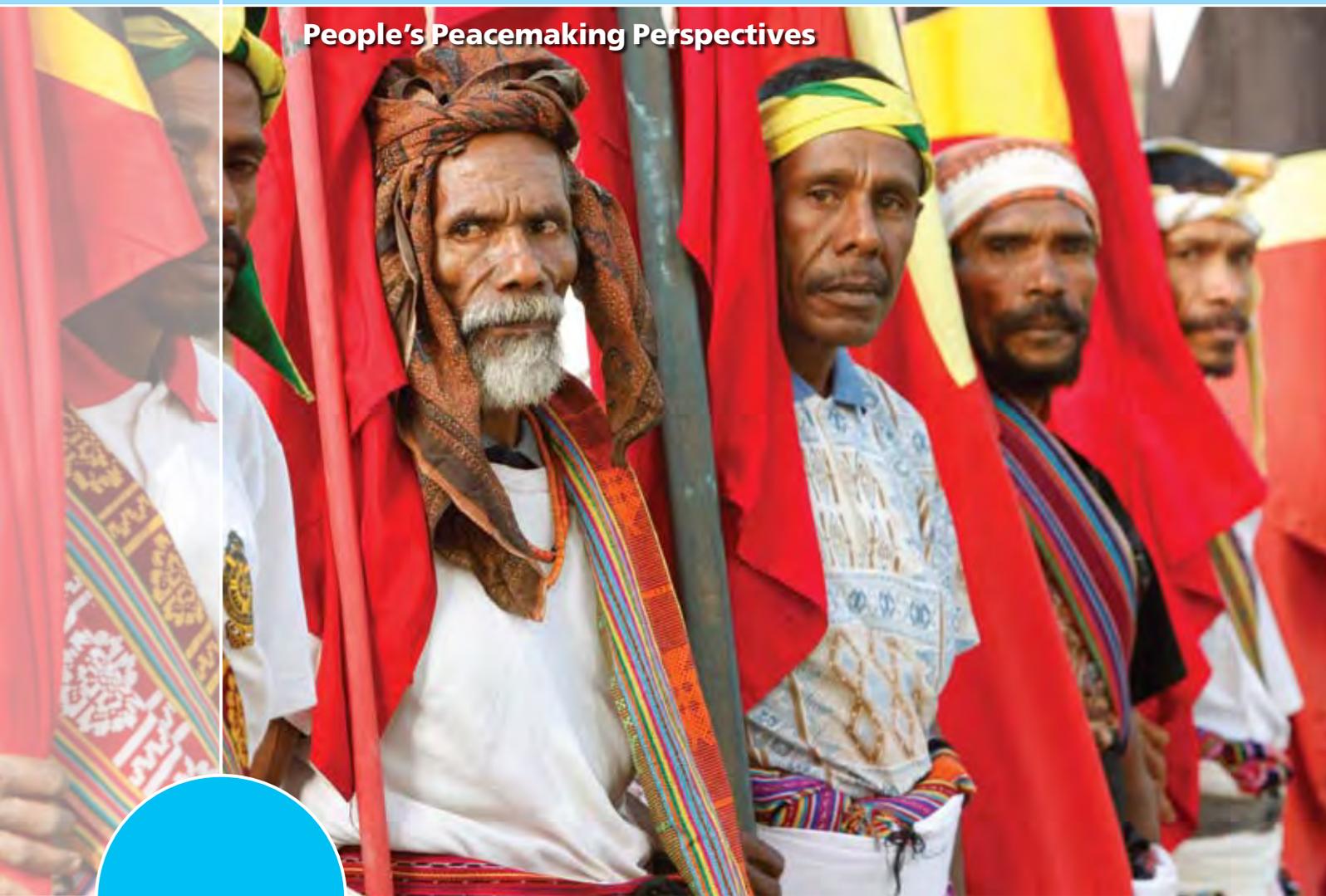




Assessing the risk of violence in Timor-Leste's 2012 elections

People's Peacemaking Perspectives



April 2012



Assessing the risk of violence in Timor-Leste's 2012 elections

People's Peacemaking Perspectives

Acknowledgements

This report was written by Dr Richard Bowd, Saferworld's Asia Regional Conflict and Security Advisor. The research was led Dr Bowd in co-operation with Sarah Dewhurst of Columbia University's Center for International Conflict Resolution working in partnership with the team at NGO Belun.¹ Comments were provided by Rosy Cave, Teresa Dumasy and Ben Stevenson. The publication was designed by Jane Stevenson. This report was prepared under the People's Peacemaking Perspectives project.

The People's Peacemaking Partnership project

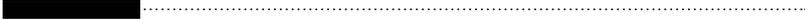
The People's Peacemaking Partnership project is a joint initiative implemented by Conciliation Resources and Saferworld and financed under the European Commission's Instrument for Stability. The project provides European Union institutions with analysis and recommendations based on the opinions and experiences of local people in a range of countries and regions affected by fragility and violent conflict.

© Saferworld April 2012. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system or transmitted in any form or by any means electronic, mechanical, photocopying, recording or otherwise without full attribution. Saferworld welcomes and encourages the utilisation and dissemination of the material included in this publication.



This document has been produced with the financial assistance of the European Union. The contents of this document are the sole responsibility of Saferworld and can under no circumstances be regarded as reflecting the position of the European Union.

¹ NGO Belun is a national non-governmental organisation (NGO) focusing on conflict prevention, community capacity development and research and policy development in Timor-Leste.



Contents

Map	
Acronyms	
Executive summary	i
1 Introduction	1
2 Context analysis	3
Since independence: developing country, fragile state	3
A decade punctuated by violence	4
What next?	6
3 Potential risks of electoral violence 2012	8
Conflict dynamics in Timor-Leste	9
Root causes of conflict and their link to electoral violence	11
Election specific risks	14
Possible trigger points of electoral violence	23
Mitigating factors	26
4 Conclusion and recommendations	31
Conclusion	31
Recommendations	32
ANNEX: Methodology and validation	37
Focus groups discussions	37
Key informant/in-depth interviews	37
Bibliography	39

Timor-Leste



This map is intended for illustrative purposes only. Safenworld takes no position on whether this representation is legally or politically valid.

Acronyms

CBO	Community-based organisation
CICR	Centre for International Conflict Resolution, Columbia University
CNE	National Electoral Commission
CNJTL	National Youth Council of Timor-Leste
CNRT	National Congress for Timorese Reconstruction
CPRN	Conflict Prevention and Response Network
CSO	Civil society organisation
EU	European Union
EWER	Early Warning Early Response System
FALINTIL	Armed Forces for the National Liberation of Timor-Leste
FDTL	Democratic Forces of Timor-Leste
FESTIL	Timor-Leste Federation for the Defensive Arts
F-FDTL	FALINTIL-Democratic Forces of Timor-Leste
FGD	Focus group discussion
FRETILIN	Revolutionary Front for an Independent Timor-Leste
HDI	Human Development Index
ICG	International Crisis Group
IDP	Internally displaced person
IFES	International Foundation for Electoral Systems
ISF	International Stabilisation Force
KII	Key informant interview
MAG	Martial arts group
MDG	Millennium Development Goal
MSS	Ministry of Social Solidarity
NDCCP	National Directorate for Community Conflict Prevention
PNTL	National Police of Timor-Leste
PSHT	Faithful Heart Brotherhood of Skilled Martial Artists
RDTL	Democratic Republic of Timor-Leste
STAE	Technical Secretariat of Electoral Administration
TLAVA	Timor-Leste Armed Violence Assessment
UN	United Nations
UNDP	United Nations Development Programme
UNMIT	United Nations Integrated Mission in Timor-Leste
UNPOL	United Nations Police

Executive summary

THIS RESEARCH was carried out in the run-up to the parliamentary and presidential elections in 2012. The first round of the presidential election took place on 17 March 2012 and resulted in incumbent President, José Ramos-Horta, losing his position. The second round took place on 16 April resulting in Taur Matan Ruak (TMR), the former Army Chief, winning the Presidency. Parliamentary elections will take place on 7 July 2012.

Timor-Leste is a young nation, achieving full independence from 24 years of Indonesian occupation and 460 years of Portuguese colonialism only a decade ago. Since then, while significant development gains have been achieved, the combined result of a turbulent history and sporadic episodes of violence have left the population vulnerable to a risk of political violence around the 2012 election period. As part of the EU-funded People's Peacemaking Perspectives project, Saferworld conducted this study exploring the potential for electoral violence during the pre- and post-election period. This is the third time the population will go to the polls in national elections since independence and whilst overall, political processes have been peaceful, the analysis has found that there are considerable unresolved issues and underlying drivers of conflict that increase the possibility of election violence.

Conducted between 13 October and 1 November 2011, the study brought together men and women in focus group discussions in four districts. Key informant interviews were also conducted with national and international security personnel, civil society actors, political leaders, local government officials, martial arts groups (MAGs), and Timorese political analysts. Following a detailed contextual analysis, the report explores key conflict dynamics in Timor-Leste looking in particular at issues of multiple identity and the risk of rapid escalation of personal or localised disputes. An analysis of the root causes of conflict follows which includes respondents' perceptions and analysis on critical issues such as national unity, rule of law, perceptions of patronage and corruption, land and peace dividends. Specific risks to the 2012 elections such as access to information, low civic awareness, engagement of youth and MAGs, the role of the security agencies as well as the election bodies are presented, as well as factors that reduce the risk of an outbreak of violence. Factors contributing to resilience include community involvement and cohesion, the role of local leaders, traditional systems and the preparation conducted in the lead up to these elections.

The final section of the report provides detailed recommendations for policy and programming in four key areas:

- **Efforts to engage political actors and other key stakeholders** in a constructive and positive role in the election process are needed to counter the dominance of divisive rhetoric in national politics, particularly during elections.

- **Initiatives that seek to raise public awareness of the electoral system and related laws** and to address misinformation and rumour are crucial. Specific focus should be on raising awareness of the electoral process.
- **Engaging youth and members of MAGs in peaceful processes** around the elections and wider democratic processes is vital in order to prevent them being drawn into and manipulated for political violence.
- **In addition to immediate measures to prevent election violence, longer-term interventions** are required to support the implementation of the rule of law and develop community level conflict prevention and response mechanisms that are locally owned and led.

1

Introduction

“The most important thing is that the reaction of the society to those issues [the elections] and those actions shouldn’t be through violence. As Timorese, we feel tired of building and rebuilding again. This is going to be a test for us, how far the leaders are able to accommodate all different parts, all different interests; to be able to strongly say that we are united, like we did during the resistance struggle. And now, whatever challenges we face in this country, we need to face as a new country, but the most important thing is not to react in a violent way, in order to show that we have a political maturity to lead this country.”

National Electoral Commission (CNE) Commissioner, Dili, Timor-Leste

IN JULY OF 2012 the people of Timor-Leste go to the polls in what will be their third Parliamentary elections since gaining full independence in 2002, following Presidential elections held on the 17 March (first round) and 16 April (second round), which saw incumbent President, José Ramos-Horta, lose his presidency to be replaced by Taur Matan Ruak (TMR), the former Army Chief. This follows 460 years of Portuguese colonial rule, 24 years of Indonesian occupation and a three-year UN administered transition period. The decade following full independence and membership of the UN in 2002 has seen many positive developments in a country that was left in ruins as the Indonesians departed amid a punitive scorched earth policy following the UN-backed independence referendum of 1999. However, so too has this decade been punctuated with violence and instability resulting in civilian deaths, widespread displacement, states of emergency and the intervention of the United Nations and the International Stabilisation Force (ISF).

Of particular concern has been the way in which political issues have been interwoven with most episodes of violence within Timor-Leste during this time and this is particularly relevant when considering the possible impact of the 2012 Presidential and Parliamentary elections. Political violence is not new to the Timorese population with the 1974 civil war, the 1999 referendum and the 2006 Crisis being pertinent reminders of Timor-Leste’s vulnerability to politically motivated violence. Whilst overall the 2012 elections do not hold the same potential for widespread violence, there remain significant concerns rooted in complex underlying social and political causes that warrant further investigation in this report.

This paper reflects the voices of community members and the perspectives of national and international civil society, local and national government and the members of the international community in Timor-Leste based on primary research conducted in Timor-Leste between 13 October and 1 November 2011. The study utilised a combination of research techniques including desk research; 11 focus group discussions conducted with men, women and mixed participants in four districts – Ainaro, Covalima, Baucau and Dili; 50 key informant/in-depth interviews conducted in these four districts with 24 held outside Dili to gather community perspectives on the risks of electoral

violence.² The research was conducted in partnership with non-governmental organisation (NGO) Belun. Its purpose is to provide evidence-based and actionable recommendations to relevant stakeholders, particularly the EU, on how best to prepare for the 2012 elections, reduce the risk of electoral violence and to promote longer-term democratic processes.

The study is presented in three sections: a context analysis outlining political developments over the last decade and episodes of violence within this period; the potential risks of electoral violence based on the findings of the research; and policy and programming recommendations to the national government, the international community and civil society.

² See Annex: Methodology and validation for more details.

2

Context analysis

“We must have unity between leaders to build the country; if there is a gap or disunity between the leaders it will be the same in the community ... the government needs to be attentive to the community especially ordinary people so they can live better: it needs to create jobs to reduce the risk [of violence] as the people will focus on this.”

Martial Arts Group leader, Baucau, Timor-Leste

Since independence:
developing nation,
fragile state

TIMOR-LESTE IS A HALF-ISLAND STATE situated between the Banda and Timor Seas in the Pacific. It has a population of approximately 1.1 million who rely primarily on subsistence farming. In the ten years since Timor-Leste gained full independence and emerged from UN administration, the country has pursued a policy of government-led development³ and has achieved gradual progress towards the Millennium Development Goals (MDGs)⁴ and in increasing the UNDP Human Development Index (HDI)^{5,6}. Such developments have, in part, been enabled through an increased capacity of government institutions and the growth of a political culture that is able to respond to the needs of its people.

Immediately before and after the 1999 referendum in which the people of Timor-Leste voted for full independence from Indonesia, pro-integrationist militias supported by the Indonesian army engaged in systematic and widespread violence and human rights abuses leading to “the destruction of much of Timor-Leste’s infrastructure and housing stock, the collapse of the economy and state institutions and the forced displacement of the majority of the population.”⁷ Timor-Leste’s leaders, fresh from an independence war lasting 24 years, were faced with the prospect of forging a new national identity against the backdrop of a country in ruins. The political leadership, along with civil society and the international community, have achieved mixed success in capitalising on the country’s substantial oil resources and significantly improving the delivery of basic services to the population, especially to those in rural areas. Timor-Leste’s ongoing struggle with these challenges, as well as episodes of violence

³ Government-led economic development in Timor-Leste has not always been consistent. The World Bank encouraged the first government to have a deflated civil service, and conservative use of the Petroleum fund, in theory, creating the conditions for the private sector to flourish – the private sector has been exceptionally slow to develop and Timor is still very oil, and aid, dependent with the only significant non-oil sectors being coffee and agriculture. The Strategic Development Plan 2011–2030 launched in 2011 has been the first significant attempt to align donors behind a government-led development strategy.

⁴ It should be noted that Timor-Leste only committed to the MDGs in 2002 after independence and therefore has had half the time other countries have had in this effort.

⁵ HDI rating has increased from 0.4 to 0.5, however it remains lower than the East Asia and Pacific average of 0.68.

⁶ UNDP (2009), 2009, *The Millennium Development Goals, Timor-Leste*, accessible at www.tl.undp.org/undp/Publications/Other%20publications/MDG%20Timor-Leste_2009.pdf

⁷ Bowd (2009), *Timor-Leste: IDPs have returned home, but the challenge of reintegration is just beginning*, Geneva: IDMC p 3.

and instability over the last ten years, has led to its inclusion in the G7+ group of 'fragile states.'⁸

A decade punctuated with violence

The people of Timor-Leste have endured violent rule for hundreds of years, climaxing at the end of the occupation by Indonesia in 1999. In the years 1975 to 1999 approximately 18,600 non-combatant Timorese were unlawfully killed or disappeared, thousands of women were subjected to serious sexual violations, up to 183,000 people died from hunger and illness and almost the entire population experienced at least one period of displacement.⁹ The total number of deaths accounted for roughly one third of Timor-Leste's population. In the 12 years since the Indonesian military apparatus left, trauma remains and the struggles for political supremacy in the birth of a new country have given rise to the use of violence for political ends on various occasions and with differing impacts.

Arguably, the majority of serious episodes of violence since 1999 have emerged due to political polarisation between the key 'historical' leaders of Timor-Leste: those who led the armed, diplomatic and clandestine fronts of the resistance movement. While during the resistance struggle, such leaders were ostensibly able to put aside personal and political difference for the greater good, "the political leadership have been moving apart for a long time already; they haven't yet been able to resolve differences that go back to 1974 and developed during the period of resistance – these differences are at the root of the various conflicts and violent incidents we see today in our country."¹⁰

Post-Independence 2002 riots and the deepening of political cleavages

The deepening of political cleavages was apparent almost immediately following the declaration of independence in 2002. In May 2002, a protest march of thousands of ex-resistance fighters into Dili was held expressing discontentment among ex-FALINTIL (Armed Forces for the National Liberation of Timor-Leste) personnel that had not been included in the Democratic Forces of Timor-Leste (FDTL)¹¹ at its inception in 2001. This was followed in December 2002 by two days of rioting after a student was shot dead by police forces during a protest at the National Parliament. Targeted attacks were made not only against foreign owned hotels and businesses, which were burned and looted, but also the homes of Prime Minister Alkatiri and two of his brothers were burnt to the ground. It was widely reported that the Minister of the Interior in charge of the National Police, Rogerio Lobato was involved in both events¹² and would later be a key actor in the 2006 Crisis.

The 2006 Crisis

The 2006 Crisis involved a complex multiplicity of factors that coalesced to create an environment susceptible to the outbreak of violence. The trigger point involved a demonstration by disgruntled soldiers from the western half of the country known as the 'petitioners',¹³ following an extended period of complaint over allegations of

⁸ Timor-Leste is the chair of the G7+, a group of fragile states that "seeks to provide a fragile state perspective on fragility in order to work with donors to improve the effectiveness of their assistance and help the membership to transition out of fragility." (Ministry of Finance. Timor-Leste www.mof.gov.tl/aid-effectiveness/g7plus/) The group was initiated by Timor-Leste in 2010 and includes Afghanistan, Burundi, Central African Republic, Chad, Côte d'Ivoire, The Democratic Republic of the Congo, Ethiopia, Guinea Bissau, Guinea, Haiti, Liberia, Nepal, Papua New Guinea, Sierra Leone, The Solomon Islands, Somalia, South Sudan, Timor-Leste (Chair) and Togo.

⁹ CAVR (2006), *Chega! The Report of the Commission for Reception, Truth and Reconciliation in Timor-Leste*, accessible at www.cavr-timorleste.org/en/chegaReport.htm

¹⁰ Quote from a Regional Conference in Baucau May 16–17, 2008. Accessed in 'Timor-Leste: Voices and Paths to Peace'.

¹¹ Later known as F-FDTL (FALINTIL-Democratic Forces of Timor-Leste) after 2002.

¹² ICG (2006), *Resolving Timor-Leste's Crisis*, Asia Report No. 120, 10 October 2006, accessible at www.crisisgroup.org/~media/Files/asia/south-east-asia/timor-leste/120_resolving_timor_lestes_crisis.pdf

¹³ A group of disgruntled F-FDTL soldiers from the western half of the country who signed a petition in 2006 claiming discriminatory practices against westerners within the F-FDTL. Petitioner demands are on-going and have been expressed in recent months in the lead up to the elections.

discrimination against Westerners¹⁴ within the F-FDTL (FALINTIL-Democratic Forces of Timor-Leste) structure. Internal division and competition between the two security bodies of the F-FDTL and the PNTL (National Police of Timor-Leste) and the involvement of martial arts groups (MAGs) and other politically affiliated and manipulated youth led to a rapid escalation of this protest. On 28 April in Dili, events quickly soured and violence erupted. The police, inappropriately deployed, were unable to control the situation and the Prime Minister summoned the army to restore order. F-FDTL's perceived heavy-handed response to the 28 April events further solidified the east-west rift such that the conflict became identity-based and divided the country. For the next two months, in the political uncertainty and security vacuum caused by the breakdown of the two security forces, youth, politically affiliated/manipulated and otherwise, engaged in pitched battles on the streets of Dili fuelled by the conflict between easterners and westerners, and provided possibilities for opportunistic vengeance-seeking based on personal disputes. Between April and September 2006, there were 37 reported deaths, around 3,000 homes were destroyed and an estimated 150,000 people, mainly easterners were displaced from their homes.

Order was slowly restored following the deployment of an international force aimed at quelling the violence. The UN Security Council created the UN Integrated Mission in Timor-Leste (UNMIT) on 25 August with an expanded mandate incorporating command of the PNTL. From this point on political actors began the process of rebuilding the country for a second time.¹⁵

2007 electoral violence

Presidential and Parliamentary elections followed the 2006 Crisis in 2007. Against a backdrop of political and societal insecurity, with widespread displacement and localised violence in Dili, the Timorese population took to the polls in April and May to elect a new president. Election monitor numbers were relatively high with more than 2,000 observers being present and overall "... the elections were generally described as peaceful, despite some references to incidents of election-related intimidation, threats, and violence¹⁶ during the campaign period and on election day."¹⁷

The 2007 Parliamentary elections, however, "registered a comparatively high incidence of violence."¹⁸ A relatively large number of monitors were also in place (2,750) who declared the overall process 'free and fair'¹⁹. Nevertheless this assessment does not meet with other analysis. Despite 14 political parties and coalitions voluntarily signing of a Code of Conduct and Political Party Accord committing to nonviolence, the Election Violence Education and Resolution project, a Belun and International Foundation for Electoral Systems (IFES) run initiative utilising 35 civil society monitors, identified and recorded 162 incidents of electoral violence across all 13 districts of the country. The immediate impact of the violence was 2 deaths, over 100 injuries, more than 7,000 families displaced and large-scale property damage. "Monitoring of election-related violence and levels of community tensions throughout the 2007 parliamentary election period show[ed] both the fragile stability within communities and their potential to mitigate future violence."²⁰

¹⁴ Referring to the ten western districts from Oe-cusse to Manatuto.

¹⁵ For a more in-depth analysis of the 2006 Crisis see 2006 ICG report 'Resolving Timor-Leste's Crisis'. www.crisisgroup.org/~media/Files/asia/south-east-asia/timor-leste/120_resolving_timor_lestes_crisis.pdf

¹⁶ In two rounds of voting, few incidents officially took place with UNMIT and the National Electoral Commission (CNE) reporting a combined total of 20 incidents of violence and intimidation in the first round, while only one complaint was reported to CNE in the second round.

¹⁷ TLAVA (2009a), *Electoral Violence in Timor-Leste: Mapping Incidents and Responses*, Timor-Leste Armed Violence Assessment (TLAVA), Issue Brief No. 3, June 2009 p 3.

¹⁸ *Ibid.*

¹⁹ Reported by the Carter Center www.cartercenter.org/news/pr/timorleste_070307.html

²⁰ Belun & IFES (2007), *Election Violence Education and Resolution (EVER) in Timor-Leste – Final Report*, Dili, Timor-Leste: Belun/IFES, p 1 accessible at www.ifes.org/publication/f21b4ad0ba7a9b483aeb4ba27cbaad30/Final%20Report%20EVER%2017%20Oct.pdf

The reasons for electoral violence during the 2007 elections can be traced back to the 2006 Crisis and its root causes. Pre-election violence was most closely associated with issues around displacement and its accompanying hardships, as well as some direct politically motivated attacks by campaigners during political rallies. In the post-election period violence was most closely related to the political negotiations that eventuated after the election results, particularly in the delay and perceived confusion around the formation of a majority government.²¹

Assassination attempts on the President and Prime Minister

On 11 February 2008, President Ramos-Horta was shot multiple times at his residence in what seemed to be a co-ordinated attack by a group of 'petitioners' led by Major Alfredo Reinado. Reinado was killed in the firefight and Ramos-Horta was airlifted to Darwin, Australia for medical treatment. Two hours after the attack, Prime Minister Gusmão's motorcade was fired upon by a group led by 'petitioner' leader Lieutenant Gastão Salsinha; Gusmão escaped unhurt.²²

The government "moved decisively to assert its authority and to put effective security measures in place. The government imposed a state of siege and curfew... a week after the shootings, it brought together the two Timorese security forces – the police and army – under a 'Joint Command' to enforce the state of siege and capture the president's attackers."²³ With the situation now stabilising and their leader deceased, the 'petitioners', who were gradually coming out of the hills prior to the shootings, came in large numbers and were offered a financial package to facilitate their reintegration into civilian life. Only after partial addressing of the petitioners issue, the original trigger point for the 2006 Crisis, was the government able to resolve residual issues such as the reintegration of the remaining 100,000 displaced people living in IDP camps in and around Dili.

What next?

Since the non-fatal shooting of President Ramos-Horta, Timor-Leste has enjoyed relative stability with some episodes of localised violence. While these occurrences have a deep impact for local communities, they have been comparatively well-contained indicating a growing ability of the state to respond to and resolve localised stability issues. However, until some of the root causes of the 2006 Crisis are addressed and institutional capacities of the security and justice sectors improved, these instances of localised violence are likely to continue in areas that are more vulnerable to political manipulation and that have strong loyalties to particular individuals and/or groups.

The work of Columbia University's Centre for International Conflict Resolution (CICR) and Belun through the Early Warning and Early Response (EWER) system, conducted from early 2009, has reported an overall gradually decreasing trend in the number of violent incidents recorded from early 2009, when monitoring began, until the time of writing.²⁴ The EWER system reports verbal threats and intimidation as well as physical violence. In most cases local conflict is driven by personal, familial and group disagreements, occurring within a context of weak formal and informal conflict resolution mechanisms accessible at the local level.

Whilst there has been a trend of conflict reduction it is also apparent that every year or two larger-scale incidents arise that have a more nationwide impact. In August 2011, the fatal stabbing of an off-duty PNTL officer ultimately led to 122 houses in one village being burnt to the ground and a large number of people being displaced in the Zumalai

²¹ TVALA, 2009a.

²² TLAVA (2009b), *Groups, gangs, and armed violence in Timor-Leste*, Timor-Leste Armed Violence Assessment (TLAVA), Issue Brief No. 2, April 2009.

²³ ICG (2009), *Timor-Leste: No Time for Complacency*, Asia Briefing No. 87, 9 February 2009, accessible at www.crisisgroup.org/~media/Files/asia/south-east-asia/timor-leste/b87_timor_leste__no_time_for_complacency.pdf

²⁴ Belun & CICR (2011), *Early Warning Early Response: Conflict Potential Analysis – Trimester VII: February–May 2011*, accessible at www.cicr-columbia.org/wp-content/uploads/2011/09/EWER-Trimester-Report-7-Feb-May-2011.pdf

sub-district of Covalima. Although a personal dispute in nature, both victim and perpetrator were members in different MAGs and the situation very quickly escalated to an institutionalised conflict between two MAGs. This led to the mobilisation of members, from as far away as Dili, and reprisal attacks on a whole village. Another episode in a continuing story of violence and displacement, these events increase tensions and question, despite a relatively effective response, the government's ability to prevent conflict and adequately address the underlying causes of such violence.

With the Presidential²⁵ and Parliamentary elections potentially giving rise to the opportunity for violence to emerge and spread, it is critical that appropriate measures are in place to minimise this risk and ensure peaceful elections that can contribute to the building of sustainable peace in Timor-Leste. The remainder of this paper analyses the potential risks of violence before, during and after the elections based on the voices of community members and of key stakeholders, and provides recommendations as to how any potential risks may be abated.

²⁵ Whilst the Presidential election has been conducted it is important to acknowledge that violence associated to this election could occur, though unlikely.

3

Potential risks of electoral violence in 2012

“The 2012 election will run safely if the leaders are keeping unity among them. Conflict will appear in the 2012 election if there are groups who want to carry out manipulation and discrimination.”

Focus group discussion with women in Dili.

“As ordinary community members we have no idea about national level issues but if manipulation occurs it may lead to violence. Usually during the campaign period there is provocation between parties which can cause conflict, but the victims are always the people.”

Focus group discussion with men in Covalima district.

“We need the leaders to be responsible; to have political maturity not political arrogance.”

MAG leader

GIVEN THE LONG HISTORY OF VIOLENCE experienced throughout the country and the unresolved roots of political division, it is quite feasible to expect that some level of violence may occur during the electoral period. However considering more recent history and developments over the last two to three years in particular, it is also possible to argue that institutional capacity and community cohesion to resist violence in the country are gradually consolidating.

This section of the report examines the risks of electoral violence in Timor-Leste which, according to the IFES, is defined as “any act or threat of violence (violence being physical or psychological harm to a person or damage to property) directed at anyone directly involved in an electoral event/process (voter, candidate, party officer, election worker, election monitor, journalist, etc), or any act or threat of violence which disrupts or attempts to disrupt any aspect of the electoral event/process (campaign, registration, voting, vote counting, etc)”²⁶

The remainder of this section is divided into five sub-sections. The first examines the general dynamics around conflict and what this may mean for the potential for electoral violence. The second expands further on the root causes of conflict in Timor-

²⁶ IFES's definition of electoral violence can be found in terms of its Election Violence Education and Resolution (EVER) project – www.ifes.org/Content/Projects/Applied-Research-Center/Cross-Cutting/Election-Violence-Education-and-Resolution/Nav/About/Terms.aspx

Leste, through the voices of research respondents, and looks at how these may influence violence during the electoral period. The third focuses on risks specific to the coming election period and the fourth interrogates how these root causes and specific election risks may coalesce to result in electoral violence. The final sub-section considers systems, mechanisms, responses and planning that may bolster resistance to outbreaks of electoral violence.

Conflict dynamics in Timor-Leste

Despite the relatively small size of Timor-Leste, its socio-economic composition and history has given rise to a complex environment in which recourse to violence has become a prevailing response to resolve disputes, obtain and maintain power. Although efforts have been made to change this (see below), the entrenched nature of violence within Timorese society means it is a matter that must be considered when assessing the risk of electoral violence. This issue was well explained by a Dili-based Timorese political analyst and researcher who reasoned:

“If you look at the history of Timor, the Timorese people have just come out of a lengthy period of foreign occupation and foreign domination; for over 400 years they were exposed to violence as the main instrument used by the Portuguese and the Indonesians to retain law and order. So they are used to that kind of approach, and therefore as we come into the post-independence period we have inherited that element of conflict and violence and now we have been struggling for the last ten years since independence in 2002 to find a way out of this recurring conflict and violence.”

Multiple identities

Finding a way to disrupt this cycle and develop a culture where peaceful means become the norm is made more difficult by the fact that Timorese people have multiple identities and at any one time may be affiliated with one or another of these identities. Actor mapping is thus made more complex, so too is the development of a more nuanced understanding of the drivers of conflict, as they are very often related to the actors. As one international observer in Dili noted:

“Between small communities, within the bigger community and the bigger community against other bigger communities ... nobody can see where they are dividing, nobody can say it is aldeia versus aldeia, suco versus suco, Zumalai versus Suai, or Suai versus Maliana; that it's not Lorosae versus Loromonu. It's not easy to know where fault lines will appear tomorrow. [...] Take [recent house burning in] Zumalai as an example; is it a police issue, a political issue, a veterans issue, a martial arts issue, or a community issue?”²⁷

The fact that so many in Timor-Leste are affiliated to a number of different identity groups results in very fluid conflict dynamics dictated by the strength of the bonds to any given group. This highly multifaceted form of social capital, created to ensure survival in a challenging environment, enables shifts in allegiances during times of conflict and obfuscates the context for all involved, particularly those attempting to respond to the conflict.

Escalation patterns

Inextricably linked to the issue of multiple identities is the way in which violence and conflict can escalate in Timor-Leste. Most observers, national and international alike, emphasised the way in which violence and conflict develops from an individual problem between two or more people into an organisational or institutional conflict

²⁷ To define terms: an *aldeia* is defined as a hamlet but does not follow European definitions of this term; a *suco* is defined as a village; Zumalai and Suai are sub-district of Covalima district; Maliana is a sub-district of Bobanaro district; *Lorosae* is a Tetum word meaning East, in this context it is used to define someone from the east, an easterner; *Loromonu* is the antithesis meaning West and Westerner.

due to the affiliations of those involved. A political actor from Covalima reflected:

“Usually it starts with individual interest; then the individuals connect it with a larger organisation. For instance if I am the CNRT [National Congress for Timorese Reconstruction – a major political party led by Prime Minister Gusmão] co-ordinator here and you are the commissioner of conflict prevention, just because maybe I don’t like you or all of you in the commission then I would plan to do something to you... If we kill two of you then the commission’s perception will be that CNRT members did it, but actually it began with personal interest or problems.”

This escalation of conflict from an individual-based dispute to an organisational or institutional form complicates the initial conflict issue. As more actors enter the conflict and the nature of the conflict solidifies to become institutional, resolution becomes more difficult and intractable conflict more likely. The conflict then contains a number of different allegiances, all of differing strength, predicated on relationships that ensure a wider collective of ownership and therefore, interest. The process by which this transformation takes place facilitates a rapid escalation of tension and, at times, instantaneous resort to violence with a broader scope of impact.

Geographic dimensions

The transformation of conflict based on multiple identities and conflict escalation as described above can also result in a geographic spread of violence. For example, if a dispute arises between two individuals from different MAGs, as well as involving other members of each MAG, it can draw in members of MAGs from adjoining *aldeias* and *sucos*, thus potentially spreading the conflict beyond the area it initially affected.

Similarly, when political party campaigns bring in people from other areas there is the potential that this may increase the scope of any potential conflict. Indeed this is an issue that is already coming to the fore:

“EWER monitoring data from trimester February to May 2011 revealed a surge in political activities spreading across the nation. Unfortunately, most of these political activities were of a divisive nature and joint activities involving various parties were scarce in comparison. A greater number of events involved people from external communities, indicating district-wide mobilisation of political supporters.”²⁸

Within Timor-Leste there are also areas of higher conflict vulnerability that end up involving a much wider group of actors in their disputes. Examples of these vulnerable areas within Dili include Comoro, Bairo Pite, Becora and Manleuana. There are also the districts of Baucau, Viqueque, Liquica, Bobanaro, Ermera and Covalima although certain sub-districts are more volatile than others. The issues faced in these areas are very often localised conflicts related to past, unresolved problems which arise intermittently, however a key point is that these localised conflicts often expand and have a destabilising influence on the country as a whole. As a Dili-based Timorese political analyst emphasised:

“The country is very small. It has a population of 1.1 million. Thirteen districts are reached within hours from anywhere in the country. What is felt for instance in Baucau, would automatically impact on how life is carried out in Dili simply because it is a small country and physically there is only one main road that links Dili and Baucau. If something major happens in Dili every other district will be paralysed.”

The way in which conflict is a living phenomenon due to ongoing transformation based on multiple identities, conflict escalation and geographical dimensions, is critical to the way in which we understand and respond to electoral violence in Timor-Leste. The next sub-section examines some of the root causes of conflicts within Timor-Leste and considers how they may link to potential electoral violence.

Root causes of conflicts and their link to electoral violence

The possibility of electoral violence in Timor-Leste cannot be fully understood without a consideration of drivers of conflicts that still remain. It was the general consensus among those interviewed that these unresolved issues could be the underlying causes of any outbreak of electoral violence. As outlined in the context analysis, these fault lines have developed over decades and resulted in political and social fissures that continue to impact on the way political and social life is conducted. As long as these root conflicts remain unresolved, elections, due to their competitive and divisive nature, provide a domain in which old scores can be settled and revenge exacted. As one Dili-based Timorese political analyst noted:

“What I am saying is that given those unresolved issues, elections will only be an opportunity for those major unresolved issues to come to the surface and when mis-managed or mishandled can escalate into violence or conflict... The forthcoming elections will be an opportunity for spoilers to make the most of them because elections are by nature conflict inducing processes.”

The east/west question

A major root of conflict identified by respondents is the ongoing tension between people from the east versus those from the west of the country. The east/west question, drawing its justification from the perceived uneven contributions from each part of the country to the resistance to Indonesian occupation, was effectively manipulated by certain leaders in the 2006 crisis to destabilise the country.

While some observers contest the risk of the east/west issue to upcoming elections, there is certainly concern among local populations, particularly those from rural areas, that the issue could be manipulated during the elections, as suggested by respondents across the country.

“The issue of ‘west and east’ might be able to recur if the government does not pay [enough] attention to security in the campaigning of political parties ahead of the forthcoming General Election and if the leaders do not unite to eliminate the issue which until now has not been solved thoroughly.”

Focus group discussion with mixed respondents in Ainaro.

This view is supported by Timorese political analysts who highlight the impact of this division on the lives of those in Dili. A national civil society representative observed that:

“It’s mostly apparent in Dili where some communities are divided [between] people coming from the West and people coming from the east. Before people were living together, but now people start [to be more] selective based on whether they are safe or not in the areas dominated by another ‘ethnicity’ and this still happens in some areas like Bairro Pite, Manleuana, and Becora Mota Ulun.”

Rule of law

Another important issue that was highlighted by research respondents was the weak rule of law which creates significant local frustration, distrust in the institutions of government and undermines the development process; all coalescing to increase the risk of violence. Over the last two decades the people of Timor-Leste have seen perpetrators of human rights abuses escape justice as the government prioritises reconciliation: during Indonesia’s occupation and departure; individuals involved in the 2002 riots and subsequent violence by members of F-FDTL, PNTL and MAGs, as well as others, engaged in the 2006 Crisis; agents of electoral violence in 2007; and the culprits of the failed assassination attempt against Ramos-Horta and Gusmão.

Weak rule of law in Timor-Leste has not arisen due to a lack of legal apparatus, although it must be noted that most of the laws are in Portuguese and therefore

inaccessible to the majority. In fact, as expressed by an international security provider, Timor-Leste has promulgated relatively advanced legal codes; the issue instead, is the application of the law. In relation to the electoral violence of 2007, a civil servant from the electoral commission noted:

“We have a very good law that ensures that if any individual commits any crime, they should be prepared to be held accountable in the court. Now the question is the implementation because in the 2007 election there were a lot of crimes and electoral fraud, but until now there has not been any sentence given by the court to the perpetrators or the militants [activists] of the political party who committed electoral fraud. Some people became victims and even some of them died at the time. No justice to the victims at all.”

The major impact of the weak rule of law is limited access to legal recourse, which exacerbates conflict as matters are often taken into the hands of those who feel aggrieved. This was emphasised by a senior PNTL officer who stated:

“Our communities have no serious access to the justice system, that’s why people always make solutions through physical action [violence]. This happens in any kind of situation, even within the family. This circumstance shows that that our communities still have a lack of comprehension of human rights and the obligations of [citizens].”

The lack of access to justice and continued impunity leads to limited awareness of and trust in the legal system, while also resulting in a reliance on traditional justice systems (see below), thus destabilising development efforts and weakening the effect of the anticipated ‘peace dividend’. This distrust can undermine the legitimacy of any legal decision on disputed results from the 2012 election, should they arise, and fuel resentment if any outbreaks of electoral violence are not appropriately dealt with through the judicial system.

Patronage and inequitable distribution of resources

Weak legal capacity in Timor-Leste in turn provides fertile ground for the development of patronage networks and inequitable distribution of resources. Patronage and corruption was a recurring feature in interviews and discussions in the communities. While some attempts at decentralisation have been initiated, the impact on local communities has yet to be felt and perceptions remain that national leaders hold all power and distribute all resources. Those outside Dili expressed that “the problem is the system is still centralised so the local leader has limited power to do anything. Also most leaders are concerned with political interest” observed a civil society member in Ermera. A Timorese political analyst in Dili felt that this had created “an established system of patronage and populism, with a system of exclusive politics, whereby citizens are becoming dependent clients ... [and] we have corruption that undermines democratic governance.” Participants in mixed and female focus group discussions in Baucau and Ainaro expressed that patronage is felt at the *suco* and *aldeia* level particularly when it comes to the disbursement of support from government which is often distributed according to party affiliations or other shared forms of identity, in turn contributing to conflicts related to multiple identities. This means that while generally there is “a good relationship, sometimes there is conflict between communities and local leaders because there is less transparency when people get social assistance.”²⁹

A national civil society representative observed that the highly centralised system, that promotes patronage and corruption has been justified by national level politicians, in part, as a perceived lack of capacity and adequate planning by local government. However this argument has been refuted by several interlocutors on two fronts: firstly, based on the reasoning that capacity does exist as is demonstrated by recent history:

“One time I fought with a Member of Parliament. He said that [there is] no capacity to install decentralisation outside of Dili. Well you see, for 24 years we worked hand in hand

²⁹ Female participant in a focus group discussion in Ainaro held on 14 October 2011.

in resistance to fight against Indonesia, a big country. And now you say that you do not have the capacity? You cannot say that.”

Male representative of civil society in Dili

The second argument given was that corruption and not a lack of capacity blocks this process. As observed by a Dili-based political analyst:

“There is no such capacity gap. Let’s say in this political stage in Timor at this moment, it is more those patronage relationships. Big brother has consolidated the position he/she has obtained over these years and fears losing that position. Therefore what he does is he consolidates that patron-client relationship.”

Patronage and corruption exacerbates conflict as it creates ‘haves’ and ‘have nots,’ and contributes to the complexity of the multiple identity issue by creating further societal division. In addition, it has been a relatively common approach of government to buy-off potential spoilers through for example government jobs and seats in parliament, a tactic observed by other potential spoilers who either resent it or create problems in order to also be bought off.³⁰

The growing prevalence of patronage and corruption undermines trust in democratic institutions and processes. Public suspicion of and rumours about misconduct in the election process heighten the potential for unrest or violence during the election period.

Land

Land is a major issue in Timor-Leste with a large number of land-related disputes occurring across the country and currently no law to address them.³¹ Whilst they may not be the direct cause of any electoral violence, given the dynamics of conflict in Timor-Leste, the issue cannot be excluded from an assessment of the risk of electoral violence. It should also be noted that while community members did not discuss the issue of land disputes in relation to electoral violence in great detail, it was identified as an area that needed consideration especially in relation to Dili.³²

Land is a convoluted subject in Timor-Leste due to the three periods of land ownership and the widespread destruction of land titling documents in the 1999 violence. The result of these three systems (Portuguese, Indonesian and independence period) is that any one property or parcel of land may have at least three claimants, all of which hold certification of ownership and believe themselves to be the rightful owner of the land and/or property. In addition, over recent years a number of disputes have transpired involving government acquisition of land for development where in much the same way as other disputes, the conflict over land then transforms as more actors become involved and, given there is little legal recourse due to the absence of a land law, has the potential of becoming entrenched. Concern has been raised by civil society regarding the terms outlined in the current draft land laws with regard to the management of compensation of communities evicted through expropriation plans by the government to develop significant areas of urban and rural land.

Lack of development

In all interviews and discussions with community members the issue of underdevelopment or a lack of attention from the state was raised. Whilst it can be expected that research of this nature may elicit such claims and requests, it remains crucial to take on board these messages and identify ways in which this issue may contribute to conflict.

³⁰ TLAVA 2009b.

³¹ At the time of writing, the land law is in draft form and is awaiting finalisation.

³² Interviews with local government official in Ainaro district, in October 2011; international security personnel in Ermera district, in October 2011; national civil society representative in Baucau district in October 2011; and a local political leader in Ainaro district in October 2011.

Other than the well-documented linkages between underdevelopment and conflict, this matter has a particular prominence when incorporated into the political and social context of Timor-Leste. Although much has been done in terms of development since independence in 2002, outside Dili the benefits of development are felt far less tangibly than in the capital. It was the general perception of many community members across the areas visited that 'development' has been utilised by political parties for votes and that they are still waiting for the peace dividend. The following was expressed by a local political actor in Ainaro:

"They promised much, but after sitting in the government they do not deliver what was promised to the community. A lot of false promises were deliberately thrown about in the campaigning of political parties, but after getting the seats and leadership they do not realise all the promises."

The impact on communities is that ongoing chronic poverty increases vulnerability to conflict³³ and increases the distance between the community and the state, thus reducing the options available for government to resolve conflict, as communities are less willing to engage with the government in some instances. As observed by a national civil society member in Dili:

"If you go outside of Dili, you just find apathetic people. They [have] no interest to discuss the interest of the nation. Because after the elections, you get your seats, we get hungry, we get our problems, we remain with our problems."

However, beyond this reluctance to engage, the lack of development in rural areas has wider implications for stability. There is growing resentment by rural communities of the false promises made by the urban elite and that Dili is where this conflict may be expressed. A national civil society representative in Dili observed:

"If you see outside Dili, people want to build a road, they have to wait for ministers, they have to wait for directors from Dili to travel to get their per diem and [there is] no distribution at all for economic access out of Dili. Then people come together. They just converge on Dili, and they bring together the conflict to Dili."

Election specific risks

The root causes of conflict discussed above help contextualise the 2012 elections and highlight the influences on broader conflict dynamics. However, in order to assess the likelihood of electoral violence appropriately it is important to identify and consider risks that are more specific to the elections. This sub-section first explores such risks that were identified by respondents in the research. It then moves on to consider how such factors may play out in the different phases of the elections based on the views of respondents.

Lack of accurate information

One of the more significant issues that affect general levels of violence and conflict in Timor-Leste is the prevalence of rumour and the lack of accurate information. This affects all types of conflict and heavily influences the phenomenon of multiple identities and the ability for manipulation. During the research a number of issues were raised based on rumour. For example, as related by an international observer, stories based on misinformation were circulating that a number of containers of ammunition had been shipped into the country by the United Nations, causing a level of concern in the communities. The stories lacked substance and served only to heighten tensions. Ultimately, as expressed by an international observer "there is a lack of information at the community level and that is one of the key drivers for conflict."

³³ World Bank (2011), *World Development Report 2011: Conflict, Security and Development*, Washington DC: World Bank, accessible at wdr2011.worldbank.org/fulltext

Lack of access to information poses particular risks around elections. Numerous respondents referred to a lack of information on and understanding of electoral laws when explaining the reasons behind electoral violence in 2007 when, in spite of winning the largest share of the vote, FRETILIN (Revolutionary Front for an Independent Timor-Leste) were unable to form a coalition and so CNRT, as the next largest party, were asked to do so by the President. Participants in a mixed focus group discussion in Ainaro observed that community members still refer to this matter with confusion and a lack of understanding of how and why such a political decision could take place. This lack of understanding at the community level is also recognised by national level government officials, one of which stated: “[the] majority of the population’s educational level is low, especially in understanding laws. [They] need to learn to follow the legal system. Access to information is crucial, constitutional laws – especially land and election laws – need socialisation.”

Some institutions identified as having some weaknesses in their ability to disseminate accurate information include the country’s various independent media channels that are sometimes accused of partial reporting. Certain government institutions and initiatives such as the PNTL and National Directorate for Community Conflict Prevention (NDCCP) have also been identified as needing more effective data management and communications processes. In some areas of the country however, the media has taken an active and positive role in the dissemination of information particularly related to the elections, and has been successful in doing so. In Ainaro district a national civil society member asserted that “the media here play a very important [role] and give the exact information related to these [electoral] issues, so everyone is aware of it.” The effect of this has been to reduce conflict and enhance understanding of how communities had been manipulated in the past. He continued to state that,

“they [community members] start to realise that last time in 2006–2007 the leaders tried to provoke them. But now they are not willing to follow any kind of propaganda again, they realise that creating a problem did not give any advantages to the people and there is no longer any intention to create problems and this is usually due to provocation from the leaders, as well as parties.”

This is, however, not a universal view of the media. Apparent lack of capacity in the media can result in tension. As reported by a Dili-based civil society representative:

“They [the media] are a source of conflict because they don’t clearly explain the legal framework, that this is a code of conduct. Some journalists say that ‘we don’t know this’; my goodness who are journalists? It is unforgivable to say that they don’t know that. How can you write if you don’t read?”

In terms of the institutions of the state supporting the dissemination of accurate information, there does not appear to be a co-ordinated approach. According to one national observer, “there’s no information, nobody provides the information to them [communities], to give directions [that] if you have problem you go to this channel or this way and this way. Information is there, but information is not circulated.”

The NDCCP, whose mission is ‘to minimise destructive responses to conflict by collating and analysing relevant information and by convening governmental and non-governmental partners to ensure that appropriate strategies and responses are developed and implemented’,³⁴ faces challenges in effective information dissemination. One international observer noted, “If the information they [NDCCP] themselves are disseminating doesn’t accurately define their role, because they don’t really know, how is that going to reduce conflict in the community? And how is it going to reduce confusion?”

The capacity of another state institution to disseminate information also raised the concern of community members. The PNTL are seen as being vital to the maintenance

34 Taken from the NDCCP public information pamphlet.

of security during the election period, however women participants in a focus group discussion in Ainaro recognised that “often the information conveyed to them [the community] [by the police] is sometimes a little late due to lack of adequate communication facilities.” As reported by a local political actor in Covalima district, this increases the anxiety of the community due to the fact that, in order to provide effective security during the elections “they [PNTL] have to reach the most remote parts of the area, because many youth in those areas have less access to information. They [PNTL] have to get information regularly so that they will be aware of the issues as well, if they don’t have good or clear information they are likely to create problems and provoke things to happen.”

Lack of civic awareness

Lack of accurate information has a significant impact on the civic awareness of the population. Limited understanding of the electoral process generates an environment conducive to political manipulation. Many in the communities are unaware of their political rights and even more are unaware of their obligations and how to engage in the electoral process. Discussions in all focus groups highlighted a need for government and civil society to broaden the dissemination of information about elections so that community members know what the process is and how they should participate. This view was also shared in interviews in the districts, with one particularly pertinent statement coming from a member of national civil society, “I think that the national government should socialise the election law to the community at village and sub-village level, and should build the capacity of the local leaders so that they will have the knowledge and capacity to prevent conflict and violence within the community. Provide support and motivation to the local leaders to strengthen unity in the district level down to the village level.” Local leaders are seen to be central to the effective dissemination of information due to their position in the community that, at least in theory, gives them access to communication channels. Female participants in focus group discussions in Dili felt that “the political party leaders, local leaders and community leaders need to remind the public of the importance of living in a democratic nation [through] dissemination and implementation of the law.”

A number of government initiatives and civil society engagements have attempted to enhance civic education relating to the elections, however much of this has been limited in impact. For example, CNE provide civic education in order to socialise the election law and electoral procedures. However, this work only goes down to the sub-district level and relies on *suco* and *aldeia* chiefs to take it to the community level which was unreliable due to vested interests of these leaders. The conclusion of one international observer was:

“I don’t think they [government] have done very well in public outreach and education. In rural areas they don’t know exactly what F-FDTL has to do, what the police are supposed to do, even getting the 112 [emergency] number. People still feel insecure, so even if those institutions are there, they have their legal framework, they are establishing the institutions, getting more training, but still people don’t have a real confidence in the institutions. I think it’s just a long way to go and given the election environment it might create more confusion, more rumours.”

The need for appropriate civic education is even more apparent when one considers the number of first time voters this year. This issue will be discussed in more detail below.

Young people and martial arts groups

The issue of young people, youths and martial arts groups (MAGs) was raised by *all* respondents in the study indicating the importance of this as an electoral issue. According to the 2010 Census, 52 percent (558,439) of Timor-Leste’s population is

under 20 years of age; a figure that increases to 68 percent (729,702) for those under 30.³⁵ Those between 16 and 30 years of age, the age range considered as youth in Timor-Leste, account for 277,791 or 26 percent of the population.

Of the 277,791 youth in Timor-Leste 205,000 are regarded as being economically inactive³⁶ (74 percent) while only 51,000 are in employment.³⁷ This was viewed by respondents as particularly problematic and was concisely expressed by an international observer in Dili, “these kids they have nothing, there is no job opportunity for them, no recreational opportunity for them, no educational opportunity for them.”

This can lead to greater volatility where, according to one international NGO worker:

“Young unemployed [and] disfranchised young men with very limited opportunities in front of them – that represents a significant enabling factor to violence. You could have one small incident ... and they turn up, like a crowd [that comes] together quite quickly.”

While this is not to say that the majority of young people are engaging in violence, it is certainly the case that the lack of opportunities open to young people makes them more vulnerable to be drawn into violence.

Between the years 1999 and 2008 young people experienced episodes of substantial violence and displacement, dislocating the social fabric required for their development. Without historical ties to land, a generation of youth have become “disconnected from social norms and structures... . Disenfranchised, they mistrust the older generation and seek new role models, which they find in individuals who they feel protect and support them. This environment is a fertile breeding ground for discontent that can be exploited easily by local strongmen and political leaders.”³⁸ In addition, the perception of youth involvement in violence is, to a degree, more important than the violence itself as it can become self-fulfilling: as youth are believed to be violent and out of control they become more marginalised and vulnerable to manipulation. This has been observed during previous episodes of conflict, particularly in the 2006 Crisis.

Two key sections of the youth that are particularly susceptible to manipulation during the 2012 elections are first time voters and MAGs. A preliminary estimate of first time voters is 116,535³⁹ which represents 19 percent of those eligible to vote in the 2012 elections (624,503);⁴⁰ a sizeable proportion. Two key issues of concern that were raised both relate to manipulation. First, there is an understanding that historical leaders may not have as much sway with first time voters who, although aware of history, have a weaker connection to these leaders and are more concerned with levels of development. When speaking on the topic of the two key leaders, Alkatiri and Gusmão, one Timorese political analyst commented:

“Both are not offering good options, why [are] they [Alkatiri and Gusmão] still talking about the same things from the past. People now, based on my data from the ground, those who are eligible for [their first] vote, these young people are asking ‘who is going to give me easy communications? If I’m in Tutuala⁴¹ can I talk to my friend in another nation by Facebook? Can you give me electricity? I don’t care about the past’, these are the majority of the people who will vote.”

The risk is that political leaders, at the national and local level, may again manipulate disaffected youth in order to gain their vote through exaggerated promises. This could exacerbate tension in the pre-election phase, as well as pose a danger in the post-

³⁵ Timor-Leste Census 2010.

³⁶ Inactive refers to those who are not currently working and those who are currently unemployed (ILO).

³⁷ Secretariat of State for Vocational Training and Employment (SEFOPE) and the National Statistics Directorate (NSD), *Timor-Leste Labour Force Survey 2010*, accessible at <http://dne.mof.gov.tl/published/TLS%20Labour%20force%20survey%202010/Timor-Leste%20-Labour%20Force%20Survey%20Report%20-%202010.pdf>

³⁸ World Bank, 2007 Timor-Leste's Youth in Crisis: Situational Analysis and Policy Options p 3.

³⁹ This figure is based on the number of 15–19 (inclusive) year olds in the 2010 census. This age range was selected based on the age of suffrage in Timor-Leste being 17 meaning those who were 15 in 2010 are 17 in 2012 and those who were 19 in 2010 were 16 in 2007 when the last general elections were held. This figure should be taken as an estimate.

⁴⁰ This figure is based on the number of Timorese aged 15 and above in the 2010 census. It should be treated as an estimate.

⁴¹ The location originally quoted has been changed for anonymity reasons as it had been visited and discussed during this interview. The location of Tutuala sub-district was not visited during the course of this research.

election phase if the leader they voted for did not win. In addition, should the leader voted for win, but fail to fulfil election promises, this could be a cause of conflict beyond the election period.

Second, and related to the issue of MAGs discussed below, is the concern that these first time voters may effectively already be disillusioned and disenfranchised due to the situation they are in and, as a result, may be co-opted into MAGs. This concern was raised by a UN senior official who stated:

“One issue [is] the voting population now. According to the census the cohort of first time voters, it’s the largest cohort. If they don’t have jobs or if they don’t see some kind of a future ahead of them that is leading to some sustainable life, then they are prompted into joining martial arts groups and so other kinds of conflicts might happen.”

Such recruitment is worrisome as there is a fear among those consulted that MAGs may be involved in electoral violence in 2012 orchestrated by political leaders with whom they have links. As pointed out by an international civil society representative, as it currently stands:

“There’s a lot of discussion about what is the role of martial arts groups, what are they doing, what is their current status in different areas, how was their role in conflict, how have youth been targeted and used in conflict?”

The issue of MAGs and armed groups is a complex one and beyond the scope of this report⁴², however it is widely accepted that these groups grew out of resistance and clandestine movements, both for independence and autonomy, and have been established for a number of decades. “Most of these groups had their genesis during the intense militarisation of Timorese society under the Indonesian occupation between 1975 and 1999. Most of the current groups either were formed to oppose the occupation or, as with MAGs, are legacies of the Indonesian army’s attempts to impose social control. While the bulk of these groups may be composed of disenfranchised youths, their membership is drawn from all sectors of society, with members in the police force, the army, and among the political and economic elite.”⁴³

Until relatively recently MAGs were considered gangs however this understanding has been reframed to reflect the reality that not all these groups engage in illegal and violent behaviour and to isolate those who do. In an effort to address issues of gang-related violence and to codify and regulate MAGs, Law No.10/2008 on ‘The Practice of Martial Arts’ came into force on 14 September 2008. The law regulates the practising, teaching, learning, or incitement of the practice of such activities without proper authorisation and establishes a Martial Arts Regulatory Commission⁴⁴ which sets out the requirements for legitimate martial arts institutions to operate and details the sanctions applicable for violations of the law.

Community members expressed that MAGs are responsible for much of the violence that occurs throughout the country. One particularly strong statement from a Dili based civil society representative was,

“[there is an] absence of the state outside Dili; martial arts groups are now becoming gangs. They are the patron of the state outside of Dili and they control pieces of land. They talk about peace, they talk about conflict; they are the owners of those two vocabularies. So, why are they in control outside of Dili? Because outside of Dili [there is] no state.”

The community generally recognise that MAGs violence is very often the result of three key factors: first, as identified in a focus group discussion with men in Baucau, that it is engineered or caused by the leaders who mobilise vulnerable youth for their own individual interest:

⁴² For a deeper consideration of MAGs and armed groups see TLAVA reports and writings from, among others, James Scambry and Robert Muggah.

⁴³ TLAVA, 2009b p 1.

⁴⁴ Komisaun Regulasau Arte Marsiais (KRAM).

“After independence, instead of staying united, our leaders created divisions and ignored the promises they had made. They did not lift the burden from the youth. They split and fought for their own interests. So the broken promises have heated the blood of the youth. As a result, we now see fights all the time everywhere between our own youth.”

Secondly, violence and conflict often begins with individuals and is then institution-alised which changes the basis from individual disputes to MAG-related violence and conflict. As observed by a national MAG leader in Baucau, “usually it is individual problems but it becomes organisationally based, we never wanted to get involved but sometimes individual problems create it. Some in the political parties blame us for creating these problems.”

Thirdly, the issue of multiple identities increases the probability that individual disputes will rapidly become organisationally based. As reported by a government official in Covalima:

“The conflict involving MAG members which resulted in the death of a police officer who was a member from the PSHT [Faithful Heart Brotherhood of Skilled Martial Artists] group and the subsequent retaliation of the PSHT members by burning people’s homes... These are the biggest risks in Zumalai.”

Belief in the community is generally that MAG-related violence is occurring and is likely to occur around the election period and that in order to reduce the probability of this, according to a local elected leader in Ainaro, “it depends on local leaders, if they could unite young people and groups that exist, to provide a good orientation then the conflict will not occur ... there is still too little moral education and capacity building; still limited means of conflict prevention.” However, one international observer noted, “I don’t see that much interest from the political parties or government in politically engaging with that [youth] population in a constructive way. The political party have no strategy for youth, other than perhaps a few a gang leaders or martial arts group [leaders]. They have no outreach; the government has no interest in the youth, on the civic education initiatives to this population.” This is partially exemplified by a lack of options and opportunities for youth and the weakening of their link to the community as a result; made worse by the violence and displacement many of them have experienced from a young age.

The role of security agencies: National Police of Timor-Leste (PNTL) & FALINTIL-Democratic Forces of Timor-Leste (F-FDTL)

Security is a key concern during the 2012 elections. How will PNTL manage security provision in their first election? How will PNTL involvement in MAGs, affiliation with political parties and engagement in acts of violence affect security provision? What influence may the tension between PNTL and F-FDTL have on security during the elections? These were crucial issues raised by the communities who, while believing there to be a relatively good relationship between the police and the community, nevertheless also expressed some apprehension regarding how security would be maintained at this time.

The 2012 elections represent the first significant national event requiring a large and sustained involvement of PNTL since the finalisation of the transfer of policing competencies from UNPOL [United Nations Police] in 2011. This places significant pressure on the PNTL and, according to an international observer, will be “a challenge for them. They still have an organisation that is reliant on the UN police for logistics. So, we are talking about basic things. You go to districts and we are told there is a lack of cars, communication equipment, that sort of thing. That’s going to be a huge challenge.” In addition, trust between the community and the PNTL is not fully evident and tensions do exist in some areas. As reported by a local political actor “some neighbourhoods in Dili feel that PNTL is not neutral, [that they are] aligned to martial arts groups and to political parties so it makes them part of the actors [in conflict].”

Community members also demonstrate concern regarding the capacity of the PNTL to police the elections with women participants of focus group discussions in Ainaro focusing on “the inadequacy of security personnel at polling stations out of reach... [the] lack of equipment and safety facilities.” A member of the local security personnel acknowledged that while the “work of the community police has been going well. Although they have to face many difficulties, they are always ready to provide support so that people avoid conflict and violence.”

Further to this, a key issue raised by an international observer in relation to the capacity of the PNTL is that of the reduction in budget over the past few years and the implications this may have for support to the elections; particularly in planning.

The PNTL themselves acknowledge their capacity challenges and signed an agreement with UNDP and UNPOL to build their capacity in July 2011.⁴⁵ However, within the PNTL there is a belief that they are capable of assuring security during the elections as expressed below by a senior national PNTL officer in Dili,

“this is the first time that our government trusts us to manage security of the activities. With our friends behind us we need to co-ordinate well [with] each other... Right now our friends from UNPOL have good facilities and equipment but we will be the ones to handle the election because this is a new strategy coming from the 2010 government.”

The challenge of policing the 2012 elections presents an important opportunity for the PNTL to gain the confidence of the population, however it also represents a potential risk and the PNTL must ensure they are able to prevent and mitigate such risk. Given these are the first elections the PNTL will manage, “symbolically, to be the first peaceful transition for our government here in Timor-Leste, if it goes well it can be a boost for PNTL, it can be good for public confidence for the PNTL and for the state institution in general” stated a local political actor in Covalima district. The key to doing this will be striking the right balance in approach and in adequately sensitising the population.

A significant issue that undermines PNTL's ability to appropriately conduct the policing of the elections is the role some of the PNTL play in MAGs and political parties, and the influence these groups have over PNTL functions. “While the general perception of the security situation remains relatively calm, in several sub-districts community members continued to display low levels of confidence towards security sector actors. The recurring involvement of security sector actors in violent incidents is a cause for concern: with figures equal to the previous trimester, four police (PNTL) and two military (F-FDTL) officers were reported to be assailants. In addition, three local leaders and two government officials were identified as initiators of violence.”⁴⁶ One reason for low confidence in the PNTL highlighted by a Dili-based civil society representative is the recognition that “even within the PNTL, the police and members of the population know very well that there are different groups in the police; the police of Warga or PSHT, police of Seti-Seti (77) [martial arts groups] ... and therefore when these guys come into their neighbourhoods trying to contain the fighting, people just don't respect them.” In addition to unease regarding PNTL involvement in MAGs, there is “a concern that they [PNTL] may respond on behalf of political parties [during the elections]” that was raised by a national civil society representative in Dili.

A further concern regarding the capacity of PNTL and MAG involvement is the role MAGs play in the provision of security. When speaking with a MAG leader in Baucau it was determined that MAGs often provide security support to the PNTL during large community events, “when government asks us to provide security support with the police especially during big events usually we collaborate; we search participants

⁴⁵ Five capacity building areas are: legislation (regulation of the PNTL Organic Law and implementation of the statutes, rules of procedure, regulations and organisation standards and procedures); training (increasing the training capacity training activities, as well as the technical and professional capacity of the PNTL); administration (development of the PNTL human, material and financial resources management capacity); discipline (development of PNTL's capacity for action and disciplinary accountability); and, operations (maintenance of public order, security and tranquillity in favour of political stability and socioeconomic development and increasing capacity for criminal investigation and crime prevention).

⁴⁶ Belun & CICR, September 2011 p 4.

and confiscate weapons and return them after the event [if the] owner comes back for them.” Although this may be a strategic measure to bring potential spoilers into the solution it is particularly worrying given the quasi-military nature of MAGs and the negative role they can play in conflicts. MAGs have no formal policing training and are not educated on the laws of the country in the same way as police, as exemplified by the fact that confiscated illegal weapons are returned to owners after events. Given also negative community perceptions of MAGs, the appropriateness of having MAG members playing instrumental roles in security provision is questionable. In addition it may demonstrate weakness of the PNTL in maintaining security.

A significant additional question relating to security during the election period is the possible re-emergence of divisions between PNTL and F-FDTL. This well documented dispute climaxed during the 2006 Crisis and is not far from the minds of the communities when discussing the elections. Progress on this issue has been made in the five years since 2006 and many would argue the relationship is better. When pressed on the likelihood of conflict emerging between the two agencies, a political actor in Covalima stated, “in 2012 I don’t think so, for now the police basically accept the sovereign rule of the F-FDTL, they recognise F-FDTL [have been] on the ascendancy since 2007. They are accepting that F-FDTL have an increasing role in law and internal security.”

This view is, at least in part, shared by some in the community. Recent events in Zumalai necessitated a swift security response which was well received by both the affected *aldeias* and the international community. This response entailed a joint operation between PNTL and F-FDTL, the objective of which, as stated by a national security personnel in Covalima, was “to go after all the suspects and those who were involved in the conflict, and to bring them forward for investigation according to existing laws in Timor-Leste. We will continue searching for the suspects and those behind the conflict until they’re brought to face the court to account for their legal responsibility.” Joint operations between PNTL and F-FDTL have also been conducted in Baucau in order to respond to MAG conflict. Whilst the ability to co-operate in order to provide security is commendable – and perhaps necessary – it does however raise questions in relation to role distribution according to Timor-Leste laws which clearly demarcate the role of PNTL⁴⁷ to be responsible for internal security while F-FDTL⁴⁸ is to be responsible for external security and only engage in internal security provision during a State of Siege or a State of Emergency. The blurred boundaries between the PNTL and F-FDTL not only give rise to greater risk of division between the two organisations which could have negative implications, but also serve to confuse the population. When discussing security management during the elections with a local community leader in Ainaro, he stated, “security will be protected if there is unity among the security institutions. The security forces are required to intervene if local leaders are unable to resolve the conflict. F-FDTL’s task is to provide security to the country from internal and external threats.”

A further factor that has the potential to complicate the relationship between PNTL and F-FDTL is the fact TMR resigned from his position as Commander of F-FDTL in order to run for the presidency, which he subsequently won. One question related to this issue is how will a TMR presidency impact on relations between F-FDTL and PNTL and east and west? TMR has, since 2006, been seen to be making efforts to draw support from around the country, particularly from the west where, in the words of one international observer, “he is not exactly loved.” However, on 2 October 2006 the United Nations Independent Special Commission of Inquiry for Timor-Leste found that, along with others, TMR had acted illegally in the distribution of weapons to the civilian population during the 2006 Crisis. How too will TMR’s efforts to reconcile

⁴⁷ The PNTL is governed by Decree Law No. 9/2009 under which, in accordance with Article 2.1, its powers “shall be those deriving from legislation on national security and internal security, except in exceptional cases related to State of Siege and State of Emergency, as provided for in the Constitution, and in those cases resulting from legislation on national defence”.

⁴⁸ F-FDTL is governed by Decree Law No. 15/2006 under which, in accordance with Article 2.1, “the generic mission of F-FDTL shall be to guarantee national independence, territorial integrity and the freedom and security of the populations against any aggression or external threat, in respect for the constitutional order”.

with PNTL be carried forward by his successor, Major General Lere, also indicted by the UN commission? Questions raised by an international observer in Dili include: “What does Lere do? How would he distinguish himself in military management differently from that of TMR? How would he relate to the police? How would he relate to other security institutions, outside bodies? And I think this is where the test would be.” With F-FDTL playing an increasing role in internal security how will this changing dynamic with the leadership affect the way in which F-FDTL and PNTL collaborate?

Whilst it is anticipated that a TMR presidency will not result in significant problems due to his ‘balanced political approach’, the change in leadership of F-FDTL will represent an important test for the institution. The wider test, however, is the extent to which political reconciliation has truly taken root since the 2006 Crisis and the events of 2007–8.

The role of the election bodies – the National Electoral Commission and the Technical Secretariat of Electoral Administration

The final election specific risk is how the National Electoral Commission (CNE) and the Technical Secretariat of Electoral Administration (STAE) will perform their assigned roles and assure tensions or contradictions in authority between the two bodies do not allow scope for a contested result which in turn could lead to violence. Under Law No. 5/2006, the role of CNE is to “exercise jurisdiction over all the electoral processes pertaining to the elective organs of sovereignty, of local government, and referenda.” STAE’s mandate, on the other hand is to “ensure the organisation and execution of electoral procedures, referenda and the electoral register, together with the support, consultation and distribution of studies and other data in the electoral domain.”⁴⁹ CNE is an autonomous body, independent from local and national government with its own financial, administrative and organisational autonomy, while STAE is a subsidiary body to the Ministry of State Administration, endowed with legal status and technical and administrative autonomy.

Two key functions of CNE and STAE are to “promote the objective clarification of the citizens about the electoral act through the media”⁵⁰ and to “propose the appropriate clarifying, educational and informative measures for citizen involvement in electoral processes, referenda and the electoral register, and to ensure the proper actions of various administrative electoral agents and the functioning of departments.”⁵¹ Communities, however, have little understanding or information regarding the electoral laws and procedures. Given electoral violence during the 2007 elections, and in view of other risks in the lead up to 2012 elections, starting the awareness-raising process sooner rather than later may be advisable, in order to educate...

“...the people about the legal framework, who has to do what, what will be the calendar to explain the process ... to link it to the importance of avoiding security incidents and to explain to people how to complete their votes, what will be the process, what you will have to do, and this has to be supported by STAE, the technical secretariat for elections and they have district co-ordinators.”

International observer in Dili

Currently, CNE has engaged in the delivery of civic education in almost all of the 65 sub-districts of the country to increase community awareness of their rights and their obligations with respect to the 2012 elections, with a particular focus on first time voters and women.⁵² Such sensitisation of the relevant laws and procedures is crucial to ensuring a peaceful election however, as mentioned previously, this has only gone as far as the sub-district administration and is open to patronage and corruption as it is existing community leaders conducting the training. The need for further civic

⁴⁹ Decree Law 1/2007.

⁵⁰ CNE www.cne.tl/

⁵¹ STAE Decree Law No. 1 2007 www.unmit.org/legal/RDTL-Law/.../Decree-Law%202007-01.pdf

⁵² Interview with CNE Commissioner in Dili, 26 October 2011.

education, particularly to the *suco* and *aldeia* level, is exemplified by one first time voter, in a focus group discussion with men in Ainaro who stated, “we do not know who is good and who is not. All we know about is how to work on our farms, and we will listen to the information given by our *Xefe Aldeia*.⁵³ If the *Xefe Aldeia* does not know something, we will be the same whatever party rules.” This was reiterated by an older community member in the same focus group discussion who said, “we have not heard any information from any institution. We only hear from our *Xefe Aldeia*. When *Xefe Aldeia* says we need to vote on this day, we will go. The *Xefe Suco* will inform the *Xefe Aldeia* on what date they must vote and what document they must bring. The *Xefe Aldeia* will then spread the same information to the community.”

Whilst CNE and STAE are engaging in civic education, questions were raised regarding the independence and strength of CNE. One CNE commissioner in Dili stated:

“They [politicians] create the legal framework in such a way that no power will touch them; they are untouchable. If you go through the law, there are no clear procedures of empowering the electoral commission. As a commissioner, the candidates, the parties almost run the election, almost run the campaign but [there is] no legal framework to [enable CNE to] say that you have to stop or we will put you outside of the process. No authority, they do not concede power to CNE.”

If the political parties and candidates do not respect the laws of Timor-Leste and are not held to account according to these laws there is potential for conflict during the campaign process and over the election results:

“It is about no clear framework. We have an electoral law but I think [there is] no energy, no fusion of power inside there... The law for [the] electoral management bodies is so weak so no one fears us [CNE]. They [political parties] do whatever they want. They never co-operate with us.”

CNE Commissioner in Dili

Possible trigger points of electoral violence

The root causes of conflicts and election specific risks discussed in the two previous sub-sections provide a detailed analysis of the risks associated with possible electoral violence in 2012. This sub-section explores the distillation of these factors and examines possible trigger points of electoral violence in the pre- and post-election periods.

The campaign period

The campaign period is important as it is during this time that the tone is set for the remainder of the elections. Whilst most people are confident that violence will not occur, this is hinged on the behaviour and approach of the political actors. As one community member noted in a focus group discussion with men in Baucau:

“The conflict between political parties will give us the most difficult time prior to the elections... We have witnessed what happened during past campaigns so we know. There have always been conflicts, killing, expelling each other, insulting each other and threatening each other. That’s why we want the campaigns to be held clean of hatred, spying on each other and other problems, not only among the top leaders but also between the ordinary people.”

In all districts covered in this research, community members expressed concern over the way political actors conduct themselves. The fear that political division may arise during this time stemmed from the perception raised in a mixed gender focus group discussion in Ainaro that “the leaders tend to manipulate the situation and make provocation in order to get the ‘seat’ of leadership.” This can certainly be claimed to have occurred in the past and is understandably an issue of anxiety. Such unease is also

⁵³ *Xefe Aldeia* is chief of the hamlet while *Xefe Suco* is head of the village.

shared at the national level by a CNE Commissioner in Dili, “the thing that I see so far that will become a potential conflict in the next election will be the militants of these two [CNRT and FRETILIN] political parties. They were trained to be the radicals of the party instead of looking objectively, looking at the positive [aspects] of the party and the leaders.”

There is also apprehension as to whether or not parties will follow the election laws and what this may mean for security during the election period.

“I think the problem is from political parties, sometimes they consolidate the party. They bring together the members of the party [and] restructure the party in all districts until the village [level] but in this time they also use the opportunity for campaigning. But the law says that only next year [2012] can they start the campaign because CNE has not yet produced the calendar for the election. But the parties already do campaigns in districts and sometimes they use youth for the campaign [who] become the militants [activists] of the party.”

National level civil society advisor in Dili

This is a significant issue as it effectively lengthens the pre-election period and heightens tension within this time providing an environment in which individual disputes can be pursued under the pretext of political and/or organisational differences. In addition, as detailed in the section above and highlighted by a CNE Commissioner in Dili, it highlights the lack of full autonomy of the CNE in implementing the law.

Of positive note, community resilience to political manipulation during the campaign period seems higher than in earlier years, stemming from an apparent desire on the part of the community expressed through a focus group discussion with women in Dili that “the 2012 elections run safely and quietly without any manipulation and discrimination; the people still feel traumatised by the political crisis that occurred in 2007.” There is a sentiment that the people are tired of violence and conflict and will not engage with political manoeuvring. This has led to a belief among some women in Ainaro that “the public has lost confidence in provocative leaders. In the election we will elect a leader who we believe is trustworthy ... [there will be] no conflict in the coming election, but people would not vote for leaders who are not reputable... [it is] the leaders who bring the conflict to the community.” Such an approach to the elections on the part of the population is advocated by many in the community; however this is predicated on the wide dissemination of accurate information and the correct application of the election law.

The effective management of the campaigning period is vital. If political leaders behave with the political maturity and integrity demanded of them by the population then they can guide the remainder of the election process and increase the likelihood of it being peaceful. Equally, however, if they become a negative role model through adverse behaviour and speech then it can be expected that certain elements of society will engage with this, fracturing the environment further. This interpretation is well captured in the following comments from a local government representative in Ainaro:

“Conflict will not happen if the party’s leaders and martial arts groups are mindful of peace and mutual respect. Perhaps this conflict is deliberately created by others. Perhaps by the followers of political parties who are dissatisfied and do not accept the election results. People like this can cause conflicts in society. In my opinion, conflicts can occur during the campaign before the election if there is still a provocation between the parties.”

Political settlement: the post-election period

Community members generally seem willing to accept the outcome of a democratic process and welcome whoever wins as their leaders, with many stating that they want a peaceful process. However, there is a risk that certain elements of society may not accept the election results and this may lead to conflict and violence. The way in which

the campaign process is contested will also have a bearing on how easily groups will accept the election results.

In Timor-Leste, the presence of two large political parties, FRETILIN and CNRT, of relatively similar popularity (based on the 2007 elections in which FRETILIN won the largest share of votes by 5 percent) necessitates the need for a ruling coalition. As stated by a national civil society representative in Ermera in October 2011, ultimately, the question of post-election violence comes down to whether the leaders are “able to accept whether they win or lose during the election, because they have to have a sense of conscience towards each other to prevent something happening and to accept winning or losing in the election. Also they may have to consider working together with the winner party as well.”

The political negotiations that take place after the election and deliver the leaders that will take Timor-Leste forward are crucial not only to ensuring peace and stability during this time, but also to generating an environment conducive to sustainable development. This gives rise to two potential scenarios: on one hand, the grievances felt by FRETILIN regarding the 2007 election in which they took the largest share of the popular vote yet saw CNRT lead a coalition in government are still evident. As stated succinctly by an international civil society representative:

“FRETILIN have never officially recognised the government, keeping that card at play and raising it at times where it could be of strategic benefit. This means that FRETILIN could foreseeably raise the same legal argument to rally opposition if they happen to gain the majority again at the polls but without a clear majority and are unable to form a viable coalition government.”

That said, FRETILIN very quickly took up the role as party in opposition after the 2007 elections and is now well practised in that position. On the other hand, Gusmão, as leader of CNRT, has never been out of power, having led FALINTIL during the resistance struggle before being President and then Prime Minister. As stated below by a politician in Dili:

“Is he ready to accept losing in the election? Because he does not have great experience of being in opposition. I think the most important thing for him is his readiness to accept if he loses, and of course take control of his own [party] members.”

Key to the political settlement going well according to a national civil society representative in Ermera is the need for leaders to “focus on the priorities of the people. They have to put the people first.” Political rhetoric in Timor-Leste currently suggests that the lessons of the past have been absorbed and that the political actors are ready to work together. The high level forums of Maubisse One and Maubisse Two⁵⁴ have demonstrated possibilities of political co-operation, however there is no guarantee this will remain the case during the period of political settlement that will undoubtedly take place. The very fact that it is necessary to develop such agreements indicates for some the foundations for a peaceful environment conducive to development are absent. A Timorese political analyst noted that:

“What came to my mind, if we respected the law ... [the] Maubisse agreement, we don't need it; the law is already there, why [do] we still create so many agreements among the leaders, why? It means the rule of the deal carries more power than the rule of the law so, [according to] the rule of the deal, if more power will benefit the big guys, then they can sacrifice the people if they get the benefit.”

The political negotiation and settlement that will almost certainly take place will be vital to ensuring a peaceful post-election period. It will be heavily contingent on ensuring that major players do not feel disenfranchised; that they feel they have a

⁵⁴ Maubisse One was held in Maubisse on 21 August 2010. The purpose of the forum was to work on building relationships and arrangements between political leaders. Maubisse Two was held in Lahane, Dili on 26 July 2011. The purpose of the forum was to build political consensus between political party leaders and led to a non-violence pact.

political role in the process and its result. However, the risk that such a political settlement may entail corruption, nepotism and political buy-offs⁵⁵ does not bode well for the resolution of the long-standing grievances discussed in this report. The negotiation in the post-election period will be a fine balancing act of ensuring immediate peace through the electoral period as well as generating an environment for longer-term political progress and sustainable development.

Should the negotiations and settlement omit key actors it is probable that there may be manipulation of the population on a larger scale than in the pre-election period as one international observer noted, "There is the possibility [of post-election violence] and that could be more dangerous in the pre-election [period]. Pre-electoral [violence] could be more focused in particular areas like in [a specific] district, sub district or village. But if the parties, the big parties are upset with the result of the elections, it can have a national impact." This is a crucial issue. The fact that so many deep-rooted conflicts and grievances remain without redress, combined with low levels of electoral awareness, suggest that post-election violence is a real possibility.

With political tensions already rising in parts of the country due to early and illegal political campaigning, ensuring violence does not occur in the election period will be reliant on a number of key factors raised in this report including: the level of communication and awareness building in the communities prior to the election; the effectiveness of, and co-operation between, the security actors; political goodwill between all, but especially the two main political parties; an adherence to, and implementation of, the rule of law; inclusiveness of, and communication around, the political settlement; and a genuine commitment from all political parties to co-operate in developing the conditions conducive to the resolving of longstanding and deep-rooted conflicts and grievances.

Mitigating factors

Although there is an evident risk of electoral violence in Timor-Leste and in some areas localised incidences of violence are likely during both the pre- and post-election periods, a number of mitigating factors potentially may prevent the wider spread of violence and reduce the risk of nationwide occurrences.

Community involvement and cohesion

One of the features that will be important for Timor-Leste to resist violence and conflict throughout the electoral period is the level of community involvement that occurs in some areas. One example of this has been the increased capacity of civil society organisations (CSOs) and community-based organisations (CBOs). There has been significant work by the Catholic Church and civil society to reduce conflict in the community and to equip communities with their own ways of managing conflict over the past five years. As noted below by a MAG representative in Dili:

"Less conflict happens if we compare to the past years because the church, civil society and the government have been collaborating in creating workshops and trainings to educate people on conflict resolution and conflict prevention and they have been preparing the community to resolve conflict using dialogue to minimise the risk of conflicts happening again in the future."

Crucially this has enabled some communities to contain conflict ensuring that when it does arise it does not spread to other areas as easily. The co-operation that occurs within some communities between community members and authorities goes a long way in creating an environment capable of resisting conflict and violence. For example, as expressed in focus group discussions in Ainaro, "the overall community provides support to local government in the infrastructure development sector. [There are]

⁵⁵ International civil society representative, Dili, 10 October 2011.

community initiatives to build their own houses in co-operation with others.” Such collaboration has also been evident in Zumalai where the community have been working together to reconstruct one house at a time in reaction to the attack in August 2011. According to respondents in a male focus group discussion in Ainaro, this is partially based on leaders “who give us information on *gotong royong* [working together] and problem solving.” Such community involvement, according to a local security personnel in Ainaro, stems out of a desire for peace and development with “the community directly supporting the local authorities, especially the PNTL, to find solutions in their area, specifically land disputes and domestic violence. After doing mediation we are able to handle several problems that can be resolved but for some problems that cannot be resolved we give full responsibility to the local leader[s] such as land disputes.”

In response to the issue of youth unemployment and related frustrations, many communities in association with political parties and CSO/CBOs, engage in sporting events and competitions with neighbouring areas.⁵⁶ This has developed a deeper sense of involvement in the community according to a civil society representative in Ainaro “because especially the youth in this area try to believe and respect the elders, once the elders say something they are followed. And currently they [the youth] have been doing some activities within the communities like cleaning the streets and also assisting in the market – those kinds of activities which involve many people.”

For areas that do engage in community events focusing on increasing involvement, one of the effects is that community cohesion strengthens. This is particularly the case expressed by a local security officer in Ainaro because the community, “schools, local leaders, village councils, administrators and police always work together to promote security ... [there is a] form of mutual co-operation to share information in case of conflicts in places not reached by the police.” This is also evidenced by the communal working around the villages which reinforces the sense of community. As noted by local police personnel in Covalima, “as far as I see, the community has a working group spirit. When they want to build a house, put up a fence over their farms, they always do it in groups. And they live in a serene surrounding and feel free to wander around wherever they like.”

Overall, community involvement and cohesion has been crucial to the development of conflict management mechanisms and has set in place the foundations for longer-term peace. An international civil society representative observed that:

“Timorese people have learnt a lot from their first ten years of independence and seem to be longing for a more structured and systematic way to manage their relations with each other. Sub-district Conflict Prevention and Response Networks (CPRNs) established by the EWER system but owned and led by local communities, most frequently design their conflict response plans towards the reinforcing of formal and traditional legal systems through which to manage structural and social conflict factors.”

This demonstrates the desire on the part of the communities to move beyond the years of conflict that have blighted Timor-Leste’s recent history and to develop an environment in which a peace dividend can be truly felt. This, however, is also reliant on local leaders playing a lead role in the creation of such an atmosphere.

Local leaders

Local leaders include District and Sub-district Administrators who are government officials appointed by national government, elected *Xefe Sucos* and *Xefe Aldeias*, *Lia Nain*, or traditional leaders and local political leaders. They may also include some members of the *suco* council, in particular the youth leader. Additionally, parish priests have a significant amount of influence in the community.

⁵⁶ Interview with local government civil servant, Baucau district, 24 October 2011.

Such leaders exert a large degree of authority within the community as they represent, in many ways, the gatekeepers of information from the urban centres. With such sway, they can be influential in the outbreak and exacerbation of conflict, so too can local leaders be instrumental in securing peace. Much of this comes down to the personal interests and motivations of the leaders and their affiliated identities. Some communities have very good relationships with their local leaders who play a strong role in initiating community events and wider community co-operation, as well as the forging of robust social capital.

Overall there seems to be a relatively good level of trust in engaging local leaders to resolve local disputes. “Whenever there is a problem, we go and sit down with the *Xefe Aldeia*. If the *Xefe Aldeia* cannot solve the problem, only then would we go to the *Xefe Suco* and the Administrator... Only big problems are heard by the *Xefe Suco* and the Administrator”, observed male participants in a focus group discussion in Ainaro. What is undoubtedly critical to local leaders’ ability to successfully resolve such complaints and disputes is the integrity they espouse. Those leaders who are perceived to have less than agreeable motivations may, in today’s political climate in Timor-Leste, find themselves rejected by the local people. This was expressed by a local security personnel officer in Ainaro, who claimed the community now “know and realise which is good or bad for them; therefore they will see and observe before they choose one.” Conversely, those leaders who strive for the benefit of the people are identified as such and the community gives their trust to these types of leaders. For example, a civil society representative in Ainaro expressed, “the new administrator is trying to fix the problems like electricity and also trying to resolve the problem of the roads, so he is very influential here in the community. He is a respected leader, he is capable of organising youth groups to participate in all community activities, and also he always visits the *sucos* and talks to the people. He also motivates the young people to take parts in sports activities, so he is a kind person managing this community very well.”

In this respect local leaders can be crucial to the well-being and security of the community and are advantageously placed to mitigate against any possible conflict eventuating during the elections. “Community leaders, they are the figures in the community that the community has given their trust to. Their *Xefe Suco*, *Xefe Aldeia*, and also most of the information [that has] been going to the *Xefe Suco* or *Aldeia* reaches the community. I think they will play very important role in conflict prevention and providing engagement and motivation. Also I think the church is very important. The Church has its own mechanism and people go to Mass every Sunday so they have an opportunity to share the good message, to avoid or to prevent the conflict.”

Traditional systems

One way in which the community and local leaders work together to manage conflict is through elaborate traditional or cultural systems that bind communities together and place restrictions on actions that may result in violence. Such systems share significant similarity with Pacific island cosmology with roots in a powerful bond with nature through the *Na'i-Tasi* (God of the Sea), the *Na'i-Raiklaran* (God of the Earth) and the *Na'i-Lalehan* (God of the Sky). In addition, the role of the ancestors has critical importance in ensuring the well-being of individuals, families and the community.⁵⁷ Timorese culture and tradition is central in “represent[ing] the primary means of conflict resolution and peacebuilding in most Timorese communities... These traditional social mechanisms will necessarily play a significant and far-reaching role in Timorese communities for years to come; particularly because the resources and capacity of state institutions, particularly the formal justice system, remain beyond the reach of many communities, especially those who dwell beyond the confines of the capital city.”⁵⁸

⁵⁷ For a more comprehensive analysis of the role of culture and tradition in Timor-Leste see C C X Escollano Brandao Belun (2011).

⁵⁸ C C X Escollano Brandao, Belun 2011 p 6.

Timorese culture specifically provides measures for dispute mediation and resolution that are applied regularly today. “Public peace agreements reached through ceremonies such as *Nahe Biti Bot* [negotiations that take place on a woven mat], *Juramentu* [the drinking of a mixture of blood from an animal sacrifice and traditional palm wine to seal an agreement] and *Tara Bandu* [the hanging of culturally significant items from a wooden shaft to place a ban on certain agricultural or social activities within a given area], continue to serve as effective means of dispute resolution.”⁵⁹ The belief in the importance of traditional systems was prevalent in all areas visited with frequent discussions regarding how the ceremonies of *Tara Bandu* and *Nahe Biti Bot* are successfully utilised to manage conflict at the community level. “Using the *Lisan* (tradition) we inherited from our ancestors such as *Tara Bandu*, rituals like breaking a cock’s foot or smashing a goat’s head will frighten the youth because they swear by using the tradition left by our ancestors. When a person breaks that oath, our *Rai Lulik* [sacred land], *Foho Lulik* [sacred mountain] and *Fatuk Lulik* [sacred stone] will punish him or her by breaking his or her arm and head” expressed a local government official in Ainaro. Not only do these mechanisms serve to prohibit and deter various actions and behaviour, they also promote and strengthen communal ties and are therefore “effective in reducing violence and fear and enabling freedom of movement”, expressed a recent victim of houseburning in Covalima. The prevalence of the use of traditional and cultural systems to manage conflict is also supported by findings from the EWER programme, “trends from February to May 2011 showed that traditional dispute resolution mechanisms remain the primary means of recourse for most community members. This trimester saw an increasing number of cultural ceremonies such as *Tara Bandu* resolving conflicts, especially in Dili, Ermera and Oe-cusse.”⁶⁰

One particular reason why traditional and cultural responses to conflict management are so prevailing is the feeling that there is local ownership over the process and that this will make the resolution more sustainable according to a national civil society representative:

“Mostly the people here want to be fully involved in the process of solving it [conflict] based on traditions that they have, that apply to their community, so they can feel that their culture is applied to solve their problems. By applying their culture they feel that the problem that they [have] solved, the duration is for long term, it’s like an everlasting problem solving. And it is not to satisfy certain leaders at the national level, but it is to fulfil their culture, to fulfil their own desire that they have in their community and also they feel that they are respected, and they are the owner of the process”.

For these reasons traditional and cultural systems play a crucial role in conflict management and will be an important mitigating factor during the time of the elections;

“where the system serves as the bind or tie in order to tie individuals or even groups together in order to prevent violence or any crimes again. During this time they have been providing lots of socialisation in terms of how to prevent conflict to all these groups so that the unity of the tie or the relationship between the people will be strengthened in the future.”

Current preparation

In response to the evident risk of electoral violence various preparatory measures have been established involving a number of stakeholders. Much of this is based on the desire not to return to violence, “I find it very encouraging that they [national leaders] are certainly strong in understanding what the consequences of a violent election or a transition that does not go smoothly will be. They have talked about recourse and they are well aware that this is not the way that Timor-Leste has to go. Good will is the prevailing sentiment right now and I hope that’s what will continue.” – Senior international observer in Dili.

⁵⁹ *Ibid.*

⁶⁰ Belun & CICR, EWER Trimester Conflict Potential Analysis Report, February–May 2011.

From the Maubisse One and Two forums that brought together all political parties to consolidate the commitment to refrain from violence during the elections, the National Youth Council in Timor-Leste (CNJTL) developed plans for a Platform of Unity between the youth of all political parties to be ratified in December 2011.⁶¹ The CNJTL have some influence with the youth of Timor-Leste as do the Federasaun Silat Timor-Leste (FESTIL) which is an umbrella organisation representing the MAGs. Together these organisations can play a crucial role in preparing the youth for the elections and can operate as an intermediary between the youth and political parties in an attempt to minimise any exploitation or manipulation of young people. Similarly, binding together political parties in a commitment to maintain the rule of law and operate throughout the elections in such a way that will ensure they are peaceful is a key lesson learnt from the 2007 elections. A senior international observer commented that this has resulted in “consistent messaging across the parties that the elections should be free and fair, and non-violent and that’s coming from all the parties, from the party leaders.” What is key is that these messages are realised and adhered to.

Creating this political consensus, at least in an embryonic state, has been aided by the involvement of UNMIT in continual dialogue with the political actors in the country. Regular discussion between the political parties and senior UN officials has served to keep channels of communication open and may be crucial in the post-election phase in which shuttle diplomacy may be necessary to move the political negotiation along.

Linked to the provision of awareness-raising in the community by CNE and others is the establishment and continuance of mechanisms for resolving conflict. The Ministry of Social Solidarity (MSS) has dialogue teams that have been engaged in community mediation throughout the period of displacement and return following the 2006 Crisis. These dialogue teams “have experience of mediation and have worked in very controversial contexts with returned communities”, stated an international civil society member. They are practiced in engaging in forms of dialogue that link with the traditional systems previously discussed and as such could be relatively well placed to assist the community in the mediation and resolution of any election-related conflict. The terms of deployment of the dialogue teams should be examined to ensure their mandate enables them to respond, even if conflict factors are determined to be politically motivated.

PNTL are developing plans to ensure security during the election process in collaboration with UNPOL and the ISF, with support from UNMIT and various state institutions. Given that these are the first elections since full competencies have been transferred to PNTL this represents a crucial stage in the development of effectively functioning security bodies. Such planning includes a risk analysis and threat assessment, advancement in systems of command and control, communication channel development, operational preparation and the establishment of response procedures. It brings together the three security actors (PNTL, F-FDTL and UNPOL) as well as support organisations such as hospitals, the ambulance service and the fire service. Current security preparations build on the progress made in the capacity building of PNTL by UNPOL however, according to an international security provider, there is recognition that “the PNTL are not alone, political parties and other institutions need to mature and play their own roles: the church, schools, the international community, election observers etc.”

61 Interview with youth representative in Dili, 27 October 2011.

4

Conclusion and recommendations

“All people should be united, especially the officials and leaders of the country. The leaders of political parties need to give moral education to their followers so as not to provoke one another. [We] need to strengthen security [and] all institutions must work together to share information with one another. The people of Timor-Leste should strengthen our brotherhood and kinship in order to ensure security and unity in our country.”

PNTL Sergeant, Ainaro District

Conclusion

VIOLENCE HAS BEEN A FEATURE OF TIMORESE LIFE over its recent history with localised and sporadic violence breaking out in various areas and more national level incidences taking place every few years since independence. Timor-Leste’s landscape is somewhat unpredictable as a consequence and when preparing for an event such as national elections, significant attention needs to be given to the risk of electoral violence.

It can be anticipated that a degree of intimidation and localised violence in some at-risk areas will occur during the campaigning process and throughout the political negotiation and settlement in the post-election period. This would be likely to occur as a result of political manipulation by local political leaders and spoilers who do not agree with the election results and have a vested interest in creating instability. The possibility of such localised violence spreading and causing national level issue is much harder to predict. The structural conditions for this are certainly in place and the levels of frustration in the community over unresolved grievances and a perceived lack of development and minimal economic peace dividend are high. However, the triggers that would be necessary for localised incidents of violence to have a wider national impact may not rise to prominence. Much of this will come down to how well the whole election process is managed by all political parties, with a significant need for national level political actors to set the tone and example for all subsequent political levels and to ensure the rule of law is strictly adhered to by all quarters. Equally, effective support from the relevant state institutions such as PNTL, CNE and STAE is fundamental to enabling a framework conducive to responsible political engagement.

While the risk of electoral violence is certainly evident, various measures to prevent or mitigate violence have already been established by various organs of the state, civil society and the international community, and these are commendable, particularly in their efforts to promote longer-term social cohesion. The test is whether increases in social cohesion have been comprehensive enough that communities can withstand political manipulation and provocation to responding violently to conflict triggers under the increasingly pressured circumstances of the electoral period.

As things currently stand however these mechanisms do not necessarily go far enough to guarantee that significant levels of electoral violence will not occur, nor are these mechanisms necessarily fully equipped to respond rapidly enough to de-escalate widespread violence if it does ignite in multiple locations or between multiple groups simultaneously. In this case the onus will remain with the various units of the national Timorese police force and the armed forces as a last resort. The final section of the report offers some recommendations, based on the voices of the communities, as to what can further be done to minimise the risk of electoral violence.

Recommendations

The section sets out a number of recommendations based on the findings of the research conducted. The recommendations are grounded in the voices of the community and interlaced with key observations from stakeholders at the national and local level. They are aimed at national and local government, national civil society and the international community, including donors. The recommendations are grouped into four clusters: engagement of political actors and key stakeholders; awareness-raising/civic education; engagement of youth and MAGs; longer term interventions around rule of law and conflict prevention and response.

Efforts to engage political actors and other key stakeholders to take a constructive and positive role in the election process are needed to counter the dominance of divisive rhetoric in national politics, particularly during elections.

“If we would like the 2012 elections to contribute to peace then the entire people, the government leaders, and the party leaders must walk hand in hand to create stability and to prevent conflict and violence at both the community and national level. I think the political leaders should unite and put the national interest ahead of personal or group interest.”

Young man, Covalima district

In the context of the 2012 elections the likelihood of conflict and violence is seen by community members to be heavily dependent on the way in which the political parties contest the election during the campaign period and arrive at a political settlement after the results are announced. Political actors have a crucial role to play in setting the tone and temperament of the elections and must be committed to ensuring not only that they pass without violence, but that they provide an example of how peaceful elections can be managed. Key to enabling this is the development of local leaders' (village chiefs') capacity to engage with the electoral process and to play a lead role in the management of conflict at the local level.

“I think that the national government should build the capacity of the local leaders so that they will have the knowledge and ability to prevent conflict and violence within the community. Provide support and motivation to the local leaders to strengthen unity from the district level to the village level.”

Young man, Covalima district

Further initiatives to complement ongoing activities in this area are a priority for communities and should have a specific focus on enhancing Timor-Leste's election planning, management and implementation capability; this is particularly important given both Timor-Leste's relative inexperience in elections and its proclivity for violence triggered by large, national-level events.

“The international community needs to support our government especially [in the] capacity of STAE for the officers of STAE to understand their role in the election process ... based on the experience of the last election in 2007, some of the [village] chiefs do not understand their roles which is a problem. We need to strengthen them for this process and [provide] logistical support for the election.”

Government Advisor on Civil Society, Dili

Various Timorese institutions would benefit from additional training, particularly the electoral bodies STAE and CNE who, despite engaging in election preparation, face some difficulties in gathering enough evidence on electoral violations to ensure accountability.

The 2012 elections represent a test for the institutions of the state, particularly the PNTL who are policing their first election, and civil society who are significantly involved in conflict management. This is accepted by many in the communities and by government officials themselves who recognise the need to prove to regional and international observers that Timorese political and state institutions are committed to working within the democratic processes of the new state.

Recommendations

- Support the Government in implementing the election codes of conduct and in broadening understanding of election related laws, including through a high level dialogue such as the Maubisse Forum, involving all political parties and major associations/organisations that may play a role in the elections.
- Support and encourage civil society to engage actively with political candidates for the presidential and parliamentary elections to promote opportunities for open dialogue about key policy issues at the national and local levels, drawing attention to focus on technical rather than personality-driven rhetoric during the campaigning periods.
- Build the capacity of local leaders to support the election process in communities through targeted training on the positive role they can legitimately play, including their inclusion in the development of security planning.
- Provide additional resources to STAE and CNE in order to facilitate an extension of their training programme on electoral laws and processes from the sub-district level to the community level (*suco* and *aldeia*). Maximise opportunities for civil society collaboration in these initiatives to ensure comprehensive coverage across all districts.
- In addition to deploying a robust EU observer mission, provide long-term support to national observer missions beginning prior to the onset of electoral campaigning and finishing after the establishment of a government and an appropriate 'bedding-in' period.

Initiatives that seek to raise public awareness of the electoral system and related laws and to address misinformation and rumour are crucial. Specific focus should be on raising awareness of the electoral process.

Lack of access to accurate information and rumour is often an exacerbating factor in the emergence of conflict and violence in Timor-Leste today and has been cited as an important challenge throughout recent history. For conflict prevention initiatives to be successful therefore a process of awareness-raising about relevant electoral processes, as well as the provision of civic education, are critical elements that will go a long way in assisting communities on how to respond to local challenges, such as struggles over access to resources and influence.

To minimise the risk of electoral violence, such strategies should be based on information pertaining to the relevant laws guiding the process, particularly those relevant to conducive campaigning practices and legislation determining the formation of a new government once results have been announced.

“The political party leaders, local leaders and community leaders need to remind the public of the importance of living in a democratic nation [through] dissemination and implementation of the law.”

Woman in focus group discussion (FGD), Ainaro district

The violence that tarnished the 2007 elections had its roots in the lack of accurate information regarding the electoral process, in particular the rules guiding the formation of government – for example, in 2007, the party that won most of the popular vote did not form the government resulting in confusion over the legality of the new coalition – and points to the need for a significant prioritisation of this area in a rigorous and targeted manner for the 2012 elections. A point strongly emphasised by community members who expressed both a fear of political manipulation and a lack of understanding of electoral-related laws and the responsibilities of state institutions in relation to the elections in equal measure.

Recommendations

- Support the government to increase awareness regarding the specifics of the election process, including at the community (*suco* and *aldeia*) level.
- Build the technical capacity of national media to provide accurate, balanced coverage of the election process through the delivery of media training that expands analytical and output capacity as well as conflict sensitivity principles.
- Promote and support open communication channels between political parties, media and communities, including raising awareness of the official complaints mechanism, to enable the ongoing dissemination of accurate information throughout the entire election process.
- Press for the full implementation of Timorese law regarding the mandate of each security agency during elections. Support awareness raising on security agency mandates, ensuring this is fully understood by the agencies themselves, and by the political parties and the communities.

Engaging youth and members of MAGs in peaceful processes around the elections and wider democratic processes is vital in order to prevent them being drawn into and manipulated for political violence.

The issue of children, youths, MAGs and other semi-political groupings and affiliations, who have been used as proxies in past conflicts, was raised by all respondents in the study. Young people in Timor-Leste have been witness to episodes of significant violence in recent years which has led to trauma and reinforced the meeting of force with force. In addition, today's youth have limited livelihood opportunities which can result in apathy and lack of engagement with their community, thus making them more susceptible to political manipulation.

In order to overcome these challenges it is necessary to actively engage youth, MAGs and other groups within the community and encourage bodies associated with youth such as the umbrella organisation representing the MAGs, the Federation of Traditional Self-Defence Arts in Timor-Leste (FESTIL), and the CNJTL to emphasise the positive role youth can play in generating a peaceful atmosphere. This was seen as crucial to develop a sense of community unity prior to the elections.

Respondents also linked the development of such an environment to the way in which their communities are policed, with a clear distinction between communities in which the police work with community leaders, mutually share information and are seen on a regular basis and those which do not. Where communities enjoy a reciprocal and sustained relationship with the PNTL, who in turn co-operate with local leaders, the environment was very peaceful. However, in some locations there is still a lack of confidence in working with the police, particularly on the part of the youth.

Recommendations

- Provide and promote job creation, training, community events and the use of youth champions to increase youth, MAGs' and other groups' sense of citizenship and identification with the forthcoming elections.

- Engage and support FESTIL and the CNJTL to use their influential roles with youth, MAGs and other groups in the dissemination of peace education, and to assist civil society and community based organisations to provide civic education more generally.
- Target 'at-risk' locations and groups, using a community policing approach prior to the start of the campaign period to build the confidence of communities, particularly the youth, in the police and their ability to prevent and deal with electoral violence through the implementation of security plans currently being developed.

In addition to immediate measures to prevent election violence, longer-term interventions are required to support the implementation of the rule of law and develop community level conflict prevention and response mechanisms that are locally owned and led.

Rule of law has been a contentious issue in Timor-Leste that has contributed to violence and conflict in the country. The government's informal policy of amnesty for reconciliation and stability – as evidenced by a lack of prosecution of those involved in perpetrating violence in the 2006 political crisis, 2007 electoral violence, and the 2008 assassination attempts on President Ramos-Horta and Prime Minister Gusmão – and a poor socialisation of the law in the community, has led to confusion within the population regarding the law and its application. Respondents reported that when community members see perpetrators of crimes escaping justice, despite being found guilty, the potential for insecurity increases.

The symbiotic relationship between justice and security is more evident during and immediately following the election period and needs to be a central focus for all concerned. Strong and consistent rule of law during the elections is important not only for the security of the elections themselves, but also in terms of representing the necessary fundamental shift in approach to sustainable development within the country.

“As long as there's no rule of law, there's only the rule of the deal. Then the longer-term will be covered by violence. Why? Because there is already the perception that the law is written but it's attached to somebody above the law.”

Civil society leader, Dili

According to the respondents, many communities develop activities that bring people together to strengthen social cohesion and increase resilience to conflict and violence. Much of this work is supported by civil society organisations and the government through building the capacity of communities to manage localised conflict. This has been crucial in reducing levels of violence. However, it is clear that there remains a significant amount to do to ensure such systems are appropriately and adequately positioned to mitigate the risk of electoral violence, and indeed, beyond the elections and throughout Timor-Leste's longer-term transition. Recent developments in the use of dialogue at the community level to resolve community conflicts have been well received by community members who have advocated for such initiatives to continue.

Recommendations

- Support the CNE to develop a complaints follow-up mechanism to ensure timely response to violations of the electoral law and regulations, with relevant cases referred to the Prosecutor General and the courts, to strengthen confidence in the legitimacy of the electoral process.
- Building on existing efforts, promote work with communities to strengthen their resilience to conflict and violence through community cohesion building activities, highlighting the negative impact of violence and promoting the elections as a new and crucial step in the peaceful development of the country.
- Consider the role and use of religious institutions and traditional systems in preventing violence and fostering an appreciation of reconciliation, community and unity throughout the election period and beyond.

- Resource and strengthen existing systems – such as Belun's Early Warning Early Response (EWER) project and its established CPRNs, the Ministry of Social Solidarity (MSS) dialogue teams and the National Directorate for Community Conflict Prevention (NDCCP) – to continue the building of nationally owned early warning and response mechanisms. In particular the mandates and contingency plans for how these structures should respond in the event of national level conflict should be examined and supported.
- Develop inter-agency contingency plans for international and national agencies to respond to conflict through the provision of security, conflict mediation at the national and local levels and humanitarian assistance.

ANNEX: Methodology and validation

This study utilised a combination of research techniques including desk research, focus group discussions (FGDs) and key informant/in-depth interviews (KIIs) in four districts to gather community perspectives on the risks of electoral violence.

Saferworld collaborated with NGO Belun, a prominent national NGO specialising in conflict prevention, to facilitate the field-based data collection. NGO Belun works in partnership with Columbia University's CICR to implement the Early Warning Early Response system in Timor-Leste.

Focus group discussions

FGDs with an array of community members (based on gender, age and employment) were conducted in a range of locations across the country between 13 October and 25 October 2011. Specifically, locations included the capital, Dili, and research sites in the east (Baucau district), the centre (Ainaro district) and the west (Covalima district) of the country to ensure regional differences were addressed. FGDs were conducted in three formats: women only, men only and mixed. In total eleven FGDs were conducted, two in Dili district, three in Ainaro district, two in Covalima district and four in Baucau district. The number of FGDs conducted in each area differed due to the willingness of the community to engage with the research. Specifically in one of the areas of Covalima district visited there had recently been a violent attack resulting in the displacement of approximately 168 families⁶² and so people were reluctant to speak. Indeed, one FGD was aborted after a short time as people would not speak.

Key informant/in-depth interviews

FGDs were supplemented with up to ten KIIs with individuals well placed in the community to provide deeper insight in each of the three rural districts. Such individuals included local police, teachers, journalists, village chiefs, local administrators, church leaders, political party local leaders and representatives of CBOs, among others. In Dili, 25 KIIs were also conducted with national level civil society, national government agencies, political parties and representatives of the international community, including donors, UNMIT, the UN Country Team, the EU and international non-governmental organisations. Those conducted in Dili are listed below:

Arsenio Bano, Vice-President FRETILIN and MP
 José Belo, MSS Department of Peacebuilding and UNDP
 Nelson Belo, Director, Fundasaun Mahein
 João Boavida, Executive Director, CEPAD
 Luis Miguel Carrilho, Police Commissioner, UNPOL
 Luis Carvalho, Secretary, FESTIL
 Laurianne Comard, Policy Officer, EU
 Sarah Dewhurst, Program Manager, Columbia University, Center for International Conflict Resolution
 Silas Everett, Country Representative, The Asia Foundation
 Joaquim Freitas, Civil Society Advisor to the Cabinet of the Prime Minister
 Dinorah Granadeiro, Executive Director, FONGTIL
 Padre Martinho Gusmão, Padre & Commissioner, CNE
 Ameera Haqq, Special Representative of the Secretary General, UNMIT
 Leovigildo Hornay, President, National Youth Council Timor-Leste
 Ben Larke, Programme Manager, Save the Children
 Lidia Lopez de Carvalho, Ingrid Lundberg
 Director, National Directorate for Community Conflict Prevention, Political Section – Australian Embassy

62 See 'October 14 2011 Report of the Secretary-General on UNMIT,' para. 23.

Edio Marino, Ermera District Co-ordinator, EWER Program, NGO Belun

Shigeru Mochida, Deputy Special Representative of the Secretary General, Security Sector Support & Rule of Law, UNMIT

Allan Mukungu, Security Sector Support Unit – UNMIT

Preston Pentony, UNMIT Political Affairs

Carlito Pereira, Co-ordinator, Ita Ba Paz (We are for Peace, Martial Arts Peacebuilding Project)

Finn Reske-Nielson, Deputy Special Representative of the Secretary General, Governance Support, UNMIT

Bojan Ristic, Acting Country Director, International Republican Institute

Angelina Sarmiento, Commissioner, CNE

Padre Agostinho Soares, Padre & Observatorio da Igreja Para Os Assuntos Sociais

Nicholas Thomas, Political Section – Australian Embassy

Bibliography

- Belun & CICR (2011), *Early Warning Early Response: Conflict Potential Analysis – Trimester VII: February – May 2011*, accessible at www.cicr-columbia.org/wp-content/uploads/2011/09/EWER-Trimester-Report-7-Feb-May-2011.pdf
- Belun & CICR (November 2011), *Early Warning Early Response: Situation Review – November 2011*, accessible at www.cicr-columbia.org/wp-content/uploads/2012/01/November-2011-EWER-Situation-Review-English1.pdf
- Belun & CICR, CCX Escollano Brandao (October 2011), *Culture and its Impact on Social and Community Life: A Case Study of Timor-Leste*, EWER Policy Brief No. 5, accessible at www.cicr-columbia.org/wp-content/uploads/2011/02/Policy-Brief-5-Culture-and-its-Impact-on-Social-and-Community-Life.pdf
- Belun & IFES (2007), *Election Violence Education and Resolution (EVER) in Timor-Leste – Final Report*, Dili, Timor-Leste: Belun/IFES, accessible at www.ifes.org/publication/f21b4adoba7a9b483aeb4ba27cbaad30/Final%20Report%20EVER%2017%20Oct.pdf
- Bowd (2009), *Timor-Leste: IDPs have returned home, but the challenge of reintegration is just beginning*, Geneva: IDMC
- CAVR (2006), *Chega! The Report of the Commission for Reception, Truth and Reconciliation in Timor-Leste*, accessible at www.cavr-timorleste.org/en/chegaReport.htm
- CEPAD (2008), *Timor-Leste: Voices and Paths to Peace*, Dili, Timor-Leste: CEPAD (Centre of Studies for Peace and Development)/Interpeace
- Government of the Democratic Republic of Timor-Leste (2006), *Law no. 5/2006 of 28 December Election Administration Bodies*, accessible www.etan.org/etan/obproject/docs/CNE%20Law.pdf
- Government of the Democratic Republic of Timor-Leste (2006), *Law no. 6/2006 of 28 December Law on the Election of the National Parliament*, accessible at www.etan.org/etan/obproject/docs/Parliamentary%20Election%20Law.pdf
- Government of the Democratic Republic of Timor-Leste (2006), *Law no. 7/2006 of 28 December Law on the Election of the President Of The Republic*, accessible at www.etan.org/etan/obproject/docs/Presidential%20Election%20Law.pdf
- Government of the Democratic Republic of Timor-Leste (2006), *Decree Law no. 15/2006 of Organic Statute of FALINTIL-FDTL*, accessible at www.unmit.org/legal/RDTL-Law/RDTL-Decree-Laws/Decree-Law-2006-15.pdf
- Government of the Democratic Republic of Timor-Leste (2007), *Decree Law no.01/2007 Organic Statute of the Technical Secretariat of Electoral Administration*, accessible at www.unmit.org/legal/RDTL-Law/RDTL-Decree-Laws/Decree-Law%202007-01.pdf
- Government of the Democratic Republic of Timor-Leste (2008), *Law no. 10/2008 of 16 July Law on the Practice of Martial Arts*, accessible at www.eastimorlawjournal.org/East_Timor_National_Parliament_Laws/Law_10-2008-martial_arts.pdf
- Government of the Democratic Republic of Timor-Leste (2009), *Decree-Law No. 9/2009 of 18 February Organic Law of Timor-Leste's National Police (PNTL)*, accessible at www.unmit.org/legal/RDTL-Law/RDTL-Decree-Laws/Decree%20Law%209-2009.pdf
- ICG (2006), *Resolving Timor-Leste's Crisis*, Asia Report No. 120, 10 October 2006, accessible at [www.crisisgroup.org/~media/Files/asia/south-east-asia/timor-leste/120_resolving_timor_lestes_crisis.pdf](http://www.crisisgroup.org/~/media/Files/asia/south-east-asia/timor-leste/120_resolving_timor_lestes_crisis.pdf)
- ICG (2007), *Timor-Leste's Parliamentary Elections*, Asia Briefing No. 65, 13 June 2007, accessible at www.crisisgroup.org/~media/Files/asia/south-east-asia/indonesia/b65_timor_leste_s_parliamentary_elections.pdf
- ICG (2009), *Timor-Leste: No Time for Complacency*, Asia Briefing No. 87, 9 February 2009, accessible at www.crisisgroup.org/~media/Files/asia/south-east-asia/timor-leste/b87_timor_leste__no_time_for_complacency.pdf
- Lundahl & Sjöholm (2006), *The oil resources of Timor-Leste: Curse or Blessing?*, The European Institute of Japanese Studies, EIJS Working Paper 229.
- Secretariat of State for Vocational Training and Employment (SEFOPE) and the National Statistics Directorate (NSD), *Timor-Leste Labour Force Survey 2010*, accessible at dne.mof.gov.tl/published/TLS%20Labour%20force%20survey%202010/Timor-Leste%20-Labour%20Force%20Survey%20Report%20-%202010.pdf

- TLAVA (2009a), *Electoral Violence in Timor-Leste: Mapping Incidents and Responses*, Timor-Leste Armed Violence Assessment (TLAVA), Issue Brief No. 3, June 2009
- TLAVA (2009b), *Groups, gangs, and armed violence in Timor-Leste*, Timor-Leste Armed Violence Assessment (TLAVA), Issue Brief No.2, April 2009
- UNDP (2009), 2009, *The Millennium Development Goals, Timor-Leste*, accessible at www.tl.undp.org/undp/Publications/Other%20publications/MDG%20Timor-Leste_2009.pdf
- World Bank (2007), *Timor-Leste's Youth in Crisis: Situational Analysis and Policy Options*, Washington D.C: The World Bank, accessible at <http://siteresources.worldbank.org/INTTIMORLESTE/Resources/youngincrisienglish.pdf>
- World Bank (2011), *World Development Report 2011: Conflict, Security and Development*, Washington DC: World Bank, accessible at wdr2011.worldbank.org/fulltext
- United Nations (2011), *Report of the Secretary-General on UNMIT*, October 14 2011, accessible at www.un.org/ga/search/view_doc.asp?symbol=S/2011/64

Saferworld works to prevent and reduce violent conflict and promote co-operative approaches to security. We work with governments, international organisations and civil society to encourage and support effective policies and practices through advocacy, research and policy development and through supporting the actions of others.

COVER PHOTO: The cover picture shows Timorese in traditional dress taking part in a ceremony for the International Day of Peace, celebrated annually on 21 September. ©UN PHOTO/MARTINE PERRET



Saferworld
The Grayston Centre
28 Charles Square
London N1 6HT
UK

Phone: +44 (0)20 7324 4646
Fax: +44 (0)20 7324 4647
Email: general@saferworld.org.uk
Web: www.saferworld.org.uk

Registered charity no. 1043843
A company limited by guarantee no. 3015948

ISBN 978-1-904833-88-8