DEMOCRACY, REPRESENTATION, AND ACCOUNTABILITY IN TIMOR-LESTE

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Introduction

Timor-Leste has had several cycles of elections since the reestablishment of the state in 2002, and there are both national and Suco-level elections anticipated in the next two years, but despite this positive record of successful elections there is growing concern both internally and in the international community with the overall quality of democracy in the country. This paper argues that these concerns are predominantly linked to perceptions of a lack of representation and accountability inherent in the current system, and that these concerns are only likely to increase if recently proposed legal 'reforms' are enacted.

The next cycle of elections will also see a massive influx of new voters—a generation that came of age after the seminal events of the Indonesian occupation and later reestablishment of independence. Members of this generation have increased and growing access to information through cell phones and social media—changing expectations for governance and democracy—and a tendency to look forward towards the future rather than backwards at the past. Their entrance into the political sphere is likely to have profound if unknowable influence of the political direction of the nation, and if not in this election cycle then certainly in the next.

There is also generational pressure at the other end of the age spectrum, with the middle-aged political leaders who studied and came of age during the Indonesian occupation (the '91 generation) increasingly impatient with the persistence in power of old guard resistance leaders (the '75 generation), and this pressure will play out in unpredictable ways over the next two election cycles.

Taken together these factors suggest that Timor-Leste is entering a phase of its transition process more fragile and unpredictable than in any period since 2002.

1   Representation and Accountability

1.1   Election System

Timor-Leste has a closed-list proportional representation (PR) election system. PR systems proportionally allocate seats in Parliament based on party vote, but have several drawbacks in developing democracies. In the closed-list system political party leaders, rather than voters, determine who will serve as Members of Parliament (MPs) for the party because they control who can be a candidate for the party, and the order of candidates on the party list. This creates a situation where elected MPs are primarily accountable upwards to party leaders, rather than downwards to constituents.

Additionally, because voters vote for a party rather than an individual, each MP is required toe the party line. This strong party discipline is necessary in countries where ideology is the primary voter consideration, as voters would not want their Christian Democrat representative to vote with the Democratic Socialists; but in developing democracies that lack strong ideological cleavages, strong party discipline prevents individual MPs from forming cross-party alliances to better represent their constituents, diminishing the quality of representation. This particularly affects historically marginalized groups, and is easily

seen in the position of women MPs in Timor-Leste, who are prevented by party discipline from developing common approaches across parties for the advancement of women's issues.

Another element of the election system that decreases the quality of representation is the lack of defined geographical constituencies. In Timor-Leste Members of Parliament (MPs) are elected from a single national constituency, so have no close ties to a particular geographic area. Voters are represented by a party rather than an individual, so no one is responsible to voters in a particular area. This system is less appropriate in a developing democracy, where governance concerns and problems are primarily local and non-ideological, than it would be in a developed democracy, where voter concerns are primarily national and ideological. In the Timor-Leste context the lack of defined geographical constituencies contributes to poor representation and weak political accountability.

1.2   Unity Government

The current "Unity" government, a grand coalition involving all parties represented in Parliament, is portrayed by the government as a positive outcome showing that the parties are united to address national development goals. Unfortunately, the lack of an opposition leaves the Parliament without effective checks and balances, and weakens political accountability. One example of the negative effects of the lack of opposition may be the unchallenged disbursements from the Petroleum Fund. For example, even though surveys suggest that at the local level voters are most concerned with local roads and water quality, most Petroleum Fund spending at the local level goes to government cars and office buildings. At the national level funds are spent on mega-projects of questionable utility. In both cases the projects selected provide ample opportunity for the distribution of patronage, and would benefit from increased scrutiny in Parliament.

1.3   Political Parties

The election system in use in Timor-Leste is designed to strengthen parties, and in this it has been effective, as the two major parties are very strong. Unfortunately, *strong* parties are not necessarily *democratic* parties. Both major parties in Timor-Leste lack strong mechanisms for internal democracy, so rather than being seen as an effective medium through which voters can channel their aspirations, the parties are often perceived as impediments to effective representation. In general, political parties are driven by personality rather than ideology, with the leaders exerting top-down control, rather than being responsive to bottom-up concerns and aspirations.

Voters understanding of the role parties are intended to play in a democracy is weak, and consequently both their demands and expectations are low. People vote based on personality and history, not issues. Parties campaign on personalities, but this is restricted to leaders, with ordinary MPs virtually unknown by the voting public. The focus on personality means there is little substantive debate during campaign on competing programs or policies, so that even if a voter wanted to vote based on substantive issues they would lack the information to do so, with the corollary being that post-election voters lack the detailed promises from parties and candidates needed to assess performance and enhance accountability.

Some are concerned with a proposed revision in the political party law that will make it more difficult for new parties to get on the ballot, but even if enacted, this provision is likely to have little impact for several reasons. First, there are already enough existing parties to represent a normal range of public opinion in a democracy, so new leaders or emerging ideologies can easily be accommodated. Second, a new party with enough public support to be a credible contender in elections would be able to meet the revised requirements. The intent of the provision is to reduce the number of nuisance or vanity parties on the ballot, and if effective this provision would probably slightly increase the substance of pre-election campaigning.

1.4   Decentralization and Governance

Although the constitution mandates decentralization and de-concentration, Timor-Leste today seems engaged in a process of re-centralization and concentration. Rather than pursuing devolution of power and responsibility to the local level, political power and decision-making seems increasingly concentrated in the ministries, and in the offices of the Prime Minister and Council of Ministers.

Municipal elections have the potential to reverse this trend, devolving real decision-making to an appropriate level, resulting in improved governance and enhanced accountability. Municipal elections would also provide a mechanism for the emergence of new political leaders, as they do in Indonesia, where successful mayors gain executive experience and build a track record that enables the emergence of credible candidates for national elections. Unfortunately, municipal elections have been repeatedly delayed and the number of municipalities holding elections reduced.

Under the revised Suco law (not yet passed) the mechanism for selecting Suco Chiefs shifts from direct election by voters to indirect election by village leaders; and Suco priorities for local roads, markets, water supply etc. will be decided by a Vice Minister, rather than locally. This increasing distance of government from the people is likely to contribute to increasing frustration with poor and unresponsive local governance.

Governance is also a problem of low or no expectations. People don't expect good governance because they have no experience of good governance.

1.5   Transparency and Open Government

A lack of transparency in all aspects of government from Parliament through line ministries diminishes public accountability, facilitates corruption, and significantly affects the overall quality of governance. For example, budget discussions in Parliament are not public, and tenders for public procurement are not posted online.

2   Elections

2.1   Election Schedule

There will be national Presidential (April) and Parliamentary (July) elections in 2017. Suco elections should have been held on October 9, 2015, but were postponed and it seems likely

they will be pushed back to 2016. Municipal elections may be held in 2017. There will be 12 municipalities in contiguous Timor-Leste, plus an additional four in the Oecassi enclave (considered a special region due to its geographic location).

2.2   Election Administration

Timor-Leste has extensive experience in managing elections dating back to the Indonesian occupation, and has received effective capacity-building assistance from the international community since 2002, so that in 2015 it is now a *provider* of technical assistance to other Lusophone nations. And while Timor-Leste received significant international financial support for elections in the past, the possibility of funding from the Petroleum Fund makes such support in 2017 largely unnecessary. Consequently, direct support for election administration may be less of a priority than support for other, more qualitative, aspects of the election process.

The CNE is tasked with oversight of election administration, but still lacks capacity in several critical areas. The CNE lacks a legal advisor, and is still dealing with outstanding cases from the last elections. CNE also lacks the capacity to analyses or draft electoral legislations, and consequently is unable to exercise proper oversight of STAE, and contribute to the development of electoral legislation in Parliament.

Another critical issue raised by the CNE is a proposal to shift vote counting from the polling station to the district level. This change would radically reduce the transparency of the electoral process by making it impossible for non-partisan observers and party monitors to conduct an effective parallel vote tabulation (PVT) to ensure the integrity of the voting process. Movement of ballots before counting increases the possibility of malpractice, and even if malpractice doesn't occur, the perception that it could have occurred invariably damages the credibility of the election process.

2.3   Party and Campaign Finance and the Persistence of Political Patronage

There is a lack of clarity and transparency in campaign finance that undermines fair political competition. There is no distinction between corporate and individual contributions to parties and candidates. Currently there is no ceiling for contributions. Every party with seats in parliament has a right to state funding for their party, and for each seat the party gets $90,000 dollars per year. This provides the largest parties with a huge advantage, as they have funding to distribute as patronage.

2.4   Suco Elections

The Suco elections scheduled for October 9, 2015 were postponed by Parliament, and it now seems likely that the Suco election law will be amended to change the election system. CSOs and others worked on a reform to the Suco law several years ago, but this draft was scrapped by the government, and a new law drafted without public participation by the Ministry. In past versions people voted directly for an individual (2004), or a team (2009). The new draft drops direct election for the Suco chief. Instead voters will elect Aldea (hamlet) chiefs who will then elect one of the Aldea chiefs as Suco chief.

According to the Ministry, this reform will be introduced to save money, but it is unclear why it would, as elections will still be necessary at the hamlet level, and including suco

positions on the same ballot paper would not add any cost. Critics suggest the new system will be less democratic, as the chief will develop plans, but the public, because they did not vote for him, will not support them. They also suggest that an Aldea chief might not be the ideal person to represent an entire Suco, so it would be better to elect someone who campaigned for the job.

3   Democracy

3.1   Media Freedom

Democracy activists and other observers of Timor-Leste are concerned that press freedom and independence in Timor-Leste is decreasing. Journalists and other media organizations have the potential to enhance governmental transparency, improve representation, increase accountability, and enhance the overall quality of democracy, but face severe legal and extra-legal constraints that often prevent them from effectively playing this role.

Most media are owned by big business conglomerates or by politicians, and monitors suggest these associations create potential conflicts of interest or commercial constraints on neutral reporting. Government is also perceived as undermining the independence of the media by providing financial support for some journalists, while threatening lawsuits against independent journalists who publish stories damaging to the government. Following a trend increasingly popular in Southeast Asia, the government has begun monitoring blogs and other social media, and pressuring people critical of its policies.

3.2   Access to Information

Recent experience in other countries has demonstrated that improving access to information is one of the key drivers of development in many fields (including democratization), and has its greatest impact among the poor and most marginalized. Unfortunately, Timor-Leste has extremely poor access to information through both traditional sources like newspapers, libraries, etc., and through new media accessed through computer or smartphone.

Internet access in Timor-Leste is among the most expensive in the world. Given the cost of access, it is not surprising that Timor-Leste has the lowest percentage of internet users of any country in Asia, at 1.1%. That is just half of the next lowest rate, 2.1% in Myanmar (the only other country in single digits), and well below the average of 43% for 34 Asian countries[1]. According to the BBC "the UN telecom body lists East Timor as being among the world's 10 least-connected nations."[2]

The perception among observers is that the high cost of telecommunications is related to monopolies or near monopolies, potentially corrupt sweetheart deals, and the ownership

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[1] See http://www.internetworldstats.com/asia.htm

[2] See http://www.bbc.com/news/world-asia-pacific-14952882

stakes held in Timor Telecom held by many political leaders. Supporting Timor-owned companies is portrayed as patriotic, but is a substantial drag on the economic and social development of the country.

In many countries in Asia young people, women and other politically-marginalized groups are using new technologies to monitor government and to organize to express their political aspirations, and consequently are playing an increasingly important role in democratic development and the political process. Unfortunately, because of the lack of access to communication technologies in Timor it is unlikely these groups will alter the political status quo in the near term, but if costs can come down and more people can engage and participate, then transparency, governance and the quality of democracy will improve.

3.3 Civil Society

Civil society plays an important role in fully developed democracies, balancing the private and public sectors, and helping ensure ordinary citizens have a voice in government. In Timor-Leste civil society (including labor unions) is considered weak, especially compared to its neighbor Indonesia. But looked at in another way the country might be described as having quite "thick"[3] civil society, but in a form we are not used to describing as such.

The factors driving the development of civil society were different in Indonesia and Timor-Leste. The development of thick civil society in Indonesia was driven by the forced exclusion of Islam-based political parties from the political process. Unable to participate in the formal political process, and living in an environment lacking essential services, these activists devoted their energies to develop a network of community-driven education and health CSOs that provided the primary social safety net in Indonesia for decades, supplying services the government could not or would not provide.

In Timor-Leste decades of repression and insecurity under Indonesian colonial rule created different pressures. The Indonesians, in an attempt to pacify the colony, provided essential services, but at the same time created a climate of danger and insecurity. In response Timorese developed very strong voluntary associations devoted to liberation and personal security. These are, of course, the armed and unarmed liberation movement, and the clan-based gangs or militia.

Post-liberation the military and civilian leadership of the movement moved into formal national and local politics—leaving civil society. But the rank and file formed veterans' groups, arguably the strongest voluntary associations in the country. The gangs and militias based in strong ethnic and clan networks also continued, and while these are in some sense criminal organizations, they also provide some protection and services to their members.

The understandable reluctance to include these sectors as "civil society" may account to some degree for the perception that civil society is underdeveloped in Timor-Leste, and

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[3] "Thick" used in reference to civil society denotes a dense web of voluntary associations woven into the fabric of society, while "thin" would refer to a lack of associations, or merely service organizations (like some NGOs) lacking a mass base and therefore not deeply embedded in society.

while its clear these are associations akin to civil society, it remains an open question whether it is possible for these associations to evolve towards a more positive social role.

As the government becomes more centralized and powerful, space for both formal and informal civil society is decreasing. A recently passed law restricts freedom of assembly, severely constraining CSOs ability to publicly demonstrate against unpopular laws or government policies.

3.4   Gender Equality and Representation

More than a third (38%) of MPs in Timor-Leste are women, and this statistic is often cited favorably in comparison to the percentage of women in other parliaments in the region and around the world, but this statistic is misleading, and may help to hide severe impediments to the equitable participation of women in politics and government.

The relatively high percentage of women in parliament is primarily due to a quota system, and women in parliament clearly wield far less than 38% of the power in Parliament. Many of the women MPs are believed to merely be nominees of powerful men or families, rather than strong women who have achieved election on their own merits. In Timor-Leste there remain significant cultural and social constraints on women's participation in politics, and a more accurate assessment of the actual position of women in society may be indicated by their percentage representation among directly elected Suco Chiefs, where just 12 out of 442 (2.7%) of the elected are women.

According to the head of Kaucus, a local NGO, it is difficult for women to get elected as Suco Chiefs because of that patriarchal culture in Timor, and if the new indirect system for selecting Suco Chiefs is adopted, it will be even harder for women to be elected. She suggested that the lack of representation by women at lower levels of government be addressed by another quota system, but it is unclear how that would work, and it seems likely that such a system would in any case merely hide an underlying problem rather than address its root causes.

3.5   Youth and Students

In developing democracies across Asia—and indeed around the world—young people are increasingly driving political change. Advances in communications technology have opened their eyes to the broader world and changed their expectations, while at the same time provided them economical tools for mass communication and organization. Because young people use these tools more often, naturally and effectively than older cohorts, their experience and understanding of the world is substantially different than that of their elders, creating a divide or cleavage in society that didn't exist when all ages got their information from the same sources (and probably will not exist in the future).

As young people are more naturally open to change, they are evolving beyond traditional social structures and modernizing much faster than their parents' generation. Cool, hip and trendy, these young people also often have a different political perspective; and because their evolution occurred so rapidly, and in a space unfamiliar to their elders, when they emerge on the political scene their ideas and influence can surprise and upset an established political environment. This happened in Cambodia in 2013 when young voters,

to the surprise of both parties, participated in large numbers for the first time as a relatively defined interest group in demonstrations and elections.

Timor-Leste has one of the highest population growth rates in the world, and in 2017 voters under 30 will be a large percentage of the electorate. Through numbers alone youth could have a massive influence on election, but several factors may limit their influence, at least in the near term.

Timor-Leste has the highest cost for internet in Asia, and also one of the highest rates of youth underemployment, meaning that for most youth the internet is simply unaffordable. This means that most youth in Timor lack the access to a cheap and easy means for communication and organization that facilitates youth engagement in other countries, but that they also lack the ready source of information about the outside world that drives changes in culture and expectations in other countries.

Although some students in Dili are connected to the internet, and engaged in online communities, they still represent just a tiny fraction of the youth of the country. While the youth that are connected have begun to demonstrate modified expectations and to engage politically (we see this in the university student led demonstrations against the proposed pension law), there may not be the critical mass for youth connected yet for them to have a substantial impact on the political process at this time.

Other factors that limit the potential for substantial youth participation in political and social transition are related to weakness in the education system, and the persistence of traditional social structures. Weak schools and lack of access to alternatives sources of information lead to relatively low levels of understanding of democratic principles and accountability mechanisms among youth, limiting their ability to be influential in the political process. At the same time the patriarchal structure of traditional Timorese society devalues youth (as well as women), and encourages deference to (male) elders. Consequently, most analysts believe that young voters will follow the political leanings of their fathers or local leaders in the 2017 elections.

4   Justice Sector

4.1   Rule of law

The rule of law in Timor-Leste is described by many observers as weak. A number of factors contribute to this perception. Much of the law was originally drafted in Portuguese, and never translated into Tetum or other local languages, limiting accessibility for most people, including in some cases both lawyers and judges. Because the capacity for legal drafting is low, many laws are passed that include duplicative, contradictory or unimplementable clauses.

Due to the cultural persistence of pre-legal social understanding, law is often applied in one way for ordinary citizens, and another for powerful people. Combined with a culture of institutionalized corruption that suggests legal decisions can be bought, these factors create the impression of double standards and impunity for the rich and powerful. Although some

of the better educated recognize these problems, for the majority this is all they have ever been exposed to, and because it seems normal there is a lack of demand for change or reform.

At the local level, in the absence of formal legal knowledge and institutions, people tend to put their trust in traditional legal systems. Unfortunately, each ethnicity has its own traditional justice system, and in most cases these systems are not codified in writing, so application even of traditional systems remains variable and unpredictable.

4.2　Legal Institutions

Judicial institutions lack transparency in their operation, and there is little accountability for bad decisions. Courts are seen as not independent, and as susceptible to government interference—particularly from the Council of Ministers—and upsetting the checks and balances needed for democratic governance. Courts also exercise undemocratic power, harassing CSOs and journalists that reveal or criticize judicial corruption or malpractice.

5　Potential Approaches to Facilitate Reform

5.1　Representation and Accountability

5.1.1　Exploring Election System Reform

Decentralization and election system reform would probably have the greatest potential impact in improving the overall quality of democracy in Timor-Leste. Unfortunately, they may also be the most difficult issues for legislators, civil society organizations, assistance providers and donors to address. Nevertheless, the government, civil society, and international assistance providers should be encouraged to explore the possibilities for election system reform and further decentralization to enhance accountability and the quality of democratic representation.

Options might include the establishment of a single-member-district or mixed system that included physical constituencies (for example, based on sub-districts). This would bring representatives closer to the people, and encourage downward accountability to constituents rather than upward accountability to political party leaders; and would also make it possible for marginalized populations to form cross-party alliances to better represent their interests in Parliament.

Assistance providers might support this with provision of information on options and their implications through a workshop on election system reform for political and civil society actors. Follow-up activities could include support for CSOs engaged in providing civic education to the public on options and characteristics of various electoral systems, support for public forums or a survey to gauge public support for various options, and technical assistance for legal drafting if the decision were made by a civil society group or political party to put forward an amendment.

5.1.2   The Unity Government

While on the surface a unity government may appear an admirable expression of consensus, the lack of an effective opposition means checks and balances essential in a parliamentary system of government are missing. Assistance providers might help address this concern through the provision of technical assistance, and/or study tours, that emphasize the role and importance of effective opposition. Support could be provided to civil society organizations for civic education on the role of parliamentary opposition to help deepen understanding of democracy and alter expectations.

5.1.3   Encouraging Responsive Political Parties

Assistance providers might work with established democratic parties from the region or Australia to provide appropriate technical assistance to Timorese political parties on establishing or increasing internal democracy, so that they better represent the interests of their constituents. Recognizing the importance of incentives and interests in sustainable reform, this assistance would highlight how internal democracy can improve the party's and individual candidates' chances in elections. Parties would also receive assistance on determining constituent interests and priorities through polling and other assessment strategies, and on crafting policies and approaches that are responsive to those interests.

One of the reasons parties seldom compete on responsiveness to voter priorities is that there is little demand for such competition. Voters have never encountered it, and so have no expectation of seeing it. To address this, assistance providers could support civic education from civil society organizations aimed at deepening voters' understanding of the appropriate role political parties and representatives should play in a democracy, and alter their expectations for party and candidate behavior. Encouraging parties and candidates to compete based on voter concerns could create a virtuous cycle that enhances accountability and improves the overall quality of representation.

5.1.4   Decentralization and Governance

To increase accountability and the quality of representation and improve governance the Foundation could support education and advocacy for political decentralization, initially focused on the planned municipal level elections, but also including consideration of expanding powers and functions at the Suco and District level. Efforts could include technical assistance to political parties, civil society groups, and government for legal and regulatory reform.

The project might also include support for CSOs to conduct civic education on decentralization and advocacy to broaden the elections to cover municipalities across the country. After municipal elections are held technical assistance to the new municipal governments would be appropriate to facilitate effective transition and help ensure democratic decentralization delivers.

5.1.5   Transparency and Open Government

Transparency is essential for fostering political accountability. Timor-Leste has already applied to the Open Government Partnership; and assistance providers should continue to support engagement in OGP. Additionally, technical assistance and support can be provided

to government units, political activists, civil society organizations and other stakeholders to encourage the development of a culture of transparency through legislation development and legal reform. Support and technical assistance might also be provided on operationalizing commitment to transparency through utilization of modern technology.

5.2 Elections

5.2.1 Election Administration

Although large-scale election administration assistance programs may no longer be appropriate, assistance providers should work with regional specialists to provide expert and developmentally-appropriate (south/south) technical assistance for the CNE and STAE.

In particular, the CNE has requested a legal advisor to assist in dealing with outstanding cases from the last election. CNE also needs assistance in preparing draft electoral legislation, and analyzing draft legislation produced by others. STAE needs targeted technical assistance to help prepare electoral regulations and procedures that enable effective utilization of modern election technology while ensuring transparent and credible processes.

A shift from direct to indirect elections at the suco level is currently being considered by Parliament as a means to reduce the cost of local elections, but this change could reduce local accountability and responsiveness. Assistance providers can provide appropriate technical assistance to STAE for the development of economical election processes and approaches that will reduce the need for indirect elections.

5.2.2 Party and campaign finance

To improve governance and reduce possibilities for patronage and corruption assistance providers can provide technical assistance to Parliament and political parties for political finance reform legislation that would enhance transparency and help create a level-playing field for all parties and candidates, including ethnic minorities and women. Concurrently support would be provided to civil society organizations to enhance their capacity to monitor and report on the influence of money in political processes and elections, and to advocate for enhanced transparency and accountability.

5.2.3 Civil Society and Elections

Rather than focusing on the mechanics of the election process, civil society, political parties, and international assistance providers should focus on enhancing the substance of the democratic and representative processes. Civic and voter education should focus on encouraging substantive campaigns that reflect voter priorities, and providing voters with the information they need to make an informed decision on election day, and hold parties accountable for their promises after the election.

To enhance the transparency and credibility of the election process support and technical assistance can be provided for observation and monitoring to limit malpractice and the improper use of state resources in political campaigns, and to conduct a parallel vote tabulation during the election.

5.3   Democracy

5.3.1   Media Freedom
Closing space for the press and other media is an urgent concern in Timor-Leste. To address this assistance providers might work with civil society and media organizations to develop effective approaches to monitoring and reporting on media freedom, and provide support for advocacy for press freedom and media independence.

5.3.2   Access to Information
To improve outcomes in health and education, as well as enhance the public's ability to participate effectively in governance, assistance providers should work with government to reduce internet costs. Assistance providers might also sponsor a stakeholder conference or workshop to explore and highlight the important development impacts (including democratic development) of inexpensive assess to information, and develop an action plan. Following the conference, CSOs, political parties, and relevant Ministries should be provided with any needed technical assistance and support aimed at substantially reducing the cost of internet access in Timor-Leste.

5.3.3   Civil Society Strengthening
As political power becomes more centralized, and concentrated in one entity (the Unity Government) the space for civil society has decreased. To help expand space for civil society assistance providers should seek to strengthen the capacity of formal civil society organizations, and explore possibilities for encouraging non-formal types of civil society associations (clans, etc.) to undertake more more appropriate and sustainable civil society roles. The primary objective of this component will be to help real civil society organizations amplify the voice of ordinary citizens—to engage and balance the political sector in a non-partisan manner.

To enhance the transparency and accountability of government through close monitoring, support could be provided to CSOs (like the Student Movement), which will contribute to the broader effort to improve the quality of political representation. This would include Dili-based CSOs monitoring Parliament, as well as a network of province-based CSOs like Redi Feto (a coalition of CSOs focused on advancing opportunities and equality for women) monitoring the local activities of the Ministries. To strengthen citizen voice and help check and balance the power of the private sector, assistance providers could also develop a program to provide organizational development support or technical assistance for labor unions and other occupation associations.

In recent years there has been significant research resources devoted to studying the transition of armed movements to political parties, but little has been done to try to understand how formal and informal associations spawned through conflict and war can transition to more normal occupations after peace agreements. Assistance providers could explore through discussion and research the non-traditional forms of civil society prevalent in Timor-Leste, and investigate the possibility that these strong associations could evolve towards a more traditional civil society role.

The output of this activity might be a written case-study, and if warranted a pilot project. If it reveals a promising direction, such a study could be ground-breaking, potentially helping to restore balance between the sectors of society, and pointing towards new approaches mitigating violence, CVE, and other programs in post-conflict countries.

5.3.4 Gender Equality and Representation

Its clear that in Timor-Leste there remain significant cultural and social constraints on women's participation in politics. To gain a deeper understanding of these constraints a national survey might be conducted to determine and quantify social attitudes, cultural practices and other constraints that contribute to the imbalance in gender political representation. Assistance providers could then support CSOs and government to develop and implement comprehensive and coordinated civic education campaigns designed to modify attitudes and practices. Data from the survey would allow both accurate targeting of programs, and serve as a baseline for effective evaluation of the impact of programs.

5.3.5 Youth and Students

It is inevitable (and a cliché) that the youth and students of today will lead Timor-Leste in the future; but this generation is being, and will be, exposed to the world in a substantially different and more profound way than any previous generation. They will also have tools available that will enable them, both individually and collectively, to have greater influence on the development of society than any previous generation.

The youth bulge in Timor is in transition, with some youth in rural areas still completely enmeshed in traditional culture and social structures, while others in urban areas and universities are connected and engaged in global youth culture. To gain a greater understanding of this unique cohort, and the depth and speed of its transition, a national survey could include an extensive battery of questions on the attitudes and experience of youth. The survey would enable analysis by region, ethnicity and gender, enabling assistance providers to more accurately target programs, and would create a baseline from which change can be measured over time.

5.4 Justice Sector

5.4.1 Rule of law

Law in Timor is confusing, with some statutes written by colonial powers in Portuguese or Indonesian, and some written by foreign experts working for the United Nations; and in many parts of the country peoples' experience of law is primarily with traditional rules that vary by ethnicity. Not surprising then, that rule of law is weak. To address this the Assistance providers could develop a multifaceted education and capacity-building program.

To be effective and sustainable, any program to strengthen rule of law in Timor must include and in a sense evolve out of traditional and cultural concepts and understanding of law and justice. To facilitate integration of the formal and informal justice sectors in Timor-Leste assistance providers could sponsor a joint workshop for legal professionals, and individuals responsible for traditional justice from ethnicities across the country, to explore

options and approaches for transition from traditional justice systems to a modern justice system. These may include transition and inclusion of traditional legal authorities into the formal justice system.

Both civic and professional (including traditional legal authorities) legal education programs could be developed to strengthen legal knowledge and understanding, and support provided to a legal translation unit that would translate the legal code from Portuguese to Tetum. Using data on public understanding of law derived from the national survey described above, CSO civic education programs could be supported that aimed at altering public expectations, and creating public demand for equal application of law. To improve the quality of legal drafting technical assistance could be provided on legal drafting for Parliamentarians and Ministries.

5.4.2   Legal Institutions

To improve judicial independence and accountability, and minimize the potential for financial malpractice or political interference in the judicial process, assistance providers could work with CSOs and other stakeholders to develop rules and laws that enhance the transparency of legal institutions. If requested, technical assistance and support for government and civil society organizations to investigate the possibility of establishing a special magistrate to investigate judicial corruption could be provided.

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