and are conducted by commissions under the responsibility of the consular representative, ambassador, or minister of foreign affairs. OCV registration dates are established by the government.

Apart from the legal challenge to OCV in Australia, the EU EOM is unaware of any other complaints in relation to the voter register. While no audit of the voter register has taken place, EU observers reported that STAE employed measures to remove duplicate entries and deceased registrants. Since 1 July 2021, some 15,000 entries were removed from the registry. Yet, the voter register would further benefit from a systematic cleansing to accurately reflect the population registered as voters. In the long term, and with reform to the civil registry and when administrative and technical capacities allow, there could be a move towards passive registration which could permit a more accurate voter register.

Parallel Voter Registration

A total of 4,030 citizens took advantage of the new parallel voter registration. This was an absentee voting mechanism meant to facilitate suffrage for voters in Dili who were unable to return to their normal voting municipality on election day. Many stakeholders welcomed this innovation. However, EU observers noted some operationalisation issues with this first attempt at absentee polling.

Evident inter-institutional communication shortfalls resulted in a number of applicants being left off the parallel voter lists. Though exact numbers were unavailable, this mostly affected students at the University of Timor-Leste, as the Ministry of Education was late in sending the list of applicants to the STAE. It was difficult to know if one made it on the parallel voter list or not, as no proof of

registration was given to the voter, and there was no period for public display of the parallel voter register. Another dimension was that some students failed to correctly register before the 3 March deadline due to cumbersome procedures. Such was the case of those who registered with *suco* chiefs but failed to complete the next registration steps with the STAE. Most stakeholders agree that voter education on parallel voter registration was insufficient.

The CNE and STAE acknowledged that the registration process could be simplified, without intermediaries between voters and the STAE. There are currently several ministries and universities playing a role in the registration process, in contradiction to the voter registration law that attributes to STAE the sole responsibility to update the voter register.

Recommendation: Simplify the parallel voter registration process, which would ideally be organised by the STAE without intermediary institutions.

8. REGISTRATION OF CANDIDATES

Registration of 16 candidates was conducted efficiently by the Court of Appeal

The eligibility criteria require presidential candidates to be a natural-born citizen of Timor-Leste, at least 35 years old, and in full possession of their mental faculties. Article 21 of the Constitution recognises the same rights and duties for all Timorese citizens without discrimination. Nonetheless, article 5 of the Law No. 15/2021 on Election of the President deprives those with a legal interdiction for mental incapacity issued by a court and those with “notorious and publicly recognised unsound mind” from the right to stand, as well as to vote. This discrimination is not in line with international standards and constitutes a barrier to political participation.

Law No. 15/2021 on Election of the President requires candidates to submit supporting signatures from a minimum of 5,000 registered voters, with at least 100 signatures from each municipality. A recent amendment to the law clarifies that the President of the Court of Appeal decides on candidate admissions. Following the 15 January to 4 February registration period, the STAE assisted the Court of Appeal with the cumbersome signature verification process.

Candidates informed the EU EOM of two difficulties with signature collection requirements. Some candidates believed that supporting signatures required certification by a notary, and consequently dedicated much time and resources to revisit signatories to collect original voter cards. In addition, throughout the registration period there was no clarity on whether supporting signatures were required from the newly created municipality of Ataúro. It was not clarified until a 14 February decision of the Court of Appeal that implementation of the supporting signature requirement was unenforceable for Ataúro as its voters list had not been separated from that of the municipality of Dili. Efforts are currently underway to treat Ataúro as a separate municipality for future elections.

A 16 February announcement revealed that, following 17 nominations there was a record number of 16 presidential candidates, including four women. The candidacy of Luis Tilman was rejected as he failed to correct a shortfall in signatures from three municipalities – Liquiçá, Manufahi, and Viqueque. No formal challenges were presented against any of the approved candidatures.

9. CAMPAIGN ENVIRONMENT

Fundamental freedoms were well respected in a competitive environment, while campaign finance remained largely under-regulated

The electoral framework related to the campaign provides for freedom of electoral propaganda, equality of opportunities and treatment for candidates, impartiality of public entities, and transparency and monitoring of electoral accounts. Incitement to violence, slander and discrimination are expressly prohibited, as are vote-buying and voter intimidation. Candidates cannot use names or symbols of state institutions, and campaign materials cannot be anonymous. The penalties for the violation of

campaign rules appear excessive with imprisonment of up to two years in case of illicit propaganda and up to three years in case of vote-buying.⁹

The CNE verifies and ensures compliance with campaign rules and principles. As in previous elections, the CNE facilitated a *Paktu Eleisaun Pasifiku* with participation of traditional authorities. All 16 candidates were represented at the 28 February ceremony and were signatories to the peace pact. Five days prior to the campaign period, candidate representatives provided CNE with a detailed calendar of activities. Where there were overlapping schedules, the CNE mediated to find a solution. EU observers followed 185 campaign events during both two-week campaign periods, and witnessed the presence of CNE monitors in the majority of those events visited.¹⁰

9.1 Electoral campaign – first round presidential elections 19 March

Candidates' motivations to stand differed substantially. Some were using the polls to build a more visible profile for future elections, while the older generation pointed to their historic responsibility and a civic duty. Campaign themes revolved around peace and unity, a return to constitutional order, improved education and employment opportunities for youth, development, as well as a generational transition while honouring the legacy of resistance fighters and veterans. However, although a significant portion of the electorate were first or second-time voters, EU observers reported that only 34 per cent of monitored campaign speeches included specific messages directed to youth, and only 22 per cent had specific messages for women.

Lú-Olo, Ramos-Horta, Lere Anan Timur, Assanami and Armanda Berta organised larger rallies, usually one per municipality. Ramos-Horta and Armanda Berta were viewed as running “proxy campaigns” whereby CNRT leader Xanana Gusmão and Armanda Berta’s husband José dos Santos “Naimori” Bucar often stood in the spotlight to deliver key messages. FRETILIN General Secretary Mari Alkatiri was a regular speaker at Lú-Olo’s campaign events.

The campaign demonstrated genuine competition among contestants, and freedoms of expression, assembly and association were well respected. However, greatly differing financial resources resulted in an uneven playing field. Contestants backed by political parties had considerable operational and financial advantages over other candidates. Lú-Olo was supported by FRETILIN, Ramos-Horta by CNRT, Armanda Berta by KHUNTO, and Assanami by PD. Other candidates supported by political parties were Ângela Freitas (*Partido Trabalhista Timor-Leste – LP*), Anacleto Bento Ferreira (PDRT), and Martinho Gusmão (*Partido Unidade Desenvolvimento Democrático – PUDD*). The unregistered political parties *Partido Os Verdes de Timor – PVT* and *Partido Timor Forte – PATIFOR* also showed their colours in the campaign, mostly in support of Lú-Olo and Ramos-Horta, respectively.

Not all contestants visited the more remote and difficult-to-reach municipalities, resulting in fewer events and a shorter campaign in these locations. EU observers reported that campaign organisers provided transport to participants in over half of the observed events and offered in-kind incentives in around 25 per cent of the observed events. At smaller rallies, journalists, CNE supervisors, observers, and police at times outnumbered campaign followers. The COVID-19 pandemic did not disrupt traditional campaigning, where little to no biosecurity measures were observed.

⁹ Government Decree No. 3/2022; Penal Code, Articles 229-242.

¹⁰ EU observers attended a total of 185 campaign events. During the first round, these were 26 events of Lú-Olo, 17 Ramos-Horta, 14 Assanami, 13 Lere Anan Timur, 12 Armanda Berta dos Santos, and 41 of other candidates. During the second round, there were 62 campaign events, 32 for Lú-Olo and 30 for Ramos-Horta (see Annex B).

A recent regulation on the management of state vehicles appeared to have a positive impact on the campaign environment, as the misuse of state resources was only observed in few campaign events.¹¹ This marked a noticeable improvement in comparison to past electoral processes where the misuse of state resources was a commonly reported element.

As a preventive measure against campaign violence, the CNE requested candidates not to involve martial and ritual arts groups in campaign activities. Law No. 5/2017 on the Practice of Martial and Ritual Arts prohibits the wider association between these groups and political parties, but the electoral campaign is not mentioned in particular. EU observers noted the presence of these groups in less than 20 per cent of all observed events, especially in the activities of Lú-Olo, Armanda Berta, Lere and Ramos-Horta. Following a local initiative, ten different groups took part in a ceremony for peaceful elections alongside municipal authorities and police in Lautém on 1 March.

The campaign took place in a largely calm atmosphere, however there was one campaign-related death and some minor clashes between partisan supporters. EU observers noted the presence of police security in 80 per cent of observed campaign events.

9.2 Electoral campaign – presidential run-off 19 April

Candidates conceded to a request by the Timorese Episcopal Conference to shorten the second campaign period by three days in respect of Easter. In addition to national campaign calendars, contestants presented the CNE with local calendars in several municipalities. EU observers noted that campaign schedule changes were not announced within the established deadlines. The run-off campaign revealed strategy adjustments and re-alignment of messages, with fewer large rallies and more efforts to reach voters through village-level meetings and door-to-door campaigns. Issues affecting women and persons with disabilities were largely absent from campaign messages. As in the first round, the candidates did not visit all municipalities.

Lú-Olo's campaign was a display of governmental unity. In addition to Mari Alkatiri, Prime Minister Taur Matan Ruak (PLP) and Naimori Bucar (KHUNTO) demonstrated support to the incumbent.¹² Another first round candidate to support Lú-Olo was Virgilio da Silva Guterres. With the Prime Minister joining the campaign, promises of financial support for the population became part of Lú-Olo's messaging. Campaign pledges included the introduction of an annual family subsidy in the amount of USD 200 and a new fund for veterans. There were also reminders of recent government decisions to introduce subsidies for the elderly and increase the salaries for village leaders.

Ramos-Horta received support from CNRT networks, Assanami, and a range of other first round candidates and smaller political parties. Despite fewer rallies, the candidate was seen as more active on the campaign trail than before. Restoring constitutional order remained an important theme. He promised better education, improved health services, increased family allowances, and good international relations, while accusing the government of inactivity, mismanagement and corruption, and Lú-Olo himself for violating the Constitution.

Unregistered political parties continued to play a role in the campaign, with *Patifor* supporting Ramos-Horta and *Os Verdes* supporting Lú-Olo. While some political parties and first-round candidates made their support clear, others remained non-committal or split. A number of local KHUNTO coordinators deviated from the party's official position when they expressed support for Ramos-Horta and CNRT. Similar factional lines were reported within PD and PLP, and the smaller

¹¹ Government Resolution No. 130/2021 (for management and reallocation of state vehicles) was passed in relation to increasing costs of fuel and maintenance of state vehicles used by civil servants. As a substitute, decree 21/2021 provides civil servants with a monthly travel allowance. The Ministry of Finance, through resolution VIII/GM-MF/2022-01, is in charge of organising and coordinating the enforcement of this policy.

¹² First-round KHUNTO candidate Armanda Berta was Acting Prime Minister while Taur Matan Ruak took leave of office until 20 April to join the campaign.

PUDD and FM. FRETILIN communicated at times that first-round candidate Lere Anan Timur supported Lú-Olo, while Lere himself did not issue an endorsement.

Lere supporters did not attend Lú-Olo's rally in his home municipality of Lautém, where FRETILIN support stayed below expectations with around 500 attendees, but Ramos-Horta exceeded expectations with over 5,000 attendees, many attracted by Assanami and PD. This was a characterising moment for the end of the campaign period. Lú-Olo did not campaign at his own rally in Dili on the day after. His final rally in Liquiça was poorly attended, while Ramos-Horta's end of campaign in Dili attracted over 5,000 participants.

Candidates courted martial and ritual arts groups more intensely in the run-off. Ramos-Horta stated that they should not be criminalised, but educated, and also welcomed their support. This was more explicit on Lú-Olo's side, as Alkatiri was the first to promise training centres and headquarters for martial and ritual arts groups. The ritual arts group KORKA, known for its association with KHUNTO, gathered over 10,000 members for an annual event in Ainaro on 12 April. Taur Matan Ruak and Alkatiri attended the event to address the group.

By the end of the campaign period, both candidates' campaigns became focused on governmental programmes and effectively turned the presidential election into a vote on the composition of government. Both campaigns made unsubstantiated claims of vote-buying and of intimidation during the last days ahead of the polls, however the overall environment remained peaceful, with few incidents. Reflective of efforts to increase electoral participation, the government released civil servants from their duties from 14 April to 20 April, offered transportation for any voter to travel from Dili to the other municipalities, and reminded local administrators to encourage the population to go and vote.

9.3 Campaign finance

A vague and incomplete campaign finance framework undermined candidates' equality of opportunity and lacks transparency and accountability

The CNE is the responsible oversight body, but lacks a clear mandate to supervise political party and campaign finance.¹³ The CNE's responsibilities in this field are briefly referred to in the Law on Financing of Political Parties and in Government Decree No. 3/2021 Regulating the Electoral Campaign and Propaganda, but this mandate is not spelled out in the Law No. 16/2021 on the Election Administration Bodies.

Recommendation: Strengthen campaign finance oversight by giving the CNE a clear competency in this field and empower this body to take a more assertive and proactive role.

The legal framework for campaign finance as it pertains to the presidential elections is vague and incomplete. The law remains without a clear set of rules for presidential candidates, as it is essentially written for political parties, and relies on Governmental Decree No.3/2022 to regulate the candidates' campaign. At the same time, the law does not distinguish between candidates who contest the elections with the support of political parties and those who do not. This raises questions regarding the equality of opportunity, as political parties with parliamentary representation receive public funding that may

¹³ The legal framework for political and campaign finance is disperse and requires consolidation. Relevant provisions can be found in the Law No. 2/2016 on Political Parties, the Law No. 15/2021 on the Election of the President, the Law No. 6/2008 on Financing of Political Parties, Government Decree No. 3/2022 Regulating the Electoral Campaign and Propaganda, and Government Decree No. 6/2018 fixing the value of campaign subsidies.

be used as a source of campaign finance, contributing to structural and financial advantages over candidates running without political party support.¹⁴

There is also a considerable lack of transparency, as further gaps in the legislation include the absence of a clear definition of a donation, the absence of disclosure requirements for donors' identities and all sources of financial income, and the lack of a requirement to report in-kind donations. With no ceilings on donor contributions nor on campaign expenditures, there results an uneven playing field between well-resourced and poorly resourced contestants.

The lack of transparency is compounded by shortcomings in accountability, including for public funding. The legal framework does not contain uniform or proportionate sanctions for breaches of campaign finance provisions, and the CNE has no sanctioning authority to reinforce campaign finance reporting. The CNE form for candidates to submit their campaign finance reports is not fully in line with legal requirements. Candidates are prompted to report more on campaign expenditures than on sources of funding; incomes from political parties, which may include public funding, do not have to be explicitly declared; and reporting on advertising expenditures in traditional and social media is not requested.

The CNE briefed the campaign teams on their reporting requirements prior to the elections, and all candidates submitted their reports for the first round on time. The CNE must verify the candidates' reports and publish these reports, along with its opinion, in the official gazette.¹⁵ The CNE confirmed to EU observers that these reports were not published following the 2017 and 2018 polls, despite having received the contestants' finance reports.

Recommendation: Review campaign finance rules and reporting requirements to strengthen equality, transparency, and accountability in the electoral process.

There is public funding in the form of a campaign subsidy for candidates. This is positive in that it supports a broader electoral participation, but the framework lacks predictability with a wide potential pay gap and applicability to the run-off. Based on the Law on Financing of Political Parties, each candidate is entitled to receive a subsidy between USD 1 and 10 for each vote received, set at USD 4 in 2018 (retrospectively for 2017).¹⁶ Ahead of the 2022 presidential elections, it was unclear whether government decree No. 6/2018 still applied. As this is not regulated in Law No. 15/2021 on the Election of the President, the legal framework is also ambiguous as to whether or not the campaign subsidies apply to the second round. There is no precedent, as the post-campaign subsidy for presidential candidates hitherto only applied to the 2017 elections and there was only one round.

The calculation of the value of the subsidy is based on the court decision validating the first round results. The sums should be paid to each candidate within thirty days from the publication of this decision, which did not happen for these elections. The CNE, which is the responsible body to administer the annual subsidies for political parties, is not tasked to do the same in the case of campaign subsidies which are administered by the Ministry of Finance. Subsequently, the payment

¹⁴ Law No. 6/2008, Article 11.2, establishes that 50 per cent of the public funding for political parties shall be equally divided among all political parties with parliamentary representation, and 50 per cent shall be allocated according to proportional representation as achieved by the parties. The Court of Appeal (01/2008TR) ruled that the share based on proportionality is unconstitutional. Subsequently, the subvention has been provided as a fixed sum per representative, calculated as an equal share of the overall annual political party subvention. Since 2014, the available total per annum has been USD six million, resulting in an annual subsidy per member of parliament in the amount of USD 92,307.

¹⁵ The candidates' reporting deadline for the second round as well as the CNE deadlines to verify all candidates' reports and publish its audit reports following the 2022 presidential elections lie beyond the EOM timeframe.

¹⁶ In 2012, presidential candidates received a fixed amount prior to the elections. This was reportedly misused by some contestants, and the payment of campaign subsidies was subsequently transferred to occur after the elections. Subsidies for presidential candidates in 2017 were paid belatedly in 2018 as no regular state budget was in place.

of these subsidies is not contingent on the accuracy of the candidates' campaign finance reporting to CNE, raising additional questions on accountability.

Decisions on the payment of these subsidies ultimately lie with the government after the elections, giving this procedure an arbitrary character. Based on the first round alone, and if a USD 4 subsidy is still applied, José Ramos-Horta is entitled to receive over USD 1.2 million and Lú-Olo close to USD 580,000. If a USD 4 subsidy is also applied to the second round, the total reimbursement for the run-off candidates would increase substantially.

Recommendation: Introduce more certainty and accountability into the allocation of campaign subsidies to be administered by CNE.

10. MEDIA

Media covered the campaign without restrictions, while a generous allocation of free airtime ensured candidates' presence in both public and private media

10.1 Legal framework

The legal framework provides an adequate basis for freedom of expression and freedom of the press. The Constitution explicitly prohibits censorship, guarantees the right to privacy, and forbids concentration of media ownership. However, regulations in the Penal Code on defamation go against international standards on freedom of expression. The Decree Law No. 43/2016 on Regulations to Access Official Documents does not unreasonably restrict access to public information, while in practice journalists complain of limited availability of information from state institutions.

Law No. 5/2014 on the Media provides sufficient guarantees for the freedom of the press, balances fundamental freedoms and constitutionally protected rights, and sets out the rights and obligations of journalists. It defines media as the dissemination of information through written text, sound or image made available to the public, regardless of the means for its reproduction or dissemination. On 26 April 2022, the National Parliament passed a first reading of a new media law which further regulates media broadcasting, including the use of internet-based platforms. The draft Law No. 35/V(4) on Broadcasting also introduces a classification for broadcast programmes, regulates political propaganda and free airtime, and mandates the Press Council as the supervisory entity overseeing all media content. The latter implies a significant broadening of the Press Council's authority. The law awaits further discussion in the National Parliament which is to include consultation with media professionals.

The Press Council, the media self-regulatory and sanctioning body, is widely respected within the media community and is perceived as independent. The Press Council oversees compliance with a range of regulations for journalists and media outlets. However, due to limited resources, its media monitoring unit is staffed with only seven monitors to follow 37 media outlets. As such, the Press Council concentrated on print and online news media monitoring, while broadcast media was monitored upon claims of misconduct or suspicion of bias. At the time of reporting, findings from the Press Council's media monitoring during the campaign had not been made public.

The Law No. 15/2021 on the Election of the President states that the campaign must encompass the guiding principle of equality of opportunity and treatment of all candidates. The CNE is mandated with verifying compliance with this principle in the public media, but the law is not specific on how the CNE should exercise its oversight to ensure the media is compliant. Moreover, the CNE lacks sanctioning powers and may only issue warnings when irregularities are detected. In cases of repeated non-compliance, they may initiate a criminal procedure for disobedience. In the past five years, the CNE has lobbied the government in its regulatory capacity and the parliament in its legislative capacity to further define measures to enable it to better fulfil its mandate of overseeing adherence to campaign principles.

Recommendation: Further define measures, such as the authority to sanction, to enable the CNE to better fulfil its mandate to oversee the media’s adherence to campaign principles, including equality of opportunity and treatment of all candidates.

10.2 Media environment

A pluralistic media landscape¹⁷ allowed for diverse editorial policies and programming, yet the media lacked content diversity and meaningful analysis of the political discourse, reducing voters’ chances to make an informed choice. Even though the Timor-Leste Journalists Association (AJTL) and the government provided training courses on the basics of journalism, fact-checking, the use of software in live reporting, and using online space to fight gender violence, there is a general lack of experience on how to apply journalistic scrutiny when covering elections.

The CNE organised candidate debates during the elections, and in the first round selected private *Grupo Media Nacional* (GMN TV) for live transmission, citing a lower cost offer than that of the public broadcaster. The debate’s format and technical problems during transmission lead to criticism from several candidates, including written complaints submitted to CNE by the Lú-Olo campaign and by the public broadcaster. The debate lasted 6.5 hours and did not provide opportunity for a meaningful exchange. The debate for the run-off was broadcast on *Rádio-Televisão Timor-Leste* (RTTL TV), and while the two candidates had plenty of time to discuss policies, much of the discussion revolved around the interpretation of the Constitution, the political crisis of 2020, and candidates accusing each other of misinterpreting the law.

According to an October 2021 government survey, more than half the population used online and social media as a source of information, 26 per cent watched TV, 14 per cent radio, and only 4 percent read newspapers, which were mostly subscribed to by government agencies and administrative bodies. Access to online news, and the price of newspapers for people living in rural areas further reduce readership. The public broadcaster, RTTL TV, with nation-wide coverage, was the most watched and trusted TV channel as a source of political news. Community radios were an important source of information in rural areas with scarce internet access or TV broadcast. While 17 community radio stations operate across the country, economic problems have left most of these outlets struggling, diminishing their potential as a valuable source of electoral information.

Recommendation: Increase financial and technical support to community radios, while respecting their editorial independence, to enable them to better disseminate electoral information.

The pandemic negatively affected media houses’ advertising revenue and journalists’ working conditions. The Press Council launched *Reporting Guidelines During COVID-19* in 2020, to provide clear and credible information to journalists on World Health Organisation safety protocols. Additionally, the Decree Law No. 1/2022 allocated USD 5/day subsidy for frontline journalists working with the Crisis Management Centre during the COVID-19 emergency. Regrettably, this subsidy, meant for protective materials, was not paid to journalist before or during the elections, despite the Timor-Leste Press Union pressuring the government to accelerate the payment process to over 500 journalists from broadcast, print, and online media.¹⁸

Overall, journalists could work freely, without threat or intimidation during the elections. Of the 27 local radios visited by observers, four reported applying self-censorship mainly in relation to cultural sensitivities.

¹⁷ A total of 5 TV stations, 17 community radios, some private radios, 8 daily newspapers, and 7 online media are licensed in Timor-Leste.

¹⁸ GMN TV news on 15 April 2022.

10.3 Media and elections

To verify impartiality of media campaign coverage and equal opportunity and access to the public media for candidates, the CNE developed a complaint form on campaign activities to be filed by CNE supervisors in the field. The form contained questions about the impartiality of social public communication, equal access to public and private media, and allocation of free airtime. The complaint form was not a sufficient tool for the CNE to effectively supervise possible breaches of campaign regulations. The electoral authority lacks a professional media monitoring methodology.

In addition to monitoring for compliance with the Journalists Code of Ethics, Guidelines for the Media and Journalists During Elections, the Media Law, and the Social Media Guidelines for Journalists, the Press Council also monitored hate speech and gender balance in the media. After the first round, the Press Council notified and warned an undisclosed number of journalists who campaigned on their private Facebook pages for candidates. Also, some media were identified as providing imbalanced campaign coverage. While the Press Council is mandated to issue administrative sanctions to those who committed infractions, such as suspending or revoking journalists' accreditations, it can also issue fines. However, the procedures for issuing and collecting the fines are not specified in the law, and as a result, the Press Council has never issued any.

The Press Council developed and distributed the Guidelines for the Media and Journalists During Elections¹⁹ to prevent information manipulation and to avoid possible interventions of political parties and candidates. EU observers reported that unlike the public and private media based in the capital, more than half of the community radios did not receive the guidelines, nor did they participate in specific training on how to cover the elections. Even though 240 local journalists from public and private media were accredited by STAE to cover the voting and counting procedures, some community radios did not receive timely information about the application process and deadline of 8 March, and regarded the application procedure via the Press Council at the national level as cumbersome.

For the run-off, RTTL TV continued to air its free 3-minute electoral programme, *Our President*, featuring the two candidates. However, the programme aired during primetime news without being labelled as free airtime (*Direitu de Antena*), in breach of the Electoral Reporting Guidelines which specifies that the news segment shall not broadcast political advertisements.

Recommendation: Distinguish between editorial and advertising content by ensuring political advertising is clearly identified as such, and broadcast outside of the news segment.

10.4 EU EOM media monitoring – first round presidential elections, 19 March

EU EOM monitoring²⁰ revealed that all public and private media outlets – apart from *Rádio e Televisão Maubere* (RTM) Radio – complied with the CNE's request to provide free airtime (*Direito de Antena*) to all 16 candidates. The state broadcaster, RTTL, provided the most free airtime to candidates (RTTL TV almost 14 hours compared to GMN TV's 10 hours, and RTL Radio provided 13 hours), consequently free airtime dominated the election coverage on the public broadcaster (see Annex C, chart 1.1). RTTL TV aired two free daily primetime programmes, *Our President* and *President Speaks*, which provided space (3 and 10 minutes, respectively) to all candidates. Moreover, RTTL TV allocated a media team to each candidate, accompanying them on the campaign trail, creating content for *Our President*, and providing valuable broadcast exposure to independent candidates with limited resources. Private GMN TV also allocated 16 journalists with camera crews to cover candidates on the campaign trail.

¹⁹ The Guidelines were developed with the support of UNDP and the Government of Japan.

²⁰ The EU EOM Media Monitoring Unit quantitatively monitored the two main TV stations, RTTL TV and GMN TV, the public radio RTL, and the FRETILIN-owned *Rádio Maubere*.

Despite sustained efforts to allocate free airtime to all candidates, the public broadcaster did not ensure a level playing field in its editorial programming. RTTL TV provided news and live coverage to almost all candidates to a varying degree, (see chart 1.2), in a positive or neutral tone (see chart 1.6). Its campaign news coverage was imbalanced as Lú-Olo and Lere were the most featured candidates, followed by Ramos-Horta, while independent candidates Felisberto Araújo Duarte, Anacleto Bento Ferreira, and Hermes Barros were featured only once (see chart 1.4). A woman candidate, Ângela Freitas, received most of RTTL TV's live coverage (27 per cent). This included a live debate with another woman candidate, Milena Pires, during evening primetime.

GMN TV's free prime-time electoral programme, *Grande Entrevista*, featured 13 candidates from the beginning of February, providing a popular platform for candidates to introduce their campaign programmes.²¹ Despite no limits to paid advertisements in the media, Ramos-Horta was the only candidate to purchase advertising on GMN TV. While Assanami received the most editorial coverage (20.6 per cent, followed by Ramos-Horta's 15 per cent), most of its news coverage was given to Ramos-Horta (21 per cent), while other candidates were given 1 to 8 per cent each, in breach of the principle of equality of opportunity and treatment of candidates (see chart 1.4).

FRETILIN's RTM Radio was particularly biased and provided almost exclusive coverage of Lú-Olo's campaign, with over 97 per cent of its live campaign coverage going to the candidate (see chart 1.8). This amounted to live propaganda for Lú-Olo, especially as RTM Radio did not provide a news segment in its first-round reporting on the elections. This gross imbalance in coverage was in violation of the requirement to grant equal opportunity and treatment to all candidates.

Regarding gender balance in monitored media outlets, overall, the four women candidates received adequate airtime corresponding to their proportion in the electoral campaign: 27.6 per cent of the political coverage on RTTL TV, 25 per cent on RTL radio, and 21 per cent on GMN TV respectively (see chart 1.11). RTM radio provided no coverage of women candidates.

10.5 EU EOM media monitoring – presidential run-off, 19 April

EU EOM media monitoring revealed that public broadcaster RTTL TV fulfilled its legal obligation and provided equitable editorial coverage (including news, live, and other programmes, see chart 2.2), and news coverage to Ramos-Horta and Lú-Olo (see chart 2.4) in a neutral or positive tone. However, public RTL Radio provided significantly more airtime in its primetime programming to Lú-Olo, who featured in 58 per cent of the total editorial coverage allocated to candidates (see chart 2.7), and also received 75 per cent of the news coverage (see chart 2.9).

Public TV and radio also fulfilled their legal obligation to provide equal free airtime to both candidates, however Ramos-Horta featured twice as much as Lú-Olo who did not fully take up the offer of free airtime. RTTL TV's free 3-minute electoral programme, *Our President*, featured both candidates, while its hour-long programme, *Esklusivu*, featured the Prime Minister and Ramos-Horta, but not Lú-Olo, who did not use this opportunity.

Private GMN TV's editorial and news coverage continued to favour Ramos-Horta, who received 71 per cent of the total news coverage allotted to candidates compared to 29 per cent for Lú-Olo (see chart 2.2). Additionally, Lú-Olo declined to participate in GMN TV's free programmes *Grande Entrevista* and *Talk to Me*. EU EOM media monitoring did not detect any paid advertising during the run-off.

RTM Radio continued to broadcast live campaign activities, almost exclusively covering Lú-Olo (see chart 2.7). This was in violation of the requirement to grant equal opportunity and treatment to the candidates. RTM Radio also failed to provide free airtime to Ramos-Horta.

²¹ Lú-Olo, Assanami, and Armanda Berta did not take up the invitation.

Audio-visual voter education spots were broadcast on RTTL TV and radio starting five days before election day, and with less frequency compared to the first round. Municipal-level CNE and STAE staff continued to participate in interviews on community radios to share election-related messages in absence of voter education spots. Most community radio stations offered free space to candidates, however this was not taken up in half of the outlets visited by EU observers in the first round, and neither candidate accepted offers of free airtime in the run-off, reducing voters' ability to make an informed choice.

Women candidates received equitable airtime on most monitored public and private media during the first round. However, they became nearly invisible during the run-off as none of them supported the remaining candidates. Their presence was detected only on RTTL TV, where they received four per cent of the coverage across all monitored programmes (see chart 2.11). The lack of women's media presence in the run-off indicated that they were only allocated space in prime-time broadcast when they featured as candidates during the campaign. In general terms, women – from candidates to election officials to civil servants – lacked real media presence.

Campaign silence was respected in the monitored traditional media during both rounds of elections.

11. SOCIAL MEDIA AND DIGITAL RIGHTS

Mostly calm and respectful social media campaigns attracted modest engagement from users

11.1 Legal framework

The legislation pertaining to elections does not contain any specific provisions for social media nor limits to paid online advertising, and the CNE does not monitor social media. While fundamental freedoms are recognised and protected, vaguely worded laws could potentially be used to curb criticism. A broad definition of media potentially brings much online activity under the scope of Law No. 5/2014 on the Media, which has never been amended, despite calls to review the articles related to restrictions on the definition of journalistic work.

Recent draft laws raise concerns about the potential for abuse against those critical of authorities. The proposed Criminal Defamation (2020) and Cybercrime (2021) laws fall short of international standards, threaten internet freedoms, and fail to adequately protect the right to privacy.²² The draft Criminal Defamation Law, which sought to reinstate criminal sanctions for offences against public officials, was shelved after massive protests by local civil society, students, activists, academia, and the media. The draft Cybercrime Law submitted to the National Parliament by the Government in January 2021 was also temporarily shelved. Journalists and civil society organisations are concerned that the application of certain provisions of the law could lead to closure of civil society organisations, media houses, and businesses.²³

11.2 Social media environment

Facebook dominated social media preferences, with about 400,000 users, representing one third of the population (but three quarters of internet users). While social media expanded significantly in recent years in Timor-Leste, the little research that has been conducted was focused on user numbers. There was almost no understanding of user behaviour and, as such, political actors had difficulties creating content that engaged users. A large difference was observed between the mean and the median of the interaction rate of posts. This suggests that a small number of highly performing posts are responsible for most user engagement, while the rest generate much less. User engagement was

²² [Timor-Leste: Internet Freedoms Under Threat. Source: Asia Centre.](#)

²³ Articles 11 and 12 permit the temporary or permanent closure of an entity or project. This could result in the closure of media organisations, civil society organisations, and other businesses, which is incompatible with the freedom of association. See International Center for Not-for-Profit [report](#).

generally modest, with videos performing better overall than other types of content (see *Mean and median interaction rate* chart in Annex D).

Verifika Faktus was the only fact-checking initiative in Timor-Leste. Established in 2018 by a journalist, it became inactive due to lack of resources. The State Secretary for Social Communications (SECOM) had a team monitoring social media for fake news and kept a database of incidents, but did not publish its findings.

11.3 Social media and elections

Nearly all candidates had some social media presence, but only half of them had a significant on-line campaign, almost exclusively on Facebook. Political parties were present on social media through pages as well as groups. There were instances of several pages supporting the same party or presidential candidate, which made it difficult for the public to determine which was the official voice of the actors on social media platforms. Except for the personal page of Ramos-Horta, no other page belonging to a political actor had Facebook's blue verified badge.

Social media was not used as a medium for debate and current issues rarely reverberated on the on-line platforms. Political actors generally treated social media like an announcement board, replicating their messages without adapting them to the medium or the audience. Electoral programmes were sometimes presented in lengthy posts and rarely touched upon issues relevant to the predominantly young audience present on-line (see *Estimated number of Facebook users* chart in Annex D).

Information manipulation was not a phenomenon during the elections. Isolated attempts during the campaign were often rejected by users in the comments and failed to gain traction. The country experienced a wave of information manipulation during the pandemic and, although interlocutors were aware of its disruptive potential, none expressed serious concerns.

Paid advertising on social media was used mostly by the lead candidates and with little transparency. Meta, the company that owns Facebook, classified the Timorese elections as low-risk and, in the absence of any engagement from the Timorese institutions, the platform's tools for safeguarding elections were not activated in Timor-Leste. As such, Meta's Facebook Ad Library did not display data about the budgets and audiences of political advertisements, a key measure to increase transparency of on-line campaign spending.

Recommendation: Engage in constructive dialogue with social media platforms to safeguard the online campaign environment, in terms of transparent paid political advertising and adequate mechanisms to address potential attempts at information manipulation.

11.4 EU EOM social media monitoring – presidential elections, 19 March

In the first round campaign, candidate pages were responsible for 70 per cent of the posts on monitored pages/groups, and the rest belonged to party or support pages.²⁴ One fifth of posts represented live videos of campaign events, used in particular by the campaigns of Lú-Olo, Felisberto Araújo Duarte, Armanda Berta, and Assanami. Topics that would resonate with young audiences, like the economy, education, and the environment, were present in only 17 per cent of posts.

The campaign on social media unfolded in a calm and respectful manner. With notable exceptions, messages generally did not refer to opponents or their electoral platforms. Lú-Olo and FRETILIN's pages criticised Ramos-Horta's reference to a constitutional crisis. These criticisms were subject to rebuttals from *VOTA Dr. José Ramos-Horta* and CNRT pages.

²⁴ The EU EOM Social Media Monitoring Unit analysed a selection of public Facebook pages and groups belonging to candidates, political parties, campaign teams, and supporters. Forty pages and nine groups were selected for the first round and 14 pages for the second round. Materials posted in the two campaign periods were evaluated for their content and any inflammatory language or hate-speech.

The campaign silence period was ignored on social media by nearly all candidates. On 17 and 18 March, 12 candidates posted campaign materials on their personal or their support pages, and active advertisements were observed for three candidates. On election day, the candidate pages of Lú-Olo, Lere, and Ramos-Horta, and the CNRT page ran advertisements.

11.5 EU EOM social media monitoring – presidential run-off, 19 April

Following the first round, most candidate Facebook pages and candidate support pages thanked voters for their support and posted updates about endorsements from the eliminated competitors and their supporting political parties. While electoral material continued to be posted between the two campaign periods, the pace of social media campaigning picked up once the candidates' ballot placement order was drawn, and the official campaign period started on 2 April.

The two remaining candidates adjusted their social media strategies for the run-off. Contestants contracted more paid advertising than in the first round and CNRT was by far the most active. The Lú-Olo campaign posted messages about various measures to offer financial support to families, the elderly, and local administration officials. Martial arts groups were also promised support in the form of premises as well as regulation of their activity. Ramos-Horta used his personal page to campaign more actively than in the first round, posting numerous live videos from campaign events, while his support page *Vota Dr. José Ramos-Horta* posted a series of videos of testimonials from supporters, including one from a person with a disability. Initially, the CNRT Facebook page posted content about previous activities of Xanana Gusmão and a few posts promoting Ramos-Horta, but the last days of the campaign were devoted to personal attacks against Lú-Olo, Taur Matan Ruak, Mari Alkatiri, and Naimori Bucar, culminating with a post mocking Lú-Olo after the closing of the polls.

As in the first round, the electoral silence period was not respected on social media by either candidate, as both campaigns continued to solicit the vote right up to and including election day.

12. PARTICIPATION OF WOMEN

A record number of four women candidates ran for the presidency, but gender equality in decision-making positions has yet to be achieved

Timor-Leste has ratified the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW). Gender equality is entrenched in article 17 of the Constitution and a one-in-three quota has improved gender representation in the National Parliament. Timor-Leste has one of the highest proportion of women in parliament globally and the highest rate in Asia and the Pacific with 38 per cent (26 out of 65 seats were occupied by women). A 30 per cent quota for women in Municipal Authorities aims at increasing political participation also at local level.

However, the capacity of women politicians to enjoy full equality in the exercise of political power requires further actions. Timor-Leste's patriarchal social and gender norms remain deeply rooted and contribute to legitimising a secondary role for women. In addition, there is prevalent domestic violence against women and girls, constituting a deterrent for a more inclusive and substantial participation of women in public life.²⁵

Recommendation: Promote effective measures, such as introduction of a quota, for women to reach representation parity in all elected positions and party executive bodies.

Women participated in lower numbers than men at campaign events, and fewer speakers were women. Campaign messages were rarely aimed at issues affecting women such as parity in decision-

²⁵ The 2016 Demographic and Health Survey reported that more than a third (38 per cent) of women have experienced physical/sexual intimate partner violence during their lifetime. The Nabilan Study suggests that prevalence is at 59 per cent, while over 80 per cent of men and women in Timor-Leste believe domestic violence is justifiable. Source: *Women's Needs and Gender Equality in Timor-Leste's COVID-19 Response*.

making. One of the four women candidates prominently advocated for women's political empowerment and equality, but the remaining three women candidates mainly upheld traditional gender roles.

The Women's Parliamentary Group (*Grupo das Mulheres Parlamentares de Timor-Leste*) underlined that the ratio of women's representation in government remains at 16 per cent, with three women ministers out of 18 ministries including the vice-prime minister. The structure of government includes a State Secretary of Equality and Inclusion, also led by a woman. Regarding the electoral administration, the seven-member CNE has one woman commissioner appointed by the National Parliament, while the STAE's three national directors are men and four of the ten department heads are women.

Several Timorese women's rights organisations, *inter alia*, Alola Foundation, *Movimentu Feto Foin Sae Timor-Leste* (MOFFE TL), and *Caucus feto lha politika* (Caucus Women in Politics), as well as international organisations were active in pushing for the elimination of gender-based violence²⁶ and the promotion of gender inclusive political participation. *Rede Feto Timor-Leste* (The Women's Network for East-Timor), an umbrella organisation for women's groups, developed a strategic plan to support women leaders for the 2022 elections, but due to a lack of funding was only able to undertake initiatives on civic education and training of women community leaders.

Asociasaun Feto Juristas Timor-Leste (Women Lawyers Association of Timor-Leste) deployed 15 observers to follow the elections. They focused their observation on whether women candidate agents and polling officials were provided safety for their physical integrity to be able to perform their duties during elections. A finding of this observation highlighted that the younger generation of women was better informed about their rights and voted freely without accommodating family political choices.

13. PARTICIPATION OF PERSONS WITH DISABILITIES

Greater efforts are required to promote the effective political participation of persons with disabilities

Notwithstanding the principle of equal rights enshrined in the Constitution, persons with disabilities are still stigmatised and suffer social discrimination. Some 38,000 Timorese live with some kind of disability and only 25 per cent have access to formal education. Persons with disabilities are under-represented in elective bodies and their views are not sufficiently included in policy initiatives. Human rights organisations are lobbying for the 2022 Census to collect disabilities information to allow for improved inclusion. At the time of writing, Timor-Leste was in the process of ratifying the Convention on the Rights of Person with Disabilities (CRPD).²⁷

No specific measures to facilitate the vote of persons with disabilities were introduced through law or implemented by STAE for the 2022 elections. The initiative to introduce a ballot in braille for this election was rejected by the parliament, seemingly for lack of data on how many braille readers would benefit from this measure. Difficult physical access to polling stations constituted a barrier to political participation for many persons with disabilities. Proposals addressing the political participation of persons with disabilities or projects to enhance inclusivity were absent from the candidates' campaign policies.

Recommendation: Develop public outreach information, voting materials and equipment that are accessible to voters with disabilities.

²⁶ Including the Spotlight Initiative (EU and UN global partnership) in Timor-Leste, which aims to eliminate all forms of violence against women and girls until 2030.

²⁷ In May 2022 the government approved a draft resolution to be submitted to Parliament for Timor-Leste to become a State party to the CRPD and its Optional Protocol.

The Constitution recognises the same rights and duties to all Timorese citizens without discrimination. Nonetheless, Law No. 15/2021 on the Election of the President excludes citizens with a legal interdiction for mental incapacity issued by a court and those who are “notoriously and publicly recognised” to be of unsound mind from the right to vote and to stand for public office. Legal provisions and judicial decisions should not constitute a barrier to political participation and a discrimination not in line with international human rights principles.²⁸

Recommendation: Remove legal prohibitions on the right to vote and to stand, and initiate public discussion in relation to the acceptability of proportional and ad hoc restrictions on the right to political participation of persons with intellectual or psychosocial disabilities.

14. CITIZEN AND INTERNATIONAL ELECTION OBSERVATION

Citizen election observation and monitoring contributed to a transparent electoral process

Some 798 national and 151 international observers accompanied the two rounds of the presidential elections. Most evaluated the process positively and highlighted there was room for improvement in the voter registration process and a need to improve facilities for persons with disabilities.

Observatório da Igreja para os Assuntos Sociais (OIPAS) reported that both election rounds were conducted in a transparent and fair manner. OIPAS deployed the largest number of long-term (25) and short-term observers (375) plus hundreds of volunteers. OIPAS highlighted the difficulties in identifying funds spent on campaign events, and asked the CNE to consider introducing an expenditure ceiling and a mechanism to disclose funding sources. As many other organisations, it recommended STAE identify persons with disabilities during voter registration and arrange for improved physical access to polling stations. OIPAS recommended improving future voter register updates. It also highlighted police professionalism and the responsible participation of candidate agents. OIPAS conducted a parallel vote count and shared results on election night with the Bishops Conference and the EMBs.

Fundasaun Mahein reported on campaigning outside the official campaign. It observed political events that disturbed school activities and reported that some campaigns and candidates used state symbols. *Mahein* pointed to the participation of martial and ritual arts groups in electoral violence. It reported on PNTL’s failure to apply the law equally to all contenders, and recommended election rules of engagement for security forces. Their main recommendations focused on a simplified registration process for the parallel vote by using online technology. *Mahein* also stressed the urgent need to improve facilities for persons with disabilities.

The national disabled persons’ organisation *Pa’es Hadomi Timor Oan (RHTO)* deployed 150 monitors and reported on the inclusivity of the election process, and in particular on polling station access. Other observer groups included *Belun*, the Institute for the Defence of Children’s Rights, *Fundação Pátria*, the Oil and Petroleum Engineering Association (AEP-TL), and the University of Dili.

A recent government decree established the figure of electoral monitor, thereby facilitating monitoring exercises by para-statal organisations, including the Ombudsperson’s Office for Human Rights and Justice (PDHJ), the Inspectorate General, and the Anti-Corruption Commission. These

²⁸ The [reporting procedures for the International Covenant for Civil and Political Rights \(ICCPR\)](#), point 5, recommends: “Taking account of article 25 of the ICCPR (and article 29 of the Convention on the Rights of Persons with Disabilities), the State party should revise its legislation to ensure that it does not discriminate against persons with intellectual or psychosocial disabilities by denying them the right to vote on bases that are disproportionate or that have no reasonable and objective relationship to their ability to vote.” Reporting procedures contribute to the effective implementation of the rights enshrined in the Covenant.

organisations monitored the campaign, and followed the voting and counting throughout the country. Monitors are subject to the same rights and responsibilities as observers.

The PDHJ issued a report on social media and the use of provocative language. Observed cases of the use of state resources were shared with the Anti-Corruption Commission. The PDHJ recommended monitoring this issue in collaboration with other state institutions. Cases of public servants participating in campaign events during working hours were shared with the Civil Service Commission. PDHJ highlighted PNTL's impartial security provision and a peaceful electoral environment. It reported that persons with disabilities were not guaranteed the right to a secret ballot as they voted accompanied. Recommendations to the National Parliament included the need to introduce the use of a braille ballot and increase the number of polling stations.

Along with the EU EOM several international groups deployed observers, namely the Community of Portuguese Language Countries (CPLP), International Foundation for Electoral Systems (IFES), International Institute for Democracy and Electoral Assistance (International IDEA), Asian Network for Free Elections (ANFREL), G7+ group, Victoria University Alumni, and the Asia Democracy Network (ADN).

15. ELECTORAL DISPUTES

A small number of formal complaints were lodged with the CNE, while the Court of Appeal was called upon to adjudicate two electoral disputes

The CNE has the authority to decide on electoral complaints filed by candidates during the different stages of the electoral process whereas the Supreme Court of Justice is the ultimate arbiter in electoral matters. The Court of Appeal stands in for the Supreme Court of Justice which has yet to be established. Candidates and political parties considered the Court of Appeal to be impartial when adjudicating on electoral disputes.

Lú-Olo and the CNRT turned to the Court of Appeal to decide on out-of-country voting in Australia. In its argumentation, the Court privileged the constitutional right to vote over the strict interpretation of the Constitution that requires the voter register to be updated ahead of each election. A second opinion was requested on the legal conformity of the ballot paper regarding the use of photos and symbols. Some candidatures used the picture of other leaders to feature together with their own on the ballot creating confusion regarding the identity of the standing candidate. The Court of Appeal dismissed the request stating it was not mandated to interpret the law when requested for a legal opinion during the electoral process.

During the first round, ten formal complaints were presented to the CNE. All of them were in relation to minor campaign incidents. During the run-off, two formal complaints were presented to the CNE. Lú-Olo complained his opponent campaigned outside the permitted timetable. Ramos-Horta protested against the physical obstruction of the venue for his closing rally, and that following the rally stones were thrown at his supporters. While the first complaint was solved through mediation, the second was forwarded to the Attorney General's Office for investigation. The CNE reported that throughout the campaign period it engaged in mediation and worked with police to solve minor election-related disputes between contestants during the two campaign periods.

Some 437 challenged ballots in the first round and 277 in the second round were reviewed by the CNE during national tabulation. Most challenges were in relation to candidate agents' non-conformity with decisions taken by poll workers on the validity of ballot papers. The CNE reviewed all challenged ballots in a transparent and efficient manner.

Actions Taken by the Attorney General's Office

Only a few electoral offences were registered by the Attorney General's Office. During the first round, six election crimes occurred in Dili and one in Baucau. These all took place on election day

and included three disturbances to the election process, two violations of campaign propaganda, and one case of proxy voting.²⁹ During the run-off, investigations were mainly in relation to confrontations or provocations between candidate supporters at political rallies.

The Attorney General has not requested the maximum penalty for electoral crimes in past elections. It has considered grading the sanctions down or proposing a fine to the offenders as a more adequate penalising action.

16. POLLING, COUNTING AND TABULATION OF RESULTS

Voting procedures were well-implemented, while counting and tabulation of results were observed to be professional

16.1 Presidential elections, 19 March

The EU EOM's 20 teams of observers visited 174 polling stations throughout the day in 12 municipalities and RAEOA.

Opening was observed in 20 polling stations, where there were no missing poll workers and voting initiated on time. Overall, EU observers assessed opening procedures as good or very good in all observed polling stations and described the process as calm and straightforward.

A well-organised election day progressed calmly throughout the day, with minor incidents including at one of the parallel voting centres. The EU EOM assessed the overall conduct of polling operations as good or very good in all of the 138 observed polling stations and described the process as calm and orderly. Polling staff were observed to perform their duties with impartiality. Polling procedures were adhered to, with only minor exceptions. In more populated *sucos*, long voter lists caused delays as poll workers took time to locate electors on the voter list. The layout in all observed polling stations ensured the secrecy of the vote, while 101 of observed polling stations were accessible for persons with disabilities. The presence of candidate agents in all of the observed polling stations contributed to the transparency of the process.

EU EOM observers assessed the counting process as good or very good in 14 of the 16 observed polling stations. Procedures were mostly adhered to, with some conducting the reconciliation of ballots only after the counting took place. The presence of candidate agents ensured the transparency of the process. Most candidate agents received a copy of the polling station results for later verification of these against official results. National observers were present at 9 of the 16 observed polling stations.

EU observers followed a well-managed process at all 13 municipal results tabulation centres. A total of 1,200 polling centre protocols were tabulated, out of which 1,191 were for the national level, and 9 for out-of-country voting. Overall, the process was transparent, with a slower tabulation process observed in Dili, the largest municipality. STAE progressive municipal results were broadcast on RTTL throughout the tabulation process. Candidate agents, observers, and media were present throughout the tabulation process. On 22 March, STAE concluded the municipal tabulation process within the three-day deadline. Official provisional results revealed the need for a run-off election.

The CNE established a national tabulation centre, where its plenary decided on complaints and challenged ballots, and undertook a verification of invalid ballots. The CNE undertook a tabulation of polling centre results which was independent from the tabulation undertaken by the STAE. It scanned and tabulated all 1,200 polling centre results electronically and compared these with STAE

²⁹ One of the disturbances involved 21 individuals who were arrested at the Fomento 2 voting centre in Dili on election night. The District Court ordered house arrest for these individual while pending further investigation by the Attorney General's Office.

provisional results. Out-of-country results protocols arrived between the 25 and 27 March and were added to the national tabulation.

The professionally-managed process followed straightforward procedures, and progressive results were available online. On 27 March, the CNE concluded the national results tabulation within the six-day deadline. Out of the total number of cast ballots, 651,859 (98.16 per cent) were valid, 8,386 (1.26 per cent) invalid, and 3,743 (0.56 per cent) were blank. The 437 challenged ballots were resolved at the national level. The CNE verified all invalid and challenged ballots and reassigned 4,320 as valid.

Confirming STAE municipal tabulation, the two most-voted candidates were Ramos-Horta with 303,477 (46.6 per cent) and incumbent Lú-Olo with 144,282 (22.1 per cent). Armanda Berta placed third with 56,690 (8.7 per cent). The voter turnout (77.26 per cent) was higher than for the 2017 presidential polls (71.6 per cent). This may have been due to efforts to bring the vote closer to the electorate through a substantive increase in the number of polling centres from 452 (2017) to 1,200 (2022). *Sucos* constitute the smallest geographical voter registration and polling unit. There is now a polling centre for every *suco* country-wide, and there is ongoing discussion to bring the vote even closer to the electorate by establishing polling centres in every *aldeia*. The introduction of absentee voting through three parallel voting centres in Dili may also have contributed to voter inclusion.

Recommendation: Consider establishing polling centres at aldeia level to bring the vote closer to the electorate.

Transparency was further enhanced with the presence of candidate agents, observers, media, and stakeholders. After concluding the national tabulation, the CNE submitted provisional results to the Court of Appeal for a final verification and certification of results. Publication of the 1,200 polling centre results protocols on a centralised website would lend further transparency to the process.

16.2 Presidential run-off, 19 April

EU observers visited 164 polling stations throughout the day in 12 municipalities and RAEOA. The election day was peaceful, orderly, and calm.

Opening was observed in 18 polling stations with voting initiating on time. EU observers evaluated the performance of the polling staff positively in all cases. A high number of poll workers were young, and the EU observed their improved performance in the run-off.

Throughout the day, polling stations were observed to be well-staffed, and voting procedures were respected. EU observers assessed the overall conduct of polling operations as good or very good in all 130 observed polling stations. The layout in all observed polling stations ensured the secrecy of the vote, and 88 of observed polling stations were accessible for persons with disabilities. Candidates' agents lent transparency to the process with their presence in all observed polling stations, however the rule of one agent per candidate was not always followed. Candidate agents and observers were able to follow procedures without undue restriction. National observers were present in 36 of the observed polling stations. EU observers considered the transparency of voting procedures positively in all observed polling stations.

EU observers assessed the counting process as good or very good in all 16 observed polling stations. Procedures were mostly adhered to, and a copy of the polling station results protocol was shared with candidate agents for verification against the official results.

On 20 April, the STAE concluded the municipal tabulation process. A total of 1,200 polling centre protocols were tabulated, out of which 1,191 were for national level, and 9 for out-of-country voting. Overall, the process was swift, professional, and transparent. The STAE made efforts to organise a quicker tabulation. The STAE made provisional progressive results available through a dedicated website, which was broadcast on RTTL TV and available through online streaming.

On 24 April, within the three-day legal deadline, the CNE announced provisional results. EU observers rated the national tabulation of results as efficient, professional, transparent, and well organised. Participation reached 640,967 voters (75.17 per cent), out of which 48.30 per cent were women. The general atmosphere was calm, and there was unhindered access for candidate agents, observers, and the media.

The CNE reviewed all 5,058 invalid and 277 challenged ballots and requalified as valid 1,591 votes. Invalid votes accounted for 0.58 per cent of the total, and blank votes for 0.25 per cent. Stakeholders, media, and candidate agents had adequate access to the tabulation process. Decisions on reviewed, invalid, and challenged ballots were made in a transparent manner. No complaints were made regarding the tabulation.

Progressive tabulation results were available through a useful CNE online link while the CNE held several press conferences throughout the tabulation process explaining the progress made. On 27 April, within the three-day legal timeline, the CNE finalised the national results protocol. A 24-hour period followed to appeal CNE provisional results to the Court of Appeal. With no appeals submitted, the CNE delivered the national results to the Court of Appeal.

On 29 April, the Court of Appeal validated and announced the presidential results. The Court session was well attended by candidate agents, CNE commissioners, the STAE director, observers, and media in a convivial atmosphere.

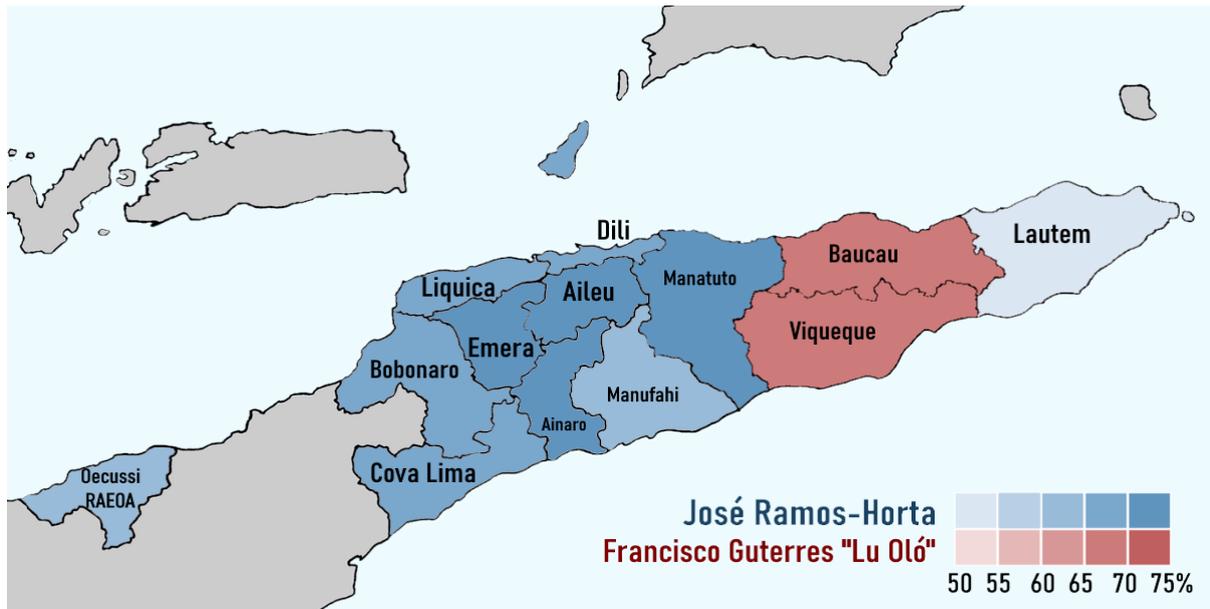
17. RESULTS AND POST-ELECTION ENVIRONMENT

Decisive vote for Ramos-Horta cuts into FRETILIN vote base, raising questions about government continuity

Ramos-Horta is the first Timorese president elected to serve a second term. He nearly won in the first round, but missed an absolute majority with 303,477 (46.6 per cent) of the vote whereas Lú-Olo came second with 144,282 (22.1 per cent) of the vote. Following the frontrunners were Armanda Berta, Lere, and Assanami, obtaining 56,690 (8.7 per cent), 49,314 (7.6 per cent), and 47,334 (7.3 per cent), respectively. Three candidates landed between one and two per cent, while eight candidates obtained below one per cent, confirming that presidential candidates without the strong support of political parties are structurally and financially disadvantaged. Seven did not reach 5,000 votes, the number of required support signatures for candidates.

In the second round, Ramos-Horta eventually polled 62.1 per cent, representing a 154,705 vote lead over Lú-Olo who polled 37.9 per cent. Voter turnout fell from 77.26 per cent in the first round to 75.17 per cent in the run-off. This 2.09 per cent drop in participation was equivalent to 17,717 fewer votes. The highest voter turnouts were recorded in the municipalities of Aileu (83.52 per cent) and Manatuto (80.28 per cent) (see Annex E for results figures and graphs).

The final campaign gave the impression of a vote on the composition of government rather than on the person of the president. Both candidates gained votes from the political parties and former candidates who endorsed them at the national level, but not without regional variation. Largely in line with historical trends, Ramos-Horta won a clear majority of the vote in 10 of the 13 municipalities, and a slim majority in an eleventh. Lú-Olo won a clear majority in two municipalities – Viqueque and Baucau, and a slim majority in out-of-country voting. This illustrates that Lú-Olo was only successful in two traditional FRETILIN strongholds, but not in the third – Lautém, home to first round candidates Lere and Assanami (see map on next page).



Following the elections, the government moved quickly to fulfil the pledges made while campaigning for Lú-Olo. It approved a rectification budget of USD 1.1 billion, which aimed to cater for end-of-year allowances of USD 200 for every family, better social housing, scholarships for students, free internet in schools, new labour and employment programmes, and the construction of premises for martial and ritual arts groups. The biggest ticket item was creation of a new veterans fund worth USD 1 billion. The 2022 budget had initially been set at USD 1.95 billion, and would reach USD three billion, the highest value ever.

In another move to fulfil campaign promises, the government communicated decisions to recognise martial and ritual arts groups and establish training facilities and curricula for their members. The government, through the Secretary of State for Youth and Sports and its subordinate Commission for the Regulation of Martial and Ritual Arts Groups (CRAM), had prepared this beforehand, but waited to communicate these decisions until after the elections.

18. RECOMMENDATIONS (priority recommendations in bold)

NO.	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
LEGAL FRAMEWORK					
1	<p><i>The framework is dispersed in a number of different laws that are not organised coherently, in part due to the successive ad hoc introduction of amendments to laws and regulations ahead of each election without conducting a systematic review of the laws. A few examples of legal ambiguities that were identified by the EU EOM during the 2022 electoral process included shortcomings in procedural rules defining deadlines for appealing CNE decisions, the lack of clarity in the law as to whether state subsidies for presidential candidates apply in case of a run-off, and specifications regarding the design and symbols of the presidential ballot. The electoral framework does not clearly define the scope of CNE oversight responsibility over campaign finance, voter registration, and media monitoring. Electoral legislation is passed in one of the official languages of the country, Portuguese, but is not systematically translated into Tetun.</i></p> <p><i>(Final Report, page 6)</i></p>	<p>Consolidate all electoral legislation into a consistent and unified Electoral Code, with accompanying electoral regulations, available in Portuguese and Tetun.</p>	<p>Systematise the electoral laws into an Electoral Code and Regulations</p>	<p>National Parliament Participation and input from CNE and STAE</p>	<p><i>Transparency and access to information</i></p> <p><i>ICCPR, Art. 19(2): “Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”</i></p> <p><i>UNCAC, Art. 13(1): “Each State Party shall take appropriate measures, within its means and in accordance with fundamental principles of its domestic law, to promote the active participation of individuals and groups outside the public sector, [...] in the prevention of corruption and to raise public awareness regarding the existence, causes and gravity of and the threat posed by corruption. This participation should be strengthened by such measures as: (b) Ensuring that the public has effective access to information.”</i></p> <p><i>Universal Periodic Review (2016): “Ensure that all legal documents, including legislation and draft legislation, are available in both Tetum and Portuguese” (recommendation accepted by Timor- Leste, 2017).</i></p>

NO.	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
2	<p><i>The third amendment to the Law on Election Administration Bodies approved on 28 July 2021 included the requirement for the CNE to be consulted by government on draft regulations for the implementation of election laws. The government did not systematically consult the CNE prior to introducing new regulations, as was the case with the rules on parallel voting, on COVID-19 preventive measures during elections, and on voting in hospitals and COVID-19 isolation centres.</i></p> <p><i>(Final Report, page 7)</i></p>	<p>Consult the CNE in a consistent and systematic manner when preparing the regulatory framework for elections.</p>	<p>Requires implementation of Art. 8(1)(c) of Law No.16/2021 on Electoral Administration Bodies</p>	<p>Government</p>	<p><i>Rule of Law</i></p> <p><i>UNHRC, Resolution 19/36, para. 16(c): “States to make continuous efforts to strengthen the rule of law and promote democracy by: ensuring that a sufficient degree of legal certainty and predictability is provided in the application of the law, in order to avoid any arbitrariness.”</i></p>
3	<p><i>Late introduction of amendments to regulations did not constitute good practice and risked creating uncertainty and diminished confidence in the legal framework. Ten regulations were passed by the government in January 2022 with only a short period of two months for awareness-raising before election day.</i></p> <p><i>(Final Report, page 8)</i></p>	<p>Undertake legal reform, including introduction of regulations, early enough in the electoral cycle to provide stakeholders time to understand and prepare for the new rules.</p>	<p>Amendment to the electoral legal framework</p>	<p>National Parliament and Government</p>	<p><i>Rule of Law (Ensuring legal certainty and predictability)</i></p> <p><i>ICCPR, Art. 2(2): “Each State Party to the present Covenant undertakes to take the necessary steps, in accordance with its constitutional processes and with the provisions of the present Covenant, to adopt such laws or other measures as may be necessary to give effect to the rights recognized in the present Covenant.”</i></p>
ELECTORAL ADMINISTRATION					
4	<p><i>Transparency in CNE decision-making was satisfactory, and enhanced through the consultation with stakeholders.</i></p>	<p>Publish all deliberations pertaining to the election process in the official</p>	<p>Not required</p>	<p>CNE</p>	<p><i>Transparency and access to information</i></p> <p><i>Internal Regulation of the National Election</i></p>

NO.	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
	<p><i>Publication of all plenary decisions in the official gazette could further enhance transparency in CNE decision-making. While some CNE plenary sessions were open to candidate agents and observers, tracking plenary decisions – taken by consensus with a quorum of four members – was not always easy.</i></p> <p><i>(Final Report, page 9)</i></p>	<p>gazette.</p>			<p><i>Commission, 19 January 2017. Art. 31(7) on Meetings of the CNE: “At the end of each meeting a press release is issued, with reference to discussed issues and deliberations taken.”</i></p> <p><i>Art. 35, Publicity of CNE actions: “CNE deliberations are public documents, published in CNEs official site on internet”</i></p> <p><i>ICCPR Art. 2(2) (see above)</i></p>
VOTER REGISTRATION					
<p>5</p>	<p><i>A total of 4,030 citizens took advantage of the new parallel voter registration.</i></p> <p><i>The CNE and STAE acknowledged that the registration process could be simplified, without intermediaries between voters and the STAE. There are currently several ministries and universities playing a role in the registration process, in contradiction to the voter registration law that attributes to STAE the sole responsibility to update the voter register.</i></p> <p><i>(Final Report, page 13)</i></p>	<p>Simplify the parallel voter registration process, which would ideally be organised by the STAE without intermediary institutions.</p>	<p>Law No.15/2021 on the Election of the President</p>	<p>Government</p>	<p><i>Right and opportunity to vote</i></p> <p><i>ICCPR, Art. 25: “Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be held by secret ballot, guaranteeing the free expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.”</i></p> <p><i>ICCPR, GC 25, para. 11: “States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is</i></p>

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					<i>required, it should be facilitated and obstacles to such registration should not be imposed. [...]</i>
CAMPAIGN FINANCE					
6	<p>The CNE is the responsible oversight body, but lacks a clear mandate to supervise political party and campaign finance. Its responsibilities in this field are briefly referred to in the Law on Financing of Political Parties (No. 6/2008) and in Government Decree No. 3/2021 Regulating the Electoral Campaign and propaganda, but this mandate is not spelled out in the Law on the Election Administration Bodies (No. 16/2021).</p> <p>(Final Report, page 17)</p>	<p>Strengthen campaign finance oversight by giving the CNE a clear competency in this field and empower this body to take a more assertive and proactive role.</p>	<p>Law No.16/2021 on Electoral Administration Bodies, Art. 8</p>	<p>National Parliament</p>	<p><i>Prevention of corruption / Fairness in the election campaign</i></p> <p><i>UNCAC, Art. 7(3): “Each State Party shall also consider taking appropriate legislative and administrative measures, ... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.”</i></p>
7	<p>The legal framework for campaign finance is vague and incomplete, without a clear set of rules for presidential candidates. Gaps in the legislation include the absence of a clear definition of a donation, the absence of disclosure requirements for donors’ identities and all sources of financial income, and the lack of a requirement to report in-kind donations. With no ceilings on donor contributions nor on campaign expenditures, there</p>	<p>Review campaign finance rules and reporting requirements to strengthen equality, transparency, and accountability in the electoral process.</p>	<p>Law No. 2/2016 on Political Parties, Arts. 21-28</p> <p>Law No.15/2021 on the Election of the President, Art. 30</p> <p>Law No. 6/2008</p>	<p>National Parliament</p> <p>Government</p>	<p><i>Prevention of corruption / Fairness in the election campaign; State must take the necessary steps to give effect to rights</i></p> <p><i>UNCAC, Art. 7(3): “Each State Party shall also consider taking appropriate legislative and administrative measures, ... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.”</i></p> <p><i>UNCAC, Art. 7(4): “Each State Party shall,</i></p>

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	<p><i>results an unlevel playing field between well-resourced and poorly-resourced contestants. The legal framework does not contain uniform and appropriate sanctions for breaches of the law. The CNE has no sanctioning powers to reinforce campaign finance reporting. The CNE form for candidates to submit their finance reports is not fully in line with legal requirements and needs an overhaul.</i></p> <p><i>(Final Report, page 18)</i></p>		<p>on Financing of Political Parties</p> <p>Gov. Decree 3/2022 Regulating Electoral Campaign and Propaganda, Arts. 29-33</p>		<p><i>in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.”</i></p> <p><i>UNHRC, General Comment 25: “Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party.”</i></p>
8	<p><i>There is public funding in the form of a campaign subsidy for candidates. This is positive in that it supports a broader electoral participation, but the framework lacks predictability with a wide potential pay gap – between USD 1 and 10 per vote received – and applicability to the run-off. (...) The payment of these subsidies did not happen for these elections as per the foreseen timeframe. The CNE, which is the responsible body to administer the annual subsidies for political parties, is not tasked to do the same in the case of campaign subsidies. Subsequently, the payment of these subsidies is not contingent on the candidates’ campaign finance reporting to CNE. Decisions on</i></p>	<p>Introduce more certainty and accountability into the allocation of campaign subsidies to be administered by CNE.</p>	<p>Law No. 2/2016 on Political Parties, Art. 16g</p> <p>Law No.15/2021 on Election of the President, Art. 30</p> <p>Law No. 6/2008 on Financing of Political Parties Art. 4(4) and 11</p> <p>Gov. Decree 6/2018 Fixing the value of the campaign</p>	<p>National Parliament Government</p>	<p><i>Prevention of corruption / Fairness in the election campaign</i></p> <p><i>UNHRC, General Comment 25: “Reasonable limitations on campaign expenditure may be justified where this is necessary to ensure that the free choice of voters is not undermined or the democratic process distorted by the disproportionate expenditure on behalf of any candidate or party.”</i></p> <p><i>UNCAC, Art. 7(3): “Each State Party shall also consider taking appropriate legislative and administrative measures, ... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.”</i></p>

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	<p><i>the payment of these subsidies ultimately lie with the government after the elections, giving this procedure an arbitrary character</i></p> <p><i>(Final Report, page 19)</i></p>		<p>subsidy</p> <p>Gov. Decree 3/2022 Regulating Electoral Campaign and Propaganda, Arts. 29-33</p>		<p><i>UNCAC, Art. 7(4): “Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.”</i></p>
MEDIA					
<p>9</p>	<p><i>The Law No. 15/2021 on the Election of the President states that the campaign must encompass the guiding principle of equality of opportunity and treatment of all candidates. The CNE is mandated with verifying compliance with this principle in the public media, but the law is not specific on how the CNE should exercise its oversight to ensure the media is compliant. Moreover, the CNE lacks sanctioning powers and may only issue warnings when irregularities are detected.</i></p> <p><i>(Final Report, page 20)</i></p>	<p>Further define measures, such as the authority to sanction, to enable the CNE to better fulfil its mandate to oversee the media’s adherence to campaign principles, including equality of opportunity and treatment of all candidates.</p>	<p>Law No.15/2021 on the Election of the President</p> <p>Gov. Decree 3/2022 Regulating Electoral Campaign and Propaganda</p>	<p>National Parliament Government</p>	<p><i>Fairness in the election campaign</i></p> <p><i>ICCPR Art. 19(2): “Everyone shall have the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and seek, receive, and impart information through any media and regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”</i></p>
<p>10</p>	<p><i>Community radios were an important source of information in rural areas with scarce internet access or TV broadcast. While 17 community radio stations operated across the country, economic</i></p>	<p>Increase financial and technical support to community radios, while respecting their editorial independence, to enable</p>	<p>Not required</p>	<p>Government</p>	<p><i>Transparency and access to information</i></p> <p><i>ICCPR Art. 19(2): “Everyone shall have the right to freedom of opinion and expression; this right includes freedom to</i></p>

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	<p><i>problems left most of these outlets struggling, diminishing their potential as a valuable source of electoral information.</i></p> <p><i>(Final Report, page 21)</i></p>	<p>them to better disseminate electoral information.</p>			<p><i>hold opinions without interference and seek, receive, and impart information through any media and regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”</i></p>
<p>11</p>	<p><i>For the run-off, RTTL TV continued to air its free 3-minute electoral programme, Our President, featuring the two candidates. However, the programme aired during primetime news without being labelled as free airtime (Direitu de Antena), in breach of the Electoral Reporting Guidelines which specifies that the news segment shall not broadcast political advertisements.</i></p> <p><i>(Final Report, page 22)</i></p>	<p>Distinguish between editorial and advertising content by ensuring political advertising is clearly identified as such, and broadcast outside of the news segment.</p>	<p>Not required</p>	<p>RTTL</p>	<p><i>Transparency and access to information</i></p> <p><i>ICCPR Art. 19(2): “Everyone shall have the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and seek, receive, and impart information through any media and regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.”</i></p> <p><i>Media Law 2014, Art. 33(3): “Insertion of advertising materials in the media cannot undermine its editorial independence.”</i></p> <p><i>Electoral Reporting Guidelines for Journalists and the Media, issued by the Government of Timor-Leste and the Press Council with the support of UNDP and the Government of Japan, Guideline 5: “The media have the right to include political advertisements on their information channels; their journalists and news presenters shall not directly promote information about political parties or</i></p>

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					<p><i>candidates. Moreover, the news segment shall not broadcast political advertisements.”</i></p>
SOCIAL MEDIA					
12	<p><i>Paid advertising on social media was used mostly by the lead candidates and with little transparency. Meta, the company that owns Facebook, classified the Timorese elections as low-risk and, in the absence of any engagement from the Timorese institutions, the platform’s tools for safeguarding elections were activated in Timor-Leste. As such, Meta’s Facebook Ad Library did not display data about the budgets and audiences of political advertisements, a key measure to increase transparency of on-line campaign spending.</i></p> <p><i>(Final Report, page 25)</i></p>	<p>Engage in constructive dialogue with social media platforms to safeguard the online campaign environment, in terms of transparent paid political advertising and adequate mechanisms to address potential attempts at information manipulation.</p>	Not required	CNE SECOM	<p><i>Fairness in the election campaign</i></p> <p><i>ICCPR, GC 25, para. 19: “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”</i></p> <p><i>UNCAC, Art. 7(3): “Each State Party shall also consider taking appropriate legislative and administrative measures, ... to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.”</i></p> <p><i>UNCAC, Art. 7(4): “Each State Party shall, in accordance with the fundamental principles of its domestic law, endeavour to adopt, maintain and strengthen systems that promote transparency and prevent conflicts of interest.”</i></p> <p><i>UN, OAS, OSCE Joint Declaration on Freedom of Expression and Elections In the Digital Age: “Access to Information Relating to Elections: ii) Parties and candidates should be required to be</i></p>

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					<p><i>transparent in a timely fashion, including to the media, regarding their spending on elections and, in particular, spending on legacy and digital media, and other digital communications efforts.”</i></p> <p><i>UN, OAS, OSCE Joint Declaration on Freedom of Expression and Elections In the Digital Age: “States should consider supporting positive measures to address online disinformation, such as the promotion of independent fact-checking mechanisms and public education campaigns, while avoiding adopting rules criminalising disinformation.”</i></p>
PARTICIPATION OF WOMEN					
13	<p><i>Gender equality is entrenched in article 17 of the Constitution and a one-in-three quota has improved gender representation in the National Parliament. However, the capacity of women politicians to enjoy full equality in the exercise of political power requires further actions. Timor-Leste’s patriarchal social and gender norms remain deeply rooted and contribute to legitimising a secondary role for women.</i></p> <p><i>(Final Report, page 27)</i></p>	<p>Promote effective measures, such as introduction of a quota, for women to reach representation parity in elected positions and party executive bodies.</p>	<p>Law No. 2/2016 on Political Parties</p> <p>Regulation on Commissions of the National Parliament</p> <p>Appointment of Government positions</p>	<p>National Parliament</p> <p>Political parties</p>	<p><i>Women’s participation in public affairs; State must take the necessary steps to give effect to rights</i></p> <p><i>CEDAW Art. 4(1). “Adoption by States Parties of temporary special measures aimed at accelerating the facto equality between men and women shall not be considered discrimination [...].”</i></p> <p><i>CEDAW Art. 7: “State Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country [...].”</i></p>

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					<p><i>ICCPR Art.3: “The States Parties to the present Covenant undertake to ensure the equal right of men and women to the enjoyment of all civil and political rights set forth in the present Covenant”.</i></p> <p><i>UN General Assembly Resolution 66/130 on Women and Political Participation.</i></p>
PARTICIPATION OF PERSONS WITH DISABILITIES					
14	<p><i>No specific measures to facilitate the vote of persons with disabilities were introduced through law or implemented by STAE for the 2022 elections. The initiative to introduce a ballot in braille for this election was rejected by the parliament, seemingly for lack of data on how many braille readers would benefit from this measure. Difficult physical access to polling stations constituted a barrier to political participation for many persons with disabilities. Proposals addressing the political participation of persons with disabilities or projects to enhance inclusivity were absent from the candidates’ campaign policies.</i></p> <p><i>“At the time of writing, Timor-Leste was in the process of ratifying the UN Convention on the Rights of Person with Disabilities.”</i></p> <p><i>(Final Report, page 28)</i></p>	<p>Develop public outreach information, voting materials and equipment that are accessible to voters with disabilities.</p>	<p>Election Laws</p>	<p>National Parliament CNE STAE</p>	<p><i>Right and opportunity to participate in public affairs and hold office; State must take the necessary steps to give effect to rights</i></p> <p><i>ICCPR, Art. 26: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law [...].”</i></p> <p><i>The United Nations Convention on the Rights of Persons with Disabilities (CRPD), Art. 29: “States Parties shall guarantee to persons with disabilities political rights and the opportunity to enjoy them on an equal basis with others, and shall undertake:</i></p> <p><i>a) To ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others directly or through freely chosen representatives, including the right and opportunity for persons with</i></p>

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					<p><i>disabilities to vote and be elected, inter alia by:</i></p> <p><i>i. Ensuring that voting procedures, facilities and materials are appropriate, accessible, and easy to understand and use; ii. Protecting the right of persons with disabilities to vote by secret ballot [...] iii. Guaranteeing the free expression of will of persons with disabilities as electors and to this end, where necessary, at their request, allowing assistance in voting by a person of their own choice;</i></p> <p><i>Bali Declaration on the Enhancement of the Role and Participation of Persons with Disabilities in the ASEAN Community.</i></p>
15	<p>The Constitution recognises the same rights and duties to all Timorese citizens without discrimination. Nonetheless, Law No. 15/2021 on the Election of the President excludes citizens with a legal interdiction for mental incapacity issued by a court and those who are “notoriously and publicly recognised” to be of unsound mind from the right to vote and to stand for public office. Legal provisions and judicial decisions should not constitute a barrier to political participation and a discrimination not in line with</p>	<p>Remove legal prohibitions on the right to vote and to stand, and initiate public discussion in relation to the acceptability of proportional and <i>ad hoc</i> restrictions on the right to political participation of persons with intellectual or psychosocial disabilities.</p>	<p>Law No. 15/2021 on Election of the President, Art. 5</p>	<p>National Parliament</p>	<p><i>Universal suffrage; Right and opportunity to participate in public affairs and hold office; State must take the necessary steps to give effect to rights</i></p> <p><i>ICCPR, Art. 26: “All persons are equal before the law and are entitled without any discrimination to the equal protection of the law [...].”</i></p> <p><i>CRPD Art. 29, Ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, including the right and opportunity for persons with</i></p>

NO.	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
	<p>international human rights principles. <i>(Final Report, page 28)</i></p>				<p><i>disabilities to vote and be elected.</i></p> <p><i>CRPD GC 6, para. 49a, Reform existing legislation to prohibit discriminatory denial of legal capacity, replace those with models of supported decision-making, taking into account universal adult legal capacity without any form of discrimination.</i></p> <p><i>Bali Declaration on the Enhancement of the Role and Participation of Persons with Disabilities in the ASEAN Community. Decade Priority Areas and Actions. Point 6: The national parliamentary commission dealing with disability issues had agreed to the convention.</i></p>
POLLING, COUNTING AND TABULATION					
16	<p><i>Sucos</i> constitute the smallest geographical voter registration and polling unit. There is now a polling centre for every <i>suco</i> country-wide, and there is ongoing discussion to bring the vote even closer to the electorate by establishing polling centres in every <i>aldeia</i>.</p> <p><i>(Final Report, page 32)</i></p>	<p>Consider establishing polling centres at <i>aldeia</i> level to bring the vote closer to the electorate.</p>	<p>Law No. 19/2021 on Voter Registration</p>	<p>Government Ministry of State Administration</p>	<p><i>Right and opportunity to vote</i></p> <p><i>ICCPR, Art. 25: “Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions: (a) To take part in the conduct of public affairs, directly or through freely chosen representatives; (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free</i></p>

NO.	CONTEXT	RECOMMENDATION	SUGGESTED CHANGE IN LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	RELEVANT INTERNATIONAL / REGIONAL PRINCIPLE / COMMITMENT
					<p><i>expression of the will of the electors; (c) To have access, on general terms of equality, to public service in his country.”</i></p> <p><i>ICCPR, GC 25, para. 11: “States must take effective measures to ensure that all persons entitled to vote are able to exercise that right. Where registration of voters is required, it should be facilitated and obstacles to such registration should not be imposed. [...]”</i></p>

Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW)

Convention on the Rights of Persons with Disabilities (CPRD)

International Covenant on Civil and Political Rights (ICCPR)

The *United Nations Convention against Corruption* (UNCAC)

United Nations Human Rights Council (UNHRC)

19. ANNEX A – LIST OF PRESIDENTIAL CANDIDATES

	Name	Supporting Political Party	First-time contestant
1	Isabel da Costa Ferreira	<i>Partido Libertação Popular – PLP</i>	X
2	Hermes da Rosa Correia Barros		X
3	Maria Ângela Freitas da Silva	<i>Partido Trabalhista – PTT</i>	
4	Rogério Tiago de Fátima Lobato		
5	Anacleto Bento Ferreira	<i>Partido Democrático Republica de Timor – PDRT</i>	X
6	Francisco Guterres “Lú-Olo”	<i>Frente Revolucionária de Timor-Leste Independente – FRETILIN</i>	
7	Maria Helena Lopes de Jesus Pires		X
8	Tito da Costa Cristovão “Lere Anan Timur”		X
9	Armanda Berta dos Santos	<i>Partidu Kmanek Haburas Unidade Nasional Timor Oan – KHUNTO</i>	X
10	Antero Benedito da Silva		X
11	Constâncio da Conceição Pinto		X
12	Virgílio da Silva Guterres		X
13	Martinho Germano da Silva Gusmão	<i>Partido Unidade Desenvolvimento Democrático – PUDD</i>	X
14	José Ramos-Horta	<i>Congresso Nacional de Reconstrução de Timor – CNRT</i>	
15	Felisberto Araújo Duarte		X
16	Mariano Sabino Lopes “Assanami”	<i>Partido Democrático – PD</i>	X

20. ANNEX B – CAMPAIGN REPORTS SUBMITTED BY EU OBSERVERS

Observation of 123 campaign events – First Round (2-16 March 2022)

■ Yes ■ No ■ N/A

Were there any messages specifically targeting women?



Were there any messages specifically targeting young voters?



Was there any indication that the organisers facilitated participants' transport to the campaign event?



Was there any indication that participants received in-kind incentives to attend?



Presence of Martial/Spiritual Arts Groups



Was there any evidence of misuse of state resources?



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Observation of 62 campaign events – Run-Off (2-16 April 2022)

■ Yes ■ No ■ N/A

Were there any messages specifically targeting women?



Were there any messages specifically targeting young voters?



Was there any indication that the organisers facilitated participants' transport to the campaign event?



Was there any indication that participants received in-kind incentives to attend?



Presence of martial and/or spiritual arts groups



Was there any evidence of misuse of state resources?



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21. ANNEX C – EU EOM MEDIA MONITORING

The EU EOM conducted quantitative and qualitative broadcast media monitoring from **23 February to 16 March**, and from **25 March to 16 April 2022**, for a total of 45 days. Campaign silence days of March 17 and 18, as well as April 17 and 18, were monitored qualitatively. The mission measured the time allocated to candidates during the presidential race in both rounds of the election, including gender balance across the media landscape, as well as the tone of the coverage. The mission also monitored the use of paid political advertisements, free airtime allocated to candidates, and voter education. In total, the EU EOM monitored four broadcast media outlets, and qualitatively monitored three print newspapers. The *Timor Post*, *Jornal Nacional Diário*, and *Suara Timor Lorosae* were monitored for paid political advertisements and voter education, neither of which was detected.

1. TELEVISION

TV channels are the most popular source of information, after online and social media platforms. The EU EOM included two TV stations in its sample with nationwide, or close-to-nationwide coverage.

Two TV stations were monitored from 12h00 to 13h00 and 18h00 to 22h00 daily.

- **RTTL TV:** *Rádio e Televisão de Timor-Leste (RTTL)* is the national public broadcaster, with a nationwide reach, and is owned by a public company. Its YouTube channel is also popular in the country and among Timorese living overseas.
 - *Broadcast Languages: Tetun and Portuguese.*
- **GMN TV:** *Grupo Média Nacional (GMN)* is the most-watched private TV channel, owned by the GRUPU DE MIDIA NACIONAL-GMN, LDA. It has a popular homepage (www.gmntv.tl) and it broadcasts on YouTube and Facebook as well.
 - *Broadcast Languages: Tetun and Portuguese.*

2. RADIO

Radio is the second most popular source of information in rural areas with scarce internet access.

Two radio stations were monitored from 16h00 to 21h00 daily. RTM radio did not broadcast on 23 February due to technical issues, and its daily monitoring time was changed to 14h00 to 19h00 during the second round of the campaign, due to a change in the party's campaign schedule.

- **RTL Radio:** Is the public radio station with a nearly nationwide reach.
 - *Broadcast Languages: Tetun, Portuguese, and Bahasa Indonesia.*
- **RTM Radio** (*Radio Televisão Maubere*) is a private radio station established and owned by the FRETILIN party since 1975, with its broadcast reaching about half of the territory of Timor-Leste.
 - *Broadcast Languages: Tetun, Portuguese, and English.*

The total time monitored during the first and second rounds was 900 hours. The total time allocated to political communication was 123 hours, an average of 14 per cent of the total monitored time.

HOW TO READ THE CHARTS

- The pie charts show the distribution of airtime (in percentage) allotted to the presidential candidates by each media outlet.
- The bar charts show the amount of time allotted to candidates, and the tone of the coverage (negative, neutral, positive).
- The time is monitored in seconds for the electronic media.

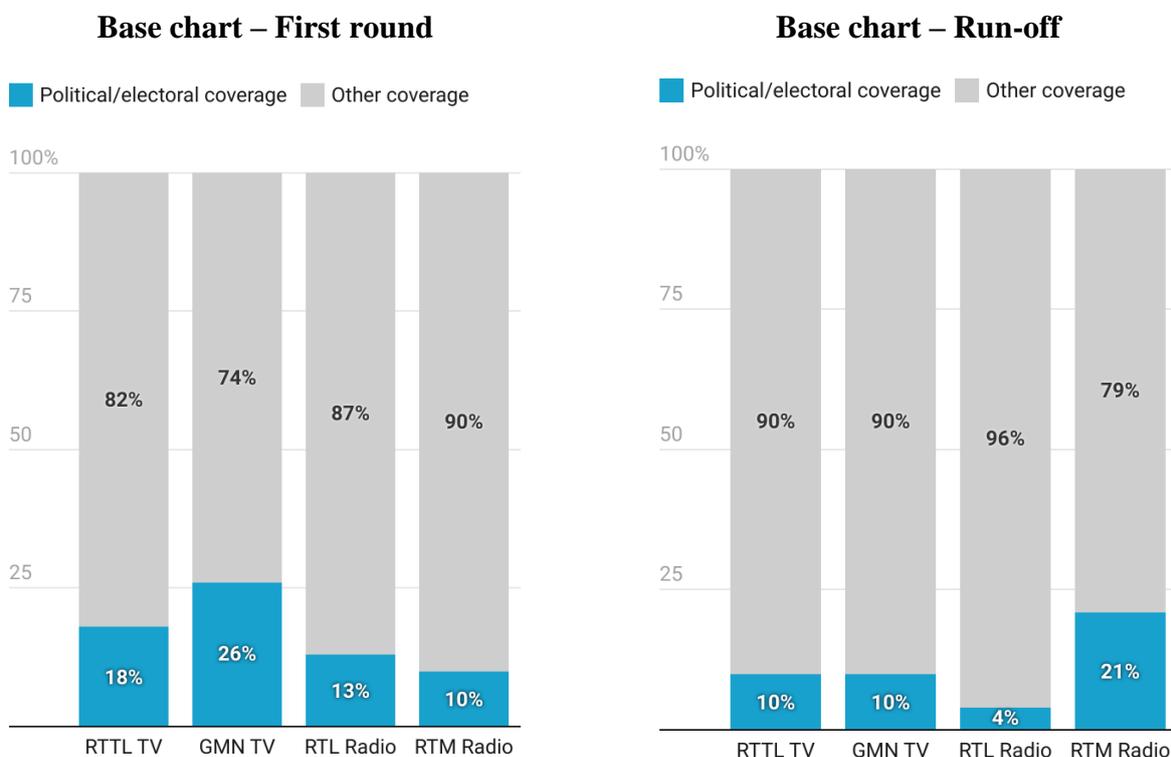
A. Total time allocated to political communication in TV stations' primetime programming during both rounds of elections:

	The average percentage of total time coded	Time allocated to political communication
RTTL TV	14 per cent	31 hours 30 min
GMN TV	18 per cent	39 hours 5 min

B. Total time allocated to political communication in radio stations' primetime programming during both rounds of elections:

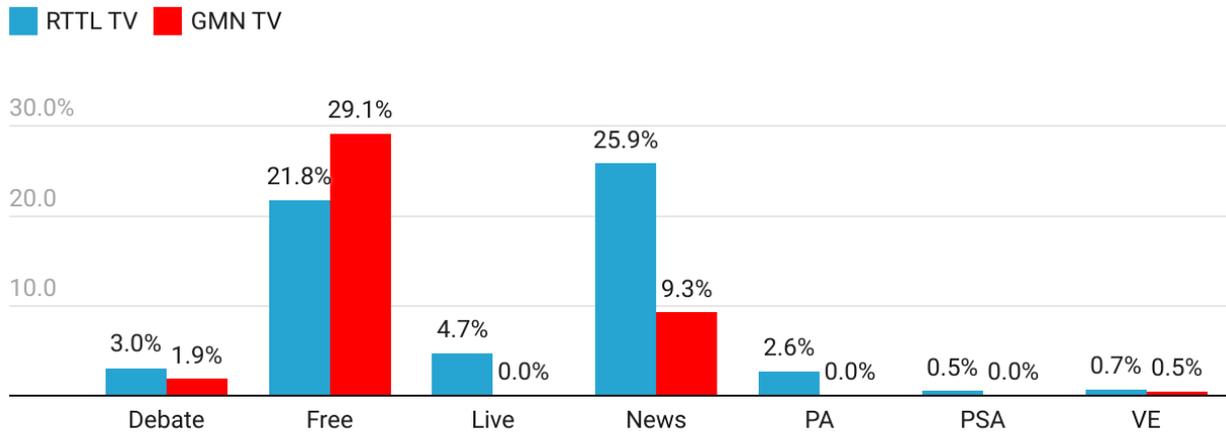
	The average percentage of total time coded	Time allocated to political communication
RTL Radio	8.5 per cent	17 hours 40 min
RTM Radio	16 per cent	35 hours

C. Political communication coverage. Total time monitored on each channel for 45 days x 5 hours per day = 900 hours (100 per cent per channel):



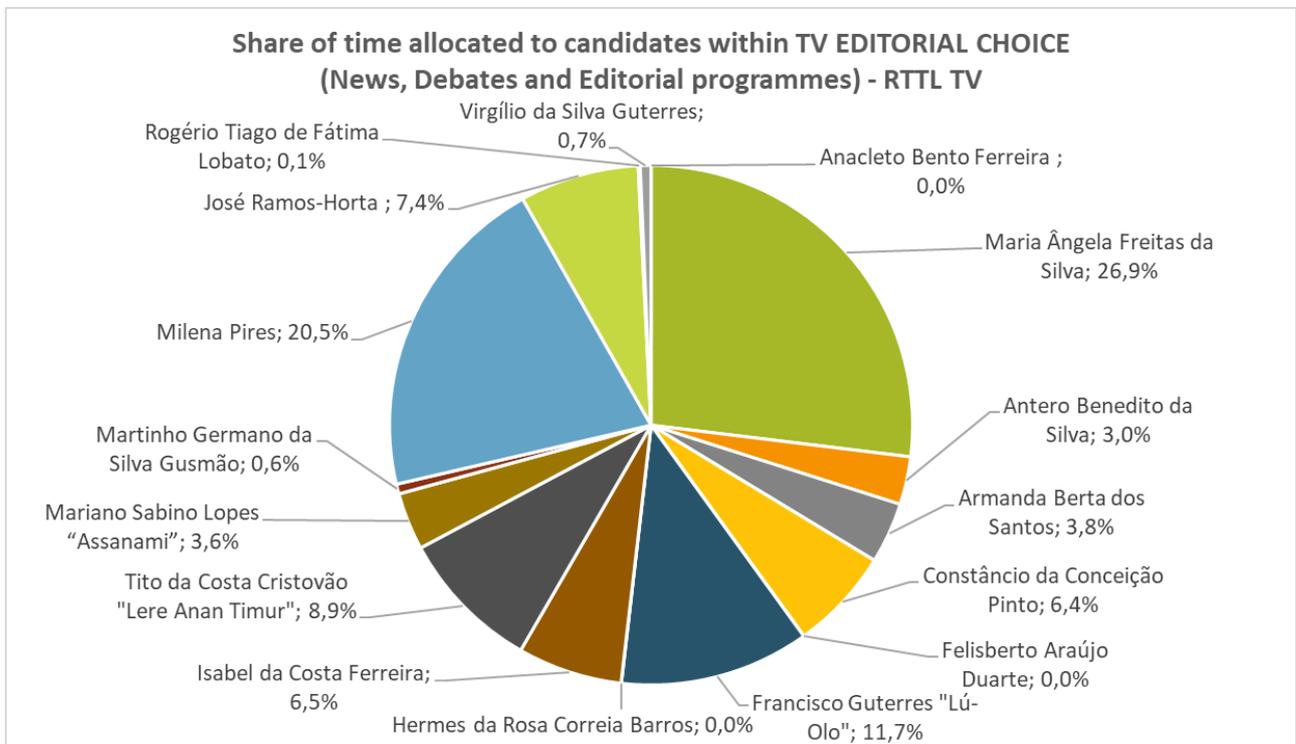
PRESIDENTIAL ELECTION - FIRST ROUND – TV coverage
23 FEBRUARY – 16 MARCH (17-18 Campaign silence)

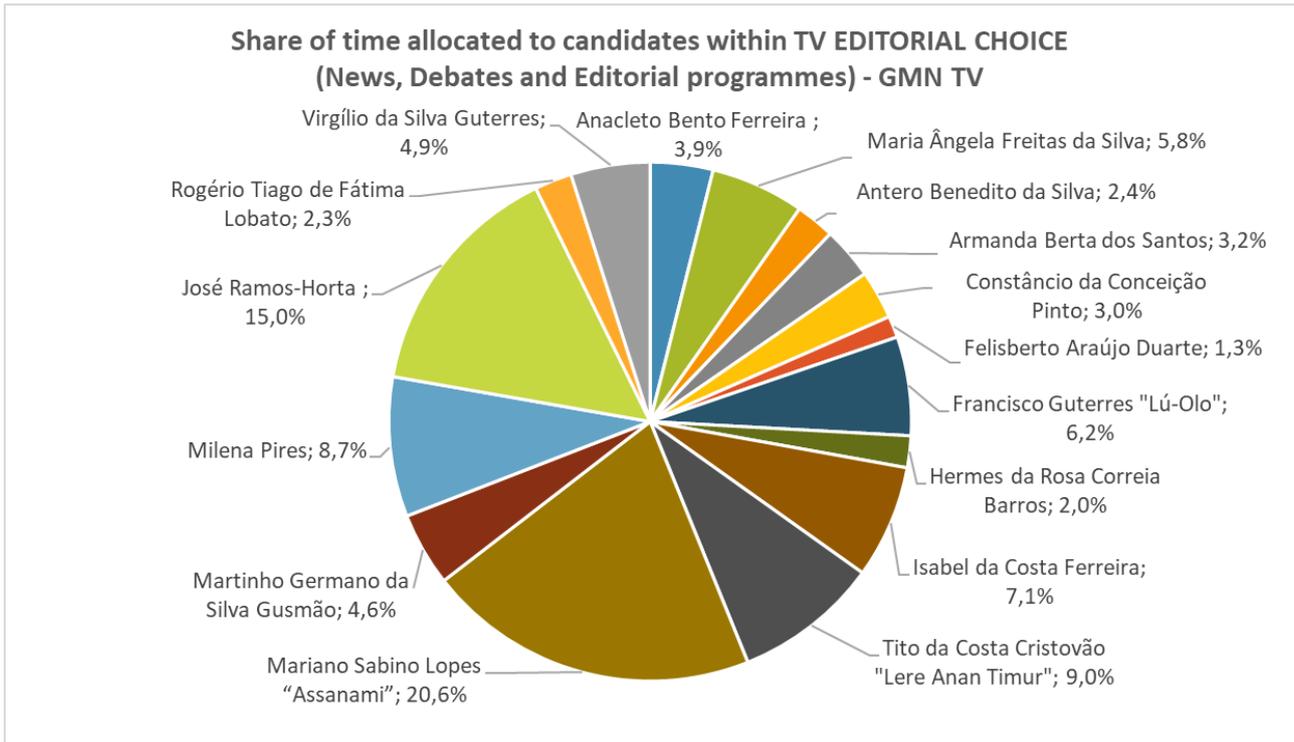
1.1 Breakdown of types of political communication in TV stations’ primetime programming



PA = Paid Advertisement; VE = Voter Education; PSA = Public Service Announcement.

1.2. Total time allocated to candidates during election-related primetime programmes of editorial choice on TV stations (News, debates, other editorial programmes)





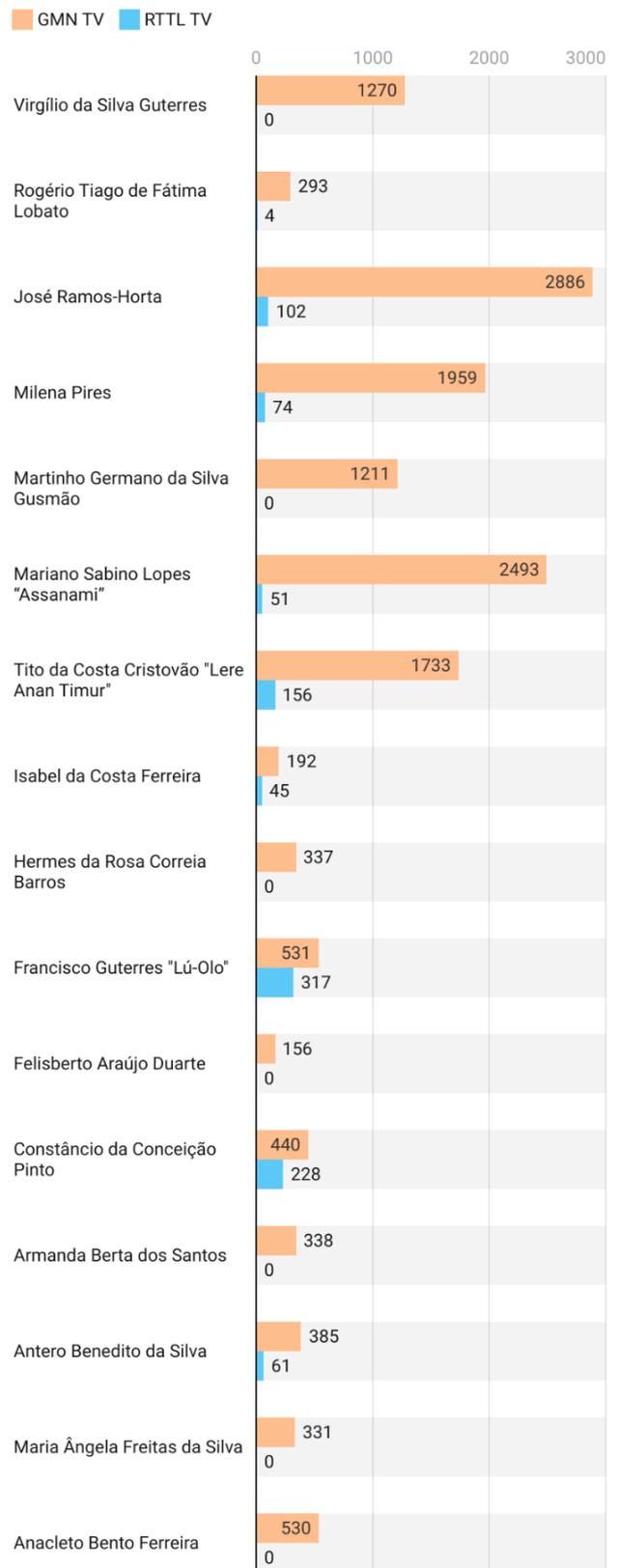
1.3 Total time allocated to candidates during election-related primetime programmes of editorial choice (all programmes on electoral and political matters, excluding free airtime, political advertisements and voter information spots)

	RTTL TV	GMN TV
Total time devoted to candidates	2 hours	11 hours 40 minutes

1.4 Share of time allocated to candidates within TV news



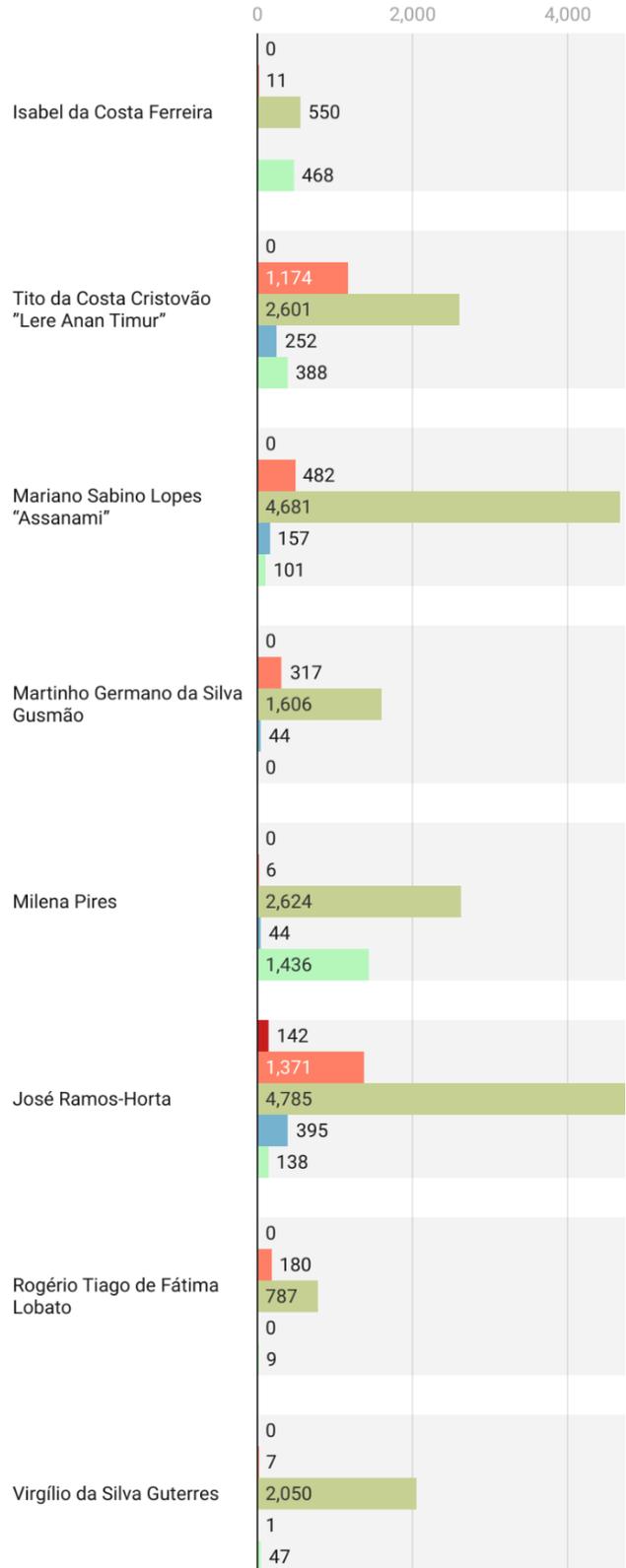
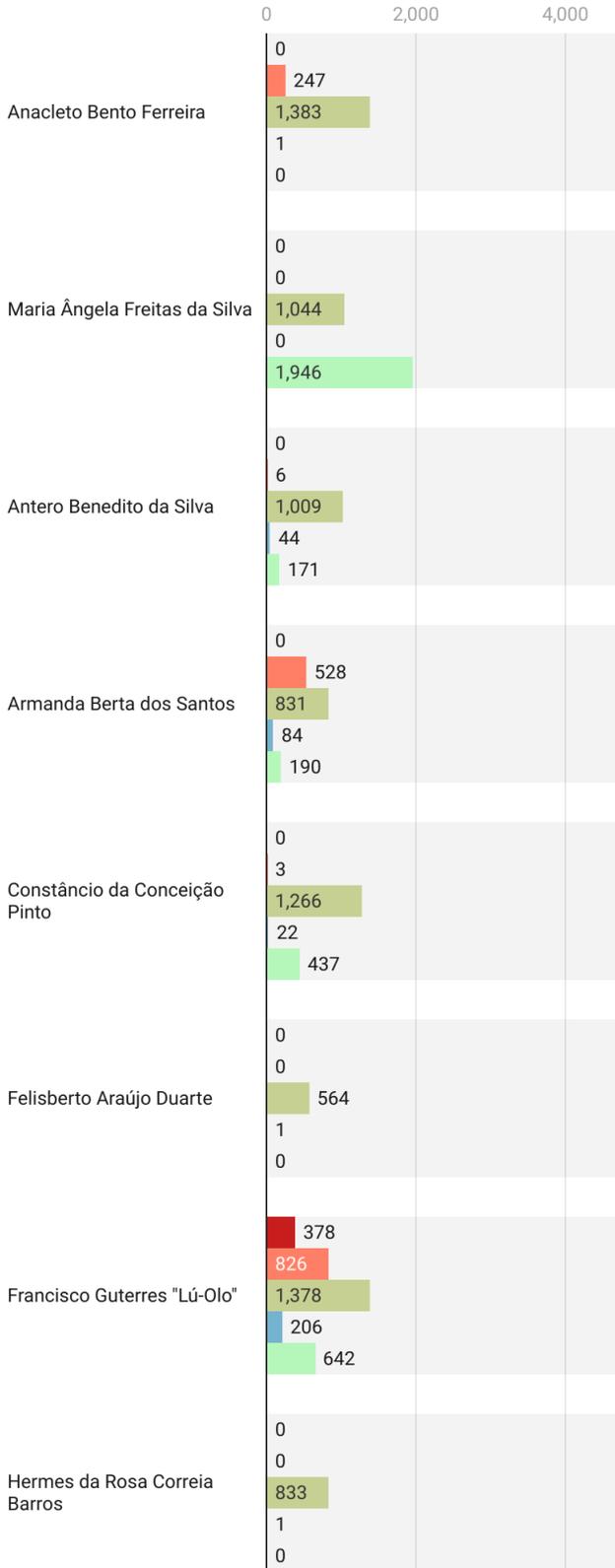
1.5 Direct speech allocated to candidates within TV news (in seconds)



1.6 Tone of coverage across TV stations (all editorial choice programmes, excluding free airtime, paid advertisements and live coverage)

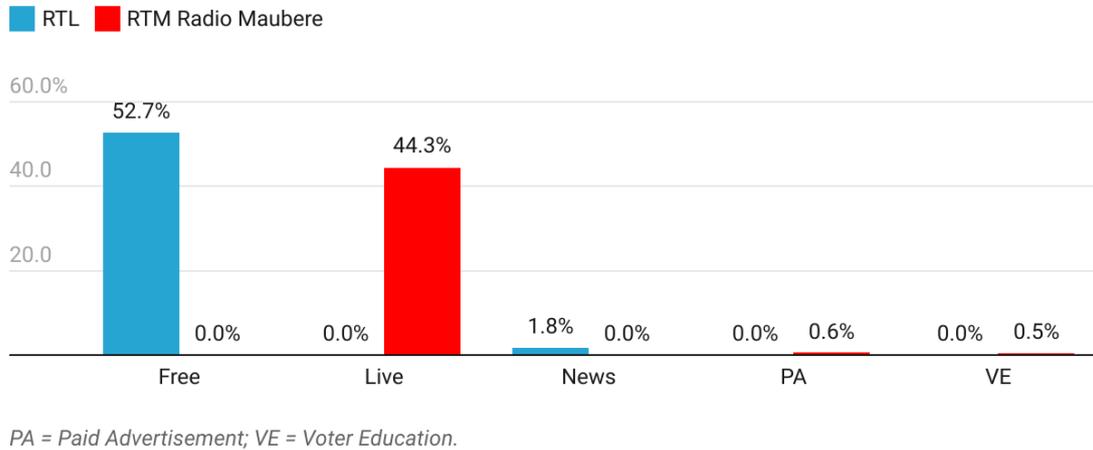
GMN TV - negative GMN TV - neutral GMN TV - positive
 RTTL TV - neutral RTTL TV - positive

GMN TV - negative GMN TV - neutral GMN TV - positive
 RTTL TV - neutral RTTL TV - positive



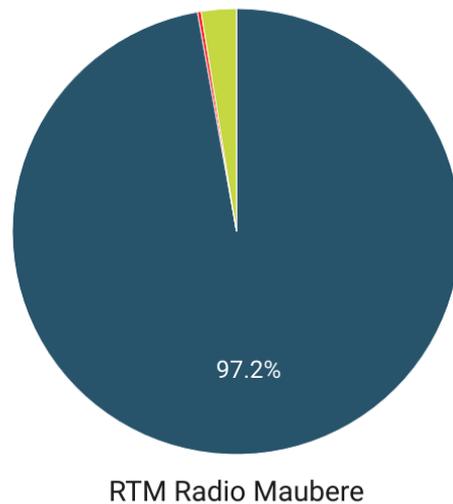
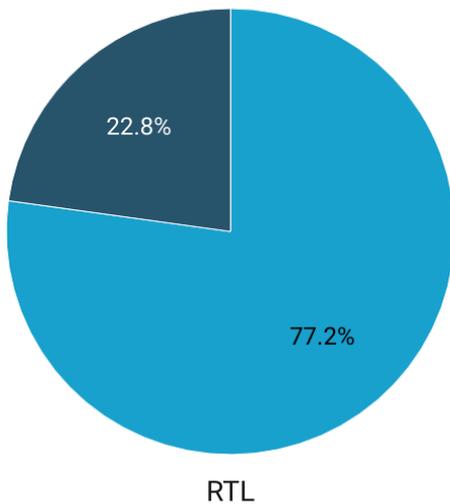
PRESIDENTIAL ELECTION - FIRST ROUND – Radio coverage
23 FEBRUARY – 16 MARCH (17-18 Campaign silence)

1.7 Breakdown of types of political communication in radio stations’ primetime programming



1.8 Total time allocated to candidates during election-related primetime programmes of editorial choice on radio stations (news, debates, editorial programmes)

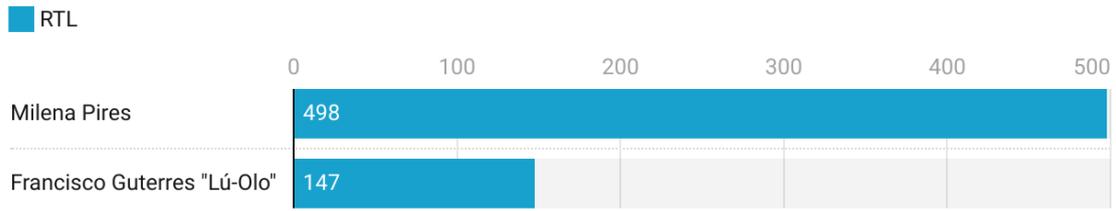
Milena Pires (Blue), Francisco Guterres "Lú-Olo" (Dark Blue), Tito da Costa Cristovão "Lere Anan Timur" (Red), José Ramos-Horta (Light Green)



1.9 Total time allocated to candidates during election-related primetime programmes of editorial choice (all programmes on electoral and political matters, excluding free airtime, political advertisements and voter information spots)

	RTL Radio	RTM Radio
Total time devoted to candidates	10 minutes	7 hours

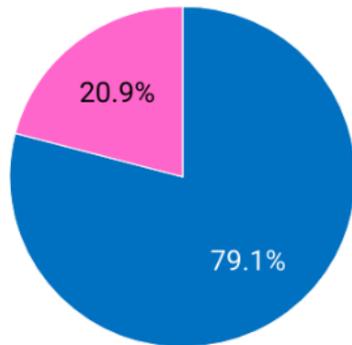
1.10 Total time allocated to candidates within radio news (in seconds). RTM radio provided no news coverage



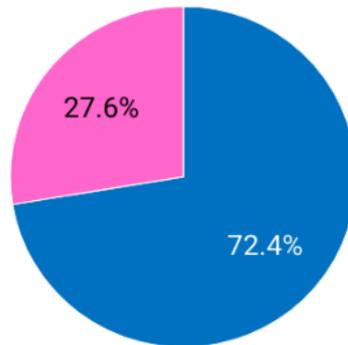
1.11 Gender balance across the media landscape

TV

■ M ■ F



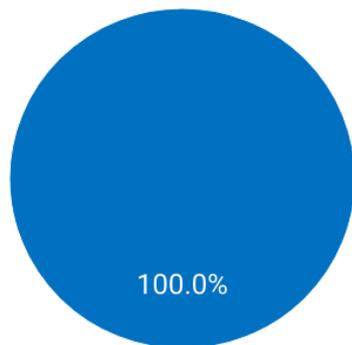
GMN TV



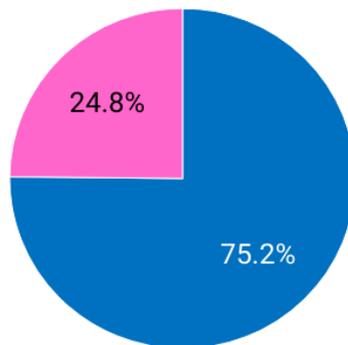
RTTL TV

Radio

■ M ■ F



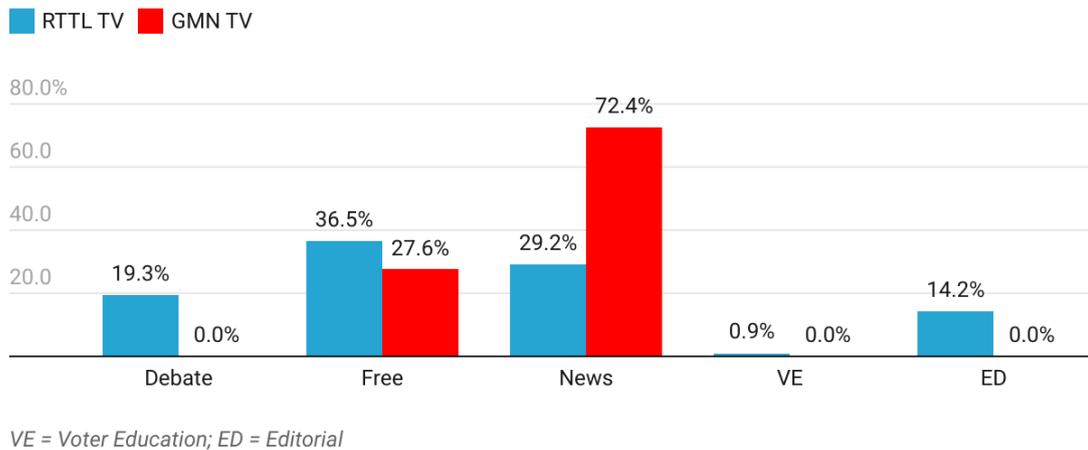
RTM Radio Maubere



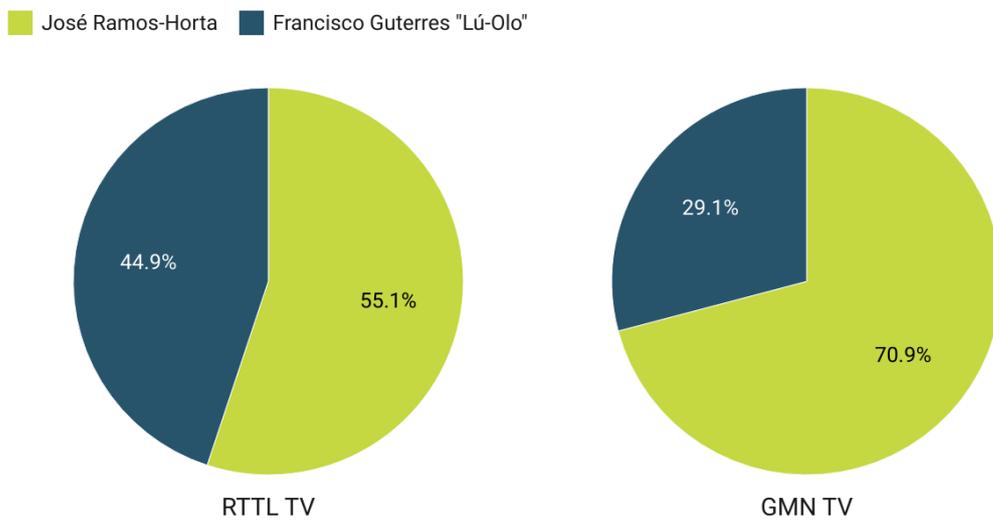
RTL

PRESIDENTIAL ELECTION - SECOND ROUND – TV coverage
25 MARCH – 16 APRIL (17-18 Campaign silence)

2.1 Breakdown of types of political communication in TV stations’ primetime programming



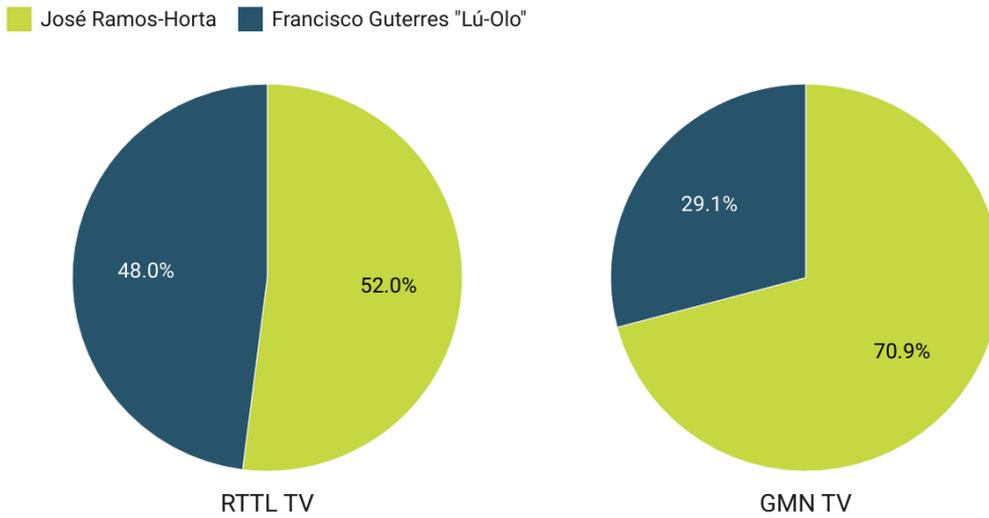
2.2 Share of time allocated to candidates during election-related primetime programmes of editorial choice on TV stations (news, debates, editorial programmes)



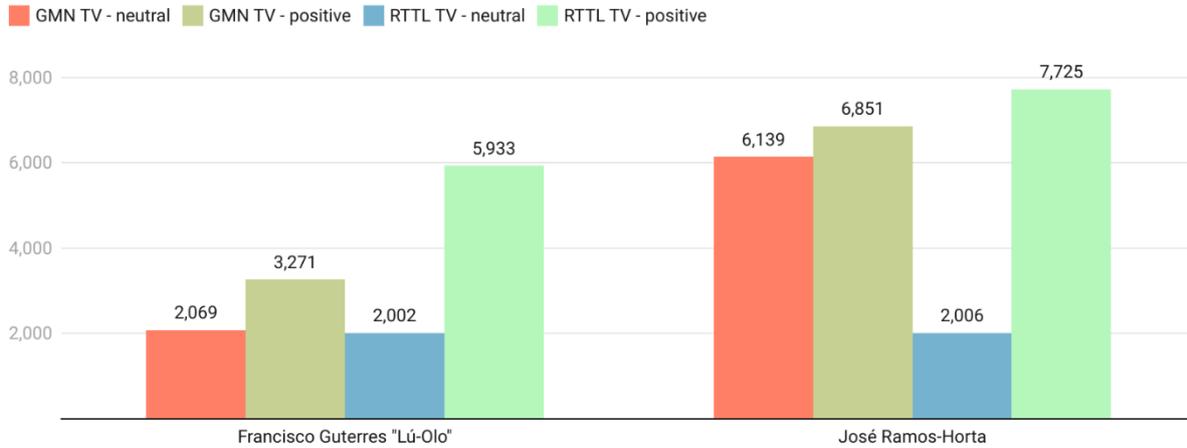
2.3 Total time allocated to candidates during election-related primetime programmes of editorial choice (all programmes on electoral and political matters, excluding free airtime, political advertisements and voter information spots)

	RTTL TV	GMN TV
Total time devoted to candidates	4 hours 55 minutes	5 hours 5 minutes

2.4 Total time allocated to candidates within TV news

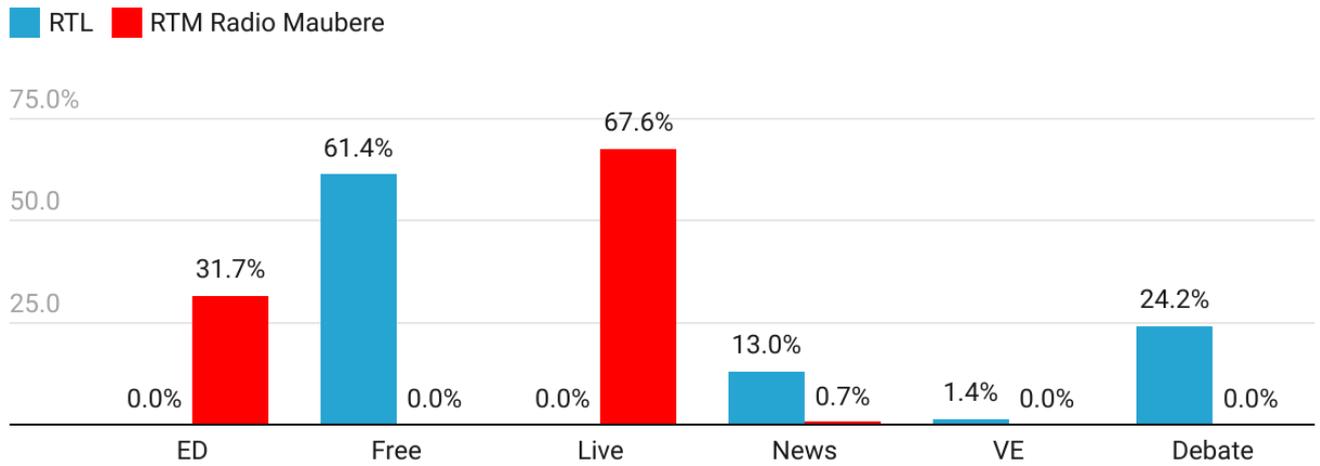


2.5 Tone of coverage across TV stations (all editorial choice programmes, excluding free airtime, paid advertisements and live coverage)



PRESIDENTIAL ELECTION - SECOND ROUND – Radio coverage
25 MARCH – 16 APRIL (17-18 Campaign silence)

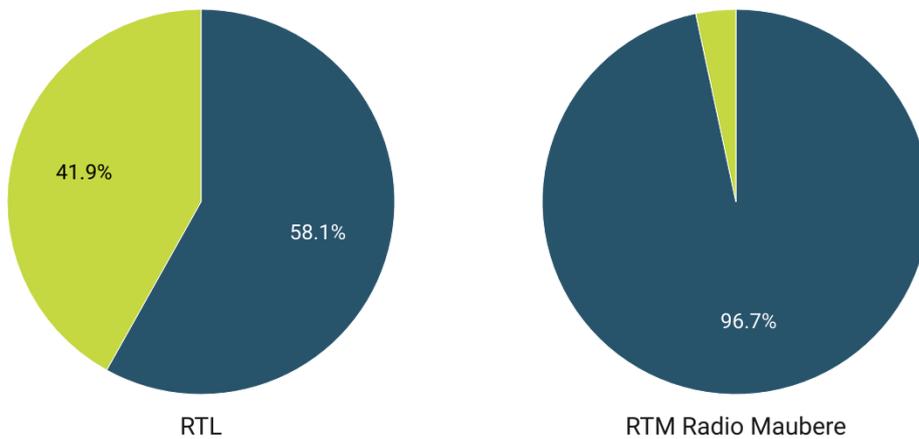
2.6 Breakdown of types of political communication in radio stations’ primetime programming



ED = Editorial; VE = Voter Education.

2.7 Total time allocated to candidates during election-related primetime programmes of editorial choice on radio stations (news, debates, editorial programmes)

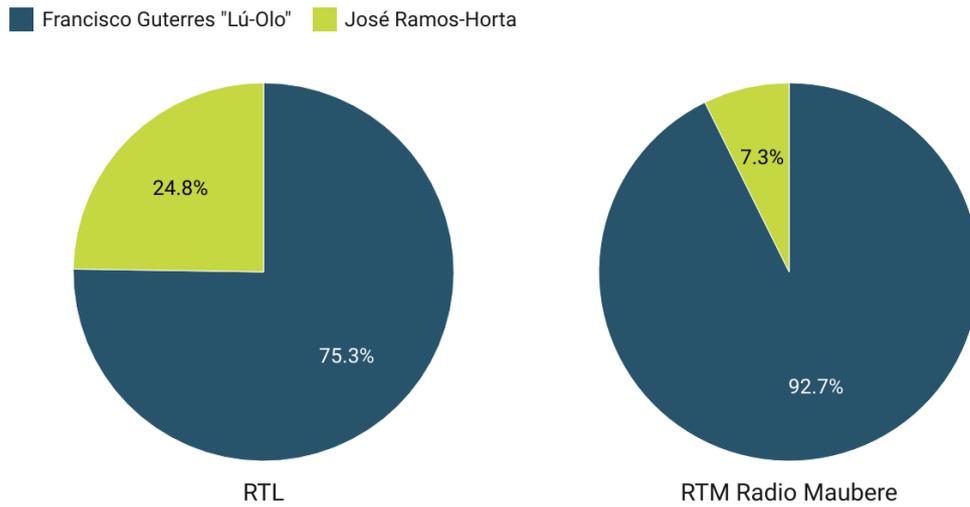
Francisco Guterres "Lú-Olo" José Ramos-Horta



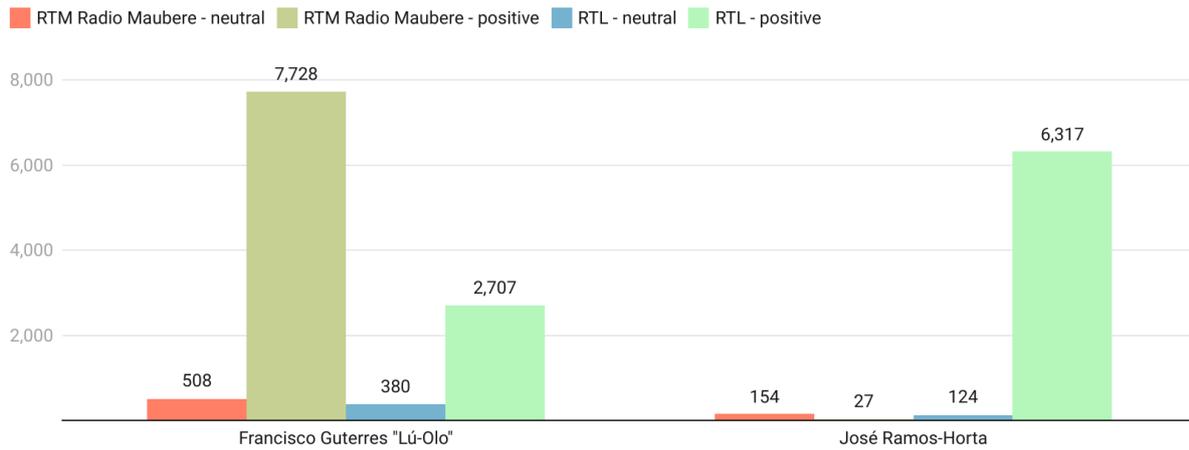
2.8 Total time allocated to candidates during election-related primetime programmes of editorial choice (all programmes on electoral and political matters, excluding free airtime, political advertisements and voter information spots)

	RTL Radio	RTM Radio
Total time devoted to candidates	1 hour 10 minutes	7 hours 50 minutes

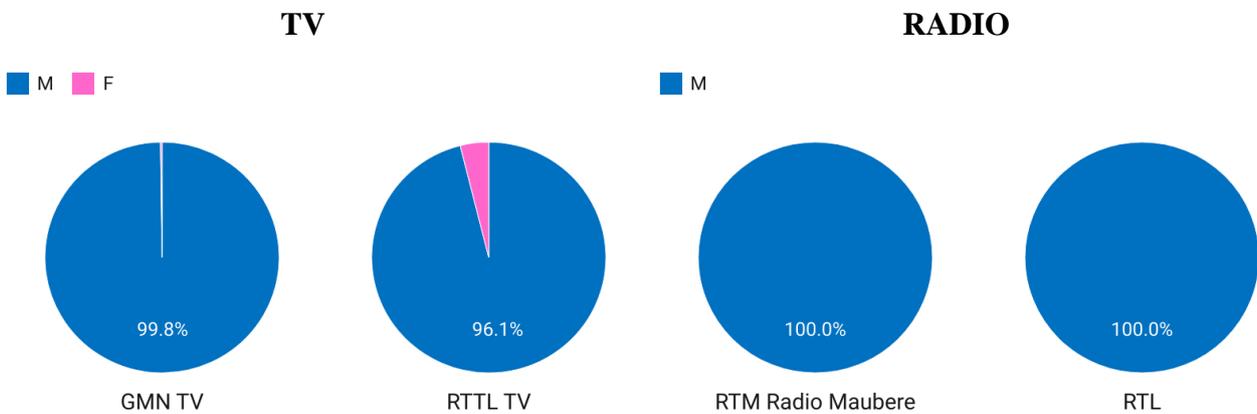
2.9. Total time allocated to candidates within radio news



2.10 Tone of coverage across radio stations



2.11 Gender balance across the media landscape

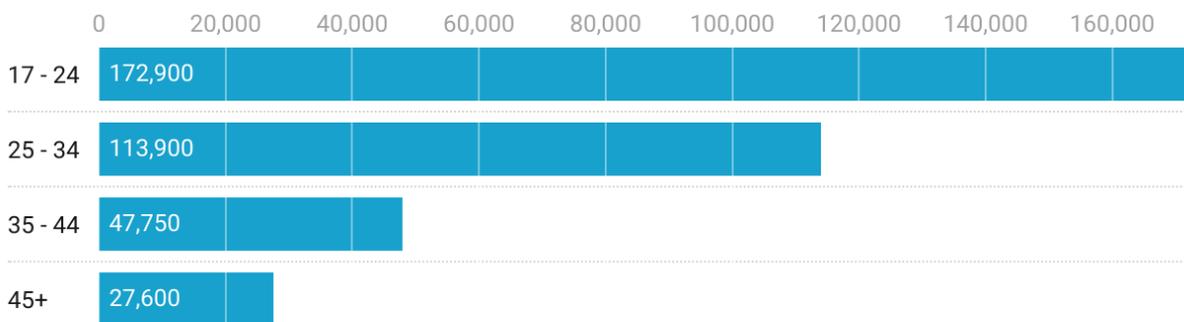


22. ANNEX D – EU EOM SOCIAL MEDIA MONITORING

The number of internet users in Timor-Leste has grown considerably in recent years, with the expansion of mobile networks. Internet penetration reached 51 per cent of the population in early 2022 and almost all connections are mobile.³⁰ Mobile networks cover 92 per cent of the population, but data services have limited speeds outside Dili and other urban areas.

Facebook dominates social media preferences, with some 400,000 users – about one third of the population (but three quarters of internet users) having a presence on the network. Instagram is a distant second, with less than six per cent of the population using the photo-sharing app. Twitter has a negligible user base (5,400 users).³¹ The EU EOM monitored and analysed 40 Facebook public pages and nine groups for the first round and 14 pages and 14 groups for the second round.

Estimated numbers of Facebook users by age groups



Created with Datawrapper

Percentage of posts by type

Legend: Status (light blue), Photo (medium blue), Link (dark blue), Live Video (lightest blue), Video (darkest blue)

First Round



Run-Off



Created with Datawrapper

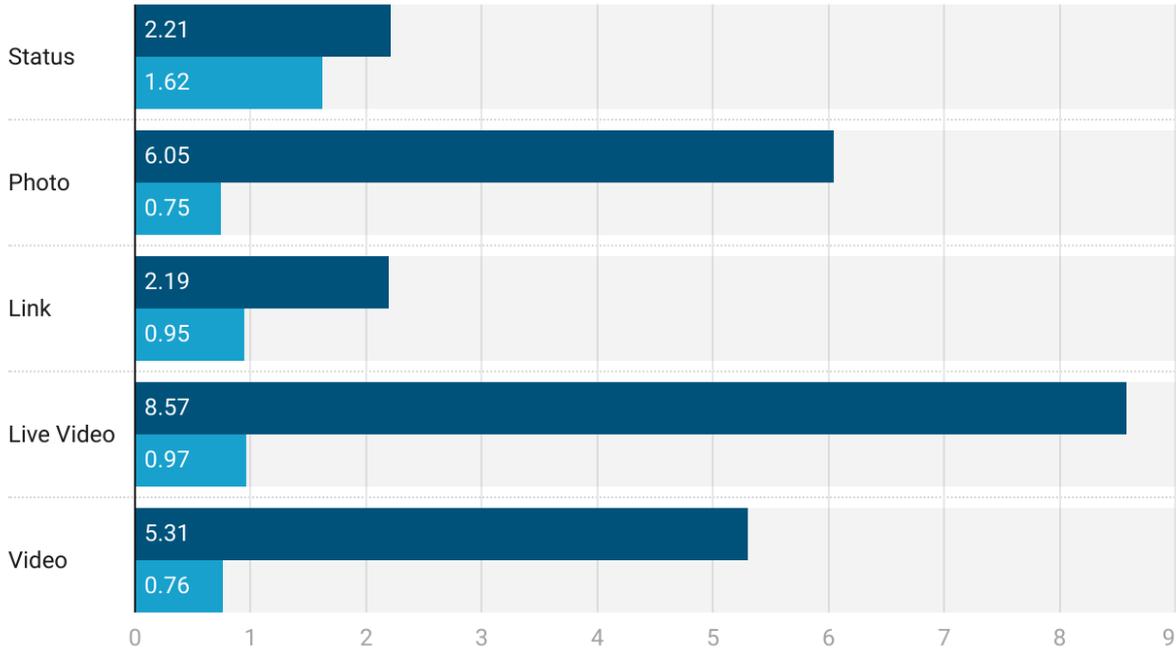
³⁰ <https://datareportal.com/reports/digital-2022-timor-leste>

³¹ Idem.

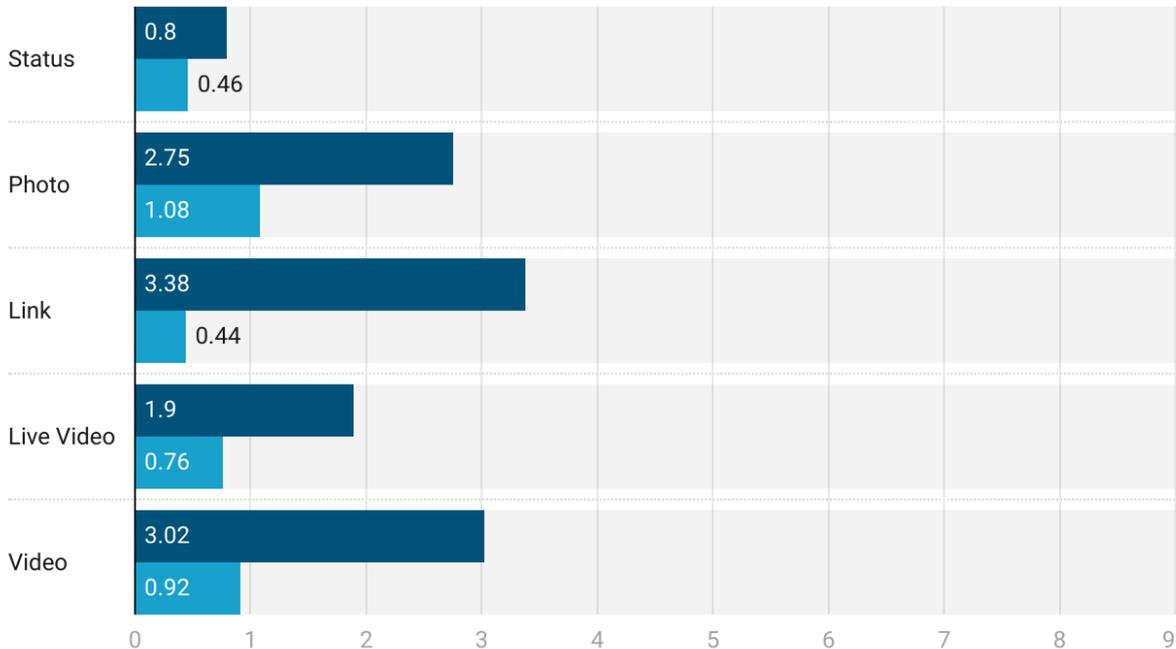
Mean and median interaction rate (percentage of total interactions out of number of followers at time of post) of posts during campaign

■ Average interaction rate (%) ■ Median interaction rate (%)

First Round



Run-Off



Created with Datawrapper

23. ANNEX E – FINAL ELECTION RESULTS

Election Results – First Round, 19 March 2022

	Name	Votes	Percentage
14	José Ramos-Horta	303,477	46.6 %
6	Francisco Guterres “Lú-Olo”	144,282	22.1 %
9	Armanda Berta dos Santos	56,690	8.7 %
8	Tito da Costa Cristovão “Lere Anan Timur”	49,314	7.6 %
16	Mariano Sabino Lopes “Assanami”	47,334	7.3 %
5	Anacleto Bento Ferreira	13,205	7.3 %
13	Martinho Germano da Silva Gusmão	8,598	1.3 %
2	Hermes da Rosa Correia Barros	8,030	1.2 %
7	Maria Helena Lopes de Jesus Pires	5,430	0.8 %
1	Isabel da Costa Ferreira	4,219	0.6 %
15	Felisberto Araújo Duarte	2,709	0.4 %
11	Constâncio da Conceição Pinto	2,520	0.4 %
12	Virgílio da Silva Guterres	1,720	0.3 %
4	Rogério Tiago de Fátima Lobato	2,058	0.3 %
10	Antero Benedito da Silva	1,562	0.2 %
3	Maria Ângela Freitas da Silva	711	0.1 %

	Voters registered – Total	859,613	100 %
	Voter Turnout	664,106	77.26 %
	Voters – Men	341,624	51.44 %
	Voters – Women	322,482	48.56 %

	Total Votes Cast	664,106	100 %
	Valid	651,859	98.16 %
	Blank	3,743	0.56 %
	Invalid	8,386	1.26 %
	Declined	65	0.01 %
	Abandoned	53	

Election Results – Run-Off, 19 April 2022

	Name	Votes	Percentage
1	José Ramos-Horta	398,028	62.1 %
2	Francisco Guterres “Lú-Olo”	242,939	37.9 %

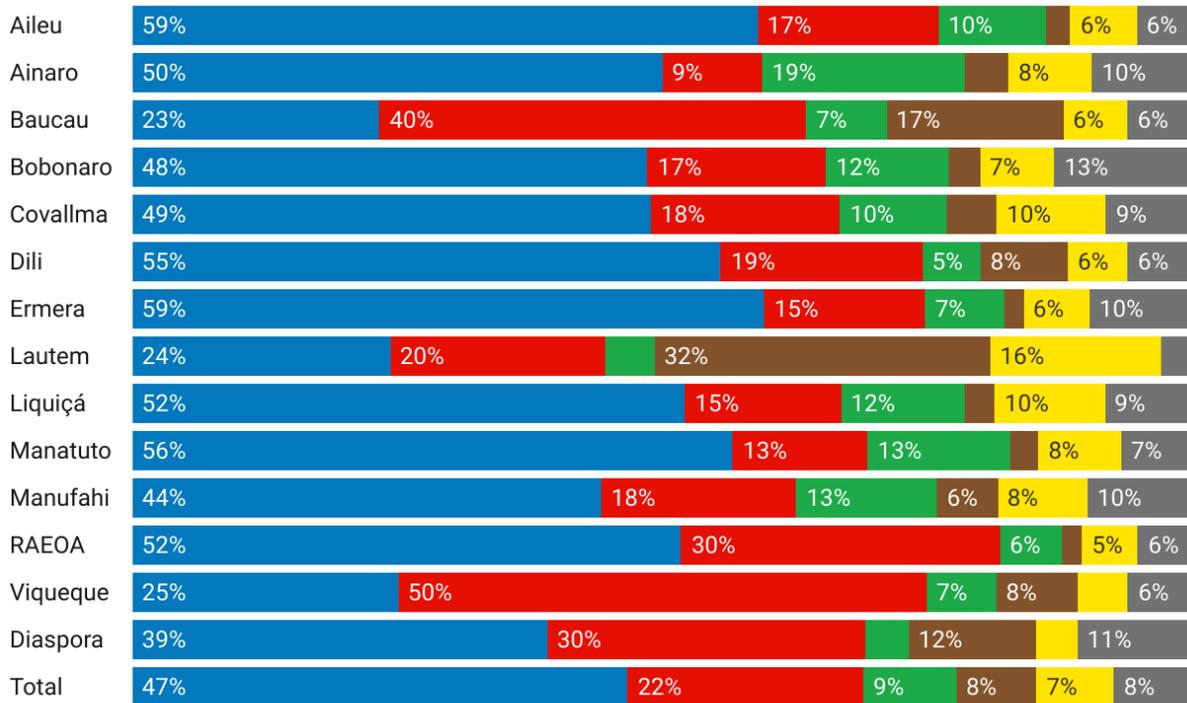
	Voters registered – Total	859,925	100 %
	Voter Turnout	646,389	75.17 %
	Voters – Men	334,177	51.70 %
	Voters – Women	312,212	48.30 %

	Total Votes Cast	646,389	100 %
	Valid	640,967	99.16 %
	Blank	1,643	0.25 %
	Invalid	3,734	0.58 %
	Declined	28	
	Abandoned	17	

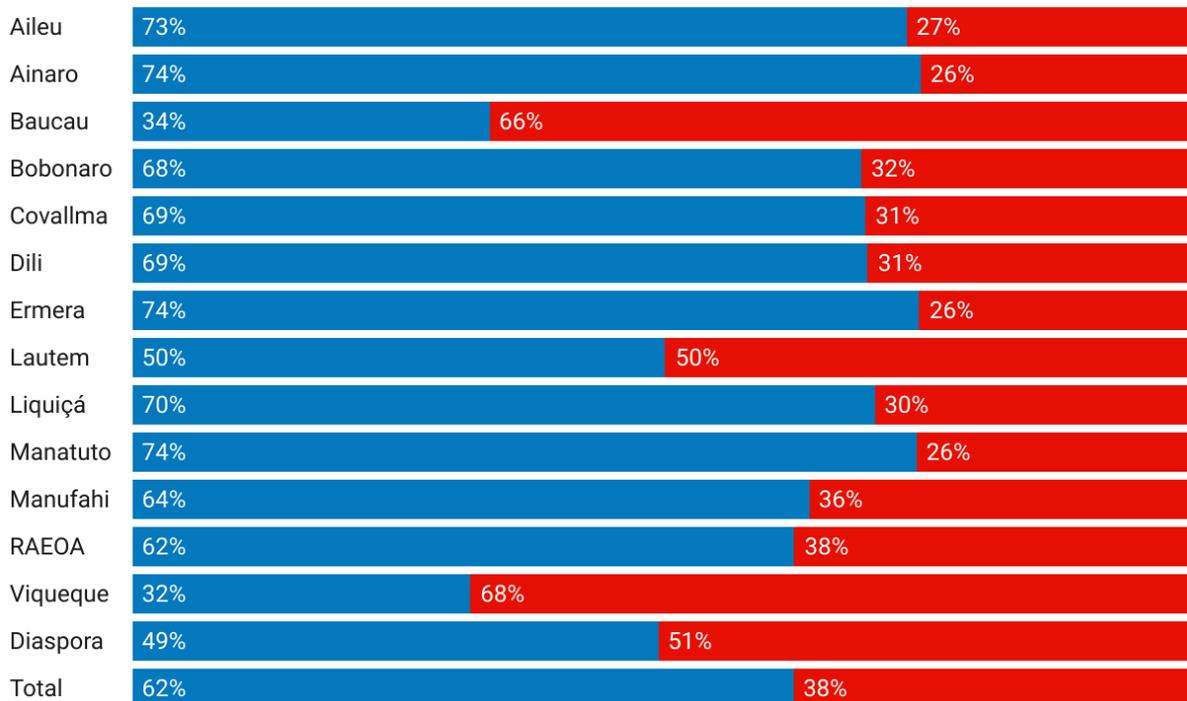
Election results by municipality

■ Ramos-Horta
 ■ Lú-Olo
 ■ Armanda Berta
 ■ Lere Anan Timur
 ■ Assanami
 ■ Others

First Round



Run-Off



Created with Datawrapper