

*Participation of Women in  
Politics and Decision Making  
in Timor-Leste: A Recent History*

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UNIFEM is the women's fund at the United Nations. It provides financial and technical assistance to innovative programmes and strategies that promote women's human rights to foster women's empowerment and gender equality. Placing the advancement of women's rights at the centre of all of its efforts, UNIFEM focuses its activities on four strategic areas:

- Reducing feminized poverty;
- Ending violence against women; and
- Reversing the spread of HIV/AIDS among women and girls; and
- Achieving gender equality in democratic governance in times of peaces as well as war.

In Timor-Leste, UNIFEM runs in-country programmes seeking to further champion women's empowerment in democratic governance as well as advocating for a platform within the country's nascent democracy to eradicate violence against women. The Integrated Programme for Women in Politics and Decision Making is a five year programme which addresses the importance of women's participation in politics and decision making by addressing women's needs before, during and after the elections and is supported by United Nations Democracy Fund (UNDEF), Irish Aid and the Norwegian Ministry of Foreign Affairs.

This publication seeks to further the objectives of the Integrated Programme for Women in Politics and Decision Making.

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## Foreword

The presence of women in decision making is a woman's rights in and of itself. But as importantly, a critical mass of gender aware and effective women leaders bring women's perspective to bear on the formulation and implementation of gender sensitive policies and programme that promote sustainable development

As elsewhere, women's participation in formal decision making in Timor-Leste has had a chequered history-replace with gains, apparent losses and meaningful learning.

From an almost complete absence of women in traditional power structures, and the scant acknowledgement of the important role women played in the independence struggle, women in independent Timor-Leste have actively participated in the Constitution drafting process leading to an engendered constitution. Women constituted 27% of the 87 members of the Constituent Assembly in the elections of August 2001 and 26% of the 87 members in the 2005 suco council elections. Several women held important ministerial and vice ministerial portfolios in the government in 2006.

A plethora of interacting forces have contributed in no mean way to this success-women's drive and motivation, effective capacity building for them, support from families, communities and the women's movement, UNTAET support, affirmative policies at the local level, growing awareness among political parties.

Despite this success, the challenges are huge-marked by the need to move from wone's current level of presence to a critical mass presence in formal decision making at all levels, to an effective women's leadership that makes a real difference to women's lives on the ground, to the development of a gender aware vigilant civil society that supports and holds elected women and men leaders to account, to a transformational gender sensitive politics becoming and institutionalized part of East Timorese society .

This publication anchored in UNIFEM's (United Nations Development Fund for Women) body of work on women in politics in Timor-Leste, draws all concerned into understanding the nature of women's participation in Timor-Leste political processes, and identifies critical strategies that are urgently need to promote and sustain women as effective leaders in the 2007 Legislative and Presidential elections and beyond.

Dr. Jean D' Cunha, Regional Programme Director  
UNIFEM East & Southeast Asia Regional Office, Bangkok

## Acronyms

ABRI	Indonesian Military and Police Force
AIETD	All-Inclusive Intra-East-Timorese Dialogue
BPFA	Beijing Platform for Action
CAVR	Commission for Reception, Truth and Reconciliation in East Timor
CCA	Common Country Assessment
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CEP	Community Empowerment Project
CISPE	Civil Service and Public Employment
CIIR	Catholic International Institute of Research
CNRM	National Council of <i>Maubere</i> Resistance
CNRT	National Council of Timorese Resistance
CPLP	Community of Portuguese-Speaking Countries
IEC	Independent Electoral Commission
ETTA	East Timor Transitional Administration
FALINTIL	Armed Forces of National Liberation of Timor-Leste
FRETILIN	Revolutionary Front of an Independent Timor-Leste
GAU	Gender Affairs Unit
INTERFET	International Force in East Timor
IRI	International Republican Institute
NCC	National Consultative Council (December 1999-June 2000)
NLC/NC	National (Legislative) Council (July 2000-June 2001)
OPE	Office for the Promotion of Equality
OMT	Organisation of Timorese Women
OPMT	Popular Organisation of Timorese Women
RDTL	Democratic Republic of Timor-Leste
SRSR	Special Representative of the Secretary General
STAE	Technical Secretariat for Electoral Administration
MSA	Ministry of State Administration
TSP	Transitional Support Programme
TNI	Indonesia National Army
UNAMET	United Nations Assistance Mission in East Timor
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNIFEM	United Nations Development Fund for Women
UNTIM	National Union of Timorese Students
UNMISSET	United Nations Mission of Support in East Timor
UNOTIL	United Nations Office in Timor-Leste
UNTAET	United Nations Transitional Administration in East Timor

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## **Executive summary**

This report presents findings of a study on the participation of women in politics and decision making in Timor-Leste, commissioned by UNIFEM and undertaken between February and April 2006. A steering committee set the direction of the study, which was carried out via an extensive desk review and series of interviews with key informants including Members of Parliament (MPs), senior Government officials, leaders of political parties, and former candidates of national and local elections. Interviewees were selected on the basis that they would contribute to a broad understanding of the nature of women's involvement in the different political processes. A key aim of the study is to identify potential strategies that promote the participation of women in the 2007 legislative and presidential elections.

## **Background**

Timor-Leste is evolving from a rigid traditional society towards a modern nation. Until 1999, and after more than 450 years of colonial rule and occupation characterized by oppression and human rights violations, little was achieved in terms of economic, social, and political empowerment of the local population.

Within the traditional power structures, there is an almost complete absence of women in important roles. Political, ritual, and conflict mediation powers has been the sole domain of men. Women have, in the past, been deprived of participating in decision-making and public life with the exception of their participation in some customary ceremonies.

## **Women's participation in politics and decision making**

During the 24-year struggle against Indonesian occupation, a few women held mid-level decision-making positions within each of the three resistance fronts. Women's contribution to the independence struggle has not been adequately acknowledged, however. The political leadership and heads of state institutions (executive, legislative and judiciary) in 2006 were drawn from the ranks of the resistance movement and were mainly men. Not a single woman was among the 37,000 people registered as veterans of the armed conflict; around a third of the 39,000 people who registered as former members of the civilian resistance (*cadre civis*) were women, whereas women's contribution was reportedly much more prominent than this.

Women participated actively in campaigning for independence before the 1999 Referendum and comprised 50% of those who voted.

The United Nations Transitional Administration in East Timor (UNTAET) strongly promoted women's participation in politics and decision making through the establishment of a Gender Affairs Unit (GAU), the adoption of a gender mainstreaming strategy, and the promotion of women in the political, electoral and constitutional process. Based on the recommendations of the First National Congress of Timorese

Women and the active advocacy of the women's network Rede Feto, a target of 30% women in the civil service and decision making bodies was adopted. The Special Representative of the Secretary General (SRSG) actively supported this policy; thus, women were appointed as ministers and comprised 30% of the National Consultative Council.

Following the rejection by the Council for a 30% quota for women to be enshrined within the regulations for the Constituent Assembly elections, UNTAET, in collaboration with UNIFEM, organized training on political leadership for potential women candidates. In addition, the SRSG urged political parties to place women candidates high on party candidate lists and offered incentives to parties with women candidates. As a result, 27% of the 963 candidates registered at national level by 16 political parties were women.

Elections held on 30 August 2001 brought 25 women to the Constituent Assembly (27% of elected members), which was mandated to write the new Constitution. As a result of the advocacy of the women's movement, the Constitution of Timor-Leste is very gender sensitive. Section 16 includes a clause on equality and non-discrimination for all citizens before the law and Section 17 a clause on equality between men and women. Article 62 states that the equal participation of women and men in political life is fundamental to democracy.

### **Women in the independent Government**

Twenty-three of the 87 MPs in the National Parliament in 2006 were women (26%), one of the highest percentages of women in a legislative body in the region. This level of representation has not necessarily been reflected in the decisions taken by Parliament, however; observers say most female MPs have been reserved and insensitive to gender concerns. Attempts to create a women's parliamentary group to examine laws from a gender perspective have been foiled; one such proposal was rejected by the majority of MPs. Nonetheless, a group of female parliamentarians have joined the Network of Women Parliamentarians of the Community of Portuguese-Speaking Countries (CPLP).

Local elections in 2005 reinforced opportunities for women's political empowerment and more than 1,200 potential and official women candidates were trained by UNIFEM. Women stood as candidates for hamlet chief (*Chefe de Suco*) and village chief (*Chefe de Aldeia*) and as representatives to the Hamlet (*Suco*) Councils; 29 women were elected as Hamlet (7) and Village (22) Chiefs. More than 1,300 women were elected as Village Council members, largely as a result of three positions on each council being reserved for women (2 women and 1 female youth representative). This result suggests some changes in the attitudes of local communities towards women's participation in politics particularly because these elections relate to local authority where women have traditionally had no power. Nevertheless, political parties in some districts actively campaigned against women candidates, for example in the district of Ermera, while other female candidates were discouraged by their husbands.

Several women held important portfolios in the Government in 2006 including three women Ministers and four Vice-Ministers in the Ministries of State Administration, Planning and Finance, Public Works, Foreign Affairs, and Education; 2 women advise the Prime Minister on the Promotion of Equality and Human Rights. The situation is not as positive at district level. Only 1 woman out of 13 is a District Administrator and 1 out of 65 is a Sub-District Administrator, reflecting a gender bias in the recruitment process.

Men dominate the civil service at all levels. In June 2005, women comprised almost a quarter of the civil servant workforce, and only 2 women held positions at the highest level (7). These 2 posts are that of Director General, and are awarded through the political process rather than via career civil service channels.

Though political parties are making efforts to involve women in politics, and state that discrimination on the basis of sex does not exist within party policies, they mostly remain male-dominated institutions. The proportion of women in the party membership, leadership and candidate lists is variable. Most party members do not clearly understand the value of affirmative action policies to support women's political empowerment. They believe existing open-door policies are sufficient, and they do not understand that institutional and ingrained practices advantage men over women.

### **Improving women's participation in politics and decision making**

Although progress has been made in promoting women's participation in politics and decision making since 2000, more political commitment and gender sensitization is needed across all sectors of society to promote gender equality. Preparing for the 2007 legislative and presidential elections provides a good opportunity for further advancement in this direction. The task of empowering women to play a role in politics does not, however, finish with the elections. Elected women require support in their new role. Support for women's participation in politics and decision making could be strengthened by the adoption of some of the recommendations proposed here (*see chapter 8 for full list*).

#### ***The electoral process***

- The Electoral Law should stipulate a minimum of 30% women candidates in political parties' lists in winnable positions; parties that do not respect this requirement would not be allowed to contest the elections.
- The precise wording of the articles of the Electoral Law can have a profound effect on women's chances of being elected and of actually taking up office. It is very important for gender advocates to pay close attention to the drafting of the Law.
- The high number of women in the 2006 Parliament is partly the result of women being placed in prominent positions on the lists of those parties that won a

majority of seats. Women's chances of being elected through a political party are very significantly influenced by the structure of the party list.

- The most equitable option for structuring a party list is the so-called 'zippered' list in which every other candidate is a woman.
- Women may have a better chance of being elected if the Electoral Law states that party lists should be 'closed', meaning that voters cannot change the order of the list at the time of voting.
- The Electoral Law should clearly stipulate that any woman removed from a candidate list or who resigns from office following election to office must be replaced by another woman.
- The Government should define appropriate incentives to encourage parties to nominate more women candidates, offering incentives such as additional campaign financing.

### **Political parties**

- If advocacy efforts fail to secure adequate stipulations in the Electoral Law, individual parties should be lobbied to encourage them to voluntarily include an appropriate number of women in winnable positions.
- Approaches to and support for political parties should be planned well in advance of the elections, including the identification, training and resource support for potential and named women candidates. Training programmes should, where possible, be targeted at building the capacity of both women and men.
- Male party leaders should be helped to understand why it is in their party's interests to boost the role of women within the party and include women's interests in their platforms. Some may be more likely to act out of self interest than through committing to the notion of equality. At least they should be reminded that women comprise half their electorate and are important actors in the development of the country.
- Political parties should increase the gender sensitivity of their leadership and cadres by training their members in gender awareness and analysis. This will help them to value women's involvement in politics, to understand the importance of developing women's capacity as candidates, to nominate women in positions of power within their leadership structures and in policy commissions, to understand the importance of briefing MPs on key gender issues, and to sustain their gender work between elections.
- Political parties should also be encouraged and supported to include gender issues in their party platform and programme.

### ***Women in public office***

- An affirmative action policy should be established to ensure the selection of more women in senior posts in the civil service, including at local levels. Women holding senior positions in office serve as role models and can influence a change of attitudes towards the promotion of equality, particularly in rural areas. The policy needs to be part of an integrated strategy that takes into account and includes skills building and support for women to attain middle- and senior-level managerial posts.
- Elected women must be committed, and allowed by their parties, to advocate for women's interests. There is no point in electing women into decision making positions if they simply provide gender-neutral leadership.
- Parliament is a male-dominated body and this situation disadvantages the women's agenda. To address this, seats must be reserved for women representatives in the leadership structure of the new legislature.
- A parliamentary standing commission (committee) on gender equality should be established to promote a gender perspective in the work of the Parliament. One or more of its members should participate in the other parliamentary committees to ensure that gender issues are addressed in proposed legislation, for example, and to monitor the Government's performance in meeting gender equality goals and targets.
- A consultation mechanism between office holders and Civil Society Organizations (CSOs) and Non-Governmental Organizations (NGOs) is crucial to promote ongoing dialogue and inclusiveness.

### ***CSOs and NGOs***

- CSOs/NGOs can apply pressure to the Government to undertake qualitative changes for women, but must also provide support for women in power so they can do their job in a difficult, male-dominated environment. This can be achieved through the development of non-partisan networks to advance different aspects of women's role in politics across party lines as well as through the establishment of effective consultation mechanisms.
- CSOs/NGOs should engage with the women's agenda in Government and in the legislative process to promote gender equality. Contributions could include advocating and lobbying MPs for more gender-sensitive legislation as well as analysing legislation and providing technical advice during the drafting of laws. They could also be instrumental in improving the capacity of newly elected MPs

in gender concerns and support them, for example, through the provision of solid information as a basis for advocacy.

- CSOs/NGOs are important training grounds for women politicians in participation and gender awareness, which can enhance their potential as party members and candidates for election. Training and mentoring should focus on building confidence in women's ability to contribute to local and national politics including building skills in communication (including public speaking and dealing with the media), advocacy, lobbying and campaigning, as well as decision making, transparency and accountability.

## 1. Background

Women comprise 49.1% of Timor-Leste's population of 923,198.<sup>1</sup> More women than men are illiterate and women have less access to resources than men. Access to primary education for boys and girls has almost reached parity but a significant number of girls drop out of secondary school. The fertility rate is one of the highest in the world (7.8); the under-five mortality rate and maternal mortality rate is also high at 165 /1,000 and 420 – 800 / 100,000 live births, respectively.<sup>2</sup>

More than 80% of the population depend on a rural subsistence economy in which most of the work is performed by women.

Women have a much lower rate of participation in paid employment than men. Those who are employed are mostly found in low paid jobs, mainly in the informal sector, and have not benefited equally from newer forms of employment generated by nation-building exercises (with the Government, NGOs and the UN).<sup>3</sup>

### *1.1 Purpose of this study*

Women have traditionally held limited roles in the power structures of Timor-Leste, however, they participated actively in the politics and decision making of all three resistance fronts armed, clandestine civilian and diplomatic during the Indonesian occupation. These were generally secondary positions and in the majority of cases women's contribution has not been recognized. The current political leadership, which arose from the ranks of the resistance, is predominantly male. Some progress in women's political participation has been achieved since 2000 with women occupying senior positions in public office in the executive and legislative level as well as at the local level.

This study aims to bring better understanding of women's participation in politics and decision-making in Timor-Leste. It examines women's involvement in the different political processes, and aims to identify strategies to build on the gains made so far, specifically to prepare for the legislative and presidential elections of 2007. The research identifies contextual factors and constraints for women's participation in politics and decision-making, both at national and local levels, and analyses social influences and other factors that have facilitated women's participation including: traditional kinship systems; participation in the struggle for independence; involvement in the diaspora's support for independence and, more recently, involvement in CSOs and gender activism. It also seeks to examine the dynamics of political parties in relation to women's political empowerment and to assess existing mechanisms designed to ensure equal access to political structures and the civil service. Finally, the study provides recommendations to UNIFEM, the Office for the Promotion of Equality (OPE), Ministry of State

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<sup>1</sup> Population and Housing Census 2004.

<sup>2</sup> Timor-Leste 2005 Millennium Development Goals Where Are We Now, published by the government of the Democratic Republic of Timor Leste, Dili 2005.

<sup>3</sup> ADB/UNIFEM 2005.

Administration, Caucus: Feto iha Politika (Women's Caucus) and other stakeholders involved in the promotion of women in politics and decision making.

Interviews with MPs, women holding senior positions in office, female candidates for local-level elections, leaders of political parties and civil society representatives were conducted during February, March and April 2006 in Dili and Baucau districts.<sup>4</sup> An extensive desk review of documentation dating from 2000 to the present was also undertaken.

This introductory chapter provides a historical background of Timor-Leste focusing on the role of women in traditional society and during colonial rule; chapter two examines women's participation in the Constituent Assembly elections and their role as parliamentarians; chapter three focuses on local elections; chapter four looks at women in Government and the civil service; chapter five analyses the role of political parties in promoting women's participation in politics; chapter six looks at future actions to ensure women's sound participation in the legislative and presidential elections; and the last chapter offers conclusions, lessons learned and recommendations for different stakeholders. Case studies, presented in boxes, offer profiles of women who hold senior positions in public office at national and local levels, or who have been involved in the political process in some other way. They have been selected to reflect the different backgrounds and experiences, and provide some insight into the social and historical dynamics that have influenced their entrance into public life.

## ***1.2 Brief historical perspective of women's participation in politics and decision making prior to the year 2000***

### **1.2.1 Women and traditional power structures**

The extended family and descendant group (*umakain* or clan) forms the core of Timorese social structure. In the majority of Timor-Leste's ethno-linguistic groups, the kinship system is patrilineal but minority matrilineal systems also exist. In the past, and even now in some villages, clans were classified as either 'royal' or 'commoner'. Political and ritual powers are attributed to 'royal' families following the order of arrival to a territory. Positions of power are exercised by the eldest male of the clan, knowledge and power is passed from father to son. Women do not hold positions of power in these traditional power structures; their participation in decision making in both private and public spheres is limited. In some communities, women are *lian nains* (guardians) of the *umalulik* with their husbands. Women also play important roles in traditional ceremonies as dancers and drummers but do not lead ceremonies.

The marriage system is based on the circulation of women and means of production between clans classified as 'wife-givers' and 'wife-takers' (*fetosan* and *umane*). This exchange system, known as *barlake*, involves long negotiations between representatives of both clans; this establishes strong social linkages and a network of solidarity between

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<sup>4</sup> List of people interviewed is presented in Annex 1

the clans. Though this system constitutes a sort of social safety net it may also make women vulnerable, particularly where the residence system is patrilocal and women are obliged to live with their in-laws.<sup>5</sup>

Due in part to their unequal position in society, women are often victims of domestic violence. This issue is generally considered a private matter to be resolved within the family or by the traditional justice system using conflict resolution mechanisms through the *lian nain*. Perpetrators of domestic violence often incur a minor punishment or sometimes no penalty at all; those who are sentenced usually face a fine or an oath sanctioned by the *lian nain*. Partners are encouraged to continue their life together to preserve the strong family links and the kinship system.

### 1.2.2 Colonization by the Portuguese

The Portuguese were drawn to Timor in 1515 by the spice and sandalwood trade. At the time, the island was divided into 40 autonomous kingdoms each under the absolute authority of a *liurai*. The Portuguese mostly settled around Lifao (now Oecussi) but in 1769 moved to Dili due to *liurai* resistance to in-kind tributes by the colonizers.<sup>6</sup>

In 1860, Timor-Leste was divided into *conselhos* (districts) to facilitate administration; forced cultivation of new cash crops, predominately coffee, was introduced. The payment of tributes was replaced by a tax system collected by the *liurais*. These practices were unpopular and generated resentment and anger among the indigenous population leading to the 'Manufahi War' (see Box 1.1).

After the *Manufahi* War, the colonial Government stripped disloyal *liurais* of their official powers and in 1934, a new civilian administrative structure was established. The Portuguese appointed an *Administrador* responsible for several *conselhos* (districts) with administrative, judicial, and military power. Each *conselho* was composed of several sub-districts (*postos*) and these were comprised of several hamlets (*sucos*). The district and hamlet chiefs were required to speak Portuguese, be literate, and pass orders from the Government to the people. In many areas, loyal *liurai* were appointed *Chefe de Suco* and in some parts of the country they were also appointed *Chefe de Posto*. In areas where the *liurais* had revolted, new officials were appointed who, despite having no royal descent, were also called *liurai*.

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<sup>5</sup> Ospina S, T Hohe 2001.

<sup>6</sup> For a more in-depth understanding of traditional power structures, see above-mentioned reference.

***Box 1.1 The Manufahi War: An uprising against external rule and the exploitation of women***

In 1911, the *liurai* of Timor-Leste united under the leadership of *liurai* Dom Boaventura to fight colonial oppression and the constant abuse of Timorese women by the Portuguese. During the population censuses associated with tax collection, Portuguese officials were sent to enumerate the illiterate Timorese population. The *liurais* were obliged to provide support including the offering of women to the Portuguese.<sup>1</sup> As Senhor Francisco Xavier do Amaral said:

*Dom Boaventura defended women's rights. Many of the revolts organized by the liurais were motivated by the sexual violence. Women were valued and respected. Sexual abuse was a crime and there was retaliation. There are many mestiços here in Timor as a product of the liurais being obliged to give the women of their families.*

Women contributed to the Manufahi War by weaving *tais* used by the *liurais* to pass on strategic information about when and where Portuguese targets could be attacked. It took almost a year for the Portuguese to control the struggle using military reinforcements from other colonies.

The *liurai* retained unofficial power within their kingdoms, the borders of which in some cases coincided with an official sub-district. The colonial Government did not challenge the kinship system nor the traditional governance based on notions of political and ritual power. The royal lineage, customary law, the conduct of traditional ceremonies in the *uma luliks* (sacred houses), and the positions of ritual authorities continued during Portuguese rule. Table 1.1 shows the Portuguese and traditional leaders at different levels. Women did not hold positions in these structures.

**Table 1.1**  
**Power structure under Portuguese times after 1934**

<b>Portuguese administration</b>	<b>Traditional power holders</b>
Administrador do Conselho (district)	
Chefe de Posto (sub-district)	Reglo/liurai
Chefe de Suco (liurai within a hamlet)	Liurai (political power) Lian nain (conflict resolution) Kuku nain (sacred power)
<i>Chefe de Povacao (aldeia or village)</i>	<i>Dato Head of uma kain</i>

*Source: Traditional power structures and the Community Empowerment Project 2001.*

During Portuguese rule, access to education was limited to a privileged minority; mostly the sons of the *liurais*, the Portuguese, and the *mestiços* (mixed race children). Portuguese law (1914/1915) prohibited most Timorese from being educated. Only the first son of the *liurai* could study to fourth grade primary school, so he could read and write once his father relinquished power. There was only one college in Timor-Leste, Soibada College founded by the Jesuits, where these privileged boys studied. Most of the current male Timorese leadership studied here, building bonds that provided glue for the strategic alliances that fought colonialism and Indonesian occupation; some of those bonds remain intact.

After finishing Soibada College, students continued to study at the seminary in Dare. Some subsequently entered the priesthood, others went to school in Macau. After the 'Japanese War',<sup>7</sup> education was opened to more people. In the 1960s, a new educational facility appeared, the Liceu Dr. Francisco Machado, but it was mostly for *mestiços*, despite a law that prohibited discrimination.<sup>8</sup>

Access to education for girls was more limited. The Cannosiana Sisters opened a college for girls in Viqueque in 1953. Girls from *liurai* lineage and middle class families went to school here, including many of the current female political leaders; some of them later studied at the Liceu in Dili. Most families with resources sent their daughters to study one of the two careers open to women at the time, nursing and teaching, or to Portugal.<sup>9</sup> In 1964, only 10 Timorese nationals held degrees; in 1970 the literacy rate was estimated to be 10%.<sup>10</sup>

### **1.2.3 The first political parties: An opportunity for women's participation in politics?**

The Carnation Revolution (April 1974) ended the dictatorship of Salazar and Caetano and heralded a new democratic era in Portugal that extended to its overseas colonies. Portugal authorized the establishment of political parties in Timor-Leste to prepare for the decolonization process in which the Timorese would decide the destiny of their territory. Five political parties were established during 1974. The first party was the Timorese Democratic Union (*União Democrática Timorense*; UDT) on 11 May 1974, which promoted a conservative ideology and the maintenance of close links with Portugal. It advocated for progressive independence after federation with Portugal.

A few days later, on 20 May 1974, the Timorese Social Democratic Association (*Associação Social Democrata Timorense*; ASDT) was founded, comprised mainly of young intellectual Timorese (from Soibada College and of *liurai* descent). It promoted a social democratic ideology and the immediate and total independence of Timor-Leste from the Portuguese. On 11 September 1974 the ASDT changed its name to The Revolutionary Front of an Independent Timor-Leste (*Frente Revolucionária de Timor-Leste Independente*; Fretilin).<sup>11</sup>

The Timorese Popular Democratic Association (*Associação Popular Democrática Timorense*, Apodeti) was founded on 27 May 1974. It promoted autonomous integration with Indonesia. KOTA, the Association of Timorese Warrior Sons (*Klibur Oan Timor Aswain*) was established on 20 November 1974 as a monarchical party. Its ideology favoured rule by the traditional *liurais* following decolonization.<sup>12</sup> The Labour Party,

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<sup>7</sup> It is estimated that 40,000-60,000 Timorese died during World War II in the fighting between Australia and Japan in Timor. The sexual slavery of Timorese women by Japanese troops was widespread.

<sup>8</sup> Interview with Francisco Xavier do Amaral.

<sup>9</sup> Interview Genoveva da Costa, MP, 4 November 2005.

<sup>10</sup> CAVR report, part 3.

<sup>11</sup> Interview Francisco Xavier do Amaral, 17 March 2006.

<sup>12</sup> Ibid.

(*Trabalhista*) was established in September 1974 promoting independence after a transitional federation with Portugal.<sup>13</sup>

Data on militants and sympathizers of political parties during decolonization apparently does not exist. Nevertheless, observers note that women's participation in political parties and, especially in decision-making roles, was very limited. In 1974 there were women in the UDT's Central Committee. According to UDT founding member Mario Viegas Carrascalao, however, the party was controlled by men. With the exception of Rosa 'Muki' Bonaparte Soares, a member of Fretilin's Central Committee and Secretary General of its women's arm, the Popular Women's Organization of Timor-Leste (*Organizacao Popular de Mulher Timor*; OPMT), there were apparently no women within the central structures of any of these political parties.

Although women were not involved in party leadership, this does not mean they did not participate in politics in different ways. Women teachers were involved in Fretilin's education and cultural committees, and public meetings were attended by both women and men.<sup>14</sup> ASDT founder Francisco Xavier do Amaral recalls that Lenita Araujo actively co-participated in campaigning in 1974 in Zone East. From its inception, Fretilin gave special attention to women. It established OPMT on 28 August 1975; this organization's dual aim was to fight colonialism and promote the emancipation of woman. On 28 September 1978, Ms. Muki Bonaparte described Fretilin as, 'A people's organization which creates opportunities for women to participate in the revolution.'

Timorese students in Portugal wanted to participate in the decolonization process but it was difficult to have contact with the parties involved. Nicolau Lobato went to Portugal to transmit this message: 'To treat Timorese problems you have to come back to treat them in Timor', inspired by Karl Marx's concept that 'the revolution is not a product that you import or export ... It is a local product.'<sup>15</sup> Following that visit, a group of students returned to Timor including about 10 female students. Some of these young, educated women joined the ASDT. They organized large meetings at the house of Francisco Xavier de Amaral to plan for participation in the decolonization process.

Ms. Muki Bonaparte, who studied at the University of Lisbon, returned to Timor-Leste in May 1974.<sup>16</sup> Ms. Muki Bonaparte was the first Secretary General of OPMT, with Aicha Bassarewan and Filomena Aniceto as Vice-Secretaries. They organized campaigns and raised political awareness among women and students during meetings which promoted discussion, the exchange of ideas, and communication.<sup>17</sup>

Some men interviewed for this study said that in those times, no one mentioned the concept of gender, as such, or women's equality. One said the concept of equality was rather alien to the Timorese: 'We started to talk about equality when UNTAET arrived.'

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<sup>13</sup> CAVR, part III, paragraph 49.

<sup>14</sup> OPE 2003, p.9

<sup>15</sup> Interview with Francisco Xavier do Amaral, 17 March 2006.

<sup>16</sup> Personal communication Mario Viegas Carrascalao, 17 March 2006.

<sup>17</sup> Ibid.

The key issues of the time were independence, the emancipation of women, and to eliminate the violation and discrimination that Timorese women had experienced during colonial rule.

According to one well-informed woman who was politically active at that time, however, the notion of equality was alive in the 1970's. It was promoted by OPMT in its work with commercial sex workers, for instance. This woman argues that the claim that the promotion of equality came only with the arrival of the UN is an attempt to discredit it as a foreign and imposed notion.

Following the Indonesian invasion in December 1975, political parties disappeared and it was the people (*povo*), women and men, who participated in the resistance movement during the 24-year struggle against the occupiers.<sup>18</sup>

#### **1.2.4 Timor under Indonesian rule**

Although they had major ideological differences, UDT and Fretilin, the only two parties with popular support, formed a pro-independence coalition in January 1975 to avoid annexation by Indonesia. This coalition was unilaterally broken some months later by a UDT coup-d'état on 12 August 1975. Fretilin gathered in Aileu and with the support of deserters from the Portuguese army founded its military wing FALINTIL. They launched an offensive against UDT, defeating them in less than a month; this armed clash left many dead. Fretilin set up a *de facto* Government and declared independence on 28 November 1975 under pressure of an imminent Indonesian attack.<sup>19</sup> Indonesia invaded Timor-Leste on 7 December 1975 with the rationale of combating 'communism' within the context of the Cold War.

The Indonesian Provisional Government was established on 17 December 1975 and mostly comprised members of invasion supporters, the Apodeti and UDT.<sup>20</sup> The Portuguese administrative structure was adjusted to fit the Indonesian system and Timor became the 27<sup>th</sup> province of Indonesia. Under Indonesian rule, Timor became highly militarized and under the control of the Indonesian Military and Police Force (ABRI), and village chiefs were appointed via election rather than by descent. In resistance stronghold areas the village chief was imported from other parts of Timor. The Indonesian regime was characterized by a systematic violation of human rights and a restriction of freedom.<sup>21</sup>

The impact of the Indonesian presence on the advancement of East Timorese women was dichotomous. There were constant violations of women's rights, particularly by members of ABRI, but there were also new positive opportunities for women. For example, some

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<sup>18</sup> Francisco Xavier do Amaral.

<sup>19</sup> East Timor Observatory, POLO-05/03/2001. Morlanes Ferreira, 1991.

<sup>20</sup> CAVR, 2005. Indonesian Army Campaign, paragraph 257.

<sup>21</sup> Different sources estimate that around 200,000 people, or 30-40 % of the 1975 population, were killed following the occupation.

women moved away from their traditional roles to enter the public service and, in some cases, were elected to office. Women also worked with NGOs and state-sponsored women's organizations. Many women gained new experience through participation in the resistance movement.

### *Violation of women's rights*

The invasion of Indonesian troops had major consequences for women's well-being. On invasion day, women were among the first to be executed; among them Ms. Muki Bonaparte. Women, especially the relatives of Fretilin leaders and members of the OPMT and the Timor Student Union, were imprisoned and tortured and some repeatedly raped.<sup>22</sup>

This treatment was not uncommon for Timorese women during the occupation. Women suspected of being active in the resistance movement were taken for interrogation by Indonesian troops and reportedly tortured (with cigarette burns, beatings with iron rods, half-drowning and electrocution), sexually harassed, raped, and often killed. It is difficult to estimate the number of women and girls who were victims of rape, torture, or murder but some estimates put it at tens of thousands. Rapes were underreported due to fear of retaliation.<sup>23</sup> A number of women have raised children conceived through rape.

Throughout the occupation, Indonesian security forces systematically used sexual violence. In addition to rape and sexual torture, women were forced into sexual slavery.<sup>24</sup> Of the 853 cases of sexual violence documented by the Truth and Reconciliation Commission (CAVR), 393 were rape (46.1%), 231 sexual harassment/violence (27.1%), and 229 sexual slavery (26.8%). Indonesian security forces and their auxiliaries were the perpetrators in 93.3% of documented cases. Members of Fretilin (2.5%), UDT (0.6%), and Falintil (1.2%) also committed sexual crimes.<sup>25</sup>

In his testimony to the CAVR, former Indonesian Governor of Timor-Leste, Mario Viegas Carrascalao, stated that abuse of women by the Indonesian military was organized and systematic. He testified that low-ranked soldiers commonly provided young Timorese women to highly-ranked soldiers to gain favour and advance their careers. 'Senior functionaries were given women as if they were facilities', he said. District Administrators and other members of the civil administration were also involved in the abuse of women. One reported case involved a District Administrator who fathered children to many young women, some as young as 14. A teacher in Baucau sexually abused 22 of his pupils and received a two-and-a-half year prison sentence that he did not fully serve.

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<sup>22</sup> Dunn, J 1996, p.251-253.

<sup>23</sup> Coomaraswamy, Radhika 1999.

<sup>24</sup> A particular group of women targeted for sexual abuse were the wives and children of freedom fighters and political prisoners as well as women political prisoners and those living in constructed model villages, reported Mario Viegas Carrascalao to the CAVR National Public Hearings, 28-29 April 2003.

<sup>25</sup> CAVR, Chapter 7.7 Sexual Violence.

Mr. Carrascalao also said that many women were left under conditions of extreme vulnerability due to Indonesian military operations. The village of Kraras, in Viqueque District, is known as the 'village of widows' because hundreds of men here were killed by the Indonesian military, leaving behind widows and children. In 1985, a survey commissioned by Mr. Carrascalao identified 40,000 Timorese orphans.<sup>26</sup>

### ***Promotion of gender equality under Indonesian rule***

The Indonesian Government considerably increased access to education. The number of schools rose from 47 (10,500 pupils) at the end of Portuguese rule to 788 (167,181 pupils) in 1999. There were only two junior secondary schools (315 students) during Portuguese rule compared to 114 (32,197 students) at the end of the Indonesian occupation. In 1999 there were 54 senior secondary schools (18,973 pupils) compared to none in 1975.<sup>27</sup> Girls as well as boys had access to education.

The Indonesian Government offered tertiary scholarships to study in other provinces of Indonesia. Though more men than women benefited from the scholarships,<sup>28</sup> many women who hold senior positions in Timor-Leste today studied economics, agriculture, engineering, public administration, medicine and other disciplines in Indonesia.

Two main organizations for the advancement of women, particularly in rural areas, were established during the Indonesian period. The Dharma Wanita comprised wives of civil servants; all spouses were either elected or were obliged to participate in this organisation. The PKK (*Pembinaan Kesejahteraan Keluarga*) worked to build the capacity of mostly rural women to improve their living conditions and those of their family members and the community; PKK membership was open to all women. The organization had four task groups focused on different programmes including civic education, literacy, health and hygiene, and household activities such as vegetable growing, medicinal plants, farming, and culinary skills. This organization upgraded women's roles, especially rural women; illiterate women were taught basic literacy and numeracy skills. Many current female political leaders participated actively in this organization, some of them for more than 10 years. It allowed them to work towards alleviating rural poverty and also to disguise their clandestine resistance support.

During the rule of Mr. Carrascalao, some women were incorporated into the public administration system, a few at senior posts. Anita Tavares, Sub-District Administrator of Metinaro (Dili District) in 1986 became the first Timorese woman Sub-District Administrator. In 1994, Isabel de Lima was nominated Sub-District Administrator of Vemasse (Baucau District); a woman was also Chief of Protocol. During this time, Balinese women were brought to work in the construction sector in Timor, acting as a role model for women to join typically male occupations.<sup>29</sup>

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<sup>26</sup> Ibid.

<sup>27</sup> UN Country Team 2000, p.59

<sup>28</sup> Interview with Mario Viegas Carrascalao, two-time Governor during Indonesian rule.

<sup>29</sup> Interview with Mario Viegas Carrascalao, 17 March 2006.

### *Women and the resistance movement*

During Indonesian occupation, women found ways to be involved in the resistance movement working in both the clandestine civilian and armed fronts. Fretilin's OPMT was active organising women to participate in the struggle for independence, encouraging them to plant vegetable gardens to feed their families and the freedom fighters they hid in their houses and took care of when sick and wounded. Women provided food at clandestine Falintil meetings.

Women also contributed by raising large families to replace those lost in the struggle. The Indonesian policy of family planning was actively defied, as it was believed to be a form of 'genocide' that would end the resistance. Women, as well as men, very often lived a 'double life' working in the Indonesian public administration or security forces while gathering information for the struggle.

In addition to their gender-stereotyped roles, women risked their lives by delivering intelligence, medicine, and ammunition to freedom fighters. They also fought alongside men. Women's armed brigades and units under female command were established in some parts of the country.<sup>30</sup> One of the first women to take up arms against the Indonesians was Maria Tapo. Her husband was working on the Indonesian border and when she took him food, he taught her how to use a machine gun. When her husband was killed by the Indonesian army, she took over his machine gun; she died defending herself just before the Indonesian invasion.<sup>31</sup> Fretilin supporter Comandante Maria led an attack in Laleia; she was a well-known militant from 1982-1992.<sup>32</sup> Women in Falintil hid people or helped them to safety, carried out surveillance, and stole ammunition from enemy bases. During the 'circle of annihilation' between mid-1977 and early 1979, intense Indonesian military operations aimed to destroy the Fretilin leadership and force the civilian population in the mountains to surrender to ABRI control in the lowlands.<sup>33</sup> During this period Judith Mesquita da Costa, an active member of OPMT, guided more than 1,000 people, an entire *suco*, out of the circle of annihilation.<sup>34</sup>

Women held positions in the resistance as deputies, assistants, and coordinators.<sup>35</sup> It is difficult to estimate the number of women involved in the armed front during the resistance. Female freedom fighter Bi Soi says in her area the number varied.

In 1974-1975, everyone was involved so it is difficult to know their number, but from 1980-1990 women were more or less 130 people. By 1996, only 40 or 50 remained and by the time of the Referendum there were only around 10. Perhaps 30 or 40 were captured and killed by the enemy. Every region knows well about their women who were involved in the war.<sup>36</sup>

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<sup>30</sup> Aditjondro 2001, p.130.

<sup>31</sup> Interview with Francisco Xavier do Amaral, 17 March 2006.

<sup>32</sup> Interview with Mario Viegas Carrascalao, 17 March 2006.

<sup>33</sup> CAVR, Indonesian Army Campaign, paragraph 412.

<sup>34</sup> Interview with Maria Paixao, Member of Parliament. 21 March 2006.

<sup>35</sup> Interview with Maria do Carmo 'Bimesak', 20 March and 3 April 2006.

<sup>36</sup> Interview with Maria Rosa de Camara, 'Bi Soi', 16 March 2006.

*To be mothers or guerrillas?*

“We returned to the forest on 8 August 1983 to join Falintil again and immediately got involved in all operations of Falintil. The situation became difficult. The commander released the statement ‘*Guerra dura e prolongada*’ and announced that children and women would be returned to the town. The women all refused. Better to fight to the death in the forest. But the commander’s decision was for the children. It was decided also that elderly and pregnant women should be sent to the town. In 1983 we again made contact with Indonesian army battalion 713 ... and started to set our minds to delivering our small children to the battalion in Venilale. There were 27 children, the eldest about five years ... This time was very difficult. When the parents agreed, their children were handed over and [the parents] returned to the military battle. We only handed over the old and our children. Then we again set about trapping and shooting the Indonesian military.”

*From an interview with Maria Rosa de Camara ‘Bi Soi’ March 2006*

Women of the diaspora were active on the diplomatic front, the third pillar of the resistance movement. They organized associations in their host countries and attended international fora, including the UN Sub-Commission on Human Rights, decrying the human rights abuses committed against their people and women in particular, and attracting the attention of the international community. Nevertheless, most of the leaders of this external movement were men. There were barely any women in the structure of the Coordinating Commission of the Diplomatic Front, the International Secretariat of the Resistance and the National Council of Timorese Resistance (CNRT).<sup>37</sup> Women did not figure in the ‘*troika*’ that led the Front and were under-represented in the team of the Special Representative of the National Council of *Maubere* Resistance (CNRM).<sup>38</sup>

A concrete example of the political marginalisation of women by the male-dominated resistance leadership, and the failure of international organizations to uphold the equal rights of women, is illustrated by the All-Inclusive Intra-East-Timorese Dialogue (AIETD).<sup>39</sup> Convened by the UN Secretary General in 1995, with the support of the Governments of Portugal and Indonesia, AIETD brought together Timorese leaders from different backgrounds to discuss peace-building. Only one of the 30 people nominated to participate in this crucial event was a woman. Discontent about this act of gender discrimination was voiced to different UN bodies and at international fora. Women, who had been the target of Indonesian military abuses, were prevented from participating in AIETD. Women were virtually ignored in this process because the “Timorese leadership failed to raise the issue of equal or acceptable gender participation and the UN mission itself did not identify any outstanding women personalities, particularly inside East Timor.” Women tried to convince Timorese resistance leaders of the need to increase women’s representation, however, only two of six additional participants in the third

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<sup>37</sup> OPE 2002, p.53. Bella Galhos, a diaspora activist in Canada, noticed that only 5% of the activists were women and they were often put in charge of the catering, that is, ‘looking after the coffee and the cookies’. She reported to CIIR that ‘although women appealed to their political leaders to open up opportunities for women in the decision-making process, they felt that they were invited to public meetings simply as “window dressing”’.

<sup>37</sup> Pires, Milena and Catherine Scott 1998, p.147

<sup>38</sup> Ibid.

<sup>39</sup> Ibid.

AIETD were women. Observers at the time tended to point out that there was a lack of capable women to fill these roles, but this was irrelevant as those who did participate were selected on political grounds rather than on merit.<sup>40</sup>

Though women actively participated in the struggle for independence, many feel their contributions have not been sufficiently recognized. They did not hold positions of power in the revolutionary structure or in the male dominated Falintil hierarchy. Falintil's registers, created by two independent commissions established by the President of the Republic in April 2003 (for veterans and ex-combatants, respectively), did not include a single woman among the 37,472 people listed.<sup>41</sup> Women, it was reasoned, were civilian cadres not combatants. Women interviewed for this study said they wanted to register but were advised by the President of the Republic to wait for the third commission, listing civilian participants. This commission, established in September 2004, registered 39,000 civil cadres (*quadros civis*), political prisoners, and members of the clandestine front, 30 % of whom were women.<sup>42</sup>

Exclusion from the veterans and ex-combatants lists means women will benefit neither from social security payments and other economic support, nor from social recognition. Many women involved in the struggle say they feel bitter about this lack of recognition and have many questions to put to the Government. Their claims include:

- Recognition that some of them carried arms and should be recognized as combatants;
- Review of the current registers and the criteria for inclusion;
- Scholarships for their children;
- Medical care for female veterans some of whom still suffer war injuries;
- A comprehensive study of women across the country, including illiterate women, who participated in the guerrilla forces but did not register with the commission, in order to establish a permanent record;
- An assessment of the current situation of women captured by the enemy and the problems they face;
- Creation of an organization to assist women veterans; and
- A pavilion in the Veteran's Museum to recognize the role of women and keep records of the women who died.

### **1.2.5 The UN supported transition to independence**

#### ***The 1999 Referendum under the auspices of United Nations***

In May 1999, the United Nations Assistance Mission in East Timor (UNAMET) began preparing the Referendum in which the Timorese were to express their aspirations on the future status of the territory; either its autonomy (within Indonesia) or independence.

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<sup>40</sup> Ibid.

<sup>41</sup> Total former Falintil combatants registered is 37,472. Alive: 23,010, dead 14,462.

<sup>42</sup> Personal communication Eddie Bowles, Consolidation Support Programme (CSP I/II), 7 March 2006.

Women were actively involved in promoting the vote for independence, campaigning with youth to inform people how to vote, and displaying the CNRT flag, the symbol of independence.<sup>43</sup> On 30 August 1999, 98% of the population eligible to vote, 50% of them women, participated in the Popular Consultation. An overwhelming majority (78.5%) opted for independence.

The announcement of the results of the Referendum on 4 September generated a violent backlash in which pro-Indonesian militias with the support of Indonesian forces, in less than 3 weeks, destroyed the majority of private residences, public buildings, harvest reserves, livestock and means of production. Hundreds of thousands of people were displaced, including an estimated 250,000 who sought refuge in West Timor;<sup>44</sup> several thousand people were killed.<sup>45</sup>

The rights of Timorese women were violated before and during the aftermath of the Popular Consultation as reported to the UN General Assembly on 17 September 1999 by the UN High Commissioner of Human Rights.<sup>46</sup>

On 27 September 1999 the multinational International Force in East Timor (INTERFET), led by Australia, entered the territory with a mandate to restore peace and security, protect and support UN staff, and facilitate humanitarian assistance operations.

### ***The UN Transitional Administration in East Timor (UNTAET)***

Following the severity of the aftermath of the Referendum, Security Council Resolution 1272 of 25 October 1999 established the United Nations Transitional Administration in East Timor (UNTAET) to administer Timor-Leste in its transition to independence. UNTAET had a multidimensional mandate keeping peace and exercising legislative and executive authority including the administration of justice. UNTAET was to establish administrative structures to implement public policy and deliver basic services, provide humanitarian assistance and rehabilitation, and maintain security across the territory with a large peacekeeping component.

To respond to the specific needs of Timorese women, UNTAET created the Gender Affairs Unit (GAU) in April 2000 to promote the mainstreaming of a gender perspective in all areas of UNTAET and ensure the full participation of Timorese women in decision-making. The priorities of women and men were to inform the design and implementation of all UNTAET programme, policies and activities.

Rede Feto ('network' in Portuguese), an umbrella organization of 15 women's NGOs,<sup>47</sup> was the main partner of the GAU and they worked together to promote and implement

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<sup>43</sup> Interview with Laura Abrantes, 4 November 2003.

<sup>44</sup> Secretary General on the United Nations Transitional Administration in East Timor, 2000.

<sup>45</sup> Estimates vary from 1,500-3,000 deaths. UN Country Team 2000.

<sup>46</sup> E/CN.4/S-4/CRP.1. Other accounts state that women were abducted and gang raped by militia and TNT members in West Timor.

<sup>47</sup> Rede Feto had 17 member organisations in 2006.

the Platform for Action for the Advancement of Women. This was adopted during the First Congress of Women of Timor-Leste (14-17 June 2000) that gathered more than 500 women from across the country. Key recommendations of the Platform included: women's participation in the national institutions and decision making processes; capacity building to promote women's leadership and participation in political life; the support of women's organizations by UNTAET; ensuring that 50% of the GAU were Timorese women; and a quota of 30% representation of women in all sectors within UNTAET to ensure women's participation in the development of the constitution and the system of government.<sup>48</sup> This policy document was endorsed by the SRSB and served as the basis for the GAU's plan of action.

Political parties were to be re-established under UNTAET to prepare for the Constituent Assembly elections. Political parties such as Fretilin, UDT, KOTA, APODETI, and PTT re-emerged and other new political parties were created to contest the 2001 elections. ASDT, which in 1974 had been transformed into Fretilin, was re-established in 2000 as a separate party.

Ten new parties were created to contest the elections (*see Table 2.1*). Among these was the Social Democratic Party (PSD) created by Mario Carrascalao, a founding member of UDT in 1974. The PSD aimed to respond to the new needs Timor-Leste would face through the promotion of social democratic values and to 'fight for a strong middle class'.<sup>49</sup> Also in 2001, the Democratic Party (PD) was founded by a group of young leaders mostly drawn from RENETIL, the Timorese students' resistance movement in Indonesia. It aimed to bring the voice of the mostly young intellectuals to the nation-building exercise. The Timorese Socialist Party (PST) was founded around the same time 'to defend the basic principle of equality'.<sup>50</sup> The Timorese Nationalist Party (PNT), established before the Referendum on 15 July 1999 'to defend the RDTL flag before the enemy was withdrawn', also entered the political arena.<sup>51</sup>

## **2. The 2001 Constituent Assembly elections**

One of the main tasks of UNTAET was the organization of general elections for the Constituent Assembly that would elaborate the constitution of a democratic and independent Timor-Leste.

An Independent Electoral Commission (IEC) was created to organize and conduct the electoral process and exercise electoral authority. Among the IEC's tasks was the registration of political parties and independent candidates, prevention and control of electoral irregularities, investigation of complaints, and resolution of any litigation related to the validity of the electoral results (UNTAET/REG 2001/2). All IEC officials were to be independent and impartial in conducting their functions, thus ensuring the elections were free and fair and reflecting the will of the Timorese people.

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<sup>48</sup> OPE 2003, p.60.

<sup>49</sup> Interview with Lucia Lobato, MP PSD, 21 March 2006.

<sup>50</sup> Interview with Nelson Tomas Correia, President PST.

<sup>51</sup> Interview with Alianca de Araujo, MP, PNT.

The elections were regulated by an Electoral Law promulgated by the SRSG and, taking into account recommendations provided during consultations by the National Council and the Transitional Cabinet, included those recommendations related to the participation of women.

### ***2.1 Attempts to introduce a quota for women in the Electoral Law***

During debates in the National Council on the UNTAET draft regulation, which established the legal framework for the Constituent Assembly elections on 13 March 2001, Rede Feto representative and Deputy Speaker Milena Pires proposed the inclusion of a mandatory quota of at least 30% women within political party lists. It was proposed that women were to be placed in a winnable position, third from the top of the list.

Although many National Council members initially expressed support for the quota, at the end of the debate the proposal was rejected by the majority of members, including most women. Many of these women had actively participated in the First National Women's Congress and had benefited from affirmative action measures decreed by the UNTAET Administrator to ensure women's participation in the National Council.<sup>52</sup>

As Rede Feto was lobbying to guarantee the representation of a critical mass of women in the Constituent Assembly, the quota issue was widely discussed and consultations were held at UNIFEM HQ and the UN Division for the Advancement of Women in New York. These organizations were in favour of the use of quotas as recommended by the 1995 Beijing Platform for Action to address gender inequality in electoral processes. Nevertheless, the head of the Electoral Unit in UNTAET and the Director of the Electoral Affairs Division at UN HQ were against the introduction of statutory quotas, arguing it would contravene the process of free and fair elections as political parties would be constrained in their choice of candidates. It was reported that the latter threatened to pull the UN Electoral Division out if the quota went ahead because, in her view, "Women are not like cattle to be counted in the market place ...".

Some observers say the head of the Political Affairs Unit in UNTAET actively lobbied Council members to vote against the quota. It was even suggested that members had been told that the UN would be unable to support the Constituent Assembly elections if a quota was applied. Such a warning, explicit or implied, could plausibly explain the rejection of the quota as the elections for the Constituent Assembly was seen as the highest priority in the Timorese nation-building process at that time.

News of the Council's rejection of quota spread quickly among women activists and two days later Dili-based women's groups protested the decision in front of the UNTAET building. They were concerned that women's views would be under-represented in a critically important and historical process. They called for proactive measures to ensure women's representation in the Constituent Assembly and requested a meeting with the

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<sup>52</sup> Pires, M 2004.

UN Administrator and SRSG Sergio Vieira de Mello. Shortly after this meeting, the SRSG committed to organizing training courses on political leadership targeting at least 100 women to promote their candidature to the Constituent Assembly; UNTAET's GAU was mandated to organize the training before 15 May 2001.

## ***2.2 Incentives for political parties to promote women candidates***

On 16 March 2001, the day after the meeting with women's group leaders, the SRSG presented the 'Regulation on the Elections of a Constituent Assembly to Prepare a Constitution for an Independent and Democratic East Timor' (UNTAET/REG No 2001/2). Though the Regulation did not include a clause on affirmative action, the SRSG vehemently encouraged the equal participation of men and women in all stages of the electoral and constitutional process and emphasized the importance of women being able to exercise their political and civil rights. He subsequently demonstrated his commitment to this aim by meeting with political party leaders, urging them to nominate women candidates in winnable positions and encouraging parties involved in the proposed Pact of National Unity to respect their commitment to at least 30% women on their party list. Incentives, such as the allocation of twice as much broadcast time for parties if the additional time was used for women candidates,<sup>53</sup> were offered.

The SRSG also encouraged political parties to include women's concerns in their party manifestos. In addition, the Public Information Unit of UNTAET, in collaboration with the GAU, organised a TV talk show with women representatives of political parties who discussed how their party's platform addressed women's needs and gender issues.

Other measures taken to promote equal rights in the electoral and constitutional process were the integration of gender sensitive measures in the Civic Education Programme and in the work of the Independent Electoral Commission. The Civic Education steering committee trained 52 Timorese trainers from selected CSOs and the NGO Forum to conduct civic education activities across the districts including with women's groups: 40% of the trainees were women including 12 Rede Feto's members. The civic education materials, including TV, VCD, Radio, and print products were developed in partnership with Rede Feto to ensure gender stereotypes were avoided.

The Independent Electoral Commission adopted a gender policy that promoted women's participation in the electoral process as voters and as candidates. In addition, job opportunities were offered to women in all the Commission structures at central and district levels as well as in the 4,500 polling stations.

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<sup>53</sup> UNTAET Report on Implementation of SC Resolution 1325, July 2001. Over 3 weeks the Transitional Administration provided three minutes of talk time on TV and radio; political parties with more women candidates received more time as an incentive.

## ***2.3 Preparing women to contest the first national elections***

### **2.3.1 UNTAET/UNIFEM training on political leadership for potential women candidate**

The UNTAET GAU faced a short timeline to implement the agreed training on leadership for potential women candidates mandated by the SRSG. In a bid to recruit training candidates, information about planned workshops was disseminated among political parties, NGOs and local women's groups via the network of gender focal points in the 13 district administrations. 250 women's registered for the training; 6 workshops, instead of the 4 foreseen initially, were organized between 1 May and 7 June 2001. In total, 145 women from the 13 districts completed 3 days of training; among them members of political parties at national and district levels, members of the National Council, Rede Feto, community-based organizations, and a District Administrator.

The workshops were organized in partnership with the UNIFEM Regional Office for East and Southeast Asia, which provided the resource persons; the trainers were prominent female politicians from the Asia-Pacific region. The training used modules from a manual developed by the Center for Asia Pacific Women in Politics (CAPWIP) and an interactive methodology using working group discussions and role-play.

The overall aim of the workshops was to sensitize women to the concepts of active citizenship, democracy, political participation, gender and human rights perspectives, and to encourage them to run for election. Among the topics covered were the electoral process of an independent Timor-Leste, how to register to vote, and how to register as a candidate. A point emphasized throughout the training was how candidates and support groups could develop an effective campaign, including a work plan, for the upcoming election.

Twenty Six (26) women's who participated in the training subsequently registered as candidates; this amounted to 10% of the women who stood as candidates nationwide. Only one of these 26 candidates, the Fretilin representative from Oecussi, was elected. The training did, however, have other positive outcomes.

### **2.3.2 The Women's Caucus**

A concrete result of the training was the creation of the Caucus: Feto iha Politika (Women's Caucus), that is still very active today. After the second training workshop, the resource persons suggested establishing a group focused on promoting women's participation in politics not only their right to vote but also their right to be a candidate and to be elected. Workshop participants, having gained awareness on the important role they could play to encourage potential women candidates in the upcoming elections, adopted the idea of establishing a Women's Caucus. Three members of the Caucus were

selected at the end of each workshop from those who volunteered. Women from Dili and from the districts were selected in order to facilitate contact and information sharing.<sup>54</sup>

The Caucus: Feto iha Politika became operational on 11 June 2001, less than 2 weeks before the 24 June registration deadline for electoral candidates. Between 18 and 21 June, visits were organized to all districts to liaise with local women's organizations in order to replicate the political leadership workshops, to set up local antennae of the Caucus, and to persuade former participants in the political leadership workshop to register as independent candidates. The Caucus: Feto iha Politika thus rapidly became an important player in the drive to increase the number of independent women candidates. As well as providing ongoing support to these candidates, it aimed to provide non-partisan support to all female candidates and to raise awareness among all women of their role in the electoral process as voters.

Registration as an independent candidate required endorsement signatures of 100 people with the right to vote. With the support of the Caucus: Feto iha Politika, 3 women (1 in Bobonaro and 2 in Oecussi) managed to collect the required signatures in just 2 days.<sup>55</sup> This was an impressive achievement given the distances between villages, the lack of transportation, and, more importantly, the prevailing mentality in rural areas that woman are not expected to hold positions of power.<sup>56</sup>

### **2.3.3 Rede Feto's support for independent candidates at national level**

At national level, Rede Feto decided to nominate three independent candidates to contest the Constituent Assembly elections. Internal elections were organized in all Rede Feto constituencies on 13 June 2001, leaving only 10 days to fulfil the IEC requirements to register as a national independent candidate, which included the collection of 500 supporting signatures.

The names of 10 potential women candidates representing different Rede Feto member organizations were offered and three were elected by Rede Feto members: Maria 'Micato' Domingas Fernandes Alves, Maria Olandina Caeiro and Teresa Maria do Carvalho. The first 2 candidates were quite well known at national level among women constituencies for their active role in promoting women's rights and fighting violence against women through their respective women's rights NGOs, and also for their participation in the struggle for independence. The third and youngest candidate came from the youth movement, and was the president of NGO East Timor's Students Women's Group (*Grupo Feto Foinsae Timor Lorosae*, GFFTL) which promoted women's and girls' rights to education.

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<sup>54</sup> Personal communication M. Filomena Maia and Teresinha Cardoso, November 2005.

<sup>55</sup> The two independent candidates in Oecussi were Etelvina da Costa and Apolonia da Costa. The candidate from Bobonaro was Maria Domingas dos Santos.

<sup>56</sup> Ospina, Sofi 2003.

## 2.4 Women candidates for the elections

Sixteen (16) political parties registered with IEC at national level, with 990 candidates; 267 (27%) of them women (*see Table 2.1*). Thus, the proportion of women candidates within political party lists almost equalled the 30 % earlier proposed as a quota and rejected by the National Council. This unexpected proportion of women could, in part, be explained by UNTAET's incentives to political parties and the active lobbying of the SRSG for parties to include women candidates on their lists. At district level the picture was not so positive; the parties registered 83 candidates, four of whom were women.

**Table 2.1**  
**Women candidates in political parties' electoral lists<sup>57</sup>**

Political party <sup>58</sup>	Candidates			Number of women listed in the top		
	Total number	Women	% of women	5 places	10 places	15 places
PNT	60	29	48	3	4	4
UDC/PDC	75	29	39	1	2	5
FRETILIN	75	26	35	2	4	5
KOTA	75	24	32	0	1	2
UDT	72	23	32	2	5	6
PSD	75	21	28	2	3	4
ASDT	75	21	28	1	1	2
PDC	75	20	27	1	3	3
PST	75	17	23	3	5	8
PDM	55	14	25	0	3	6
PPT	71	12	17	0	1	2
PTT	33	9	28	2	5	5
APODETI	15	8	53	1	4	8
PD	74	8	11	0	0	1
PL	32	4	12	0	0	4
PARENTIL	53	2	4	0	0	0
Total	990	267	27	18	41	65

Table 2.1 presents political parties contesting the Constituent Assembly elections ranked according to the number of female candidates. Eleven of the 16 parties had a quarter or more women representation on their candidate lists.

Analysis by UNTAET's GAU in July 2001, prior to the elections, found that the relatively high proportion of women in political party lists did not necessarily ensure the election of a similar proportion of women. The number of seats ultimately won by women would depend on whether they were in winnable positions on the party lists and the number of seats won by each party during the election. Table 2.1 also shows the

<sup>57</sup> Analysis by UNTAET Gender Unit based on lists obtained from the Independent Electoral Commission July 2001.

<sup>58</sup> Ranked by number of women candidates on the party list.

number of women listed in the first five, 10 and 15 positions in the list of each political party.

In addition to the candidates advocated by the political parties, five independent national candidates were registered, three of them women (those elected by Rede Feto members). At district level, 11 independent candidates were registered, three of them women.

## ***2.5 Election results***

On 30 August 2001, a unicameral Constituent Assembly, comprising 88 members, was elected to draft and adopt the Constitution: the Assembly comprised 75 representatives at national level and 13 representatives at district level (one per district). Eligible Timorese voters could cast two votes. The first, for the national level candidate, saw voters select one of 16 political parties, or one of the 5 independent candidates listed on the ballot paper. The number of seats each political party won was based on the proportion of votes they received. The second vote elected 1 district candidate. The winning candidate was the one who garnered the most votes.

The 2001 elections were declared free and fair by the Board of Independent Commissioners and the results officially announced on 10 September 2001.

Twenty-five (25) women were elected to the Constituent Assembly, all of whom represented political parties; none of the six independent female candidates were elected.<sup>59</sup> The proportion of women in the Constituent Assembly, 27%, was one the highest percentages of women in a legislative body in the region. This result represented a success for women's participation in politics in Timor-Leste, particularly after the rejection of a mandatory quota by the National Council.

## ***2.6 Reflections on the Constituent Assembly election***

In the first national elections of 2001 some women chose to try their chance in the political process as independent candidates to preserve their freedom and to avoid political compromise. Others opted to join political parties, in particular Fretilin and PSD, to increase their chances of being elected, but also with the desire to influence party policies from the inside. In fact, women were among the founding members of some of the new political parties and were part of the party structure from the beginning, as in the case of PSD.

The parties with the highest proportion of women ranked in the first 10 positions were UDT and PST with 50% women, followed by Fretilin and PNT (40%) and PSD (30%). The PD, which emerged as the second largest political force after the election, had the lowest proportion of women on its party list (11%) and no woman in its first 10

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<sup>59</sup> Only one of the eight men who stood as independent candidate was elected.

positions.<sup>60</sup> The smallest parties had some women on their lists but fewer chances to win seats in a proportional electoral system with a single national electorate that tends to benefit major parties. Fretilin won the most seats, with 54 (61.3%) of the 88 seats, and brought 16 women (or 30% of their deputies) to the legislature.

This section compares the experiences and difficulties of independent candidates to those who joined political parties. Lessons can be drawn from this first electoral experience to inform women's participation in future electoral processes and to better prepare women to actively participate in public life.

### **2.6.1 The experience of independent candidates**

The six women who stood as independent candidates at national and district level set a precedent for women's political empowerment in Timor-Leste. All were motivated to participate and be part of the first 'political and democratic act' of building a new democratic and independent nation. 'Micato' and Ms. Caeiro were approached by political parties with offers to join their lists, but both opted to retain their autonomy and run as independents.

#### ***A limited but committed support base***

The support received by independent candidates came, first, from family and colleagues who gave them the courage to run, offered moral support, and helped with practical campaign issues.

Rede Feto and the Caucus: Feto iha Politika (Women's Caucus) were the most supportive institutions. They helped candidates collect the 500 signatures required to register; the Caucus: Feto iha Poltika (Women's Caucus) helped in the campaigning and published a poster featuring the three independent candidates and organised a fundraising event that raised \$500 for each candidate's transportation costs. UNDP provided up to \$7,000 to support each candidate's political campaign through, for example, access to the internet and production of campaign materials such as posters, brochures, leaflets, T-shirts, and stickers.

The International Republican Institute (IRI) organised a one-day training course for candidates focused on explaining the proportional electoral system and how to undertake a political campaign (*see Box 2.1*). It also conducted workshops for political parties at district level.

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<sup>60</sup> Gender Affairs Unit, July 2001.

***Box 2.1 IRI's training for female candidates running for the Constituent Assembly***

In July 2001, IRI organized special training for women contesting the 2001 elections, both independent and political party candidates, as well as members of the Women's Caucus who provided non-partisan support to female candidates. The training focused on how to conduct a political campaign including the use of radio and TV.

US Republican and Democratic Party leaflets were analysed and participants received advice on how to conduct a campaign with family members and in public places. A mini-campaign was developed around a specific objective to attract potential voters. Participants were encouraged to reflect on their past experience: who they are, what they have done, and what their programme or platform for action would be if elected.

In particular the training focused on how to transmit, effectively, three key messages during the three minutes allocated by UNTAET TV for electoral campaigning.

The independent candidates were very grateful to anonymous people who supported them in different ways: calling them to pledge their vote, making modest financial campaign contributions, and voting for them on election day. The three independent candidates supported each other constantly, often sharing their scarce resources. The youngest candidate Ms. do Carvalho was reported to have received support and guidance from the other two independents. Although competing with each other, the three independent candidates were united during and after the electoral process.

***Obstacles***

In retrospect, Rede Feto's initiative to identify three independent candidates to run at national level proved not to be a winning strategy as it weakened and divided the forces of the women's movement and its sympathizers who were obliged to choose between the three candidates, thus splitting the vote. This approach may have met with more success if the decision to nominate candidates had been taken earlier, leaving more time for the candidates and their supporters to properly prepare their bid to contest the elections.

As 'Micato' reflected five years later: "This was the first time and we all felt we did not have the opportunity to learn before starting our political career as independent candidates." None of the national independent candidates had participated in the UNTAET/UNIFEM training on political leadership, nor did they receive political education from any international organization before standing for election. They all said they felt that the electoral process went too fast for them to be properly prepared to face the challenge. Nevertheless, Ms. do Carvalho said, "It was a big challenge but a great experience."

One constraint was the difficulty of explaining to voters why they wanted to be independent candidates. Independent national candidates also had limited support to conduct their campaign. They lacked the local-level machinery of political parties, had limited or no financial resources and limited means of travelling to the districts. Their political campaigning was, therefore, mostly limited to Dili, their district of origin, and a

few districts where they enjoyed some support. Thus the political campaign of the independent candidates relied mostly on radio and TV.

The national ballot paper also disadvantaged independent national candidates. Each candidate had to provide a symbol to the IEC. Independent candidates had difficulty in choosing a symbol and little time for it to become recognized by their potential electorate. By contrast, the political parties could use their flags. In contrast to the district-level, the national ballot paper did not contain a photograph of each candidate, only the symbols. Another constraint was that the national ballot only displayed candidates' full, official names; for 'Micato' this was detrimental because she is not well known by her full name.

The three national independent candidates together obtained a total of 2,437 votes, half of the number of votes (4,846) required by the proportional electoral system to obtain a seat in the Assembly. Under the electoral law, votes for a candidate that did not reach the threshold were effectively lost as they could not be transferred to another candidate.

### *Could it have been different?*

A potentially more successful strategy may have been to set up a 'women's list' or political party. Only 1,000 signatures were required to register as a party compared to the 500 each national independent candidate required. The three national independent women candidates, and the three at district level, could have created a coalition and a common platform promoting women's rights and interests. Retrospectively, all three national candidates agree that it would have been a better political strategy to have only one independent candidate.

If one independent candidate had been elected, their ability to influence legislation would have been limited. This would have been further exacerbated by emerging divisions along party lines that prevented elected women from caucusing around issues of importance to women in the Constituent Assembly and later in the National Parliament.

## ***2.7 Possible conclusions***

Participation in Timor-Leste's first national elections in 2001 suggests that women have more chance of being elected through political parties than as independent candidates. While this may have been due, in part, to the particular circumstances of the first election, it is likely that many of these conditions will prevail in future elections.

International experience shows that it is very difficult for an independent candidate to be elected in a single national electorate system if they do not have the support of a political organization. The chances seem to be greater for independent women candidates to be elected at local level or in a multi-member electorate system. In this context, local popularity and active support, awareness-raising and campaigning among the potential electorate are more likely to attract votes.

For women running as political party candidates in a proportional voting system, the chance of being elected is much greater if they are placed in high positions on party lists.

***Box 2.2 Maria Olandina Caiero: Gender activist and independent candidate***

Maria Olandina Caiero was born in Ermera, the third of seven children. Her Portuguese father served in the military and was a Sub-District Administrator under Portuguese rule. Her father died before the invasion leaving her Timorese mother to care for the children. “My mother moulded me to become what I am today ... Timorese women have fought for their dignity since the beginning”, Ms Caiero said.

From 1975 to 1979 she fled to Kupang with her son, while her husband, who was in the army, went to the mountains. Later, he was allegedly arrested by Indonesian Special Forces (KOPASSOS) then killed. Some people said the body was thrown into the sea in Tasi Tolu while others said it was in Areia Branca. Every March, the family throw flowers to the ocean in those two locations.

In 1980, Ms. Caiero found a job with the Tax Office and was sent for a year to study in Jakarta. She was appointed Chief of Taxes in Baucau responsible for the districts of Baucau, Manatuto, Los Palos and Viqueque. She also joined PRAMUKA, a Scouts’ organisation for three years. In 1992, three days after the capture of resistance leader Xanana Gusmao, Ms. Caiero was arrested, interrogated and tortured with electrical shocks. She was accused of supporting the resistance in the mountains. She was ordered to leave Timor; she refused, but resigned from her job.

In 1994 she opened a restaurant and worked in the clandestine movement using different code names and using her restaurant as a meeting place for journalists, Falintil fighters and other members of the resistance. In 1998 she created the East Timorese Women's Movement Against Violence (GERTAK) to fight for the rights of women against the violence of Indonesian troops. Around that time she attended for the first time a women’s congress, held in Jogjakarta. There she spoke out about the aspirations of the people: a prompt referendum on the future of Timor-Leste and the presence of the United Nations, the liberation of political prisoners and the establishment of an international tribunal to look into human rights abuses.

At that time there were three Indonesian political parties and she joined PDI, one of the opposition parties, winning a seat in Parliament. As a member of the legislature she had some privileges and was able to meet with youth groups and with Xanana Gusmao; she used each opportunity to talk about the situation in Timor-Leste.

Ms. Caiero ran as independent candidate in the Constituent Assembly elections of 2001. In 2002, she was nominated as a member of the independent Commission for Reception, Truth and Reconciliation in East Timor (CAVR) which was mandated to facilitate community-based reconciliation and investigate alleged human rights abuses between April 1974 and October 1999. In March 2005 she was appointed a member of the Commission on Truth and Friendship established by the Timor-Leste Government in agreement with Indonesia to try to resolve outstanding issues between the two countries.

***Box 2.3 Rosalia Corte-Real: Party candidate who never dreamt of becoming Vice-Minister***

Rosalia Corte-Real is from Ainaro where her father was *Chefe de Suco* during Portuguese times. She studied in Indonesia and worked as a teacher in a private school. During the UNTAET period she studied public administration as she was inspired to continue her education to be better prepared to contribute to the development of her country.

She worked with Fretilin as a member of the technical working group on education at national level. She appeared on Fretilin's national list to contest the Constituent Assembly elections as candidate for Ainaro District and was elected on 30 August 2001.

Members of the Constituent Assembly faced a difficult period during the transition to the National Parliament awaiting independence and the enforcement of the Constitution. During this time she was named Secretary of the transitional Parliament.

On 20 May 2002, after independence, she was elected Secretary of the National Parliament. She continued her work as an MP including a role on Committee E on Education. In September 2002 the Prime Minister appointed her to Vice-Minister of Education; she had never dreamt that one day she would become a Vice-Minister.

As a Vice-Minister, Ms. Corte-Real was able to influence decision making and be proactive in formulating gender-sensitive policies and measures to address the many inequalities in access to education between girls and boys, particularly in secondary education.

Ms. Corte-Real is aware of the role she plays as a female Vice-Minister to challenge gender stereotypes and social norms. In her visits to the districts and in meetings with students, parents and communities, she encourages girls and women to develop their capacity and to express their views. She uses her position to illustrate that women can counter the tradition of women having to stay at home.

Following the resignation of Prime Minister Alkatiri from the 1<sup>st</sup> Constitutional Government, Ms. Corte-Real was appointed Minister for Education under the Government of Transition, headed by new Prime Minister, Jose Ramos Horta. Another woman, former Vice-Minister for State Administration Ilda da Conceicao, was named Vice-Minister of Education.

### 3. Women, the Constitution and the first Parliament

#### 3.1 *Developing the Constitution: Ensuring equality for women*

Drafting the Constitution for an independent Timor-Leste encompassed two phases. In the first phase, before the Constituent Assembly election, 13 Constitutional Commissions were created, one in each district, with 40% of their commissioners being women. The Commissions held hearings in each sub-district, gathering people's views of and aspirations for the Constitution. Women were encouraged to participate in these public audiences and special hearings were organized for women in some districts; for example, around 50 women in Ermera District attended a meeting convened by the District Administration in Gleno. During the six weeks that the process lasted, 212 public hearings were conducted across all districts with the participation of 37,000 Timorese. Each commission prepared a report outlining the district's views; this was delivered to the Constituent Assembly once in office.

The second phase started after the elections, on 15 September 2001, when the Constituent Assembly was officially in office. The representatives started to discuss, draft, and approve a Constitution that would reflect the views and aspirations of the people of Timor-Leste within the framework of a modern democracy.

Women activists and gender advocates, who had worked hard to ensure women were represented in this decision-making body, continued working to guarantee women's views were reflected in the discussions and women's rights were incorporated and protected in the Constitution. To help ensure that the elected women would defend the women's agenda during the proceedings, the **Women's Caucus Group** and the **Gender and Constitution Working Group** began sensitizing representatives to gender issues; they distributed the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Women's Rights Charter among representatives (*see Box 3.1*). Fortunately, in the Constituent Assembly, there were some strong gender advocates such as Milena Pires, PSD (former Rede Feto representative in the National Council) and Cipriana da Costa Pereira (Fretilin). The Gender and Constitution Working Group was invited to different working groups of the Constituent Assembly, along with the Adviser for the Promotion of Equality in the Prime Minister's Office, to discuss gender issues within the Constitution.

Representatives of the Constituent Assembly had 140 days to discuss, draft, and adopt the Constitution. The Constitution was approved by an overwhelming majority in a plenary session on 22 March 2002. All elected members were present except two women who had been replaced immediately after the elections by the next listed male candidate in their respective party list (*see Box 3.2*).

The Constitution adopted most of the points for which women's rights advocates had been fighting. Article 16 of the Constitution includes a clause on equality and non-discrimination for all citizens before the law and Article 17, a clause on equality between men and women (*see Annex 2*). Significantly, Article 63 states that "the direct and active

participation of women and men in political life constitutes a fundamental condition and means of the democratic system”. The entire text of the Constitution used gender-sensitive language either written using gender-neutral terms (i.e. each individual, citizen), or referring specifically to men and women.

### ***Box 3.1 The Gender and Constitution Working Group***

The Gender and Constitution Working Group, formed in July 2001, comprised representatives of CSOs and was facilitated by Oxfam Australia with the support of UNIFEM. It was inaugurated through the organisation of a five-day workshop gathering women representatives across all districts to reflect on a charter to promote women’s rights within the Constitution, based on the Platform for Action adopted in the First National Women’s Congress in June 2000.

At the end of the workshop, participants proposed 10 gender-sensitive issues to lobby political parties and independent candidates at national and district levels and called it the Women’s Rights Charter. An action plan was developed to promote the Charter and, between July and September 2001, it was promoted at district level and supporting signatures were collected. The Charter was presented to the SRSG on 25 September 2001 with 7,500 signatures; the SRSG officially passed it to the Constituent Assembly.

A public education campaign on gender and the Constitution was developed and implemented with the printing of posters, T-shirts and leaflets in four languages. A radio drama on equality between men and women in land inheritance was aired to sensitize people to gender issues in the Constitution.

Seven of the 10 Charter articles were integrated into the Constitution, including equal rights before the law and equal rights and duties for women and men in all areas of political, social, cultural, and family life.

In addition, the Bishops of Baucau and Dili made a submission to the Constituent Assembly proposing language for the Constitution and issues for discussion. Among these was a clause stating that polygamy should be constitutionally declared a crime given the detrimental impact of this practice on families and women. The only proposal from the Bishops that was not included in the Constitution was the clause on polygamy, which was rejected by the majority of male members of the Assembly.

### ***Box 3.2 Off to a shaky start: A woman resigns from the Constituent Assembly***

The day the Constituent Assembly started work was a day of mixed feelings for gender advocates. The great satisfaction of seeing 25 women elected was a little reduced when one woman, Ana Seixas (PST), resigned immediately. Her party had won only one seat and she had headed the party list. She felt obliged to cede her seat to the male PST party leader, second on the party list. This caused concern among gender advocates that some women might be used to attract the female vote and then excluded from power by political parties.

There was a lot of speculation as to whether the PST had put pressure on Ms. Seixas to resign, claiming that she could not adequately represent the party’s views. Women advocates considered

investigating, challenging and publicizing the decision. The case drew attention to the need for women's advocates to monitor the political processes to see whether the ranking of women within party lists was respected after the elections.

Five years later, the PST Secretary General acknowledged that Ms. Seixas was the best woman candidate in the party with good professional experience and involvement in REDE activities. He emphasized that she had resigned for family and health reasons and not because of party politics. There is no clear explanation, however, on why she headed the party list.

Another member of the Constituent Assembly, Isabel Ferreira, number two on the party list of UDT and Director of the Commission on Human Rights, resigned a few days after Ms. Seixas. She was replaced by another female party member Quiteria da Costa.

### ***3.2 The structure of the National Parliament of Timor-Leste***

On 20 May 2002, Timor-Leste officially became an independent country and its Constitution entered into force. As dictated by Article 167, the Constituent Assembly of Timor-Leste became the country's first legislature, with a five-year mandate. The Constitution defines Parliament as the organ of sovereignty that "represents all Timorese citizens and is vested with legislative, oversight and political decision making powers".<sup>61</sup> Its function is governed by the Standing Orders of the National Parliament of Timor-Leste.

The National Parliament is chaired by the **Speaker**,<sup>62</sup> who is elected via secret ballot from candidates proposed by a minimum of 10 and a maximum of 20 deputies. The Parliamentary leadership comprises the President and the **Mesa**,<sup>63</sup> composed of multi-party representatives: two Vice-Presidents, one Secretary, and two Vice-Secretaries. The President of Parliament chairs the Mesa.

Members are organized into **Parliamentary Benches** according to their party or coalition. A weekly agenda is agreed at the Conference of Party Bench Leaders, convened by the President.

Each Bench delegates one of its members to each of the seven **Permanent Specialized Commissions**;<sup>64</sup> members of smaller parties may only sit on a maximum of 2 Commissions.

The seven Specialised Commissions are:

- Commission A Constitutional Affairs, Rights, Freedoms and Guarantees
- Commission B Foreign Affairs, Defence and National Security
- Commission C Economy and Finance

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<sup>61</sup> UNDP 2006, p.8-9.

<sup>62</sup> The (Deputy) Speaker in Portuguese is called the (Vice) President.

<sup>63</sup> Mesa is a Portuguese word meaning table and refers to the chair and secretariat of the National Parliament.

<sup>64</sup> The Specialised Commissions are known in English as Standing Committees.

- Commission D     Agriculture, Fishing and the Environment
- Commission E     Education, Culture, Youth and Sports
- Commission F     Health, Social Affairs, Solidarity and Work
- Commission G     Infrastructure

Most of the work of Parliament is conducted by these Commissions. They examine, discuss, assess, and decide on projects and proposals for laws, initiatives, petitions, and budgets submitted to Parliament. They can request technical advice from experts or call public hearings with Government agencies, CSOs, or others to inform their work. Public consultation is, however, reported to be limited. Commission deliberations are recorded and a monthly report handed to Parliament.

In addition to the permanent committees, **Ad-hoc Commissions** can be established by Parliament according to need. By January 2006, Parliament had established two such commissions: the Veterans Law Committee and Parliament Modernization Committee.

Parliament has a **Secretariat** that provides administrative and technical support and advice on parliamentary functions to the deputies, Benches, Commissions and plenary sessions. It has around 40 staff and includes divisions for press relations and library and documentation. Its capacity is limited by a lack of experienced specialists, such as legal and budgetary advisers, to provide substantive advice.<sup>65</sup> According to some reports, this has jeopardized the proper functioning of the Commissions and the process of lawmaking and budgetary auditing, but is being addressed with the support of international advisers funded by multilateral and bilateral donors.<sup>66</sup>

### ***3.3 The role of women in the National Parliament***

In 2006, 23 of the 87<sup>67</sup> deputies were women. Their distribution across the different political parties is shown in Table 3.1. Unfortunately, the influence of women in Parliament may not be proportionate to their relatively high level of representation. Some observers have expressed concern that only five women deputies are vocal in Parliament and that gender issues are not systematically addressed in analysis of legislation. Most MPs are said to be ‘gender blind’.

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<sup>65</sup> UNDP. Strengthening Parliamentary Democracy in Timor Leste, 2006.

<sup>66</sup> Ibid, p.16

<sup>67</sup> Total number of deputies is 88, however with the death of one member who has not been replaced the current composition has been reduced

**Table 3.1**  
**Distribution of women by party in the National Parliament, 2005**

<b>Party</b>	<b>No. of deputies</b>	<b>No of Women</b>	<b>Party</b>	<b>No. of deputies</b>	<b>No. of Women</b>
Fretilin	55	17	PPT	2	0
PD	7	1	PST	1	0
PSD	6	2	UDC/PDC	1	0
ASDT	6	1	UDT	2	1
PDC	2	0	PL	1	0
KOTA	2	0	Independent	1	0
PNT	2	1	<b>Total MPs</b>	<b>87</b>	<b>23</b>

Few women hold leadership positions in Parliament. Those that do are with the majority Fretilin party. Two of five positions on the Mesa, both Parliamentary Vice-Secretaries are, however, held by women (Maria Terezinha Viegas and Maria Avalgiza Lourdes, both Fretilin members). These positions deal mostly with administrative tasks. Only one of the seven standing committees (Commission F) is chaired by a woman, Adalgiza Ximenes (Fretilin). Four other Commissions have a Fretilin woman representative as Secretary: Maria Solana da C. Soares (Commission B), Marcelina Irene Mesquita (C), Judit Dias Ximenes (D), Maria Genoveva Martins (E).

Three of the 13 party benches are led by women: Maria Paixao (Chief of the PSD bench and Party Vice-President), Alianca de Araujo (PNT Party Leader) and Quiteria da Costa (UDT National Secretary). Ms. da Costa is also a member of Commission B and E.

### **3.3.1 A failed attempt to create a Women's Ad-hoc Commission**

Since the establishment of the National Parliament, much effort has been invested in building bridges between women MPs and women's groups. For example, in 2002, the Women's Caucus, with the support of the IRI, promoted a meeting of women MPs and the Government's Office for the Promotion of Equality to analyse key gender issues and identify how Parliament-Government links could be enhanced to promote gender equality through policy development and legislation. Since 2003, the UNDP-supported Parliament Modernization Committee has promoted gender sensitization for MPs and international peer exchanges. Leadership training conducted by a woman deputy from the Portuguese National Parliament was attended by all female (and three male) MPs. In 2003, a group of women MPs attended a forum in Brazil for women Parliamentarians from Portuguese speaking countries.

To consolidate and continue these efforts, a group of women MPs in early 2004 prepared a proposal to establish an Ad-hoc Commission for Gender Affairs, Equality, and Children. On International Women's Day (8 March) 2004, the proposal was presented to Parliament, sponsored by nine representatives.<sup>68</sup> The proposal was rooted in the legal

<sup>68</sup> This included eight men, five Party Bench leaders (PDC, PST, PSD, PD, and PPT), the Deputy-Speaker of Parliament (ASDT) and members of ASDT, KOTA, UDT, and Fretilin.

framework of both the Constitution and international human rights treaties, including CEDAW, which had been ratified by the Government.<sup>69</sup> The Ad-hoc Commission was to comprise women and men MPs from different party benches and would examine proposed legislation from a gender perspective and assess its implications on the well-being of women and children.

Despite some support, the resolution was defeated in a plenary vote. Arguments against it questioned whether such a commission was not considered part of Parliament's standing orders and that it was discriminatory towards men. Nevertheless, some men did vote in favour of the proposal; it was rejected by most women representing Fretilin.

Voting in Parliament largely follows hierarchical and party lines. Voting against the party position is uncommon. This practice is reinforced by the Parliamentary voting system: most votes are cast by a show of hands rather than secret ballot. Some women Parliamentarians are not yet confident enough to make a conscience vote on gender-related issues that goes against the party; this behaviour reflects traditional Timorese decision-making patterns. Two Parliamentarians indicated that on this occasion, the President of the Parliament (The Speaker), who was not perceived to be gender sensitive, was instrumental in affecting the outcome as he was the first to show his hand and was not in favour of the Commission.

### **3.3.2 Gender awareness in Parliament**

Rejection of the Ad-hoc Commission is attributed to a lack of gender awareness and insufficient advocacy and explanation to MPs on the rationale for its establishment. As one member of the opposition reflected, "This was an attempt to unite women in Parliament to inform their party bench about the proposal"; but the attempt failed. One female Fretilin deputy said, "Representatives are not very sensitised."

Most MPs can be considered gender neutral or 'gender blind'. When combined with a division of views among female Fretilin MPs and a general lack of capacity for gender analysis in the Secretariat, the adoption of gender-sensitive policies and legislation is rendered difficult. Parliament rarely addresses gender as a cross-cutting theme in policy discussions.<sup>70</sup>

One consequence is the need for political parties to train their cadres on gender awareness and gender analysis and to discuss the gender aspects of key issues to be tabled in Parliament during regular meetings of Benches and party leaders. It is critical, also, that they understand the role of individual MPs in contributing to the debate. As one former candidate for the Constituent Assembly pointed out:

Parties need to prepare their MPs [so they are able] to distinguish between when they should be loyal to their party and when they should be loyal to the defence of

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<sup>69</sup> Projecto de Deliberacao No /I/2.a Sobre a Constituicao de uma Comissao Eventual para os Assuntos do Genero, Igualdade e da Crianca. Parlamento Nacional, Plenario.

<sup>70</sup> UNDP, Op.cit. p.16

women's aspirations and basic rights ... Sometimes the women in Parliament who should advocate for women's rights just follow the voting pattern of the men.

### **3.3.3 The continued fight for a Women's Parliamentary Caucus**

An Ad-hoc Commission for women's affairs is required to ensure a gender perspective is included in policy discussions and legislation, and to ensure the drafting of bills to respond to the specific needs of women and girls.

Despite the rejection of the Ad-hoc commission, there are ongoing activities aimed at sensitizing MPs to gender concerns. The core group behind the failed initiative continue to sensitize their Party Benches on the need for the **Women's Commission** to set up a **Women's Parliamentary Caucus**. Meetings facilitated by UNDP attract most of the 23 female and some male MPs. UNDP has also offered to provide a gender adviser to Parliament.

In late 2005, a group of visiting Swedish MPs ran a seminar with all Timorese MPs on general legislative analysis and specifically their gender dimensions: how laws affect men and women differently.

Proponents identify two key reasons for establishing an Ad-hoc Commission: to help organize women to defend their rights across Timor-Leste and to put in place a formal structure that will serve as a benchmark for women in Parliament. A planned internet site would relay news and reports on achievements of women in Parliament. Maria Valadares (ASDT) adds, "The group wants ... to create one solid base with clear statutes so that a year and half from now, when the next women Parliamentarians start the new legislature, they will have a structure in place."

The group could also decide on appropriate participation in international conferences and organize debriefings to disseminate conference content to other women Parliamentarians. At the time of this report's publication, the Speaker decided who would participate in international fora; opposition members allege that the Speaker selects his own party members. In early 2006, for example, the 'informal' Women's Caucus responded to an invitation from the network of women Parliamentarians of the Community of Portuguese-Speaking Countries (CPLP) to nominate a representative to represent Timorese Parliamentarians in the CPLP network.

#### ***Box 3.3 Learning from outside experience: The Philippines***

As part of the Parliamentarian Modernization Project 2003, UNDP was organizing a study tour in which three groups of MPs, all of the women and some men, will visit the Parliament of the Philippines for one week. The Philippines has developed gender sensitive approaches in policy development and legislation. Alexandre Corte Real (UDT) said:

This study tour ... will allow Timorese MPs, women and men, to see the advantages and disadvantages as well as the criteria for establishing [a Parliamentary Women's Caucus]. It will also allow the Timorese to look at the functioning of women's organizations [that are] very active in that country.

In preparation for the study tour, the ‘informal’ Women’s Caucus will collect data on key gender issues such as reproductive health, gender-based violence and access to education to share and discuss with their colleagues in the Philippines. One female MP (PD) said:

Because it is the first time for me to go abroad on an official visit it is quite challenging. I do not know what people will question me about ... Perhaps they will ask about the situation of women and men in the districts or more specific questions such as domestic violence.<sup>71</sup>

This exercise has in itself raised awareness on some issues among MPs. It is expected that after their visit to the Philippines the MPs will prepare another proposal for an Ad-hoc Commission on Women’s Affairs to be put to the National Parliament.

On 22 March 2006, the women of the National Parliament established the Women Members’ Group for the CPLP. All but one women MP joined the Group, approved by majority vote including that of the President of the Parliament. The Group’s all-female leadership was elected across party lines.<sup>72</sup> Further efforts are needed to establish a Standing Commission on Gender Equality and Women’s Rights.

### **3.3.4 A critical time for women’s solidarity in Parliament**

In the new national legislative, scheduled for election in mid-2007, the number of seats will be limited to 65, a reduction of more than 20. It is critical that women strategize how best to ensure a continued high level of representation in the next legislature. This requires advocating the benches and party leaders for affirmative action measures to ensure women are well placed in party lists and in the Parliamentary leadership.

A UNDP-supported project to strengthen the institutional capacity of Parliament for 2006-2009 has identified gender as one of the six core areas of intervention. The project will recruit an international adviser to train MPs on basic gender concepts and gender analysis of legislation, the budget and Government plans.

UNIFEM will launch a Gender Responsive Budget Programme with the Ministry for Planning and Finance to focus on strengthening key Ministry department staff abilities to conduct gender analysis of the budget. UNIFEM will work with 2 more government ministries, women’s CSO’s and an academic institution to conduct analysis of the state budget in terms of impact for female and male beneficiaries and this information will be made available to all MPs.

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<sup>71</sup> Rosalina, PD MP.

<sup>72</sup> President of the Group is Judit Dias Ximenes MP (Fretilin), Vice Presidents are Josefa Pereira Soares MP (Fretilin) and Maria Paixao MP (PSD), Merita Alves MP (Fretlinin) and Adalgisa Ximenes MP (Fretilin) are Secretaries.

### **3.3.5 The first Parliament: A learning experience for women MPs**

Female MPs acknowledge that they have learned a lot, including the functioning of Parliament and the decision making process, during their five years in Parliament.

One describes the learning process as a sequence: first listening to and observing more senior colleagues in plenary sessions, then preparing her own arguments to Bench leaders, and finally intervening in Parliament if given the go-ahead by the leaders. She said that the party encourages her to speak: “Sometimes I want to raise an issue but first I have to consult with my bench. If they agree I prepare my argument and raise it in the plenary session.”

Preparation and confidence are required to address the floor in plenary sessions. One representative described how ashamed and embarrassed she felt when the Speaker stopped her from raising an issue because it had not been previously tabled through the Bench. Although new MPs have tried to learn how to analyse proposed legislation from their colleagues or from advisers, they still find it very challenging.

Adalgiza Ximenes, President of the Commission on Health, Social Affairs, Labour, and Solidarity, said she feels confident chairing the Commission despite it being composed mostly of men. She is a psychologist and is from a family of teachers. Her mother was involved in the OPMT. In her view, expert’s help, along with the confidence that her party has in her and her family’s support, have helped develop her capacity.

### **3.3.6 Civil society input to the Parliamentary process**

Promotion of gender equality requires empowered women’s organizations to participate actively in the legislative process. Their support is particularly needed in drafting major pieces of legislation that guarantee the constitutional rights of women. Timorese civil society organizations and women’s groups must, therefore, strengthen their advocacy and technical capacity to influence the lawmaking process. Adoption of the majority of articles of the Women’s Rights Charter into the Constitution in 2001, and more recently with the new Penal Code, sets a precedent that demonstrates the effectiveness of their engagement.

Another example of successful intervention by civil society occurred after the April 2005 demonstrations, organised in Dili by the Church, against the Ministry of Education’s proposal to remove religion from the school curriculum. To bring an end to the demonstrations, the Government agreed to negotiate. In the course of negotiations, however, there arose an additional demand for a ban on prostitution and abortion to be added to the Penal Code. Women’s groups, including REDE and the Alola Foundation, demanded that women’s views be obtained before enacting such changes to the Code. The resulting consultative process led to the abandonment of criminalizing prostitution and abortion.

### ***Box 3.4 Inspiration from Brazil***

Timorese women activists could seek inspiration from the Women's Rights Project in Brazil, implemented by *Centro Feminista de Estudos e Assessoria (Feminist Center for Studies and Advisory Services)* in the early 1990s. The Project first analyzed draft laws relating to women's interests and then worked with other women's groups to forward suggestions to MPs. Constant contact with authors of the draft bills, official reporters of draft bills, and chairs of commissions was ensured, "Clarifying, guiding, supplying material, alerting them to the existence of possible discriminations in the text of draft bills. The work also involved petitioning for the withdrawal or inclusion of certain articles, sections, paragraphs, for the improvement of draft bills".<sup>73</sup> The project was reported to be successful, not only in informing Parliamentarians on women's issues by bringing them together with women's groups, but also by enabling representatives to understand the impact of the work they do in Parliament, bridging the gap between MPs and women's groups.<sup>74</sup>

Gender advocates also call attention to issues in the Penal Code in relation to domestic violence. The Code recognizes domestic violence as a 'semi-public' crime. This allows the perpetrator to escape punishment if women, under social pressure or threat, withdraw their complaint (Article 151 /2). The draft law on domestic violence, on the other hand, in Article 26, specifies that domestic violence (as defined in Article 151) is a public crime even if it occurs in the private sphere. The existence of a specific legislative provision on domestic violence should override the Penal Code, which is a general law. Gender advocates are recommending that sub-paragraph (2) of Article 151 be removed from the Penal Code as it could create confusion in the interpretation of the law. At the time of this report, the Penal Code, as adopted by the Council of Ministers in January 2006, had not yet been promulgated by the RDTL President, and there exists a window of opportunity to revise the Code.

### ***Box 3.5 Lucia Lobato: Challenging family political traditions***

Lucia Lobato's ancestors were *liurai* from Laleai in Liquica District, including her father, until the Indonesian invasion. In the 1970s her family joined Fretilin to fight for independence. Her cousin Nicolau Lobato was President of the Central Committee of Fretilin and leader of the resistance movement during the 'circle of annihilation'. When she was 12 years old she went to the mountains with her parents. She was captured by Indonesian soldiers in 1979.

During Indonesian rule, Ms. Lobato studied law in Indonesia, completing a Master degree in 1999. In Jakarta, she worked with Xanana Gusmao while he was in prison.

Ms. Lobato joined the Social Democratic Party (PSD) in 2001. It was a deliberate choice. As a little girl she had listened to her parents talking about social democracy, and later she read a lot about it. She chose the PSD because: "The party talks about men and women and all the dimensions of life they envisage for the nation". She believes social democracy in Timor can guarantee national development.

<sup>73</sup> Garcez, Elizabeth and Marian Leon de Quevedo 1996, p 42.

<sup>74</sup> Ibid, p.43.

Her brothers and extended family were against her decision to join PSD, as her family are Fretilin supporters. Two of her relatives hold senior positions in Government. It was a difficult period of her life to be separated in this way from all her family but she received great support from her husband.

Ms. Lobato is a founding member of PSD and Vice-President for Judiciary Affairs. She was on the party list for the Constituent Assembly elections and in 2006 was a representative of the National Parliament for the PSD Bench. She is an active member of Commission A on Constitutional Affairs, Rights, Freedoms and Guarantees bringing extensive experience as a lawyer and judge during UNTAET times. Politics is new for her and she finds it very challenging: “Political life requires lots of capacity and strength to make decisions”.

Decision making has been a constant factor in her life. Ms. Lobato lost her parents during the independence struggle and only two of her 11 siblings are alive. When she chose to join PSD she was aware it was her right to choose a political path that differed from that of her family. Her relatives now approve her choice recognizing, “It is important to have women in political life to make decisions that improve women’s lives”.

Major pieces of legislation were still under consideration at the time of this report, presenting various new opportunities and challenges. In late 2006, the Civil Code required careful analyzing as there were many provisions in relation to marriage, divorce, *barlake*,<sup>75</sup> and birth certification that would affect women’s rights. The draft law on domestic violence, that seeks to curtail this widespread practice, was also to be debated and voted by the Parliament. In addition, women’s political rights must be protected within the Electoral Law, including protection of their equal participation in political life and their proportional representation as party candidates.

***Box 3.6 Maria Solana da Conceicao: From religion to political life. A reflection on quotas***

Maria Solana da Conceicao studied at Sao Jose de Balide and finished her high school in Portugal in 1989. She then became a nun with the Carmelite Order in the Dominican Republic. Eventually she realised that the religious life was not for her and returned to Portugal where she continued her studies, graduated, got married and then returned to Timor-Leste.

During her time in Portugal, she was very active with the Timorese diaspora. Ms. da Conceicao participated in Diplomatic Front activities and attended a number of international fora on the Timorese situation in Portugal, Canada and other places. She also attended diplomatic training.

When she returned to Timor-Leste, Ms. da Conceicao was very involved with OPMT activities. In 2001, OMPT supported her as a Fretilin candidate in the Constituent Assembly elections. In 2006, she was Secretary of the Standing Committee on Foreign Affairs, Defence and National Security.

She considers that Timor-Leste made great progress in terms of women’s representation in the 2001 elections. “We started with a huge amount of women, with a representation of 27 %.

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<sup>75</sup> Barlake is a form of dowry paid by the family of the groom to the family of the bride

In many advanced countries, women's participation in decision-making or women in Parliament may reach just 4-5 percent."

She said she feels it is important, however, in the 2007 elections, to reflect on the proportion of women wanted in Parliament. She recognizes that women need to be included on party lists but that this would depend on the party's conscience. She said:

Conscience and mentality need to change, not only in men but also in women. Some countries need a quota because there ... men are more dominant than women ... in public life. In Timor-Leste, however, we started well [and this] shows the international community that in Timor we do not put women in the back seat. In 2007, after five years, I think ... each party will put women in [winnable positions]. Maybe in the future we will need a quota; perhaps for the time being a quota is not needed.

### ***Box 3.7 Maria Paixao: An opposition leader advocating for women's rights***

Maria Paixao's parents were originally from Same but all their children grew up in Remexio, Aileu District, as her father was a teacher and catechist there. He was killed in Dili in 1975 during the counter coup. Her older brother, Mau Siri, was a Commander in the Central Committee of Fretilin in the Central South Region; he died in 1978. Her sister, Judith Mesquita da Costa, was very active with OPMT's literacy campaign and, during the 'circle of annihilation' (1975-1978), was responsible for guiding more than 1,000 people, an entire *suco*, out of the circle; she is no longer involved in politics.

Ms. Paixao joined UNETIM, the movement of students for independence, in 1975; OPMT was formed from that base. After one year she started to work with refugees as a traditional health coordinator in a hamlet in the Central Region. Later she worked, again with OPMT, supporting the Secretary and Vice Secretary. During the 'circle of annihilation' period she was captured by the Indonesians. Later, she worked with the church as Coordinator of Adult Studies and also organized youth work in Balide.

Her 'real' political work started with teaching politics (in Region 4) alongside Fretilin MP Genoveva da Costa. They were in charge of six districts for the national women's organization until 1992. In 1996 she was National Coordinator of the Organization of Timorese Women (OMT), an independent organization under the umbrella of CNRT. She represented OMT in DARE II, a reconciliation meeting between pro-independence and pro-autonomy Timorese activists in Jakarta.

Ms. Paixao was also a member of the CNRT Planning Commission. After a joint meeting of the three fronts (army, clandestine and diplomatic) in Jakarta, she was elected Treasurer of the National Campaign of CNRT for the Referendum and served as National Secretary of CNRT until 2000.

In 2000, she was selected out of 115 candidates by UNTAET to be District Administrator in Aileu. She was the only woman to serve in that capacity at that time.

Ms. Paixao entered the National Parliament in 2002 after Milena Pires (PSD) resigned. After three months in Parliament, she was selected as Chief of the Party Bench. She is also a Vice-president of PSD. She is an active member in the Standing Committee on Economy and Finance, has been instrumental in the Parliamentary initiative to create an Ad-hoc Committee on Women's Affairs and is a strong advocate on women's rights and gender equality.

## 4. Local Authority Elections

### *4.1 The Community Empowerment Project: A precedent for women's participation in local affairs*

The Community Empowerment and Local Governance Project (CEP) was established by UNTAET and the World Bank in February 2000. Its aim was to alleviate poverty and support inclusive patterns of growth and development through the creation of Village Development Councils. The Councils were to implement community-designed projects funded with CEP grants to each hamlet and promote a local-level model for democratic participation. They were designed to create a forum for community development planning and a decision-making process while guaranteeing transparency and accountability in the use of funds.

The Councils were created through democratic elections in each hamlet and required one female and one male representative. By mid 2001, more than 6,400 Council members were elected across Timor-Leste. They sat in one of the four hundred-plus Village Development Councils<sup>76</sup> that reported 100 percent compliance with the 50/50 male/female representation.<sup>77</sup> Hamlet and sub-districts facilitators, a man and a woman, provided training to Council members on needs assessment, prioritization, and project proposal development and implementation. CEP facilitators were mandated to work to strengthen women's participation through assertiveness training and by fostering gender-sensitive conditions during Council meetings. Most women Councillors were inexperienced at public office duties and felt they had neither the capacity nor the quality of views to contribute; often when asked, the women replied that their views were the same as those of the men. Unfortunately, most of the facilitators were not well sensitized to gender issues.

During CEP Phase I and II, 29 and 34 % of project funds, respectively, were invested in improving clean water access;<sup>78</sup> a development that particularly benefits women. Some other proposals focused on vegetable gardens, rice fields, traditional handicrafts (mats, baskets, hats, *tais*) and sewing workshops. Most of these proposals were submitted through women's groups, particularly the OMT, following consultation with community women.

Women's participation in the Councils, particularly in rural areas, was constrained by traditional male domination in decision making. A lack of support from some husbands and in-laws and transportation difficulties exacerbated the situation. Men were unwilling to take on childcare and cooking while women were absent, and the CEP provided no incentives, training, or support for women to build self-confidence and to sensitize their husbands and families.

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<sup>76</sup> Ospina S, T Hohe T 2001.

<sup>77</sup> John Conroy et al. 2004, p.8.

<sup>78</sup> Ibid.

Nevertheless, there were some active and loquacious women Councillors, mostly older women (*ferik*) and those who had been active in the resistance movement. Women Councillors would have received more support in the second phase of the CEP if gaps identified in a 2001 evaluation were addressed. This could have included training in communication, basic managerial and accounting skills, proposal writing and ways to approach potential donors.<sup>79</sup>

CEP has been questioned for imposing exogenous democratic concepts and structures at the local level. Women's participation on the Councils is viewed by some as tokenism and in decline. Despite these criticisms, the CEP did open the door for women's equal representation in local decision making bodies. It also demonstrated that local communities could be entrusted with project planning and management. Council members consulted in a 2004 evaluation said that the strength of the CEP was community ownership of needs assessment, choice, and control of project implementation. Some Government officials consider that the Councils brought concepts of democracy and local participation to the villages.

By 2004, when the CEP had ended, hamlets across Timor-Leste were familiar with women's participation in Village Development Councils, and Councillors recognised women's equal rights in decision making, even though their participation was constrained by social norms and gender stereotypes. Thus, the precedent of gender equality in decision-making was well established and cannot be easily reversed.

## ***4.2 Elections for Suco and Aldea Chiefs and Council members***

### **4.2.1 The law on *suco* elections and the reservation of places for women**

From early 2003, the Office of Promotion of Equality (OPE), UNIFEM, Oxfam, and the Women's Caucus lobbied the Government to ensure new legislation on decentralisation and local elections would follow the gender-sensitive precedent set by the CEP. In June 2003, at the Development Partners Meeting, the Minister for State Administration, Ana Pessoa, said compulsory representation of women would be included in the law for hamlet elections. Her declaration was backed by her Vice-minister, Ilda Maria da Conceicao, and recognized by the Council of Ministers and Parliament.<sup>80</sup>

Law No 2/2004 *On the Elections of Suco Chiefs and Suco Councils*<sup>81</sup> of 18 February 2004, provides the legal framework under which local authorities elect local structures by secret universal suffrage of eligible citizens aged more than 17 years. Article 2 of the law stipulates that women and men can be candidates and elected as Hamlet Chiefs and members of the Hamlet Councils. Article 3 further specifies that the Councils are to comprise, "the *Chefe de Suco* and all the *Chefe de Aldeias* of the *aldeias* within each *suco*, and in addition the following members: two women; two youth, one of each sex; and an elder". Each political party can field one candidate for each position.

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<sup>79</sup> Ospina, S and T Hohe, Op.cit. p.112-116.

<sup>80</sup> UNIFEM, Programme Brief Women's Leadership for Peace-Building and Gender Justice 2001-2004.

<sup>81</sup> Lei no. 2/2004 de 18 de Fevereiro: Sobre Eleicoes dos Chefes de Suco e dos Conselhos de Suco.

According to Article 12, candidates can present themselves as an independent or as a party representative provided they have written party endorsement on the date stipulated by the Technical Secretariat for Electoral Administration (STAE). The political campaign can begin once the STAE has disseminated the candidates' list, and it should last a minimum of one week and be finalised 48 hours before Election Day (Article 13).

#### **4.2.2 Improving prospects for women candidates**

From 2003, the OPE, UNIFEM, and the Caucus: Feto iha Politika (Women's Caucus) met with STAE to discuss public awareness raising strategies for the hamlet election with a focus on women's participation in the elections, to be conducted from December 2004.

UNIFEM, within the framework of its 3 Programme for Enhancing Rural Women's Leadership and Participation in Nation Building in Timor-Leste (PERWL), launched a nationwide training campaign on the concepts and principles of transformative leadership, politics, and communities. This programme aimed to support women as potential candidates to contest local elections and to increase their participation in power structures at hamlet and village levels. The training sought to build greater confidence in women as leaders, to ensure better informed voting, to enhance the links between elected women and their constituencies, and to promote their accountability to their electorate and to the women's agenda.<sup>82</sup> Some of the training modules had been used to train potential women candidates in the 2001 Constituent Assembly Elections. PERWL's key partners were the Women's Caucus, which managed the training of candidates and potential candidates project, the OPE, the Alliance for Women's Political Participation and Rede Feto.

Training was conducted prior to the elections in 10 of the 13 districts, following the proposed phased election schedule. For administrative reasons, training in Covalima, Ermera, and Viqueque districts was held after the elections with elected women leaders. The initial training sessions typically gathered 25-35 participants, though the group size was larger in some districts where representatives of women's groups joined the sessions; 1,265 potential and official women candidates for hamlet and village elections participated in the training.

More than half of all the women who attended the training stood for election and 365(55 %) of these women were elected to office. In the districts where data is available, the proportion of trained women who were elected ranges between 10% (in Bobonaro) and 67% (in Oecussi). Sixty-four (64%) of the trained female candidates were elected in Viqueque, 49.5% in Baucau, and 36.6% in Lautem.

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<sup>82</sup> The training aims for understanding and adoption of the concept of *transformative leadership, politics and communities* in which citizens are vigilant and responsible and leaders transparent and accountable; to be effective a leader should be gender responsive and consult their constituencies. The concept implies the existence of a structure which will support the leader and to whom he/she is accountable.

Many of the trained women candidates said they found the three-day training very useful and could remember and describe the contents. They recalled its focus on gender and women's rights, the electoral process, how to conduct an electoral campaign and pass on a clear message, and how to perform well in office and practice accountability and transparency. A hamlet candidate from Baucau said:

When I ... became an independent candidate, the Women's Caucus asked me to participate in four days of training. The topics covered by the training were: Why women participate in politics? How to govern, and what is gender ... we also learnt how to conduct a political campaign. The trainers chose a topic for the campaign and each person had to talk about what we had done, what we were currently doing and what we were going to do ... This training has improved my capacity because it was facilitated with practical examples.<sup>83</sup>

#### 4.2.3. The election timetable

Local elections took place in phases, by region, between December 2004 and September 2005 (see Table 4.1).

**Table 4.1**  
**Local elections timetable**

Phase	Districts	Dates
1	Bobonaro, Oecussi	17 and 22 December 2004
2	Manatuto, Baucau, Lospalos	18 and 23 March 2005
3	Ermera, Covalima, Viqueque	12 and 18 May 2005
4	Aileu, Same, Ainaro	June 27 and 2 July 2005
5	Dili, Liquica	20 and 30 September 2005

#### 4.2.4 Election results for women

Seventy-six (76) women ran as candidates for 442 Hamlet Chief positions. The districts with the highest proportion of female candidates were Ermera (24 women out of 52 seats) and Aileu (13 out of 31). In total, 7 women were elected (9.2% of the female candidates). Only Ermera and Baucau districts elected more than one woman (2) as Hamlet Chief.

Only 165 women candidates contested the 2,228 Village Chief posts; Ermera and Dili had the highest number of female candidates. Overall, 27 women were elected (16.3% of those who ran). The districts of Dili (6), Ermera (6), Covalima (4), and Baucau (4) had the largest numbers of women elected Village Chief.<sup>84</sup>

Two thousand, three hundred and 55 women contested the Hamlet Council elections. In line with the law, at least 1,342 were elected across all districts. Two (2) women were

<sup>83</sup> Maria Fatima de Belo, Independent Candidate *Suco* Tirilolu, 19 March 2006.

<sup>84</sup> UNIFEM 2006, p.4.

also elected Hamlet Council *lian nain* (guardian); one in Dili and another in Manufahi - an interesting result given that *lian nains* are traditionally men.

Overall, the number of female candidates was low. Independent and political party women candidates, together, represented only 17% of the persons running for Hamlet Chief. The proportion of women candidates for Village Chief was even lower at 7.4%.

Table 4.2 presents the final results of the elections according to candidates' political affiliation; sex-disaggregated data by party was not available for all positions.

**Table 4.2**  
**Distribution of seats won by position and political affiliation**

Party and Position	Hamlet	<i>Lian nain</i>	Youth		2 positions reserved for women	Village Chief	Total
			male	female			
Fretilin	258	276	266	278	567	1,319	2,964
PD	34	27	35	27	56	208	387
PSD	9	8	12	8	26	67	130
ASDT	4	1	1	0	6	25	37
PST	2	7	8	9	14	39	79
PMD	0	0	0	0	1	0	1
Independent	134	122	111	116	202	528	1,213
No candidate		1	7	4	9	5	26
Other*	1	-	2	-	3	48	54
Total	442	442	442	442	884	2,237	4,837

\**Undecided seats (appeals or recounting of votes)*

Source: STAE

Fretilin candidates won around 60% of all positions, followed by independent candidates. This is an interesting result compared with the Constituent Assembly election in 2001, which had only 16 independent candidates, only one of whom was elected. The election results put the Democratic Party as the second political force at local level followed by the Social Democratic Party. The UDT did not participate in hamlet elections as it failed to register candidates in time.<sup>85</sup>

Voter turnout for local elections was considered to be a success with 84% of registered voters casting a vote. Women's participation was high, at 49% of the total. More women than men voted in Baucau, Lautem, and Viqueque; it is not clear whether this was a result of the sensitization campaigns or because more than half of registered voters there are women.<sup>86</sup>

<sup>85</sup> Interview with Alexandre Corte Real, 21 March 2006.

<sup>86</sup> See, <www.STAE.tl>

### ***Baucau: A relative success for women***

Baucau District was one of the most successful for women candidates. 2 women were elected as Hamlet Chief and 4 as Village Chief, representing half of the female candidates for those positions. The elected women had participated in the PERWL training.

In Baucau Kota's sub-district, women ran as both independent and party candidates. 4 women contested the Hamlet Chief elections in Bucoli, Garuhai, and Tirilolu. 2, both Fretilin candidates, were elected. The other 2 independent candidates were not.

In Bucoli, Terezinha Reis ran as a Fretilin candidate and Sabina da Silva ran as an independent. Both candidates have a similar profile and trajectory: they are around the same age, were involved in OPMT in the early days, and both lived in the mountains during the Indonesian era. Ms. Reis won the election with 736 votes (73.5% of the vote), nevertheless, the independent candidate managed to get 201 votes (20%), even though Bucoli is a traditional Fretilin stronghold - it was one of the first bases of resistance in the early days of the struggle for independence. Ms. Reis' family holds traditional power (*see Box 4.1*). The relatively good result for the independent candidate suggests the vote was free and fair.

Another independent candidate, Maria Fatima Belo, ran for Hamlet Chief in Tirololo. In 2005, when people started to talk about the election, the elders from Tirilolo suggest she run for the post. Accepting their request, she chose to run as an independent as she wanted to be free to express her opinions. She competed against three male candidates and, although the Fretilin representative won the election (with 60 percent of the vote), Ms. Fatima garnered the second highest number of votes (592; or 28%). Although she was not elected, Ms. Fatima plans to offer support to women participating in elections regardless of their political affiliation.<sup>87</sup>

Maria Lidia de Jesus Belo was elected Hamlet Chief of Gariuai. She is also from a *liurai* family, joined Fretilin in 1974, was involved in OPMT in the early days, and went to the mountains (but did not remain there as she was pregnant). When local elections were announced, fellow villagers suggested she run as a candidate because, in her words, they trusted her. She ran as a Fretilin candidate against seven others. She won with an overwhelming majority of 73.6%.

Her first activity as elected official was a visit to the eight villages in her hamlet, including familiarization visits to NGOs. Her hamlet's major challenges relate to agriculture and health (malaria, dengue and immunisation of children). Animals, such as buffalos and pigs, are also needed. Domestic violence is an issue and is currently referred to the Hamlet Chief and the *lian nain*. To combat some of these challenges, she organised

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<sup>87</sup> Maria Fatima comes also from *liurai* lineage. Her father was director of Correios during Portuguese times and District Administrator in Indonesian times. In 1974 when political parties were established she joined Fretilin and was a member of OPMT. When the Indonesians arrived she was pregnant and was not able to go to the mountains.

an awareness campaign on human rights, particularly women's rights, and forest management. In addition, her village is planning to build 200 houses for civil servants. People in the village have an outstanding opinion of her and feel she is competent. She is outspoken and eloquent and is said to be very committed to transparency.

The Village Chief elections suggest some change in the attitudes of the local community to women in leadership. In Sorulai village, Samalari hamlet, for example, a 32-year-old woman was selected as a Fretilin candidate, perhaps because the Electoral Law encourages women to run for office.<sup>88</sup>

In Betulale village, Vemasse hamlet, 3 candidates ran for Village Chief; 1 woman representing Fretilin and 2 men as independents. At the time that people started talking about local elections, Bimesak, a community member and former member of the Armed Front, had just attended a workshop in Dili in which the adviser for the Promotion of Equality explained that women could stand for local elections and had the right to participate in community development. Bimesak shared this knowledge with other local women and they decided to nominate a woman candidate for Village Chief reasoning, "As women participated in the 24-year struggle for independence, a woman can also be *Chefe de Aldeia*". They requested Fretilin to endorse as their candidate Mariquita Gusmao, a 27-year-old married woman who had represented her village on the Hamlet Council (reportedly because she knew how to read and write). Ms. Gusmao was subsequently elected Village Chief.

Two (2) contrasting profiles of candidates elected as Hamlet Chiefs in Bucoli and Fatululik are presented in the boxes below. They illustrate how democratic values are slowly but surely being appropriated by local communities resulting in changing attitudes to, and greater participation of, women in the democratic process.

Local elections in Baucau-Kota sub-district also brought independent candidates elected as Hamlet and Village Chief. Cesal and Baju hamlets elected independent candidates, whereas two villages in Gariuai hamlet elected two independent candidates as Village Chief.

***Box 4.1: Teresihna Reis: Changing traditions. A liurai's daughter rises to power***

Teresihna Reis (Noité) comes from a family that has traditionally held power in Baucau District. Her grandfather was *liurai* of Bucoli hamlet, as was her father until 1975. In her early 20s she joined Fretilin alongside her brothers and most of the people from Bucoli. Following the Fretilin coup and UDT counter-coup, Ms. Reis was imprisoned for a week in Baucau; her parents saw it as deserved punishment for her participation in those events. She was a founding member of the OPMT in Baucau, setting up cooperatives and raising political awareness in different hamlets before the invasion.

Following the Indonesian invasion in December 1975, Bucoli became one of the first bases of resistance. Ms Reis' entire family went to the mountains where they remained until 1979. The

<sup>88</sup> Interview with Olivio Freitas, Sub-district Administrator Baucau Kota, 18 March 2006.

Bucoli women actively participated in the armed struggle. In the mountains, however, proper arms instruction could not be organised as everybody was so busy. Her brother Vicente dos Reis, a member of Fretilin's Central Committee and designer of a literacy campaign based on Paulo Freire's theory, was concerned about what a woman would do if the enemy killed her husband: would she run away and abandon the weapons? In 1979, when the situation became serious due to the 'annihilation circle' campaign, Ms. Reis' brother asked her to return to Baucau with his infant son.

In 1983, with the help of the Red Cross, Ms. Reis travelled to Portugal where she lived for 25 years, working in the border service. Her experience in Portugal transformed her views on gender equality. She returned to Timor-Leste in 2002 following independence and settled in Bucoli in 2004.

Ms. Reis did not put herself forward as a candidate for Hamlet Chief. Rather, village elders visited her parents in Dili and requested their approval to nominate her as a candidate for local elections. Her parents suggested they ask Ms. Reis directly, so the elders came to request her consent; she did not accept. Some months later the elders again urged her to become a candidate. They wanted her because "*Sra Tereznha iha capacidade ho lian boot*", and because "she speaks clearly and loudly, with transparency and truth". Before accepting, she met with villagers to discuss her candidacy. Fretilin also urged her to be a party candidate. Eventually she accepted.

Ms. Reis's campaign included visits to the six villages of Bucoli. She made no promises, because she had no resources. She urged villagers to change their attitudes to help develop the impoverished hamlet.

Ms. Reis garnered the majority of votes in elections on 23 March 2003. The other contender, another woman running as an independent, also found support. On 21 June 2003 Ms. Reis was officially appointed Hamlet Chief for a five-year period and, soon after, held meetings with all NGOs and human rights advocates in Baucau. She said she believes in community participation to promote development. She has the support of the 12 members of the Hamlet Council whose meetings have been scheduled a year in advance. She is a strong, experienced, and down-to-earth woman who believes in gender equality and is a strong advocate against domestic violence and for women's rights.

#### ***Box 4.2: Luisa Guterres: Youngest Hamlet Chief in Timor-Leste***

Luisa Guterres, 25 years old in 2006, grew up in a family of three boys and three girls in Suai. She is married to a special forces' police officer based in Aileu and has four children; one daughter died at the age of seven - an event she has never forgotten. While her husband is in Aileu, Ms. Guterres is the household's head. Since she was elected Hamlet Chief in May 2005, the country's youngest chief, Ms. Guterres also has responsibility for the cluster of villages in her hamlet.

This is Ms. Guterres' first experience in politics. She happily explained that she ran for elections because of the encouragement of her friends, her parents and, most of all, the people of Fatululik. Her father served as Village Chief for a period during the Indonesian occupation and had reinforced Luisa's decision to register for the elections under the banner of *Partido Democratico* (PD). She recalls how challenging the campaign period was for her as she was competing against a male Fretilin candidate.

With her strong belief that women can lead communities, she was overjoyed to learn the results of the hamlet elections. With 185 votes in her favour and 75 for her opponent, she was in no doubt that the majority of people supported her.

Two months after the election, Ms. Guterres officially became *Chefe de Suco* and came face-to-face with a number of challenges including an increasing number of children abandoned by their parents, mediation in feuds between husbands and wives, families with insufficient income, and infrastructure needs including shelter and bridges.

Ms. Guterres seeks advice from traditional leaders and consults the Village Chiefs. She says that she has no problems coordinating with other people or organizations working in the hamlet and elsewhere.

Ms. Guterres says she feels new to her political role, but considers her family, especially her father, as great supporters, especially when there are problems and large decisions to be made. Despite challenges connected to being in opposition, she is proud to say that, despite her young age, she tries her best to be a good leader for the people of Fatululik.

*From an interview by Dianne Arboleda, PERWL Project Coordinator at UNIFEM Office, 11 October 2005.*

### ***4.3 Reflections on the local elections***

#### **4.3.1 Views of women candidates**

From August 2005 until the end of March 2006, UNIFEM's leadership and participation programme, PERWL, organised a debriefing in 13 hamlets with 731 women who had participated in local elections, including those not elected to office, to gather views on the electoral process. The meetings' aim was to identify lessons learned and, for those who had been elected, the difficulties faced in performing their functions, and to provide support to women leaders in advancing the women's agenda.<sup>89</sup> The participants identified different community support structures and the nature of support being extended to them. In Suai, at a PERWL workshop jointly organized by Oxfam Australia with UNIFEM, the women further explored their problems and needs, and further interventions required.

Overall, both elected and non-elected women were satisfied with their participation in the electoral process. Many said they had learned much about the rights and responsibilities of potential candidates. Most of the unelected women indicated their willingness to be electoral candidates in the future, building on the experience they gained, and added that they would like additional capacity training. They also said elections offer opportunities for women candidates and for women, in general, to participate in decision making in their communities. Many non-elected candidates said they would continue to participate in community activities and support elected officials because they want to contribute to village development.

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<sup>89</sup> UNIFEM April 2006, 'Summary Results of Debriefing with Women's Candidates in 13 Districts'.

The elected women recognised leadership as a big responsibility, specifically the need to work together to serve their communities and to respond to people's needs. They are aware of the need for transparency for good governance and some raised concerns about a lack of transparency at national level. Among the perceived difficulties is a lack of communication and community participation skills, lack of information, support and funding from the Government and the public service in general, and a lack of support from family members and husbands in particular. Women expressed concern about their lack of experience in preparing project proposals and village development plans, as well as limited abilities to mediate in conflicts.

UNIFEM was requested to continue training female candidates as community leaders. UNIFEM, through PERWL, has since collaborated with the National Institute of Public Administration (INAP) to develop training modules for facilitators on Strengthening the Role of Women Leaders on Hamlet Councils. These modules have been pilot tested with 786 women in the districts of Oecussi and Bobonaro, and later implement further in Aileu, Baucau and Liquica.

#### **4.3.2 Changing traditions and adopting new democratic values**

The local election results suggest some attitudinal changes among local community members in relation to women's participation in politics and also to independent candidates. Although the number of woman elected to office in the local elections was relatively low compared to the number of women candidates, the results are positive because women have traditionally held no local level power positions.

A more traditional attitude to women's roles in local power structures is illustrated by an anecdote recounted by Oxfam community workers in Same, who were participating in a group discussion on political leadership. When asked whether a woman could be President or Prime Minister, community members replied that they could, as the Constitution guarantees gender equality. When asked whether a woman could be Village Chief, however, their response was different: "Ah no, it's not possible ... the work is very difficult."<sup>90</sup>

Challenges to changing attitudes towards women's participation in decision-making in rural areas are enormous as patriarchal patterns dominate, particularly in districts where traditional power structures are strong such as Lautem, Baucau and Bobonaro. During visits by members of the Ministry of State Administration to disseminate and explain the Electoral Law, traditional leaders on numerous occasions argued against women's participation in local politics. During a community meeting in Lospalos, some men reportedly told Minister Ana Pessoa that women should be in the kitchen, not in politics.<sup>91</sup>

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<sup>90</sup> Interview with Oxfam Australia Country Director.

<sup>91</sup> Interview with Ilda Maria da Conceicao, Vice-Minister of State Administration.

The election results for women in Lautem District reflect this attitude. In the district capital, Lospalos, 3 women stood as candidates for 34 Hamlet Chief posts (8%), whereas nationally, 76 women stood as candidates for 442 Hamlet Chief posts (17%). No women were elected to the Hamlet Chief post in Lautem's capital. Six (6) women contested the 151 Village Chief positions in Lospalos (4% one was successful) whereas nationally, 7.4% of Village Chief candidates were women. More women than men voted in Lautem District (14,691:13,290),<sup>92</sup> though it is not possible to say whether this was the result of the sensitization of women to vote or whether there were more women than men on the electoral roll.

Elections in the hamlets of Bucoli, Gariuai, Fatululik (in Baucau, Dili, and Manufahi Districts) suggested change in the way people are participating in politics and how their views are evolving due to political empowerment. In Bucoli and Gariuai, 2 women from *liurai* lineage were elected Hamlet Chiefs, illustrating the way in which elders and other villagers are adjusting to new democratic values. The 2 women elected as *lian nain* in Dili and Manufahi are other examples of this trend. A young woman was elected Hamlet Chief in Fatululik (*see Box 4.2*). This may represent a more radical shift in the adoption of democratic values as, traditionally, neither young people nor women have power. What is more, the successful candidate did not come from a lineage of traditional power. Nevertheless, she was able to beat a Fretilin candidate.

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<sup>92</sup> See <[www.STAE.tl](http://www.STAE.tl)>.

## 5. Women's participation in Government and the civil service

An important component of any gender mainstreaming strategy is gender balance in senior management positions within the administration.

### 5.1 *The UNTAET period*

UNTAET sought to ensure Timorese women were involved in decision-making and participated fully and equally in the nation building effort.<sup>93</sup> The GAU and the women's movement were instrumental in the adoption of an affirmative action policy by directly lobbying the SRSG and the CNRT leadership for the involvement of "Timorese women in policymaking and law at all levels".<sup>94</sup> The SRSG vigorously advocated for women to be represented at every level within UNTAET and the East Timor Transitional Administration (ETTA). This commitment was reinforced when he endorsed the recommendation from the First National Women's Congress in 2000 of a 30% quota for women within the transitional administration.

#### 5.1.1 Executive bodies

ETTA was established on 15 July 2000 with a Cabinet comprised of eight portfolios held by 4 Timorese and 4 expatriates. Two (2) portfolios were headed by women. One of them, Ana Pessoa, is Timorese.

#### ***Box 5.1 Ilda Maria da Conceicao: The Government is to serve the communities***

Ilda Maria da Conceicao was born in Uatucarbau, Viqueque District, to a *liurai* family. She is a mother of four.

Ms. Conceicao lived in the mountains for 11 years, supporting the Falintil resistance. She organized women's participation in the struggle for independence and the emancipation of women. She initiated the Viqueque District OPMT with a group of women and they ensured links between town and the mountains, organizing groups and cooperatives to support the freedom fighters. She was captured in 1986 and spent two years in prison. When released, she continued her work organizing women's support for Falintil.

During the Indonesian era, she worked with the women's organization Pendidikan Kesejahteraan Keluarga (PKK)<sup>95</sup> doing social work in communities with women's brigades. She continued her activities with the CNRT and the OMT and in 2000, with OMT, she organized women in Viqueque to build a hotel to host international staff and ran it as a successful business.

When UNTAET was looking for local District Administrators, she was suggested by the CNRT. Ms. Conceicao worked for one year as Deputy District Administrator in Viqueque and was then appointed District Administrator in 2001. She had no previous experience as an administrator.

<sup>93</sup> Viera de Mello, Sergio 2001, p.6.

<sup>94</sup> Ibid, p.7.

<sup>95</sup> Pendidikan Kesejahteraan Keluarga (PKK) stands for Education for Family's Wellbeing

She says that she learnt a lot in her time as Administrator as she had international staff to support her in decision-making and to provide technical guidance.

While Deputy District Administrator, she was confronted with major unrest starting in Uatulari sub-district. The problem was sparked by a disagreement between two students and escalated to involve martial arts groups from various villages and, later, entire communities. There were big demonstrations in Viqueque, houses were burnt, and one person killed. The UNTAET civilian administration left her to handle the problem. The SRSG, Baucau Bishop Basilio Nascimento, and President Xanana Gusmao visited Viqueque but the problem was very complex and lasted five months. Ms. Conceicao organized meetings lasting several days between all the communities involved until an agreement was reached in August 2000.

In September 2001, the Prime Minister invited her to join the Cabinet in Dili as Vice-Minister of Internal Administration during the Second Transitional Government. Later she continued in the Government of Timor-Leste as Vice-Minister of State Administration. Often when problems arise in the districts she is sent to resolve them. Her skills in conflict resolution and in working with the communities are highly valued. She feels confident in her position as Vice-Minister and considers the senior ministry staff good at their roles.

As a woman and an MP she believes she is there to serve the communities. She often visits rural areas as she likes to work in the field. When she meets with community members they highlight the different problems they face, such as health and education, and she ensures the message is passed on to her ministerial colleagues. Now that she is Vice-Minister, women sometimes say to her: “*Sra Vice-Ministra*, you are no longer giving attention to women”. They demand that she attend to women’s needs.

### ***Box 5.2 Micato: Thirty years of women’s activism***

Maria Domingas Fernandes Alves, ‘Micato’, was born in 1959 in Laclo, Manatuto district. Her father was a Sub-District Chief under Portuguese rule and a member of the Manatuto Parliament under the Indonesians. She studied at the Liceu Francisco Machado and in 2006 obtained a degree in Lusophone cultures and Portuguese language from the National University of Timor-Leste. She is married and the mother of four daughters and one son.

From 1975, she was active with OPMT in the central and northern sector mobilizing the community to support the resistance, particularly in Laclubar and Laclo. She and many others planned for independence under the intellectual nurturing of Nicolau Lobato. A song composed in the mountains for the first International Women’s Day in 1976 later became the anthem for women’s rights.

From 1983, Ms. Alves worked in the Department of Industry and Commerce in Dili, and from 1997-1999 as Sub-Director for small industry registration. Simultaneously, she represented Region Three’s women’s organization in the clandestine resistance helping to ensure logistics, communication and medical care for Falintil. Her OPMT work included compiling information on sexual abuse of women to share with the international community, and she represented women in CNRT structures.

She founded the NGO Forum for Communication for East Timorese Women (Fokupers) in 1997 to advocate for and protect women victims of sexual abuse and domestic violence and to promote

women's rights and empowerment; she was its General Coordinator until 2001. Ms. Alves denounced the situation of Timorese women at a 1998 human rights conference in Portugal and ensured women's concerns were addressed in the 1999 reconstruction planning conference in Australia. She was one of the few East Timorese women not from the diaspora who participated in the 1999 Joint Assessment Mission for the National Reconstruction of East Timor.

During the UNTAET period, Ms. Alves was a member of the working groups on Gender and Legislation, Local Government Decentralization, and National Machinery for Women and of the Steering Committee for the Commission of Truth and Reconciliation (CAVR). CNRT appointed her to organize the First National Women's Congress in June 2000; its 500 women participants developed the Platform of Action for the Advancement of Timorese women. Two months later she was nominated Vice-President of the CNRT National Congress.

In 2001, she ran as an independent candidate for the Constituent Assembly representing REDE. She did not win a seat but the Second Transitional Government, recognizing her role in the promotion of gender equality, appointed her Adviser to the Prime Minister on Promotion of Equality, a position that she accepted in response to pleas from women's organizations and gender advocates.

From May 2002-June 2006, Ms. Alves headed the Office for the Promotion of Equality (OPE). She had a permanent seat on the Working Group for Sector Investment Programmes. In the crisis of May-June 2006, Ms. Alves was the first to resign from public office in protest at the way the situation was handled by the Government, including the lack of involvement of women. In the aftermath of the conflict, working with Care International, she promoted the protection of women and gender equality in the camps for displaced people.

The Second Transitional Government of East Timor was inaugurated on 20 September 2001 after the Constituent Assembly elections. Its expanded size reflected the structure of an independent government; the Council of Ministers numbered 10, all Timorese. The Secretary-General of Fretilin, the party that gained most votes in the elections, and a former member of the first Cabinet, was appointed Chief Minister.<sup>96</sup> Among the 10 Ministers were two women: Ana Pessoa (Justice) and Fernanda Borges (Finance), both Timorese from the diaspora, from Mozambique and Australia, respectively.

Women were also appointed to four other high-level positions: Maria Ilda da Conceicao as Vice-Minister of Internal Administration (*see Box 5.1*), Emilia Pires (Secretary of the Planning Commission), former UDT representative on the Constituent Assembly Isabel Ferreira (Adviser on Human Rights), and former independent candidate to the Constituent Assembly Maria Domingas Fernandes Alves, (*Adviser for the Promotion of Equality; see Box 5.2*).

Timorese women were also appointed to the local administration. During the First Transitional Government one of the 3 Timorese District Administrators was a woman; Maria Paixao, District Administrator of Aileu. Two other women were appointed Deputy District Administrators, in Baucau and Viqueque. By October 2001, all 13 districts were headed by a Timorese District Administrator, one of whom was a woman.

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<sup>96</sup> Viera de Mello, Sergio 2001.

The Council of Ministers was to oversee the Ministries and the East Timor Public Administration, charged with implementing the laws, policies, and programmes was decided by the Council of Ministers.<sup>97</sup>

The District Advisory Councils, consultative bodies for local affairs set up by UNTAET to guide District Administrators in the implementation of policies and programmes, had 30% women officer bearers, who were nominated by women's organizations. The Village Development Councils, set up by CEP, comprised 50% women (*see Section 4.1.1*).

### 5.1.2 National legislative bodies

The **National Consultative Council (NCC)** was established in December 1999 (Regulation 1999/2) by UNTAET as a mechanism to consult and cooperate with the Timorese people and also as the body through which Timorese representatives participated in UNTAET decision-making processes. According to a former member, the NCC “was initially established by the SRSG in October 2001 during the post-conflict emergency phase to better understand the reality of East Timor, including its social and political structures and leaders, and to discuss proposed UNTAET regulations”.<sup>98</sup>

The NCC comprised 10 Timorese leaders and four international representatives, including the SRSG. There were two women among the seven CNRT members,<sup>99</sup> Genoveva da Costa and Felicidade Guterres, chosen by the CNRT leadership for their active role in the resistance.

The Council functioned until June 2000. It did not have the power to approve UNTAET laws, only to discuss them; the decision-making was solely in the hands of the SRSG. The work was voluntary.<sup>100</sup> In 2001 the SRSG stated that while informally approving every regulation, the Timorese “understandably resented not being fully part of the process of making the regulations. Policymaking is more than voting yes or no on a decision.”<sup>101</sup>

The **National Council (NC)**, established by UNTAET in July 2000, worked as an independent legislature during the First Transitional Government until its dissolution on 15 July 2001. The NC set up procedures for public hearings on key regulations, established committees, and challenged and amended legislation proposed by the executive. In the words of the SRSG, “Though unelected it set a good precedent” for future elected bodies.<sup>102</sup>

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<sup>97</sup> Ibid.

<sup>98</sup> Interview with Genoveva da Costa, November 2005.

<sup>99</sup> Among the male leadership of the resistance: Xanana Gusmao, Mari Alkatiri, Joao Carrascalao, Avelino Coelho, Taur Matan Ruak, Jose Ramos Horta and Father Jose Antonio da Costa from the Catholic Church.

<sup>100</sup> Personal communication Felicidade Guterres and Genoveva da Costa, November 2005.

<sup>101</sup> Viera de Mello, S Op.Cit. p.20.

<sup>102</sup> Viera de Melo, S 2001, p.20.

The 34 members of the NC were nominated by leaders of CNRT and CSOs including political parties, entrepreneurs, women's organizations, youth organizations, the Catholic and Protestant Church, and district representatives. In accordance with a decision by the SRSB, 30% of members were women, including the Deputy Speaker and the Secretary of the NC Secretariat; both were members of REDE. Though women were well represented on the NC they voted against a motion to specify a quota for women in the Constituent Assembly (*see Section 2.1*).

The **Constituent Assembly** was the Second Transitional Government's legislative body. Although elected with a primary mandate to drafting the Constitution, it also had the task of reviewing draft legislation from the Council of Ministers. It became the National Parliament on 20 May 2002, on Independence Day (*for women's role in the Constituent Assembly, see section 3.1*).

## ***5.2 The First Constitutional Government of an Independent Timor-Leste***

### **5.2.1 Senior executive positions**

Some women in senior posts on the Council of Ministers during the Second Transitional Government continued in high positions after independence, others were added. Former Minister of Justice Ana Pessoa was asked to head the Ministry of State Administration; Ilda Maria da Conceicao continued as Vice-Minister of State Administration; Madalena Boavida was newly appointed Minister of Planning and Finance; Rosalia Corte-Real became Vice-Minister of Education, Culture and Youth; and Aicha Bassarewan became the new Vice-Minister of Planning and Finance.

Two advisers to the Prime Minister continued in their senior positions: Isabel Ferreira as Adviser on Human Rights, and Maria Domingas Fernandes Alves as Adviser for the Promotion of Equality.

A reshaping of the Council of Ministers in July 2005 increased the number of women holding senior positions to nine. Odette Victor became the third female Minister with her appointment to Minister of Public Works, challenging gender stereotypes and setting a new precedent for women in Timor-Leste (*see Box 5.3*). Adalgiza Magno was appointed Vice-Minister of Foreign Affairs.

While all the leaders of major State institutions were male,<sup>103</sup> the increase in the number of women in senior positions in Government opened the way for women to influence policy formulation to be more inclusive and gender responsive. The women Ministers and Vice-Ministers were encouraged to participate actively in Council of Ministers' discussion. The Prime Minister was reported to be very supportive and to frequently seek their opinion.

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<sup>103</sup> The President of the Republic, the Prime Minister, the President of the National Parliament, the President of the Court of Appeals, the Commissioner of the Timor-Leste National Police and the Brigadier General of the FDTL/Falintil are all men.

## 5.2.2 The influence of women in the executive on legislation and policy-setting

Gender mainstreaming was adopted by the Government as a core strategy in the fight against poverty and the promotion of sustainable development. Senior women in office have helped promote policies and programmes that redress the long-standing inequalities between women and men. The ratification of CEDAW and the optional protocol, without reservation, for example, is the result of work by Advisers for the Promotion of Equality and on Human Rights and many other institutional and civil society stakeholders. The draft bill on domestic violence is an important piece of legislation consistently advocated by the Adviser for the Promotion of Equality.

Other relevant policies are equal access to basic education for boys and girls and the establishment of affirmative action measures to increase girls' access to secondary education. Scholarships for girls, as well as an increase in the number of female secondary teachers by 30%, were on the agenda in 2006.<sup>104</sup> The Vice-Minister of Education, responsible for primary and secondary education, has actively promoted gender equality (*see Box 2.2*).

The adoption of affirmative action for women in the legislation on local elections was promoted by the Minister and Vice-Minister of State Administration. This policy had a major impact, increasing, by more than 1,300, the number of women entering public life at local level (*see Section 4*).

All Ministry action plans have an integrated gender perspective - a stance reinforced by the Minister and Vice-Minister of Planning and Finance and the Adviser for the Promotion of Equality. Key line Ministry officials have attended gender awareness and analysis training. The Vice-Minister of Planning and Finance,<sup>105</sup> also chairperson of the Transitional Support Programme (TSP III), was instrumental in the incorporation of gender as a cross-cutting issue in four key ministries (Justice, Education, Health and the National Police), within the framework of the TSP.

Some male Ministers have also championed women and gender equality. Minister of Labour and Community Reinsertion, Arsenio Bano, was the first to establish a Gender Unit, in 2005, and actively promoted gender equality within his Ministry. He focused on reducing domestic violence and providing support for victims of violence, opening seven new safe houses. Minister of Health, Dr. Rui Maria Araujo, committed to improving reproductive health including gender-responsive family planning to reduce the high fertility rate, coupled with measures to reduce the high rates of maternal and child mortality. A gender-sensitive health seeking behaviour study, to be conducted by the end of 2006, will inform policy that responds to the specific health needs of women. Minister of Development, Arcanjo da Silva, ensured gender was embedded within the tourism plan being developed in 2006. The efforts of Jose Teixeira, Minister for Environment and Mineral Resources, Estanislau da Silva, Minister for Agriculture, and Prime Minister Jose Ramos Horta also need to be commended.

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<sup>104</sup> The Minister of Education stated this at the UNIFEM-organised High-level Consultation, 6 March 2006.

<sup>105</sup> Aicha Bassarewan was an OPMT founding member and its Vice-Secretary in 1974.

***Box 5.3 Odete Victor: Challenging gender stereotypes and corruption***

Odete Victor was born in Baucau. Her father was a telephonist during Portuguese times and a member of Baucau's District Parliament (DPR) during Indonesian times. Her mother was a teacher. Her family are strong Fretilin supporters. During her engineering studies in Bali Ms. Victor joined RENETIL, the resistance movement of students in Indonesia.

In February 2000, she started work with the UN Directorate of Roads. Through the World Bank/Asia Development Bank (ADB) managed TFET emergency rehabilitation project, she became familiar with procurement regulations and procedures. From 2001-October 2002, she was Director of the Directorate of Roads in the Ministry of Public Works, as requested by the Prime Minister. She was part of the Budget Execution Commission set up by the Prime Minister to review allegations of corruption and aid mismanagement in the Ministry of Public Works and, according to one development partner, she was outspoken. Perhaps for this reason she was demoted in 2003 to head the Ministry's research unit; nevertheless, she continued as an outspoken anti-corruption advocate. She started the research unit from scratch and within two years it had a laboratory and team of technicians able to conduct quality control of roads and other public works.

In July 2005, when the Prime Minister reshuffled his Cabinet, he appointed Ms. Victor Minister of Public Works and asked her to undertake rapid and radical change within the Ministry. She committed to spending the first three months assessing the work of the staff and identifying problems. Then she planned to find solutions based on recommendations from the commissioned Inspector General's report.

Her arrival as Minister was largely unexpected; some were threatened by her reputation for integrity and her first months were very difficult. Initially she organized several Ministry-wide meetings to build trust and emphasize transparency and accountability. These were followed by individual staff member meetings. Then she established teams for the assessment and evaluation of projects, the development of procedures for feasibility studies (which were new to the Ministry), and for the implementation of projects, as well as criteria to monitor ongoing projects. She made it mandatory that all payments for public works be approved by the Minister. In 2006, the Ministry enjoyed strong donor support.

In a 2006 interview, Ms. Victor said she senses good will within the Ministry. She added that she wants to continue to learn and to encourage her female colleagues to learn; where appropriate she will promote female engineers. She also wants companies led by and/or employing women to compete in the construction sector, particularly in community projects.

Ms. Victor acknowledged that she serves as a visible role model and can encourage more women to study in areas traditionally seen as male domains. Her Ministry has worked with two universities in Timor-Leste to improve technical training in this area, and with the Institute of Engineers in Australia to up-grade the knowledge of Timorese engineers to international standards. She has a project with the Vice-Minister of Planning and Finance to encourage young women to undertake university studies, including in technical areas. She will continue to encourage women to study engineering.

### 5.2.3 Local administration

In 2003, five women were serving as Deputy District Administrators, in the districts of Bobonaro, Manatuto, Baucau, Liquica, and Los Palos. By 2004, most of the 13 District Administrators had been appointed. One was a woman; District Administrator of Liquica, Aurora Ximenes. Only 1 woman, Lucia Pina, was appointed alongside the 65 Sub-District Administrators selected in 2003. She was appointed as the District Administrator of Balibo, Bobonaro District.

The limited number of appointments of women at district and sub-district levels led to accusations that the recruitment process managed by INAP was gender biased. Senior Ministry of State Administration officials say the positions were open to any civil servant, man or woman. Selection was based on merit but, whenever a man and a woman candidate with the same profile applied, preference was given to the woman.<sup>106</sup>

Other senior officials say the positions were well advertised but INAP did not receive many female candidates. In their view, women did not want to apply due “to cultural constraints and the patriarchal society and lack of motivation”. The Sub-District Administrator of Baucau Kota said: “In those days, just after the conflict, women did not have the courage to apply, but now the situation is different.” According to him, a woman was among the six candidates who applied for his post. CVs were screened by INAP in Dili, followed by an interview in Baucau by an all-male selection panel.

Gender advocates, on the other hand, claim the local administration selection process was discriminatory against women. In Manatuto, for example, seven of the eight candidates who applied for the post of Sub-District Administrator were women; the man was selected. In Baucau, a woman with a university degree and experience as Sub-District Coordinator under UNTAET was not appointed, allegedly for political reasons. Female candidates, each with extensive experience as Deputy Administrator and Acting District Administrator applied for positions in Baucau and Manatuto. One, with a degree in politics and social science, eventually withdrew, the other was not selected.

The sub-district administration is likely to remain a male-dominated domain for some years. According to the Statute of Public Function, the appointment may be revised after five years, but the official’s public service level would be maintained. The Law on Territorial Administration, to be approved in 2007, may introduce some changes. Affirmative action, such as a quota or reserved places for woman, may be required.

#### *Gaining capacity through experience*

Many women administrators admit to knowing little when they started, but have learned a lot through their experience.

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<sup>106</sup> Interview with Ilda Maria da Conceicao, Vice-Minister of State Administration, March 2006.

The Deputy District Administrators of Baucau and Manatuto, for example, say they gained valuable experience exercising their mandate; both had acted as District Administrator in 2002-2003. They developed good working relations with colleagues, gained experience in sector coordination, and increased their sensitivity to gender concerns; both are focal people for gender and human rights issues in their districts.

Deputy District Administer of Manatuto, Leonia da Costa Monteiro, said acting as District Administrator had proved to be an outstanding learning experience. She conducted an inter-sectoral plan for the district involving community research, worked with youth and involved them in security activities, held community meetings on the functioning and programmes of the Government, and organized human rights and gender awareness training. She coordinated Government services and wrote a report to the Prime Minister profiling the district based on visits to all sub-districts.

Deputy District Administrator of Baucau, Michaela Ximenes, also carried out important initiatives while acting as District Administrator. She had, for example, organized a two-day training session on gender awareness involving all Sub-District Administrators and different sectors of the district administration, and met with Hamlet Chiefs and community leaders on a regular basis. She said the community respected her as an administrator.

### ***5.3 The civil service***

#### **5.3.1 Under UNTAET**

A 2000 analysis by UNTAET's GAU found 11 percent of civil servants were women, with the majority being below grade 3. Based on this finding and the recommendation from the First Women's Congress (2000) of a 30% quota, the Civil and Public Employment Service (CISPE) implemented an affirmative action policy. Recruitment and interviewing procedures were reformulated to be more gender sensitive, women were included on selection panels, job application counselling was provided, and training in English and computer skills, for example, was offered to increase the competence of potential candidates. More women-friendly channels were used to disseminate civil service job information.

#### ***Deputy Administrators' recruitment process under UNTAET***

The recruitment of Deputy District Administrators during UNTAET times reportedly followed gender-sensitive guidelines. Information on available vacancies was advertised on radio and through women's organizations and women were encouraged to apply. The Deputy District Administrator of Baucau was among those who heard news of the position on the radio; she was the only woman applicant. The Deputy District Administrator of Manatuto, who had worked in Dili with a women's rights' NGO, recalls being interviewed by a panel of three, including Minister Ana Pessoa. Questions about what gender is and how to make decisions in situations involving gender issues were included in the interview.

These measures seem to have been successful in increasing the number of women in the civil service. As shown in Table 5.1, by the end of July 2001 there was a higher proportion of women (a mean of 20%) and they were better represented in senior positions. CISPE estimated that by the end of the hiring process the ceiling of 30% women representation would have been achieved.<sup>107</sup> Data is not available to confirm this.

**Table 5.1**  
**Public service employees, by level and sex, July 2001**

Level	Total	Male		Female	
		Number	%	Number	%
Level 7	28	20	71.4	8	28.6
Level 6	103	87	84.5	16	15.5
Level 5	253	213	84.2	40	15.8
Level 4	2,346	1,725	73.5	621	26.5
Level 3	4,684	3,291	70.7	1,374	29.3
Level 2	551	454	82.4	97	17.6
Level 1	1,395	1,197	85.8	198	14.2

Source: CISPE, 25 July 2001

A gender imbalance exists above grade 4 because these positions require a university degree; gender-based cultural constraints have limited the number of women attending tertiary education. Most of the positions at grade 1 and 2 are for drivers and security guards, widely considered male roles.

The breakdown by department (*Table 5.2*) indicates that the highest proportion of women were found in foreign affairs, education, and health - two sectors traditionally considered appropriate for women. During Portuguese times middle-class families often sent their daughters to study the only two careers open to women at the time: nursing and teaching.<sup>108</sup>

**Table 5.2**  
**Public service employees, by department and sex, 2001<sup>109</sup>**

Department	Total	Female		Male	
		Number	%	Number	%
Education	5,770	1,657	29	4,113	71
Police	913	167	18	746	82
Health	881	281	32	600	68
Civil security	371	11	3	360	97
Judicial affairs	193	33	17	160	83
Border control	186	37	20	149	80
Water and sanitation	130	4	3	126	97
Agriculture	123	12	10	111	90
Land and property	67	12	3	55	97
Labour and social services	32	9	4	23	96
Foreign affairs	18	7	39	11	61

Source: ETTA 2001

<sup>107</sup> UNTAET 2001.

<sup>108</sup> Interview with Genoveva da Costa, MP, 4 November 2005.

<sup>109</sup> OPE, 2002, p.62.

### 5.3.2 Under the Timor-Leste Government

In June 2005, there were 11,309 civil servants in Timor-Leste, including 2,674 women; almost a quarter of the total. Gender imbalance was found across the civil service with a higher proportion of men at all levels. As shown in Table 5.3, the proportion of women by level ranged from less than 10 % at levels 1 and 7 to almost 30% at level 3. Two-thirds of women civil servants were concentrated in levels 3 and 4. Only 2 positions at the highest level were occupied by a woman; one in Timor-Leste Radio and Television and another within the University of Timor-Leste. These Director General posts were the result of political nomination.<sup>110</sup>

**Table 5.3**  
**Public service employees by sex and grade, June 2005**

Level		1	2	3	4	5	6	7	Total
Female	Number	55	141	1,791	580	85	20	2	2,674
	%	8.9	16.5	29.7	19.6	13.0	11.8	8.7	23.6
Male	Number	566	713	4,242	2,374	569	150	21	8,635
	Percent	91.1	83.5	70.3	80.4	87.0	88.2	91.3	76.4
Total		621	854	6,033	2,954	654	170	23	11,309

*Source: National Directorate of Public Function, Ministry of State Administration June 2005*

Women are represented in 7.5% of jobs at the two highest levels in the civil service. This figure is far from the internationally adopted target of 30%, established by the 1995 Beijing Platform for Action.

### 5.3.3 Addressing the current gender imbalance and gender awareness

The 2006 Human Development Report for East Timor states that the Government has promoted affirmative action with the recruitment of women civil servants.<sup>111</sup> During this study, however, this was not confirmed by senior officials in the Ministry of State Administration. Recruitment is supposed to be competitive and based on merit, with preference afforded to women with similar qualifications and experience as a man candidate. Given that women are less likely to finish secondary school than men,<sup>112</sup> more affirmative measures are needed to increase the number of women civil servants.

Although the Second National Congress of Timorese Women in 2004 reiterated the target of 30% women's participation throughout the civil service, especially in decision-making positions, there is still no evidence that the Government will accept this quota. As a minimum, gender-sensitive measures, such as those that existed under UNTAET, need to be adopted. Good quality sex-disaggregated data on civil servants, by sector and grade, is essential to monitor progress.

<sup>110</sup> CSPI Gender Aide memoire, December 2005.

<sup>111</sup> UNDP 2006, p.18.

<sup>112</sup> Data from the 2004 Census revealed that more males than females complete each level of education above primary school. Few people are tertiary educated in Timor-Leste. Twice as many men (8%) as women (4%) aged 18-49 years had some tertiary education. UNIFEM 2006, p.64.

In April 2004, the TSP III monitoring and appraisal mission recommended the adoption of targets for women as part of a gender mainstreaming strategy and, specifically, to address the gender gap in the civil service. For women with good potential who do not meet the required qualifications, however, measures could be taken to build their capacity through specific training, coaching, or mentoring by skilled male colleagues as well as the offering of scholarships for women to access tertiary education in critical areas.

The gender gap in senior civil service positions was highlighted by development partners on 10 March 2006, during the final meeting of the CSP II Monitoring and Appraisal Mission. The Minister of State Administration took note that the Office for the Promotion of Equality, in 2006, was working with the Ministry of State Administration on a proposal to increase gender awareness among civil servants. This project involved the development of a generic module on gender mainstreaming to be integrated in all training provided by INAP. In addition, specific modules were to be developed for each sector to increase gender sensitivity, including the formulation and implementation of gender-responsive policies and programmes. A gender consultant was to be recruited in 2006 with funding from Irish Aid.

## **6. Political parties and women**

Political parties can be an effective mechanism to promote women's participation in politics. Parties can nominate candidates, at both national and local level, whilst their central and district structures can support candidates financially and otherwise to conduct their electoral campaign. In addition, parties, more often than not, will already have an established base of supporters who work for, and unconditionally vote for, party candidates. Once elected, party members receive support from their party offices and infrastructure.<sup>113</sup> This support is not available to independent candidates.

The principles for women's empowerment through political parties are underlined in Article 8 of the Law on Political Parties (Law No/2004). It urges parties to increase women's participation through affirmative action policies, such as quotas for women, and calls for their inclusion in party leadership structures. These remain, however, guiding principles without the force of law to ensure their application by political parties.

This section looks briefly at political parties' membership and their views on quotas. Selected parties were consulted in terms of opportunities for women's participation in their structures and future prospects.<sup>114</sup> Table 6.1 summarizes aspects of some political parties.

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<sup>113</sup> Women and Elections, Guide to Promoting the Participation of Women in Elections, March 2005, United Nations.

<sup>114</sup> The party leadership, either its president or the General Secretary or his/her deputy and female leaders holding a senior position in the party structure were interviewed. Three of the first parties created in 1974 were ASDT, UDT, Fretilin, Kota and PST and two of the parties created during the transitional administration: PSD and PD.

## 6.1 Membership

All political party leaders consulted, stated that anyone over the age of 17 years can be an equal member of the party and exercise their political rights as prescribed in the Law on Political Parties. Potential members apply to join at a local party branch office by filling out a membership form. The level of involvement in the party depends on the frequency with which a member participates in party activities. In PSD, for example, if a newly registered member participates in five consecutive party meetings/activities they are categorized a party 'sympathizer'. After attending another series of meetings as a sympathizer the person becomes a party 'militant'. Following further attendance the militant obtains the right to vote in party politics and be elected to the party leadership.<sup>115</sup>

**Table 6.1**  
**Selected features of six political parties**

<b>Political party</b>	<b>Date of creation</b>	<b>Women's structures</b>	<b>Position on quotas for women</b>	<b>Last/next congress</b>	<b>% of women in Parliament</b>
ASDT	20 May 1974	OMSD	Disagree	August 2006	16.6
Fretilin	11 Sept 1974	OPMT	Disagree (but differing views among female MPs)	17 May 2006	30.2
UDT	11 May 1974	Youth organization	Disagree	2007	50
KOTA	20 Nov 1974	Friday meetings	Agree	20-23 Nov 2005	0
PSD	20 Sept 2001	Women Social Democrats	Agree to 30 %	March 2006	33.3
PD	10 June 2001	Democratic Women	Disagree	2007	14.2

## 6.2 Political parties views on quotas for women

Most parties consulted for this research said they are making efforts to involve women in politics and that equality is a core aspect of party policy. How this policy is reflected in the party membership, leadership, and candidate party lists is, however, variable.

Overall, there is no clear understanding of affirmative action policies to support women's political empowerment among political leaders and MPs. Most parties were opposed or held an ambiguous position on a quota defining the proportion of women on party lists within the Electoral Law for the 2007 elections.

<sup>115</sup> Interview with Maria Paixao, MP PSD.

The most common anti-quota argument is that it is more important to have quality and capacity. It is striking that this concern is only mentioned in relation to women; it is not raised in relation to men. It is as though it is taken for granted that men can run for office without question (*see Box 6.1*).

PSD was the only party with an unambiguous public policy in support of quotas. Mario Carrascalao, President of PSD, said that capacity needs to be built “by offering opportunities to women through a quota system ... once the capacity is in place the quota system can be withdrawn”.

***Box 6.1: The ‘quality’ and ‘capacity’ of women to participate in party politics***

Most party leaders identified a lack of women with quality and capacity as central reasons why not to adopt a quota on the level of women’s representation in politics. They did not, however, clearly define what was meant by quality and capacity. It was unclear whether they referred to specific competence, such as literacy and professional qualifications. In rural areas, where 80 percent of the Timorese population live, the traditional patriarchal system has limited women’s access to education; due to this, party leaders may assume that women are less capable of performing political duties. Nonetheless, results of the 2005 local elections indicate that some grassroots voters may use different criteria to choose their candidates: Teresinha Reis in Bucoli and Luisa Guterres in Fatululik are examples of non-university educated women who were elected to office.

Party leaders may seek to attract people experienced in organizing at community level or for those with an existing ‘natural’ base of supporters. In the traditional power structures and during the struggle for independence, these attributes would distinguish people as having quality and capacity. It appears that women’s participation in the resistance is not automatically given the same value as men’s. Practical knowledge gained by women through their participation in peace-building activities also seems to be largely dismissed.

The argument that there are too few women with capacity and quality, therefore quotas should not be introduced, is weak. It appears that women have to work much harder than men to prove to the mainly male party leaders that they are competent enough to participate in politics.

Another concern raised in relation to a compulsory quota is how parties would attract enough candidates and what penalty would they face if they did not meet it. This concern could surely be addressed if parties worked harder to identify, recruit, and prepare more women candidates.<sup>116</sup> Individual women interested in politics could be encouraged to join parties as potential candidates. As a leader of KOTA said, “Women who want to participate in politics and decision making must enter a political party to gain

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<sup>116</sup> Two leaders of the opposition (PSD and PST) acknowledged they have identified good potential candidates, well-educated women involved in civil society organizations particularly in Dili, but it has been difficult to convince them to join their political parties, in part because they are scared of the decisionmaking process and the perceived potential risks of conflict this participation would involve.

experience.”<sup>117</sup> Grassroots organizations could also identify and train potential women candidates.

Some women politicians believe the quota system may bring into question the capacity and competence of all women politicians. Some women Fretilin party members have argued that the quota would deny the political capacity of women<sup>118</sup> because people may think women have been able to enter politics due to the quota rather than merit. OPMT does not agree with quotas as they consider them unnecessary.<sup>119</sup>

Others argue that the quota would discriminate against men in that a ‘forced’ representation of women would undermine the political supremacy of the male-dominated Timor-Leste legislative and executive bodies.

Others said the quota would challenge the equal rights of all Timorese citizens. PNT’s party line, for example, is that a quota would not be supported because “Women have the same rights as men”.<sup>120</sup> PD have not established a target for women’s participation because their party “is open for men and women with the same rights ... to elect as well as to be elected.”<sup>121</sup> UDT and PST share similar views.

The notion of equity, however, was not raised in party discussions on the quota (*see Box 6.2*). All party leaders expressed support for the idea of gender equality but did not seem to accept that, under the given circumstances, a quota for woman would be an equitable, fair, and just step towards equality. The leadership of the political parties of Timor-Leste are more aware of issues surrounding women’s participation in politics than they were at independence. They now talk about equality and refer to “the patriarchal system in culture and tradition” as a major constraint for the participation of women in politics.<sup>122</sup> Thus, according to behaviour change theory, political party leaders have reached the phase of contemplation or awareness. The next step is to transform this into commitment and action; one concrete step would be a quota enshrined in the Electoral Law.

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<sup>117</sup> Interview with Manuel Tilman, KOTA, 21 March 2006.

<sup>118</sup> Personal information Jose Reis, Deputy-Secretary General, Fretilin.

<sup>119</sup> Interview Lourdes Alves, MP Fretilin.

<sup>120</sup> Interview Alianca de Araujo, PNT, Party Bench Leader.

<sup>121</sup> Interview with Jose Nomiandu alias ‘Buras’, PD MP.

<sup>122</sup> Francisco Branco, Fretilin Speaker, UNIFEM Consultation with Political Parities 29 January 2006. Tradition is constraining the candidatures of women at *suco* and *aldeia* levels, acknowledged Jose Reis, Deputy-Secretary General of Fretilin, 20 March 2006.

### ***Box 6.2: The rationale for affirmative action***

The concept of equity is the rationale for any affirmative action policy, including quotas for women. Equity is based on the notion of fairness and justice. It accepts that it may be necessary and fair to take special action in favour of certain social groups that have been discriminated against, for example, in their participation in politics or access to socio-economic resources.<sup>123</sup> Equitable treatment of different groups is a precondition to achieving equality. A quota for women's participation in politics is an equity measure that aims to ensure a minimum representation of women in the decision making process.

The 1995 Beijing Platform for Action adopted a goal of 30 percent representation of women in politics in order to achieve a 'critical mass'. This proportion should be seen as a minimum, as opposed to a maximum, of representation. Many countries have a quota for women in politics; France is the only country with parity in Parliament: 50 percent of representatives should be women. Rwanda, with a mandatory quota of 30 percent women in public office enshrined in its Constitution, achieved 48 percent women's representation in its new legislature in 2003.<sup>124</sup>

Article 4 of CEDAW recommends the use of affirmative action to achieve gender equality. It states that "Adoption by States Parties of temporary special measures aimed at accelerating *de facto* equality between men and women shall not be considered discrimination as defined in the present Convention, but shall in no way entail as a consequence the maintenance of unequal or separate standards; these measures shall be discontinued when the objectives of equality of opportunity and treatment have been achieved." Article 7 of CEDAW recommends that appropriate measures be taken to eliminate discrimination against women in political and public life.

### ***6.3 Opportunities for women in selected parties***

Leaders of five political parties were consulted about opportunities they offer to women to be actively involved in party decision making and how they promote women's involvement in political life. The leaders were asked to reflect on the process of inclusion of women on their party lists during the 2001 elections as well as strategies to involve women in the 2007 legislative elections. The views of three parties established during the decolonization process (ASDT, Fretilin and UDT) and two 'new' parties established during the UNTAET period (PD and PSD) are outlined here.

#### **Fretilin**

The leadership structures of the party include the Central Committee; 20 of its 88 members are women. The Permanent Political Secretariat, the party's deliberative and executive organ, comprises nine people including two women.<sup>125</sup> Party policy dictates that women and youth are included within party structures at sub-district, hamlet, and

<sup>123</sup> CEDAW General Recommendation No.5 encourages the use of affirmative action for women's participation in education, economic and political participation.

<sup>124</sup> See <[www.quotaproject.org](http://www.quotaproject.org)>.

<sup>125</sup> Interview with Jose Reis, Deputy Secretary-General Fretilin, 20 March 2006.

village levels facilitated by affiliation to women's organizations (OPMT) and youth organizations (OJT). Fretilin has several affiliated youth organizations; in 2006, there were moves to unify these groups.<sup>126</sup>

OPMT has a general and regional coordinator. All women party members can actively participate, but only the most active can represent the party. OPMT was restructured in August 2005; due to its political affiliation OPMT does attract enough support and financial resources to develop its activities.<sup>127</sup>

Fretilin planned a major reorganization of all its structures during its national congress in May 2006. Some of the party restructure is designed to allow more room for the participation of women in decision making. New party organs were due to be elected and the criteria for the composition of the candidates' list for the upcoming legislative elections was due to be discussed. The 464 delegates to the national congress were elected at village level through conferences in the 13 districts. The number of women delegates, however, is rather low at around 50.<sup>128</sup> Of the 50 women delegates, 5 are from the OPMT whilst others are representatives of other party organs.

OPMT organized mini-conferences to prepare for its April 2006 national congress, with delegates nominated from its support base and chosen through a secret vote at village level. The districts will then elect new delegates and potential names for a list will be submitted to the national office and then presented to the party leadership.<sup>129</sup> In 2001, OPMT presented a list including candidates from the districts (e.g. Cipriana Pereira's candidature was proposed by OPMT for Dili District and Maria Solana's for national level). The party did not use a quota system for women for the 2001 elections. Nonetheless, 30 percent of Fretilin members elected to Parliament were women.<sup>130</sup>

The Party President and Secretary-General will select candidates for the 2007 legislative and presidential elections. Fretilin wishes to promote women's participation in politics but will not adopt a quota.<sup>131</sup>

The party will review its training strategies for all members to focus on increasing the political capacity of cadres. Their major problem is lack of financial resources as party funds come from its militants, who are generally very poor.<sup>132</sup>

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<sup>126</sup> Interview Adalgiza Ximenes, Fretilin MP.

<sup>127</sup> Interview Lourdes Alves MP.

<sup>128</sup> Personal communication Jose Reis.

<sup>129</sup> Interview Genoveva da Costa MP.

<sup>130</sup> Francisco Miranda Branco, Fretilin Speaker, UNIFEM Consultation with Political Parties.

<sup>131</sup> The Secretary General of Fretilin Mari Alkatiri, who as PM was invited to the High-Level Consultation organized by UNIFEM on 6 March 2006, publicly expressed his opposition to a quota for women in the upcoming elections.

<sup>132</sup> Jose Reis, Deputy Secretary General, Fretilin.

## **Democratic Party (PD)**

PD became Timor-Leste's second-most influential political force in the 2001 elections, but no women's names appeared among the first 10 positions on its candidate list for the Constituent Assembly. Therefore, most women in the party were not placed in winnable positions. On 16 March 2005, the party nominated a woman representative, Rosalina Araujo, to Parliament to replace a resigning MP.

Party leaders say efforts to involve women in party decision making and as candidates at the time met with little response. One woman was nominated as Vice-Secretary General, but she rarely participated in party meetings.<sup>133</sup>

The party is currently promoting women's participation in political life by aiming to create conditions that encourage women's involvement. It has established two structures; the Democratic Women at village level and the Gender Department at national party level. The Department aims to sensitize party members on gender issues and is led by Teresa Maria de Carvalho, a former independent candidate in the 2001 elections. Women are involved in party activities; five female candidates contested Hamlet Chief positions, and one was elected (*see Box 4.2*). Some young university-educated women are PD members.

The party does not support a quota. The two criteria for the selection of candidates for the 2007 elections are: educational background or title and public prominence. The list of candidates for the 2007 Parliamentary elections will be decided during the party's national congress and will be based on names submitted at district level.<sup>134</sup>

In 2006, the party was working on a long-term strategy for women and men to become leaders and participate in decision-making. Members are encouraged to participate in party meetings and activities to gain a sound knowledge of party principles and objectives. Women sympathizers are being sent to all available workshops and training courses to encourage their public speaking abilities. Other training on leadership, good governance, and democracy for women and men involved trainers from the USA, Africa, and the Balkans with the support of the International Republican Institute (IRI).

## **Social Democratic Party of Timor-Leste (PSD)**

PSD has three structures, with branches at district and sub-district levels. Its executive body is the National Political Commission with 22 members, including a President, and eight Vice-Presidents, including 2 women. The National Council is the party's legislative body, comprising 22 members, led by the President of the National Council with two Vice-Presidents and Secretaries. The Jurisdiction Council is the party organ responsible for conflict resolution and investigations into party misbehaviour. It does not have a local-level structure.

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<sup>133</sup> Interview with Jose Nomeandu alias 'Buras'.

<sup>134</sup> Interview with Jose Nomeandu, alias 'Buras', PD MP.

New party statutes were scheduled to be presented to the National Council in March 2006 during its national congress, including an article making the participation of women in decision-making and party structures compulsory.

The listing process for the 2007 legislative elections was also due to be addressed during the congress, with the presentation of four lists of potential candidates by the party organs: National Political Commission, youth social democrats, women social democrats, and social democrat workers. The lists were drawn from the hamlets and sub-districts and are gender proportionate and will form the basis of the unified list to be proposed for the 2007 elections.<sup>135</sup>

The PSD supports a quota for two reasons: “To give women an opportunity to participate in political life, and because women should be pressured to feel ... that it is important for them to participate in politics.”<sup>136</sup> PSD will defend the quota for women in the Electoral Law and believe Parliament should organize public audiences to debate the Law.

The party works to build the capacity of its members. Its youth wing participated in training organized by UNIFEM on political leadership and political campaigning. The five-day training course targeted social democratic youth at district level and was facilitated by an American trainer. Training on political leadership for party leaders from all district structures was also organized with the assistance of IRI, for example.

### **Timorese Social Democrat Association (ASDT)**

The ASDT party structure comprises the National Executive Council and district and sub-district councils. The party divides its reach into five regions; the Central Committee has a woman Vice-President and one female Executive Secretary is responsible for the Eastern Region. The party has a women’s organization, the OMSD (Women’s Social Democrat Organization) to promote women’s participation in political life.

In the 2001 elections, the party won six seats in Parliament, one of which went to Maria da Costa Valadares. During the Constituent Assembly in 2001, Ms. Valadares actively campaigned for women’s rights within the Constitution, especially in the formulation of Article 17.<sup>137</sup>

At the party’s national congress, which was planned for August 2006, discussion was to focus on the programme for government. Districts will select representatives for the congress, according to their capacity. There is good female representation within the party.

Women will be well represented in the party candidate lists for the 2007 legislative elections. The political platform will incorporate women’s interests based on the assumption that each woman will vote for a party that has something to offer her. ASDT

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<sup>135</sup> Interview with Maria Paixao, PSD Vice-President, March 2006.

<sup>136</sup> Interview with Lucia Lobato, PSD Vice-president and MP.

<sup>137</sup> Maria Valadares, 21 March 2006.

was looking to prepare “Two women with the courage to be candidates for the presidential elections” and to encourage women to participate in political life. The party does not have a quota.<sup>138</sup>

In 2001, the party did not have enough electoral observers to cover all polling stations but they plan to train around 1,000 people for the 2007 elections.

The majority of grassroots ASDT supporters are illiterate; the party plans to unveil this slogan for its militants: “In the 2001 election you voted with a finger print, in 2007 you must sign.”

### **Timorese Democratic Union (UDT)**

The UDT is composed of a Supreme Political Council, led by a President and two Vice-Presidents, one a woman, and a Jurisdiction Council composed of three members, including one woman.

Women’s contribution is recognised as significant within the party and they are represented in the organizational structure. In Liquica and Dili Districts, women are the District Executive Secretary. During UNTAET times, UDT was represented by a woman on the National Council.

The party does not have a specific organization for women but they do have a youth organization in which both women and men participate equally. They develop their activities independently from the party leadership but they can discuss party activities with higher-level cadres.

In 2001, when preparing the list of party candidates for the Constituent Assembly, the party did not use a quota, but established an intercalated list whereby odd numbers were assigned for men and even for women; thus, they gave equal opportunity based on the principle of equal capability.<sup>139</sup>

The same system of an intercalated list would presumably be adopted for the 2007 legislative elections. After its 2007 national congress, the party will determine women’s leadership positions in the Supreme Political Council and it may promote a woman for the position of party President.

The capacity of party members is developed through participation in training organised by different institutions such as IRI.<sup>140</sup>

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<sup>138</sup> Francisco Xavier do Amaral, 17 March 2006.

<sup>139</sup> The capacity is assessed by the professional qualification of the member and the ‘quality’ in terms of the reputation they have gained within the party activities. UNIFEM Consultation with political parties, interview with Alexandre Corte Real, 29 January 2006.

<sup>140</sup> Based on an interview with Alexandre Corte Real, UDT MP, 21 March 2006.

## 7. Looking ahead: Legislative and presidential elections 2007

### 7.1 Organizing for 2007

In late 2005, UNIFEM, the Office for the Promotion of Equality, and Fokupers joined forces to develop and implement strategies for the participation of women in the 2007 national legislative and presidential elections. The goal of the partnership was to maintain or increase the number of women participating in the electoral process as candidates and voters and to ensure at least the same proportion of women in the new legislature.

The major objectives were:

- To influence the electoral law to adopt an affirmative action policy;
- To encourage women's participation in the vote;
- To develop a strategy for women to win seats either through political party lists or as independent candidates; and
- To decide the priorities for women that should be included on party manifestos.

Another aim was to encourage the involvement of women in civic education teams and elsewhere across the electoral process, including as independent election commissioners and polling station observers.<sup>141</sup>

Fokupers, with the support of the two other partners, planned a series of consultations with key stakeholders to increase the understanding of women's needs for the 2007 elections, to reach consensus among stakeholders on affirmative action and on the best use of the women's agenda and vote, to increase awareness among decision-makers, and to develop clear strategies for the participation of women in the elections.

The **first consultative workshop**, held 26 January 2006, gathered 106 participants including prominent MPs, Government officials, party Presidents from ASDT, PD, Fretilin and UDT, representatives of women's groups, NGOs, and the media along with some well-known intellectuals. This group made important contributions to the consultative process and helped develop a better understanding of women's needs.<sup>142</sup>

Most participants agreed that a quota is needed to ensure the participation of women in political life, and reached a consensus that a minimum of 30 % of candidates appearing on party lists should be women. It was suggested that the quota be made compulsory by law and that parties not respecting this requirement would not be allowed to contest the elections. Party lobbying was also recommended to raise awareness of the importance of women's vote (as 50 % of the electorate), to alternate male and female candidates on

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<sup>141</sup> Interview with Maria Domingas 'Micato' Alves Fernandes, Adviser to the PM on Promotion of Equality.

<sup>142</sup> Report of Needs Assessment Workshop 1 on Women's Political Participation in Presidential and Legislative Elections, 26 January 2006, Hotel Timor, Dili.

party lists, to advocate capacity building training for potential women candidates, and to influence party platforms to include women's concerns.

The **second consultative workshop**, held 6 March 2006, attracted more participants (167), most of whom were men (65.3%). The theme for this consultation was 'How to ensure the participation and representation of women in the political life of the nation through the 2007 legislative and presidential elections'. It was attended by the President of the Republic, the Prime Minister, President of the National Parliament, the SRSG, ministers, MPs, party leaders, representatives of UN agencies, development partners, CSOs, the media, Ambassadors, prominent intellectuals, and women's advocates.

Themes discussed by workshop working groups included affirmative action, electoral law and decision making, the role of political parties, women's vote, and the women's platform. These sessions provoked some lively discussion.<sup>143</sup>

Gender advocates were disappointed by the keynote speeches and some remarks made at the end of the workshop. In particular, resistance to a quota set a negative tone for discussions on affirmative action (*see Box 7.1*).

In his speech at the final plenary session the President stressed that parties should guarantee training to increase women's participation in politics; only the political parties can create the conditions for such participation. He concluded:

... the quota is an obligation and we are in a society where a simple call is sometimes not sufficient! Thus the definition of a quota is, as a minimum, a political orientation that not only shakes up our ideas but obliges us to improve! And we need to support improvement.<sup>144</sup>

Women's activists should use the President's statement to promote the quota among political leaders, CSOs, and the general public during civic and voter education campaigns.

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<sup>143</sup> For a detailed account of the working group discussions see the report 'How to ensure the participation and representation of women in the political life of the nation through the 2007 legislative and presidential elections', 27 March 2006.

<sup>144</sup> Allocation of H.E The President of the Republic in the High-Level Consultation on 'How to ensure women's participation and representations in the political life of the nation through the 2007 legislative and presidential elections', 6 March 2006, p.10.

***Box 7.1: High- level support for equality. But not for a quota.***

Many advocating for gender equality and the need for affirmative action were disappointed by the keynote speeches at a high-level consultation on women in politics held in March 2006.

In the opening session, the Prime Minister emphasized that women's effective participation in political life is dependent on their capacity. The focus, therefore, should be on improving women's education and economic development so they can fully participate, rather than simply insisting that they be represented. He also said that a quota law would not change the conservative nature of Timorese society, but that education, increased opportunities, and an influence on their families would, in the long term, facilitate change in Timorese society. He pointed out that women giving birth to an average of seven children retards the promotion of equality, and posed the question of whether the birth rate would be changed by an electoral quota or by long-term measures in the education sector.

The President of the National Parliament acknowledged women's contribution to nation building, their suffering during colonial times, their continued suffering due to domestic violence, and their increased involvement in public life especially through NGOs. He echoed the view that the target of 30 percent women's representation is less important than overcoming cultural barriers. He concluded: "Legislative measures are not enough, what is important is to change the mentalities."

SRSR Sukehiro Hasegawa emphasized Timor-Leste's achievements in women's participation in public life and pointed out that the UN calls for greater support of women in all aspects of the electoral and decision making processes. "It is not only the number of women in Parliament that needs to be increased," he said, "but the number of men and women who understand the importance of girls and boys completing their secondary education, and of reducing maternal mortality."

Gender advocates were surprised the SRSR did not seize the opportunity to promote affirmative action in the 2007 elections. The omission was even more conspicuous as it came just before International Women's Day 2006, which had as its theme 'The role of women in decisionmaking', strongly promoted by the UN Secretary-General. Reference by the SRSR to the UN's position on women's participation in politics could have helped to set a more positive tone for the discussions. A unique opportunity was missed.

In the final plenary session, the President of the Republic made a much more positive assessment of the need for a quota. Following this speech, however, the President asked the Prime Minister whether he was in favour of the quota, to which he tersely replied, "NO". The vehemency of his response was deemed inappropriate by many attending the consultation and heralded an unfortunate end to what had been, during the working sessions of the meeting, a very useful and balanced discussion.

## ***7.2 Ensuring the 2007 electoral process favours the election of women***

The Commission of National Dialogue, established by the President of the Republic, organized two debates on the election process on 4 and 11 March 2006 to discuss important points to be considered in the Electoral Law for the 2007 legislative elections. Representatives of political parties, CSOs, and gender advocates took part in the debate.

Major issues raised during the debate require urgent attention by gender advocates and the women's movement if the gains achieved so far in women's participation in politics are to be protected. The most pressing issue is to influence the drafting of the Electoral Law. A process of wide consultation is needed and activists should be prepared to advocate actively.

Among the issues of special concern is whether to use national, regional, or district electoral circles or a combination of these, and whether the voting system should be majority, proportional, or a mixture. A single national circle mostly favours big parties. In a proportional system, women in winnable positions on party lists are more likely to be elected. Another issue is whether the electoral lists should be open or closed. Open lists allow voters to rank candidates on the party list themselves, which is a potentially confusing process for illiterate voters. With a closed list, the order of candidate's list appearance is fixed by the party; under this system, parties should be lobbied to put women high up on the list.

Another key issue for women's participation is the rules for candidature. This includes whether the elections are only open to nominees of political parties or also to independent candidates drawn, for example, from CSOs or women's groups. In the 2004-2005 local elections a number of independent candidates were elected, showing progress in voter opinion since the 2001 Constituent Assembly elections where only one independent was successful.

Other questions include whether a threshold should be set for the minimum number of votes required to win a seat, and what the total number of seats in Parliament should be (it must have 52-65 seats). The composition of the independent electoral commission and details of the electoral campaign, including the length, budget, code of conduct, and incentives, were yet to be decided in 2006. All of these issues have potential consequences for the success of the elections.

Perhaps the most important issue left undecided in 2006, however, is whether the Electoral Law includes positive discrimination or special provisions for disadvantaged groups including women. The adoption of a quota for women would increase the number of women candidates and, therefore, the chances of women being elected. Good women candidates need to be identified and trained to acquire the required skills and knowledge to be credible future representatives of the people and to compete successfully in elections.

The OPE, UNIFEM, Caucus: Feto Iha Politika (Women's Caucus), Rede Feto, and other groups should start well in advance of the elections - ideally at least a year - to formulate and implement a capacity building strategy to ensure women's successful participation in elections. One approach would be to build on training conducted by UNIFEM under PERWL (*see sections 4.2 and 4.3*).

## 8. Lessons learned, conclusions and recommendations

This section is not divided into three parts: lessons learned, conclusions and recommendations, as some readers might expect. The rationale for this is that many of the lessons learned or conclusions lead logically to recommendations. To keep this chapter more concise, and more likely to be used, lessons, conclusions and recommendations have been combined.

### General

- Lack of progress on the participation of women in politics and Government should be considered a permanent state and must be actively protected and built upon.
- Advancement of women is a continuous cycle. Each new cohort of women who are sensitized need to be empowered effectively, engaged and supported.
- While the pressing gender issue in Timor-Leste is the empowerment of women, including their full participation in politics and public life, this must be done in the context of human rights for all, equality for men and women.

### Women and power

- Women with 'accepted' power in society derive it from different sources:
  - Some women derive power from their **association with traditional power** structures, such as being descendants of *liurai*, or associated with *lian nains* and/or catechists.
  - Many women who do hold positions of power played **an important role in the resistance movement** during the struggle for independence. They overcome traditional gender roles by risking their lives for the cause, and by developing important leadership and social mobilisation skills.
  - Many Timorese women from **the diaspora** benefited from a solid education abroad and were exposed to democratic values. Gender equality was not only rhetoric but also an implemented principle in countries such as Australia, Portugal, and Mozambique where women and girls have

more equal access to education and hold important positions in public office. Because of their upbringing and social influence, women of the diaspora are more likely to be self-confident.

- **Technical competence and education**, such as a university degree, are another source of respect and power. They can help a woman ‘qualify’ in the eyes of the political party leadership as a valuable party member, potential candidate, and as a useful representative of the party in senior civil service positions.
- **Involvement in CSOs** is a way for women to enter public life and advance women’s concerns. Many have already gained considerable experience through their involvement in the women’s movement and NGOs. This could be an avenue for a new generation of women to gain leadership, advocacy and administrative skills.
- ‘Alternative’ power sources need to be developed. For example, women from families not connected to traditional power structures need to be encouraged and assisted to participate in public life through specific training and mentoring. A certain level of economic empowerment may be a precondition for political empowerment. Youth leaders may be very important in reaching young voters and those who will soon reach voting age.
- Family support is essential to women’s participation in public life. Political life is time-consuming and psychologically demanding. Practical support from family members for household and childcare responsibilities, as well as emotional and moral support, is fundamental to the sustainable involvement of women in public office. This should be recognized and supported by CSOs, particularly through working with husbands and in-laws.

### **Women in public office**

- The most important positions for women to hold are those with power to influence the whole political and development processes of legislation and policy development and implementation.
- Women’s role should not be limited to areas of Government seen as ‘women’s territory’. It is important to have women in positions of power in all areas of Government including those related to planning, finance, civil works, defence, and police.
- An affirmative action policy should be established to ensure the selection of more women in senior posts in the civil service, including at local level. Women holding senior positions in office serve as role models that help to change attitudes and promote positive behaviour towards the promotion of equality. The

impact may be particularly high in rural areas where the role of women needs most work.

- Elected women must be committed and allowed by their parties to advocate for change related to women's interests. There is no point in electing women to decision making positions if they simply provide gender-neutral or male-oriented leadership.
- Parliament is a male-dominated body and this situation disadvantages the women's agenda. To address this, seats must be reserved for women representatives in the leadership structure. If, for example, the Speaker is a man, the Deputy-Speaker should be a woman. The Mesa and Chairs/Vice-Chairs of the Commissions should be gender balanced. Women nominated for these positions by Party Benches should have a demonstrated record of gender sensitivity, inclusiveness, and prominence in advocacy of women's interests, not just party loyalty.
- A standing commission on gender equality should be established to promote a gender perspective in the work of the Parliament. One or more of its members should participate in each of the other Parliamentary Committees to ensure that gender issues are addressed, for example, to consider the gender impact of proposed legislation and to monitor the Government's performance in meeting gender equality goals and targets.

### **The electoral process**

- Women's participation in the electoral process cannot be assumed. Every phase and aspect of participation must be systematically prepared, ahead of time, and supported at every step.
- The way to move forward; a mixed strategy for picking winners. Women's groups and politicians supportive of the women's agenda must promote different winning strategies — choosing which type of candidate to support in which context. Potential strategies may include:
  - In strongly traditional villages, try to attract a *liurai's* daughter with charisma and competence as a candidate to gain the acceptance and votes of the traditionalist population and to encourage this type of constituency to accept women leaders.
  - In a village with successful and credible NGOs, it may be appropriate to encourage a known woman NGO representative to be a candidate.
  - It may be unproductive to invest in supporting independent candidates in party strongholds; they have a better chance of success where there is no one dominant party. If political parties do not agreed to open

their lists to women, opportunities should be given to potential independent candidates at grassroots level, with training in essential skills and active campaign support.

- Where there are male candidates who are genuine champions of gender and women's issues it may be useful to support them, but not in a way that will reduce their credibility with male voters.
- The precise wording of the articles of the Electoral Law can have a profound effect on women's chances of being elected and of actually taking up office in Parliament. It is very important for gender advocates to pay close attention to the drafting of the Electoral Law.<sup>145</sup>
- The Electoral Law should stipulate a minimum of 30% women candidates in political parties' lists; parties that do not respect this requirement would not be allowed to contest the elections.
- The high number of women in Parliament in 2006 was partly the result of women being placed in high positions in the lists of those parties that gained the majority of seats. Women's chances of being elected through a political party are very significantly influenced by the structure of the party list.
  - An agreed proportion of women in the overall list is essential, but not sufficient. In proportional voting systems, the greater the number of women at the top of the lists, the higher the chance that more women will be elected.
  - The most equitable option for structuring a party list is the so-called 'zippered', list in which every other candidate is a woman.<sup>146</sup>
  - If the number of men and women candidates available for a list is not equal, it is important to develop a formula to ensure women are placed near the top of the list, such as; one woman in the top two positions **and** two women in the top five positions **and** three women in the top eight positions.<sup>147</sup>

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<sup>145</sup> If the Electoral Law for 2001 was more clearly worded, Ana Seixas would have been replaced by another woman and not by the male second in the candidate list. It has been documented that parties in some countries 'required women to submit pre-signed letters of resignation when they are nominated so that they can be replaced with men if elected', in *Political Participation*, p. 33.

<sup>146</sup> According to interviews for this study, in the 2001 elections some political parties used a zippered list. UDT and PNT are reported to have used a list 'intercalate'; both parties won two seats and had gender parity representation in Parliament.

<sup>147</sup> For example, the Electoral Law in Bosnia required that men or that women constitute at least a third of the candidates within a party list, and that both sexes are highly ranked to ensure balanced representation if the party wins seats in Parliament. One specific provision states in relation to list composition: "... at least one minority gender candidate amongst the first two candidates; two minority gender candidates amongst the first 5 candidates; and three minority gender candidates amongst the first 8 candidates ... The number of

- Women may have a better chance of being elected if the Electoral Law states that party lists be ‘closed’, meaning that voters cannot change the order of the list at the time of voting. This option is more appropriate for the Timor-Leste context as an open list is more complex to implement and potentially confusing for a population with low levels of literacy, particularly in rural areas.<sup>148</sup>
- The Electoral Law should clearly stipulate that any woman removed from a candidate list, or who resigns from office, be replaced by another woman.
- The Government should define appropriate incentives to encourage parties to nominate more women candidates offering incentives such as additional campaign financing. This approach was used by UNTAET in the 2001 elections with extra broadcast time on radio and television; it proved to be successful.
- Civic voter education should start as soon as possible and be intensified once the Electoral Law is approved to enable voters to understand the electoral process. It should be conducted by people who have received gender awareness training, use materials that are gender sensitive, and use positive images of women as voters, leaders, and contributors to nation-building and the development of the country. Civic education should explain:
  - The value of democracy, the electoral system, how to register to vote, that each person has one vote, the purpose of the secret ballot (for example, to avoid family pressure or group voting), how to decide how to vote, and how and where to vote.
  - Powers of the offices to be filled in the 2007 elections and their accountability to their constituencies.
  - The importance of women and men having equal rights and the importance of women’s full participation in the political process.
- Symbols to be used by independent women candidates in the elections should be decided as soon as possible and made visible in all activities so they are recognised by constituents at election time.

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minority gender candidates shall be at least equal to the total number of candidates in the list, divided by three, rounded by the closest integer”, in *Political Participation*, p. 34.

<sup>148</sup> International experience shows that open lists usually disadvantage women candidates even when zippered lists are used, because political parties can trick the system encouraging voters to reorder the candidates when they cast their vote.

## Political parties

- If advocacy efforts fail to secure adequate stipulations in the Electoral Law in relation to women's representation, individual parties should be lobbied to voluntarily include an appropriate number of women in winnable positions (*see section above on Electoral Law*).
- Parties may also adopt a code of conduct that includes elements in relation to women's participation. This would demonstrate genuine commitment of the party leadership and avoid 'tokenism' which can undermine women's empowerment and trust.<sup>149</sup>
- Approaches to, and support for, political parties should be planned well in advance of the elections, including the identification, training, and resource support for potential and named women candidates.
- Male party leaders should be helped to understand why it is in their party's interests to increase the role of women and include women's interests in their platforms. Some may be more likely to act out of self-interest than through a commitment to the idea of equality. At least they should be reminded that women make up half of the electorate and are important actors in the country's development.
- Political parties should increase the gender sensitivity of their leadership and cadres by training their members in gender awareness and analysis. This will help them to value women's involvement in politics, to understand the importance of developing women's capacity as candidates, to nominate women in positions of power within their leadership structures and in policy commissions, to understand the importance of briefing their MPs on key gender issues, and to sustain their gender work between elections.
- Political parties should consider the establishment of a women's or gender affairs branch within their party as a mechanism to support women's political participation and empowerment. Such a branch should have one or more representatives in the party leadership.

## CSOs and NGOs

- CSOs/NGOs have played a major role in the advancement of women and gender equity in Timor-Leste, particularly during and since the UNTAET period.
- CSOs/NGOs can pressure the Government to undertake qualitative changes for women but must also provide support for women in power so they can do their job in a difficult, male-dominated environment. This can be achieved through the

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<sup>149</sup> Ibid. p.34.

development of non-partisan networks to advance aspects of women's role in politics across party lines.

- CSOs/NGOs should engage with the women's agenda in Government and in the legislative process to promote gender equality. Contributions could be to advocate and lobby MPs for more gender-sensitive legislation and to analyse legislation and provide technical advice during the drafting of laws. They can also be instrumental in improving the capacity of newly elected MPs in gender concerns and support them, for example, through the provision of solid information as a basis for advocacy.
- CSOs/NGOs are an important training ground for women in political participation and gender awareness. Training and mentoring should focus on building confidence in a woman's ability to contribute to local and national politics. This includes enhancing skills in communication (including public speaking and dealing with the media), advocacy, lobbying, and campaigning, as well as decision making, transparency and accountability.
- CSOs/NGOs should organize gender-focused activities that involve women **and** men to convey that gender equity is good for all and to enable women to develop their general confidence and ability to engage men in debate.
- CSOs/NGOs have a role to play in sensitizing and training the media to ensure that women's issues are appropriately covered and to promote the use of positive images of women as political leaders and voters and to avoid gender stereotyping. They can assist the media by providing factual and unbiased information.
- CSOs/NGOs should work with political parties to ensure that women's and gender issues are included in the party platform and to help them identify, train, and support candidates who will promote the women's agenda.
- CSOs/NGOs should be involved in the whole electoral process to ensure that it maximizes opportunities for women (*see above section on the electoral process*). This involvement should begin with trying to influence the drafting of the Electoral Law, ensuring timely identification and preparation of women candidates, and should include active participation in a gender-sensitive voter education campaign.
- CSOs/NGOs' ongoing work with communities can favour women's involvement in politics. Literacy and economic empowerment, for example, are important factors in increasing women's voice. General awareness raising on gender inequality and challenging gender roles in society can help bring about change. Encouraging men to assume more responsibility for domestic work is a step towards them accepting that women can devote time to public life.

## **Donors**

Donor support has been critical to strengthening work towards gender equality. The presence of gender-sensitive diplomats and development assistance staff has been instrumental in supporting work towards gender equality. Donor support is required to maintain and build upon the gains achieved so far. Areas of priority include advocacy and support for women's participation in elections, support to women politicians, and furthering gender equality in secondary education, adult literacy and numeracy, reproductive health and economic empowerment.

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## Annex 1 : List of people interviewed / Consulted

<b>Research Women's participation in politics and decision-making: purposive sample of persons interviewed</b>		
<b>Category</b>	<b>Interviewee</b>	<b>Date</b>
<b>Government Senior Officials*</b>	Rosario Corte Real Vice-Minister of Education	21 March 2006
	Ilda Maria da Conceicao Vice-Minister of State Administration	14 March 2006
	Odete Victor Minister of Public Works	21 March 2006
	Maria Domingas "Micato" Alves, Advisor PM Promotion of Equality	16 March 2006
<b>Members of Parliament</b>	Maria Paixao, PSD, Party Bench Leader	14 March 2006 & 21 March 2006
	Adalgiza Ximenes, Fretilin	14 March 2006
	Lourdes Merita Alves, Fretilin	14 March 2006
	Rosalia Araujo, PD	15 March 2006
	Genoveva Da Costa, Fretilin	21 March 2006
	Lucia Lobato, PSD	21 March 2006
	Maria da Costa Valadares, ASDT	21 March 2006
	Lourdes Merita Alves, Fretilin / OPMT	14 March 2006
Maria Solana, Fretilin	March 2006	
<b>Political Parties' Leaders/Heads</b>	Mario Viegas Carrascalao, PSD	17 March 2006
	Francisco Xavier do Amaral, ASDT	17 March 2006
	Alexandre Corte Real, UDT	21 March 2006
	Jose Nomeandu "Buras", PD	21 March 2006
	Nelson Correia, PST	21 March 2006
	Ermegnildo Kupa, Partido Nuevo Millennium	17 March 2006
	Manuel Tilman – KOTA	21 March 2006
	Jose Reis – Fretilin	20 March 2006
<b>Independent Candidates 2001</b>	Olandina Caiero	15 March 2006/ August 2001
	Teresa Carvalho	15 March 2006
	Maria Domingas Fernandes "Micato" Alves	16 March 2006 / August 2001
<b>Suco/local candidates</b>	Terezhna dos Reis, Chefe do Suco Bucoli, Baucau	20 March 2006
	Maria Fatima Belo, Suco Tirilolo- Baucau	19 March 2006
	Maria Lidia de Jesus Belo, Chefe do Suco Garulai, Baucau	19 March 2006
	Luiza Guterres, Chefe do Suco Fatuluk	11 October 2005

<b>Women in struggle</b>	Bi Soi- Falintil	16 March 2006
	Bimesak – Falintil	20 March 2006
	Biloumali- Falintil	18 March 2006
<b>Women judiciary</b>	Carmelita Moniz	
	Jacinta Correia Da Cruz	
<b>Local administration</b>	Micaela Ximenes, Deputy District Administrator, Baucau	20 March 2006
	Leonia da Costa Monteiro, Deputy District Administrator, Manatuto	18 March 2006
	Olivio Freitas, Sub-District Administrator, Baucau Kota	19 March 2006

\* An interview was twice scheduled with the Vice-Minister of Planning and Finance H.E. Aicha Bassarewan but it could not be conducted as she was called to the Council of Ministers. H.E. Ana Pessoa, Minister of State Administration was on holiday during the interview period.

<b>Other people interviewed / consulted</b>		
<b>Informant</b>	<b>Position</b>	<b>Date</b>
Elizabeth Huybens	World Bank, Country Manager	25 February 2006
Dionisio Babo	Co-Chair Commission for Truth & Friendship	13 March 2006
Anildo Da Cruz	Adviser to Parliament, TAF	14 March 2006
Padre Martihno	Dioceses Baucau	13 March 2006
Teresinha Cardoso	Director Caucus	26 February 2006
Henriqueta Silva	Ex- CEP Chef of Communication	2 March 2006
Mauricio Lopez Rivera	IFES	12 March 2006

<b>Members of Steering Committee</b>	
Dr. Benjamin Corte Real	Chancellor, National University of Timor-Leste
Dr. Joao Cancio Freitas	Chancellor, Institute of Technology Timor- Leste
Ms. Ana Paula Rodrigues	Director National Television of Timor-Leste
Ms. Milena Pires	UNIFEM, Programme Coordinator
Ms. Repelita Tambunan	UNIFEM, National Coordinator, CEDAW-SEAP

## Annex 2: Equal rights provisions within the Constitution

<b>Fundamental principles</b>		
Citizenship	Section 3	Children of either a mother or father born in Timor-Leste are considered original citizens
Objectives of the State	Section 6, Article J	To promote and guarantee the effective equality of opportunities between women and men
Universal suffrage	Section 7	Equal rights to periodic suffrage and other forms of political power
<b>Fundamental rights, duties, liberties and guarantees</b>		
Universality and equality	Section 16	<ol style="list-style-type: none"> <li>1. All citizens are equal before the law, shall exercise the same rights and shall be subject to the same duties.</li> <li>2. No one shall be discriminated against on the ground of colour, race, marital status, gender, ethnic origin, language, social or economic status, political or ideological convictions, religion, education and physical or mental conditions</li> </ol>
Equality between men and women	Section 17	Women and men shall have the same rights and duties in all areas of family, political, economic, social and cultural life.
Access to court	Section 26	<ol style="list-style-type: none"> <li>1. Access to the courts is guaranteed to all for the defence of their legally-protected rights and interests.</li> <li>2. Justice shall not be denied for insufficient economic means.</li> </ol>
Right to personal freedom, security and integrity	Section 30, Section 1	Everyone has the right to personal freedom, security and integrity.
Right to personal freedom, security and integrity	Section 30, Section 3	Every individual who loses his or her freedom shall be immediately informed, in a clear and precise manner, of the reasons for his or her arrest or detention as well as his or her rights and allowed to contact a lawyer, directly or through a relative or trusted person.
Marriage	Section 39, Article 3	Marriage shall be based upon free consent by the parties and on the terms of full equality of rights between spouses in accordance with the law.
Political participation	Section 46, Article 1 and 2	<ol style="list-style-type: none"> <li>1. Every citizen has the right to participation in the political life and in the public affairs of the country, either directly or through democratically elected representatives</li> </ol>

		2. Every citizen has the right to establish and to participate in political parties.
Right to vote	Section 47, Article 1	Every citizen over the age of 17 has the right to vote and to be elected.
Right to private property	Section 54, Article 1	Every individual has the right to private property and can transfer it during his or her lifetime or on death, in accordance with the law.
Participation by citizens in political life	Section 63, Articles 1 and 2	<ol style="list-style-type: none"> <li>1. Direct and active participation by men and women in political life is a requirement of, and a fundamental instrument for consolidating the democratic system.</li> <li>2. The law shall promote equality in the exercise of civil and political rights and non-discrimination on the basis of gender for access to political positions.</li> </ol>

*Source: USAID 2004, Timor-Leste Gender Assessment, DevTech Systems Inc, p23.*