

## Timor-Leste's Elections: Leaving Behind a Violent Past?

### I. OVERVIEW

Timor-Leste's 2012 general elections will provide an important test of the country's resilience as it celebrates ten years of independence. The governing coalition has undertaken few of the long-term reforms seen as necessary after the 2006 crisis but increased wealth has given many a growing stake in stability. The outcome of polls remains difficult to predict given the breadth of the field in each poll and the weakness of issue-based politics. Successful elections will be important not just toward securing the long-awaited withdrawal of the country's UN peacekeeping mission but also may give its leaders the confidence to confront its many challenges.

The country is markedly more peaceful than when general elections were last conducted in 2007, but many of the root causes of fragility persist. Relations among the small circle of political leaders are far friendlier, but anger over the past, particularly with regard to the 2006 crisis, remains deeply entrenched. There is a growing number of unemployed youth, particularly in Dili, and gang and martial arts group violence are recurrent problems. No one is sure how closely these issues will feed into political rivalry, but any deliberate manipulation of these frustrations has the potential to be incendiary.

The field will be broad in both polls but once again the real contest is between a handful of familiar players. After a first round of presidential polls on 17 March, two of the following will likely proceed to a second round in April: the incumbent José Ramos-Horta, current parliamentary speaker Fernando "Lasama" de Araújo, his predecessor Francisco Guterres "Lu Olo", or the former armed forces chief, Taur Matan Ruak. Twenty-four parties are poised to compete in parliamentary polls in late June, but only two look capable of winning a majority: Prime Minister Xanana Gusmão's Congresso Nacional de Reconstrução de Timor-Leste (CNRT) and the party that headed the country's first government, the Frente Revolucionária de Timor-Leste Independente (Fretilin). A more likely outcome is a coalition government formed by one of these two with a handful of the 22 smaller parties competing. The breadth of this competition, which includes several new parties, makes predicting the parliamentary results difficult.

Political tensions have largely been tempered in the lead up to polls and the security situation remains stable despite a small uptick in violent crime. As campaign season approaches and the political temperature rises, law enforcement capacity remains weak and this means the sources of potential security risks are many. The UN police and the small International Stabilisation Force (ISF) can help buttress crowd control and riot response, but the focus should be on other measures. Civil society groups have a role to play in helping educate voters and monitoring adherence to codes of conduct, as well as shining light on any proxy role in election-related intimidation or violence that martial arts groups could play. Public relations should be a key part of the planned joint operations centre for election security response: rumours have stoked violence and a quick-footed response by police in combating misinformation could help keep the peace. The greatest risk is the near-complete impunity for political violence: the candidates should make it clear now that such crimes will no longer be forgiven.

The UN also has a role to play. National authorities will take responsibility for administering the country's second major polls since independence, but the UN mission should be ready to take both private and public steps in response to any serious violations of electoral regulations. One product of the UN's thirteen-year presence in Timor is a strong sense of its mission as a guarantor of free and fair polls even if it plays only a supporting role.

Electoral violence in Timor-Leste's short history is a symptom of embittered political rivalries that extend back into the resistance struggle and the high stakes of political competition. Relations between the small political elite will heal at their own pace, but several steps could be taken in the medium term to lower existing pressures. These include staggering the calendar for presidential and parliamentary polls in different years and encouraging the development of reliable opinion polling or parallel vote tabulation. A staggered calendar could lower tensions around both elections. Polling or quick counts could provide a reality check to the partisan fervour that characterises campaigning and remove some of the pressure on the announcement of results, historically a trigger of violence.

While polls unmarred by serious violence are a prerequisite for the UN's departure, robust but peaceful political competition is important to the country's long-term stabil-

ity. This election has raised understandable nervousness among many Timorese of the prospects of a return to violence. Many difficult reforms since 2006 have been deferred in the fear that they might jeopardise the consolidation of stability. Successful polls should give the new government the confidence to put more hard work towards developing consensus and enacting reforms to strengthen the rule of law.

## II. ELECTIONS

Timor-Leste's presidential and parliamentary elections, to be held on 17 March and in late June, offer the opportunity to consolidate the political stability and security it has enjoyed since recovering from the 2006 crisis.<sup>1</sup> The successful running of the polls without serious violence and the establishment of a new government viewed as legitimate have long been foreseen by both the UN and the Timorese leadership as a clear sign that the UN Integrated Mission in Timor-Leste (UNMIT) and its 1200-strong police contingent can leave.<sup>2</sup>

The security situation is much improved since the 2007 polls. The overall stability of the country was challenged by a number of factors, including a severe rice shortage in February 2007 and efforts to capture the rebel Alfredo Reinado, who was then still at large.<sup>3</sup> These broader factors created an enabling environment for election violence, both pre-poll violence, notable in eastern districts as well in Ermera, and further violence that arose between the announcement of results and the formation of the governing coalition.<sup>4</sup> Two people were shot in connection with campaigning in Viqueque in early June. The situation dete-

riorated again after the announcement of results in early August, with house burnings and roadblocks particularly in eastern districts, where support for Fretilin was strongest.<sup>5</sup>

While the approach of this year's elections has heightened nervousness among many Timorese regarding prospects for security, to date there have been few incidents of major concern. Senior figures from the leading political parties have sent all the right signals, attending each other's party conferences and publicly wishing each other well.<sup>6</sup> A few incidents involving alleged burnings of Fretilin flags by CNRT supporters have been smoothed over after communication between party leaders.<sup>7</sup> Separate codes of conduct for candidates in each election have been drafted by the electoral administration body (STAE) and will be signed in the coming months.<sup>8</sup> As this briefing went to press, there were reports of an attack on the electoral administration offices that caused no damage or injuries.<sup>9</sup>

### A. PRESIDENTIAL ELECTIONS

The presidential election will likely be less contentious but will serve as an important staging ground for parties looking towards the June parliamentary polls. Thirteen candidates have been registered to contest the presidency; the official campaign period will run from 29 February to 14 March.<sup>10</sup> All of them run as independents but some have received explicit party backing.

<sup>1</sup> See Crisis Group Asia Report N°120, *Resolving Timor-Leste's Crisis*, 10 October 2006; Crisis Group Asia Briefing N°65, *Timor-Leste's Parliamentary Elections*, 12 June 2007; Asia Reports N°143, *Timor-Leste: Security Sector Reform*, 17 January 2008 and N°148, *Timor-Leste's Displacement Crisis*, 31 March 2008; and Asia Briefing N°87, *No Time for Complacency*, 9 February 2009. For previous Crisis Group reporting on the challenges of police reform in Timor-Leste, see Crisis Group Asia Report N°180, *Handing Back Responsibility to Timor-Leste's Police*, 3 December 2009; and Crisis Group Asia Briefing N°116, *Timor-Leste: Time for the UN to Step Back*, 15 December 2010. For more on Timor-Leste, see also: Asia Briefings N°104, *Timor-Leste: Oecusse and the Indonesian Border*, 20 May 2010 and N°110, *Managing Land Conflict in Timor-Leste*, 9 September 2010.

<sup>2</sup> At 31 December 2011, the UNMIT deployment included 1,183 police, 33 military liaison officers, 394 international civilian staff, 883 local civilian personnel and 211 UN volunteers.

<sup>3</sup> See "Report of the Secretary-General", August 2007, para. 16.

<sup>4</sup> Timor-Leste's current government is known as the Aliança Maioria Parlamentar (AMP) government, and took office on 7 August 2007.

<sup>5</sup> Some of the worst of this violence was in Uatolari, Viqueque, where 70 houses were set on fire on 7 August. See the court decision in case 20/CRM.C/2008/TD.BCU, issued on 8 June 2009.

<sup>6</sup> For example, in early January Fretilin President Lu Olo attended the CNRT party conference and embraced Xanana in front of cameras.

<sup>7</sup> "CNRT la autoriza sunu bandeira Fretilin" ["CNRT did not authorise the burning of Fretilin flag"], *Suara Timor Lorosae*, 22 June 2011; "Tolerancia zero' ba autor sunu bandeira Fretilin" ["Zero tolerance' for Fretilin flag burners"], *Suara Timor Lorosae*, 28 June 2011.

<sup>8</sup> Timor-Leste's two electoral management bodies are the Secretariado Técnico da Administração Eleitoral (STAE, Technical Secretariat for Electoral Administration) and the Comissão Nacional de Eleições (CNE, National Elections Commission). STAE is a government body organised under the state administration ministry, whose responsibilities include the drafting of electoral regulations and codes of conduct, organising voter registration, and administering voting. The fifteen commissioners appointed to the independent CNE oversee this work, approving statutes prepared by STAE and handling procedural complaints. Criminal complaints are handled by the Tribunal de Recurso (Court of Appeal), the highest operating court, which is also responsible for certifying the eligibility of candidates.

<sup>9</sup> "Quatro cocktails molotov lançados contra STAE, CNE e carro da polícia que ardeu", *Lusa*, 20 February 2012.

<sup>10</sup> The campaign period is fifteen days long and ends two days before the election. Article 28, Parliamentary law 7/2006, "Lei

**José Ramos-Horta** (born in 1949, Dili). The incumbent, he has served as president since 2007 (without party affiliation) and before that as foreign minister in the first government, and as interim prime minister after Mari Alkatiri's 2006 resignation. He led the diplomatic front of the Timorese resistance, spending the entire period of Indonesian occupation in exile after leaving Dili days before the Indonesian invasion in 1975. Along with Bishop Dom Carlo Belo, he was awarded the Nobel Prize in 1996 in recognition of their efforts "towards a just and peaceful solution to the conflict in East Timor". In the 2007 elections, his support was strongest in the central districts of Dili, Liquiçá and Manatuto.<sup>11</sup> While coming second in the first round to Lu Olo, he won 69 per cent of the second round after receiving the backing of nearly all the other first-round candidates.<sup>12</sup>

**Francisco Guterres (Lu Olo)** (born in 1954 Ossu, Viqueque). Lu Olo joined the Associação Social Democrata de Timor-Leste (ASDT, which would become Fretilin) in 1974 and served in a variety of roles within the movement during the independence struggle, rising to be its most senior member inside the country by 1998.<sup>13</sup> He was elected president of Fretilin at the party's first congress in 2001 and has stayed in the role since. He was head of the Constituent Assembly in 2001-2002 and president of the successor parliament from 2002 to 2007. In the 2007 presidential polls, he received 28 per cent of the vote in the first round, but lost to Ramos-Horta in the second round with only 31 per cent.<sup>14</sup> Lu Olo faced a difficult decision in running against Taur Matan Ruak, who holds significant support among Fretilin supporters, which will likely hurt Lu Olo's returns.

**Fernando de Araújo (Lasama)** (born in 1963, Manutasi, Ainaro). Lasama has served as speaker of parliament since 2007, a position afforded an unusual degree of prominence in Timor-Leste even though it wields little formal power. He was a youth leader during the resistance, heading the influential student group Renetil and was imprisoned for several years in Jakarta with Xanana Gusmão. He heads the Partido Democrático (PD), which has strong support among the generation that came of age during the 24-year Indonesian occupation. He polled only 19 per cent of the

vote in 2007 but won the western districts of Ermera, Covalima, Bobonaro and Oecusse. Many saw his tenure as head of parliament as grooming for the post of president but the PD party base has fractured and will likely serve as a poor springboard for presidential ambitions.

**José Maria de Vasconcelos (Taur Matan Ruak)** (born in 1956, Baguia, Baucau). Ruak joined Falintil in 1975 and rose through the ranks of the armed front to become the commander in 1998 following the death of its then leader Nino Konis Santana. He served as armed forces chief from their inception in February 2001 until his retirement in October 2011. Once very close to Fretilin, he is likely to attract a number of its supporters, even though he is running as an independent. He has also generated considerable support among former Falintil veterans.

**José Luis Guterres (Lugo)** (born in 1954, Uatolari, Viqueque). Guterres has served as Vice PM for Social Affairs since 2007; before that he was the country's representative at the UN in New York. Guterres helped lead a challenge to Alkatiri's leadership of Fretilin in 2006, which failed but led to the creation of a breakaway faction known as Fretilin-Mudança ("Fretilin-Change").<sup>15</sup> The group registered as a party in 2011 but until recently has largely kept a low profile.<sup>16</sup>

Rounding out the field are eight candidates who look less likely to poll significant support:

*Francisco Xavier do Amaral*, the first president of Timor-Leste, and head of ASDT, he is now in very poor health and unlikely to campaign. In 2007, he received 14 per cent of the vote.

*Abílio de Araújo*, a former leading Fretilin representative in exile who later became a supporter of continued autonomy within Indonesia and now heads the minor Partido Nacionalista Timor (PNT).<sup>17</sup>

*Lucas da Costa*, a PD parliamentarian who also serves as rector of UNPAZ university (Universidade da Paz) and is running without party support.

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eleitoral para o Presidente da República", promulgated 22 December 2006. A fourteenth candidate, Angela Freitas, was disqualified by the Court of Appeal for not presenting at least 100 signatures from each district in support of her candidacy.

<sup>11</sup> Ramos-Horta polled 22 per cent in the first round, second-place to Lu Olo's 28 per cent.

<sup>12</sup> Only Manuel Tilman (KOTA) gave his support in the second round to Lu Olo.

<sup>13</sup> A Fretilin party biography of Lu Olo is available online at [luolobapresidente.blogspot.com/2007/03/biography-of-francisco-guterres-lu-olo.html](http://luolobapresidente.blogspot.com/2007/03/biography-of-francisco-guterres-lu-olo.html).

<sup>14</sup> See EU Election Observation Mission, op. cit.

<sup>15</sup> For more on the 2006 leadership challenge, see Crisis Group Report, *Resolving Timor-Leste's Crisis*, op. cit.

<sup>16</sup> The party registered as Partido Frente de Reconstrução Nacional de Timor-Leste Mudança (Frenti-Mudança), after it was determined that it could not appropriate the Fretilin name and symbols. See Despacho no. 3/IPP/2011/TR of the Court of Appeals, issued 18 July 2011.

<sup>17</sup> PNT received 2.4 per cent of the vote in 2007.

*Francisco Gomes*, former member of ASDT and head of the newly formed Partido Libertasaun Povu Aileba (PLPA, Party for the Liberation of the Aileba People).<sup>18</sup>

*Rogério Lobato*, the former interior minister (2002-2006) and the first defence minister (1975), he was convicted in March 2007 for murder and illegal distribution of arms and served much of his remanded sentence in Bali after being allowed to leave on medical grounds. Still a member of the Fretilin party, he may split some of the party's votes but his support is limited.

*Maria do Céu da Silva Lopes*, co-founder of Timoraid, an NGO active in the reconstruction effort following the 1999 referendum.

*Angelita Pires*, former girlfriend of rebel leader Reinado, recently acquitted of a role in the February 2008 attacks on President Ramos-Horta who has claimed she will fight the injustice of the trial – while she was acquitted, she maintains it was a set-up designed to obscure the truth.<sup>19</sup>

*Manuel Tilman*, a lawyer who heads the Klibur Oan Timor Assuwain (KOTA) party, and received four per cent of the vote in 2007.

As defined in the constitution, the presidency is first and foremost a ceremonial role, though it does carry important defence oversight duties and the mandate to ensure “the smooth functioning of democratic institutions”.<sup>20</sup> In part because of the charismatic nature of the two men who have held the role so far, Gusmão and Ramos-Horta, and in part because of the limited positions available to all of those who played politically important roles in recent history, the presidency has taken on added importance. The president also formally determines who will form the government following elections, and this makes the post a key part of the grander political bargain.

Tensions in and around Fretilin about whom the party would put forward as its presidential candidate have illustrated the strategic importance the presidential polls have taken on and why it may be harmful. Ruak's entry into the race put the party in a difficult position. Despite close ties to Fretilin in the past, Ruak decided to run as an independent, and has made this fact a key part of his campaign strategy. He is nonetheless likely to capture the votes of at least some Fretilin supporters. This forced the party to

choose between putting forward Lu Olo and risking an embarrassing defeat just before entering the polls, or tacitly endorsing Ruak but losing the valuable opportunity to fly the party flag ahead of the parliamentary elections.<sup>21</sup> Despite Lu Olo's reservations about running against Ruak, Fretilin announced that he would run as its candidate.<sup>22</sup>

The friction between Lu Olo and Ruak is already adding interest to what might have been an anodyne race. At a meeting Ruak held with residents of Bucoli in Baucau district in January, he challenged the Fretilin leadership and blamed them for breaking apart the party.<sup>23</sup> He likened its fall in popularity to that of an ailing calf: “We fattened it, but you have made it thin, and it will be you who will lead it to death”.<sup>24</sup> He warned the Fretilin leadership that his “heated” words were a first barrage of a verbal attack that would be like “a cannon ... that can move mountains”.

Ruak's rhetoric has since been toned down somewhat – he recently said that if elected he would “embrace” Fretilin. But staggering presidential and parliamentary polls might be one way of decreasing some of the pressures on both. Proponents of the status quo believe holding the polls in sequence cements the legitimacy of the president's one great power: approving the formation of a new government. However, holding them over a short period of time promotes the kind of grand bargaining between members of a very small political elite and unnecessarily raises the stakes in the contest for what is at heart a ceremonial role. While there are no constitutional constraints on changing the electoral calendar, it is nonetheless unlikely to happen until there is greater political consensus on what significance should be given to the presidency.<sup>25</sup>

Whoever is elected will play a role in the formation of a new government. One of the key drivers of conflict in the period that followed the announcement of results in 2007

<sup>18</sup> “*Aileba*” refers to the plank of wood used to carry goods such as fruit and vegetables for sale around town.

<sup>19</sup> “Angelita Pires quer ser presidente de Timor-Leste” [“Angelita Pires wants to be president of Timor-Leste”], RTP (Radio Televisão Portugal), 26 January 2012. Pires is running with the backing of the UNDERTIM party.

<sup>20</sup> Constitution of the Democratic Republic of Timor-Leste, Article 74. The role, eligibility and duties of the president are outlined in Articles 74-91.

<sup>21</sup> Crisis Group interview, member of Fretilin Central Committee (CCF), Dili, 1 December 2011.

<sup>22</sup> “I start out as a party's candidate, to become the President of the Republic for all of the people”, Fretilin party press release, 13 January 2012.

<sup>23</sup> Ruak refers by name to Lu Olo, Alkatiri, and the party deputy secretary general, José Maria dos Reis. Video of the event has been posted online at [www.youtube.com/watch?v=6anUXW7j9Zk](http://www.youtube.com/watch?v=6anUXW7j9Zk). Timorese blogger Alex Tilman notes that Bucoli is the birthplace of famed guerrilla Vicente dos Reis (“Sahe”) who disappeared in 1978, and brother of José Reis and sister of the *suco* chief who appears at the beginning of the video, challenging Ruak. See [www.diakkalae.com/2012/01/tmr-slams-lu-olo-and-fretilin.html](http://www.diakkalae.com/2012/01/tmr-slams-lu-olo-and-fretilin.html).

<sup>24</sup> Ibid.

<sup>25</sup> The constitution of Timor-Leste was written by Fretilin while it had a parliamentary majority but no charismatic leader. It centred power on the prime minister.

was the decision by President José Ramos-Horta, recently elected with CNRT support, to invite that party to form a coalition government, even though Fretilin had won the greatest share of seats (21 to 18).<sup>26</sup> This year the fates of the presidential candidates and the parliamentary parties seem more separate. If Lu Olo were to win, Fretilin would likely receive a boost in the polls, while a win by Ramos-Horta might be taken as support for the status quo, therefore strengthening CNRT's prospects.

## B. PARLIAMENTARY ELECTIONS

Parliamentary polls in 2007 were an important step in resetting the balance of power after the 2006 crisis; they came after a year of great political uncertainty and discord.<sup>27</sup> The elections saw Fretilin's share of seats in parliament drop from nearly two thirds to just under one third.<sup>28</sup> While political rivalries continue to run deep, the prospects for such a dramatic transformation of the political landscape are far lower this year, as a more balanced political settlement has emerged in recent years. In one important aspect, however, the stakes are higher than ever: the job of prime minister comes with a \$9.3 billion bank account attached in the form of the Petroleum Fund.<sup>29</sup>

The real contest is between CNRT and Fretilin, which together hold three fifths of the seats in parliament.<sup>30</sup> CNRT remains very much a party built around its leader, Xanana Gusmão. Its approach is drawn in part from the resistance structure its name consciously evokes: the Conselho Nacional de Resistência Timorense, which was formed as an umbrella organisation to guide the resistance. Its broad constituencies include an unlikely mix of businessmen who have benefited from government contracts, veterans loyal to Gusmão, and former supporters of Indonesian

integration brought back into the fold by Gusmão's commitment to reconciliation. The party has also invested in strengthening its structures in recent years. Its greatest asset may be its role as lead partner in a government that drove a huge expansion in public spending (346 per cent since 2008),<sup>31</sup> particularly in popular cash transfer schemes. Gusmão has also staked the legacy of his AMP government on stabilising the volatility of Timorese politics, which reached a peak in 2006-2008, and taking a pragmatic approach to problem-solving.

Fretilin's strengths are anchored instead in the party's historical legacy of revolutionary struggle and an organised base, particularly (though not exclusively) in the eastern districts.<sup>32</sup> It is the only remaining party from Timor's hasty 1974-75 decolonisation period with seats in parliament.<sup>33</sup> A Portuguese-influenced elite that spent much of the resistance in the diaspora still comprise a core part of Fretilin's more influential figures, but it retains grassroots support across a range of constituencies and its central committee and leadership are diverse.

The party has struggled with the unpopularity of Mari Alkatiri, a party founder who has served as its secretary-general since 2001 and headed the Fretilin-led government from 2002 until his June 2006 resignation. His government was admired for its technocratic skill and its fiscal prudence but criticised for a lack of diplomatic finesse. In an effort to prove its democratic credentials, the party held a direct vote for party leadership among all registered party members in August 2011, but no competitors emerged to rival Alkatiri and Lu Olo. Anger over the former's grip on leadership led some supporters to launch a quiet campaign to reject the Alkatiri ticket – the ballot simply said “yes” or “no” – but only four per cent of voters did so.<sup>34</sup>

Both parties have publicly expressed confidence that they will be able to win a majority (33 seats) and govern alone.<sup>35</sup>

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<sup>26</sup> The move angered Fretilin supporters but also created real confusion – many were surprised that such a move was constitutionally possible given what many see as an ambiguity in the constitution. In the weeks that followed, photocopies of the constitution were selling for \$3 on Dili's streets and in its IDP camps (many of which were dominated by Fretilin supporters). Crisis Group interviews, electoral advisers, Dili, 3 August 2011.

<sup>27</sup> Fretilin Prime Minister Mari Alkatiri stepped down following domestic and international pressure at the end of June 2006, handing over to then Foreign Minister José Ramos-Horta, who served as head of government until he was elected president in May 2007.

<sup>28</sup> Fretilin held 55 of the 88 seats in the first parliament, after winning over half the vote in the August 2001 elections, which used a mixed system of 75 seats elected under proportional representation and one representative from each of the thirteen districts. Since August 2007, there are only 65 seats in parliament.

<sup>29</sup> “Timor-Leste Petroleum Fund, Quarterly Report at 31 December 2011”, Central Bank of Timor-Leste, 26 January 2012.

<sup>30</sup> Fretilin holds 21 seats and CNRT 18 seats in the 65-seat parliament.

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<sup>31</sup> Budget figures taken from “Orçamento Geral do Estado 2012, Panorama Orçamental, Livro 1”, Ministry of Finance.

<sup>32</sup> In 2007, Fretilin received the greatest share of votes in Lospalos, Viqueque and Baucau (the three eastern districts) but also in Covalima in the west. The party also polled second strongly in Manufahi and Oecusse.

<sup>33</sup> The other surviving parties from that period are the União Democrática Timorense (UDT) and the Partido Trabalhista. UDT received 0.9 per cent of the vote in 2007; Trabalhista did not put forward candidates.

<sup>34</sup> “Presidenti KNPO: Militantes besik 100% mak tuir eleisaun directa ba lideransa Fretilin; demokrasia mak manan bo'ot” [“KNPO President: Nearly 100% of registered supporters vote in direct election of Fretilin leadership; democracy is the big winner”], Fretilin press release, 23 August 2011.

<sup>35</sup> CNRT, for example, has said it is aiming for “P-45+”, or 45 or more of the 65 seats in parliament. See, for example, “Members of CNRT party decided the future of their party”, CNRT

It is difficult to accurately measure either party's support in the absence of any reliable polling, but it may be difficult for Fretilin to counter the strength of an incumbent party that has made clear its commitment to increasing government expenditure. It appears most likely that neither party will win an outright majority and instead be forced into coalition. As testament to the flexibility of party alliances, there was much public speculation in 2011 about a post-election coalition between CNRT and Fretilin.<sup>36</sup> While Gusmão and Alkatiri have enjoyed improved relations in the past year, few see them as being likely to accept governing together.

Leading the cast of possible coalition partners are the Partido Democrático (PD) and the Partido Social Democrata (PSD), both of which appear considerably weakened since 2007. PD holds eight seats in parliament but has suffered from internal factionalism; the split between presidential candidates Lasama and Lucas da Costa (see Section II above) has further divided the party. While the party is typically associated with a younger generation that grew up under Indonesian administration and organised politically in Indonesian universities, it has done little to promote the political advancement of this generation.

PSD holds eleven seats in coalition with ASDT.<sup>37</sup> It has also been weakened, with the 2009 defection of its former parliamentary bench chair, Fernando Gusmão, to form a new party and the humiliation of its president, Foreign Minister Zacarias da Costa, by the prime minister at a televised meeting of the Council of Ministers in April 2010.<sup>38</sup> Both parties have distanced themselves from the AMP government: PD recently broke ranks and voted against a \$200 million proposal in the 2012 budget to set up a state investment company, while leading PSD figure Mario Car-

rascalão resigned from the post of vice prime minister in September 2010 over the government's handling of corruption.<sup>39</sup> Both parties nonetheless remain open to coalitions.

A raft of smaller parties round out the field, with 24 registered in total.<sup>40</sup> This proliferation of parties (sixteen participated in the last poll) is another factor increasing the unpredictability of results. Only those that poll above three per cent will be eligible for seats: seven parties failed to meet this threshold in 2007 and a greater number will likely do so this year.<sup>41</sup> Notable newcomers include Frenti-Mudança, the party formed out of the Fretilin splinter movement that emerged in 2006, the Partido do Desenvolvimento Nacional (PDN), founded by the PSD bench chair Gusmão, and Khunto, a party with close links to the martial arts group Korka which is likely to draw on the latter's strong base in Ainaro.

Timorese politics remains far more personality driven than ideologically driven; none of the parties have made public party platforms. Issues that may however provoke discussion during the campaign include the following:

**Development plans.** Ten years after independence, infrastructure development has been minimal. The AMP government's Strategic Development Plan sets ambitious development targets for 2011-2030 and promises considerable development in all parts of the country.<sup>42</sup> There has so far been little political discussion of how to push forward human development indicators.

**Oil and gas.** Most of this investment is to be bankrolled by the Petroleum Fund, highlighting the importance of oil and gas receipts for Timor-Leste's future. Planning assumptions behind the Strategic Development Plan included the bringing onshore of a gas pipeline from the Greater Sunrise fields, something the government has not yet delivered.<sup>43</sup>

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press release, 11 January 2012, available at [www.partidocnrt.com](http://www.partidocnrt.com). "Arsenio Bano: 'CNRT la fiar an la' o ba oin'" ["Arsenio Bano: 'CNRT doesn't trust itself to move forward'"], *Timor Post*, 11 January 2012.

<sup>36</sup> Similarly, Frenti-Mudança recently suggested it could conceive of partnering with Fretilin. "Partidu Frente-Mudansa (FM) [sic] pronto koliga ho Fretilin" ["Frenti-Mudança party is ready to ally with Fretilin"], *Timor Post*, 18 February 2012.

<sup>37</sup> Much of the PSD-ASDT bloc's electoral success came from the mountainous interior, where it relied upon the ethnic Mambae vote linked to ASDT. PSD is unlikely to do as well alone and without the support of this demographic. ASDT's prospects in this election also look poor: it remains mired in a leadership struggle between the ailing Xavier do Amaral and Gil Alves, the tourism and culture minister. "KN sei hamriik hodi resolve problema ASDT", ["Party council will gather to resolve ASDT's problem"], *Jornal Independente*, 6 January 2012.

<sup>38</sup> The incident occurred after da Costa reportedly threatened over SMS to resign, after disagreement over a protocol issue. See "TL Council of Ministers becomes a mini tribunal to judge SMS resignation", *Tempo Semanal*, 14 April 2010.

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<sup>39</sup> Carrascalão resigned with an angry letter after the prime minister called him "beik-teen" ("stupid") in a Council of Ministers meeting. The full text of the letter (in Portuguese), dated 6 September 2010, is available at: <http://temposemanaltimor.blogspot.com/2010/09/surat-rezigna-husi-mario.html>.

<sup>40</sup> President Ramos-Horta has likened the proliferation of new parties to traders "opening kiosks", or small street-side shops, as a way of making money. He has suggested limiting state financing so that only those who poll above a certain threshold receive full funding. "Osan estado la bele fakar ba partidu kiik" ["State money cannot be wasted on small parties"], *Suara Timor Lorosae*, 19 December 2011.

<sup>41</sup> Article 13.2 of Parliamentary Law 6/2006.

<sup>42</sup> Government of Timor-Leste, "Strategic Development Plan 2010-2030", available at <http://timor-leste.gov.tl/wp-content/uploads/2011/07/Timor-Leste-Strategic-Plan-2011-20301.pdf>.

<sup>43</sup> Lead operator of the Sunrise project, the Australian company Woodside, has maintained that a floating liquid natural gas processing plant would be the most commercially viable option, while the Timorese government has insisted a pipeline be con-

This is one area where Fretilin can be expected to capitalise on the Alkatiri administration's success in negotiating with Australia over oil and gas exploration and development in the Timor Sea, as well as putting in place the strict fiscal discipline behind the Fund.

**Distribution of wealth.** Increased wealth has drawn attention to inequities in its distribution: luxury cars have proliferated on the streets of Dili while the most recent headlines carry news that child malnutrition rates are higher only in Afghanistan and Yemen.<sup>44</sup> The recent passage of a package of laws on land titling, expropriation and compensation have also called attention to the question of distributive justice, as the politically charged question of access to land, complicated by experiences of foreign administration and displacement, is finally given legal consequences after more than ten years of discussion.<sup>45</sup> While broad discussion over the welfare of the "little people" (*ema ki'ik*) continues; there have been few real policy proposals on how to improve the lot of the impoverished.

**Social welfare.** The AMP government has invested heavily in a widely popular cash transfer programs, particularly to the elderly and the veterans.<sup>46</sup> A simple issue, it is of fundamental importance to many voters that the programs be continued under any new government.

**Corruption.** Concerns over a perceived proliferation in corruption in government in recent years as the state budget has ballooned have dominated the local press. Only one case has been successfully prosecuted: the Dili district administrator was convicted of embezzling \$21,000 but continues to serve in the post.<sup>47</sup> A case against Vice Prime Minister Guterres in 2011 has been the only case against

a member of the government to go to trial; there was little merit to the investigation and he was ultimately acquitted.<sup>48</sup> An anti-corruption commission has conducted investigations in relation to a number of ministers and forwarded results to the prosecutor but no formal charges have been filed. The issue will provide some ammunition for opposition parties, while those from the AMP government will have to defend their records.

**Resistance credentials.** The retirement of former Falintil commander Taur Matan Ruak in order to contest the presidential election and his explicit appeals to the veterans of the 24-year resistance against Indonesian occupation have helped draw out an existing theme: whether service in the resistance is an important credential for governance.<sup>49</sup> The issue is rarely discussed explicitly but while the Gusmão government's appointment of several former supporters of integration with Indonesia was seen by some as an important step toward domestic reconciliation, it also angered others. CNRT is inured against much of this criticism by the history of its leader as well as the membership of some key veterans – the party's name itself is a deliberate evocation of the body that led the resistance in its final years.<sup>50</sup>

A quieter theme will be the continued importance of relations with Indonesia. The issue is no longer contentious; instead, many parties will be looking to show that they have the connections necessary to foster continued strengthening of relations with Timor-Leste's largest neighbour. Both Gusmão and Ramos-Horta have long treated this goal a priority (sometimes at the direct expense of progress on justice for crimes committed during the two countries' bloody 1999 separation). Recently, PD and PSD have tried to buttress party links with Indonesian counterparts, while the guest of honour at the Fretilin party congress in September 2011 was Aburizal Bakrie, head of the Indonesian party Golkar and a self-declared candidate for the presidency in 2014.<sup>51</sup>

There has been little attention paid so far to the role of youth voters, even though the country's median age is under nineteen years old.<sup>52</sup> The parties and the candidates

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structed to carry gas to Beaçu, a small town in Viqueque district, for processing. Recent press reports suggest the government has been looking for alternative investors. See, for example, "M'sian company close to getting gas pipeline deal in Timor Leste", *The Jakarta Post*, 21 December 2011.

<sup>44</sup> "Horta triste TL sai III lugar malnutrisaun" ["Horta disappointed TL is third place in malnutrition rates"], *Timor Post*, 7 February 2012.

<sup>45</sup> The first law (popularly known as "Lei de Terras" or "land law") was approved by parliament on 8 February. Two further laws governing expropriation and a compensation fund for property were approved on 13 February. All three laws are awaiting promulgation by the president. For more on the challenges of land administration in Timor-Leste, see Crisis Group Briefing, *Managing Land Conflict in Timor-Leste*, op. cit.

<sup>46</sup> Cash transfers in the 2012 state budget amount to \$200 million, up from just \$84 million in 2008. See "Orçamento Geral do Estado 2012, Panorama Orçamental, Livro 1", Ministry of Finance.

<sup>47</sup> Sentenced to 3 years and 6 months in prison, he said he was unwilling to serve time but would return the money, and has appealed the case. "Convicted district administrator appeals against jail time", *Independente*, 23 August 2011.

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<sup>48</sup> "Court clears E Timor deputy PM of corruption", ABC News, 9 May 2011.

<sup>49</sup> See also Crisis Group Report, *Timor-Leste's Veterans*, op. cit.

<sup>50</sup> The resistance era body was the Conselho Nacional da Resistência Timorense (also known as CNRT).

<sup>51</sup> Representatives of a number of other Indonesian parties were also in attendance.

<sup>52</sup> See "2010 Timor-Leste Population and Housing Census – Data Sheet", Ministry of Finance National Statistics Directorate. Timorese citizens aged seventeen and above are eligible to vote. There are 628,454 registered voters as of 3 February, following a final extension of voter registration in early January. This is an increase of some 90,000 over 2007, and many of the new voters are youth, though there is no breakdown of voters by

would do well to target this population, not only in an effort to win their votes but also as an antidote to the alienation facing the growing numbers of unemployed youth.

### III. SECURITY ISSUES

During Timor-Leste's short history, the most frequent incidence of election-related violence has been recorded in the campaign period immediately preceding the polls and in the period following the announcement of results.<sup>53</sup> The post-results spike is much more of a factor in the parliamentary polls, because the true prize – control over government or a place in a governing coalition – remains up for grabs.

#### A. INFLATED RHETORIC, UNREALISTIC EXPECTATIONS

Given the high pressure on results, the absence of any reliable pre-election polling is unfortunate. Most of the presidential candidates and the political parties – even those with very few registered supporters – are prone to offering “guarantees” that they will achieve “absolute victory”.<sup>54</sup> In the absence of polling it is difficult to predict with accuracy how any given candidate will do, but given the proliferation of candidates and parties, such an “absolute victory” is unlikely.<sup>55</sup> Credible pre-election opinion polling or parallel vote tabulations on election day could offer a reality check to these sorts of pronouncements for a still maturing electorate and help decrease the pressure placed on results day and reinforce the credibility of the ultimate outcome. If the results were less of a surprise, they would be less inflammatory. Without significant donor support these tools are unlikely to become available. They

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age. Final electoral roll figures provided in annex to “Nota Informativa” No. 74/DG-STAE/II/2, published in the government gazette on 3 February 2012.

<sup>53</sup> See “Electoral violence in Timor-Leste: mapping incidents and responses”, Timor-Leste Armed Violence Assessment Issue Brief Number 3, June 2009.

<sup>54</sup> For example, “II Kogresu PD halo GMT nakonu ho azul, garante manan iha eleisaun jeral 2012” [“PD 2nd Congress fills GMT with blue, guarantees victory in 2012 general election”], Radio Liberdade Dili, 1 December 2011; “Frenti-Mudança garante manan 95% iha Ermera” [Frenti-Mudança guarantees it will win 95% in Ermera], *Diário Nacional*, 11 January 2012; “Elisaun Jeral 2012, Xanana: CNRT Sei Manan Mutlak” [“General election 2012, Xanana: CNRT will achieve absolute victory”], *Timor Post*, 26 November 2011.

<sup>55</sup> Parliamentary seats are distributed using a party-list proportional representation system, in which there is just one national constituency. Only parties receiving three per cent or more of the total vote are eligible for seats in parliament. At least one in every four names on each party list must be for a female candidate.

have become the norm in neighbouring Indonesia, where the most credible ones are largely funded by a vibrant commercial media. The small size of Timor-Leste makes this an unlikely commercial venture.

In this climate, the absence of polling sets nearly everyone up for disappointment. Another factor, particularly for the two largest parties, is that it creates the possibility that party supporters may turn against community members whose vote they thought they could count on but who may have voted otherwise on a secret ballot.<sup>56</sup>

#### B. DIFFICULTIES PROSECUTING ELECTION-RELATED INCIDENTS

Important changes to the legal framework governing elections since 2007 include a new criminal code (the *Código Penal*) and revisions to the three main electoral laws.<sup>57</sup> Administrative violations are handled by the National Elections Commission (CNE), while criminal violations are handled by the Court of Appeal. Revisions to the electoral laws passed in 2011 mean that a three-judge panel will be constituted during the elections period to hear complaints and improve the responsiveness of the court (it will have 48 hours to respond to any complaint).<sup>58</sup> So far there has been limited broad public outreach geared towards educating voters on the laws and how to report violations; training efforts have instead been focused on electoral officials and party representatives.

There is a limit to what will be legally enforceable, even where the laws exist. The police have already complained of the difficulty of enforcing provisions against the use of party symbols (such as the party flags that have long peppered the country) outside of official campaign periods. The distinction between explicit “campaigning” and party strengthening activities (*konsolidasaun* in Tetum) is almost non-existent and will be difficult to draw in court.<sup>59</sup> The police remain poorly versed in the niceties of these distinctions, and investigations and prosecutions efforts remain weak overall.

What is needed then is vocal monitoring by both the CNE and civil society. The proposed code of conduct is not legally binding; its force will be derived from public pres-

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<sup>56</sup> In 2007, results were tabulated and published at the individual polling station level.

<sup>57</sup> The three laws are Parliamentary Law 5/2006, “Órgãos da Administração Eleitoral” (amended by Law 6/2011); Law 6/2006, “Lei eleitoral para o Parlamento Nacional” (amended by Law 7/2011); and Law 7/2006 “Lei eleitoral para o Presidente da República” (amended by Law 8/2011).

<sup>58</sup> Crisis Group interview, CNE adviser, Dili, 3 December 2011.

<sup>59</sup> *Ibid.*



sure exerted by the media and NGOs.<sup>60</sup> While the focus should be on the authority of the Timorese electoral bodies and courts, the UN mission leadership will also have a role to play in calling attention to any serious violations to the code of conduct. One legacy of the UN's twelve-year history in Timor-Leste is a strong belief among many in its importance as guarantor of free and fair polls even though no such formal role exists for the organisation. It will also play a very important role in logistical support to these polls: both from the electoral support team and from the UN police.

### C. WEAK LAW ENFORCEMENT

Despite efforts at reform, Timor-Leste's police (Policia Nacional de Timor-Leste, PNTL) remain weak and largely untested, particularly in crowd control and riot response, given recent stability.<sup>61</sup> Comprehensive statistics on crime either do not exist or are not publicly released, but there appears to be a small increase in violent crime in recent months, including a series of murders in the last quarter of 2011.<sup>62</sup> The military and international forces, including the UN police and the ISF, will be on hand to provide support through a joint operations centre, with UN police working with the PNTL and the military forces providing back-up only when called in for support.<sup>63</sup>

Operational planning has begun well in advance of the elections but there is still scope for poor coordination between forces in what remains a crowded security sector. The only live exercise to test out interoperability of forces was held in Dili on 8 February.<sup>64</sup>

The army has begun deploying to several districts, including Ainaro, Manufahi and Viqueque, but its "back-up" role

has been left vague. The president suggested they "may be called upon to provide additional static security and logistic support", along with assistance from the ISF.<sup>65</sup> This is likely to involve transporting equipment (official vehicles are always in short supply) and establishing a visible presence in areas deemed to be possible flashpoints. But even if they are not called in by the police to support response to specific incidents, the army's presence may not always be viewed as neutral, particularly in the western districts where until lately they have had no standing presence.<sup>66</sup> Their former commander Ruak is among the presidential candidates, but more importantly, while he is running as an independent, key senior military leaders are still viewed as staunch Fretilin supporters.<sup>67</sup> The military will need to take efforts to ensure it is viewed as politically independent. Any ISF presence outside of barracks may also not be seen as neutral: following the 2006 crisis, Australian soldiers were viewed as anti-Fretilin.<sup>68</sup>

While the relationship between all these forces has much improved since the last general elections, there are still some areas for concern. Police-army tensions have flared in a few isolated cases in the past two years, but the two institutions have shown commitment to resolving them. In June 2011, they set up a joint commission to investigate and respond to two serious incidents.<sup>69</sup> Relations between the UN police and their national counterparts also appear to have improved somewhat following the handover of policing responsibilities in March 2011.<sup>70</sup>

More problematic may be any security response that would see the Timorese military and foreign police both responding. The two groups have had little daily interaction; and esteem for the UN police among the military, where sensitivities over sovereignty run high, may be somewhat lower. In a 2009 incident, Timorese soldiers allegedly raised their weapons at UN police when the latter tried to intervene over mistreatment of civilians. A senior military officer involved in elections response offered the familiar

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<sup>60</sup> The proposed code of conduct covers 26 provisions ranging from peaceful campaigning, respecting the freedom of the press, refraining from incitement to violence and resolving disputes through dialogue. "Código de conduta dos candidatos à Presidência da República Democrática de Timor-Leste", draft approved by CNE on 28 November 2011.

<sup>61</sup> See previous Crisis Group reporting, including *Handing Back Responsibility to Timor-Leste's Police* and *Timor-Leste: Time for the UN to Step Back*, op. cit.

<sup>62</sup> These include the murder of a couple at a beachside hotel in November in Dili, the murders of two members of the army in Dili in late 2011 and the death of one person in martial arts group fighting in December. Crisis Group interviews, Dili, December 2011, February 2012.

<sup>63</sup> The ISF has a much reduced presence in Timor-Leste and is expected to withdraw, almost in parallel with the UN, after the elections. Crisis Group interview, senior official, Department of Defence, Canberra, 9 December 2011. There are currently 460 personnel serving with the ISF.

<sup>64</sup> Several "desktop" exercises were held at the end of 2011. "Summary of developments", UNMIT, 6-12 February 2012.

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<sup>65</sup> "Head of State announces calendar for presidential election 2012", presidential press release, 13 January 2012. Crisis Group interview, senior police commander, Dili, 2 December 2011.

<sup>66</sup> A small company has maintained a standing presence in Hatolia, Ermera district, since 2010.

<sup>67</sup> Both Ruak's successor Major General Lere Anan Timur and Colonel Falur Rate Laek attended the closing ceremonies of the Fretilin party congress in September 2011, where their arrival was marked by applause.

<sup>68</sup> See Crisis Group report, *Resolving Timor-Leste's Crisis*, op. cit.

<sup>69</sup> The commission was launched following incidents in Dili and Ermera and included the heads of the police and army disciplinary units, one police and four army representatives, and a UN police officer. See Order of the Minister of Defence and Security 6/MDS/2011, dated 7 June 2011.

<sup>70</sup> Crisis Group interviews, PNTL commanders and UN officials, Dili, Baucau, September, December 2011.

response that internationals had developed all the election planning and thus it was unclear if it would really work on the ground, while “PNTL and UNPOL can never work side by side”.<sup>71</sup>

#### D. MARTIAL ARTS GROUP VIOLENCE

Violence among martial arts groups has been a perennial concern throughout Timor-Leste but with the approach of elections there is heightened concern over the impact of political competition on such violence.<sup>72</sup> While comprehensive crime statistics are not available, one local monitoring effort has noted an uptick in martial arts group fighting in recent months and a series of well-publicised incidents have raised concerns.<sup>73</sup> These include fighting in the capital's restive eastern suburb of Comoro that has resisted various attempts at resolution.<sup>74</sup> Other flashpoints have broken out in Luro, Lospalos district, Letefoho in Ermera, and Zumalai in Covalima.<sup>75</sup> Few groups have blanket affiliations with any single political party; the broader concern is that the powerful bonds between group members could be manipulated by parties, exacerbating latent tensions remaining after the 2006 crisis.<sup>76</sup> Monitoring of the 2007 elections found that the groups were often used in efforts to block campaigning by rival candidates.<sup>77</sup>

The roots of Comoro's violence are complex: two recurrent causes in the past year have been persistent clashes between the youth of three different secondary schools and fighting along the river that has pitted members of two rival groups against one another.<sup>78</sup> In a recent episode of fighting that arose after an initiation ceremony for

members of PSHT, one person was killed and one seriously injured; several weeks later, eight houses were damaged in a new round of fighting.<sup>79</sup> The bonds between members run deep; they are brought up with the history of the resistance and some youth are drawn to the idea of a group whose allegiance they will die for.<sup>80</sup>

The *suco* chief of Comoro suggests that these recurrent conflicts, which police have had very little success in resolving, are the resurfacing of latent tensions from the 2006 crisis – less an explicit return of east-west tensions, but rather the manipulation of unsolved displacement and compensation issues, including access to economic resources.<sup>81</sup> This is not surprising, but it has received little public attention since the official closure of the government program designed to return many IDPs to their original residence.<sup>82</sup>

The government response has been both drastic and ineffective. It has focused on closing down groups whose members break the law, which is nearly impossible to enforce. Efforts to implement a 2008 law regulating these activities languished for several years, but in 2011 a Martial Arts Regulation Commission (Komisaun Reguladora Artes Marciais, KRAM) was established and a pact was signed in May 2011 committing the different groups to peaceful conduct.<sup>83</sup> It was unsuccessful. Following the house burnings in Zumalai in August, martial arts activities were shut down in Covalima district for three months, and following the Comoro murder in December, the government determined that any group deemed to be involved in violence would be banned from holding activities a full year.<sup>84</sup> It is unclear what this means in operational terms: patrols may succeed in shutting down practice sessions but will do little to shut down the powerful loyalties these groups elicit. Violence has continued.<sup>85</sup>

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<sup>71</sup> Crisis Group interview, senior military officer, Dili, 1 December 2011.

<sup>72</sup> For a typology of martial arts groups, youth groups, political front groups and others, see “Groups, gangs, and armed violence in Timor-Leste,” Timor-Leste Armed Violence Assessment Issue Brief Number 2, April 2009.

<sup>73</sup> “Early Warning and Early Response (EWER) Situation Review, Belun, December 2011”.

<sup>74</sup> Comoro is the most populous *suco* and covers much of Dili's eastern reaches, straddling both sides of the Comoro river. 65,404 people live in Comoro, over six per cent of the country's total population. See “Sensus fo fila fali: Comoro”, Ministry of Finance, 2011.

<sup>75</sup> “Konfliktus artemarsiais, comunidade Luro no Letefoho moris la hakmatek” [“Martial arts conflict, Luro and Letefoho communities live without peace”], *Timor Post*, 14 January 2012.

<sup>76</sup> One party with clear links to a martial arts group was registered in July 2011: the Partido Kmanek Haburas Unidade Nacional Timor Oan (KHUNTO, or Peacefully Building Timorese National Unity party), headed by the wife of the martial arts group KORK.

<sup>77</sup> See European Union Election Observation Mission, op. cit.

<sup>78</sup> These two groups are Persaudaraan Setia Hati Terate (PSHT, Brotherhood of the Loyal Heart of Lotus) and 7-7.

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<sup>79</sup> “Konfrontasaun Comoro, Uma 8 hetan estragus” [“Comoro confrontation, 8 houses are damaged”], *Suara Timor Lorosae*, 13 January 2012.

<sup>80</sup> Crisis Group interview, Eurico Jesus da Costa, Comoro *suco* chief, Dili, 3 August 2011.

<sup>81</sup> Ibid.

<sup>82</sup> The Hamutuk Hari'i Futuru (Together Building the Future) program of the AMP government was officially closed in February 2010. A number of families continued to demand payments after the closure of the program, claiming their cases had not been given proper attention, and in January 2012 the government agreed to re-examine pending claims.

<sup>83</sup> Parliamentary Law 10/2008, “Exercício de Artes Marciais”, promulgated 4 July 2008.

<sup>84</sup> See “Reunião extraordinária do Conselho de Ministros de 22 de Dezembro de 2011”, government press release.

<sup>85</sup> “Konfliktu arte marsiais kontinua mosu iha Comoro” [“Martial arts conflict continues in Comoro”], *Suara Timor Lorosae*, 12 January 2012.

The police have proven ineffective at supporting prosecution of such cases – many of which do not get investigated at all (the suspects have fled by the time the police arrive) and when they do, key suspects are often missing.<sup>86</sup> A Timorese researcher lamented the failure by police to take a preventive approach to fighting between these groups and change the mentality that drives the violence. Suspicion is high that the police, many of whom retain allegiances to the groups themselves, have no interest in prosecuting the cases.<sup>87</sup>

A return to the scale of clashes that occurred in Dili between 2006 and 2007 looks unlikely, but the fear is that discontent could easily be manipulated by political parties and martial arts groups would be the vehicle for mobilising it. This is one area where monitoring by civil society could play a key role in exposing the links involved in any violence by martial arts groups with political parties – this is a subject of much speculation but very little public discussion. The KRAM should also play a more active role in calling members of political parties to account for any suspected use of groups as proxies in violence.

## E. RUMOURS AND MISINFORMATION

The incendiary power of rumours was one key factor in driving the urban violence that affected Dili in 2006 and 2007 and will need to be addressed effectively during the elections this year. As the Commission of Inquiry into the 2006 crisis notes, one rumour about the alleged massacre of 60 civilians by the army, for which no evidence was ever found, “grew rapidly ... even to the extent of citing the licence plate number of the [army] truck said to have been used to transport the corpses”.<sup>88</sup> Efforts to improve public information flows in the interim have had limited success, hampered in part by the high costs and relatively low penetration rates of information technology.<sup>89</sup> Vio-

lence in Zumalai in August 2011, where some 60 homes were burned hours after a policeman was stabbed, provided an example of how quickly violence can ignite at local level.<sup>90</sup>

The quality of Timorese journalism remains poor, with very little investigative reporting and insufficient fact-checking; much of the daily coverage is written in a form of Tetum that is unreadable to many.<sup>91</sup> One of the few papers engaged in investigative work closed in late 2011.<sup>92</sup> To facilitate proper fact-checking and to help stamp out rumours before they spread, it would be useful to equip the planned joint operations centre with an experienced police officer (PNTL) of sufficient standing that they can quickly check the facts of rumoured election violence and dispel misinformation effectively. Linking this function to existing NGO networks, and the still-nascent peace-building directorate of the social solidarity ministry and community conflict prevention directorate of the Secretariat of Security could help strengthen this effect, but government capacity for response in this area remains very weak.

The success of a network of volunteer “peace provocateurs” (*provokator perdamaian*) in stopping the spread of an outbreak of communal violence in Ambon, Indonesia could be instructive. They responded to rumours of church and mosque burnings that could have proved incendiary by taking pictures of the (unharmed) sites and distributing them by mobile phone messages.<sup>93</sup> The high costs of such communications under a mobile communications monopoly in Timor-Leste and the lack of strong existing social networks that could be mobilised along these lines are however likely to prove obstacles.

## F. IMPUNITY

The most fundamental risk factor remains the near-complete impunity for political violence. In those few cases that result in prosecution and sentencing, the convicted are generally offered remanded sentences by the current pres-

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<sup>86</sup> “SIC tenta nafatin proses kazu Cassa” [“Investigations unit continues effort to process Cassa case”], *Suara Timor Lorosae*, 26 January 2012; “Polisi buka nafatin autor Zumalai ne’ebe sei livre” [“Police continue search for Zumalai suspects still at large”], *Suara Timor Lorosae*, 23 December 2012.

<sup>87</sup> Crisis Group interview, Nelson Belo, Fundasaun Mahein director, 25 January 2012. The police command has taken a more serious stance towards officers known to be members of martial arts groups, removing three from active duty after the violence in Dili, but this is likely the tip of the iceberg. “Koman-du PNTL dez-ativa membru na’in 3” [“PNTL Command takes 3 officers off of active duty”], *Independente*, 17 January 2012.

<sup>88</sup> See “Report of the United Nations Independent Special Commission of Inquiry for Timor-Leste”, UN High Commissioner for Human Rights, 2 October 2006, para. 56.

<sup>89</sup> While the number of mobile subscribers has grown, the price of an SMS communication in Timor-Leste (\$0.08) is still nearly 80 times the cost of an SMS sent in neighbouring Indonesia.

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Picture text-messaging (MMS) is not an option and internet penetration remains low.

<sup>90</sup> Fighting between rival martial arts groups that followed the stabbing of a police officer in Zumalai on 14 August 2011 led to the house burnings and the displacement of 168 families. See “Report of the Secretary-General”, op. cit., para. 23.

<sup>91</sup> Part of the problem is poor copy-editing, but a major factor is the difficulty of providing accurate translation of Portuguese and English terms into Tetum as the latter’s vocabulary continues to expand. Some of these challenges are covered in “Timor-Leste Communication and Media Survey”, UNMIT, June 2011.

<sup>92</sup> “Tempo Semanal husu deskulpa ba leitores” [“Tempo Semanal apologises to its readers”], *Tempo Semanal*, 14 January 2012.

<sup>93</sup> See Crisis Group Asia Briefing N°128, *Indonesia: Trouble Again in Ambon*, 4 October 2011.

ident.<sup>94</sup> He has worked hard to “close” the chapter of the country’s history that included the 2006 crisis and the events that led to his shooting in February 2008; he declared a handful of pardons passed down at the end of 2011 would “close definitively one of the dark periods of our recent history”.<sup>95</sup>

A result of this commitment to pardons is that there are few personal costs to acting as a violent spoiler in Timor-Leste, while the increase in wealth means the potential gains are only rising. In one of the more infamous cases of house burnings in 2007, where over 200 homes were burned down in Uatolari, Viqueque by Fretilin supporters in the days following the formation of a CNRT-led government, it was alleged that one rallying cry was: “Kill the opposition and burn their houses; tomorrow it’s Xanana and Ramos-Horta who will have to rebuild them”.<sup>96</sup> This is, in fact, precisely what happened: the government’s 2008 reconciliation policy led to the disbursement of \$4,500 grants for those houses which had been destroyed.

This year’s presidential candidates could combat the effect of this impunity by sending a clear signal that political violence will not simply be forgiven. The candidate ultimately elected will likely be inaugurated before the start of the official campaign for the parliamentary polls and should reiterate this message then.

#### IV. CONCLUSION

Despite a failure to enact many of the deeper reforms prescribed after the 2006 crisis, Timor-Leste’s government has done much to stabilise the volatility that characterised the period immediately before and after its entry into office. The main opposition party Fretilin has also played a role in helping attain this stability, after eventually committing to play the role of a democratic and peaceful opposition. All political parties will now have to prove their continued commitment to competing for power through the ballot box. While many of the root causes of conflict remain, the country looks relatively well poised to enjoy a

peaceful round of elections this year. The government, political parties, civil society and the UN each have a role to play in holding all parties to account for any violations of the electoral code of conduct. While their involvement will have to be handled with some political sensitivity, the intervention of peacekeeping forces still stationed in the country can provide a stopgap measure if any incidents of violence start to spread.

Whatever elected government is inaugurated in the second half of the year, it will face difficult work trying to deliver on ambitious plans and expectations for economic development in what remains an impoverished country with a very large bank account. Without significant progress in areas such as job creation and strengthening of the rule of law, the prospects for elections in 2017 may not look as bright.

Dili/Jakarta/Brussels, 21 February 2012

<sup>94</sup> See Crisis Group Briefing, *Timor-Leste: Time for the UN to Step Back*, op. cit., Section III.A “Pardons and Stalled Prosecutions”, and Mark Harris, “Security Sector Reform Monitor, Timor-Leste”, Centre for International Governance Innovation, No. 4, January 2011.

<sup>95</sup> Presidential Decree 86/2011, 28 December 2011. All those convicted for their role in the February 2008 shootings have now been freed from prison.

<sup>96</sup> The alleged utterance was never proven in court. Three of the defendants were sentenced to three years in prison for arson. In May 2011, their sentences were remanded in full by the president. See Presidential Decree 33/2011, 18 May 2011 relating to case 20/CRM.C/2008/TD.BCU.

## APPENDIX A

### MAP OF TIMOR-LESTE

