The Centre for Democratic Institutions (CDI) conducted a workshop for Members and staff of Committee A (Committee on Constitutional Affairs, Justice, Public Administration, Local Government and Government Legislation) of the National Parliament of Timor-Leste in Dili on 15th and 16th November 2007. Held in conjunction with the International Foundation for Electoral Systems (IFES), the workshop focused on collecting evidence through public hearings.

The workshop was held at the request of the Chair of Committee A, Ms Fernanda Borges, with the support of the President of the National Parliament of Timor-Leste, Mr Fernando Lasama de Araujo. The idea for the workshop followed discussions between CDI Deputy Director, Mr Quinton Clements, Ms Borges, and Ms Mary Lou Schramm, IFES Representative in Timor-Leste, on ways CDI could assist Committee A in its work.

The aim of the workshop was to assist Committee A in undertaking its program of election law review and revision starting with the Law on the Election of Suco Chiefs and Councils. The 12 Members of Committee A gained a greater appreciation of the value of parliamentary committees as a means of ‘taking Parliament to the people’, thus enabling Members to be better informed about community views; of providing a bridge between Members’ constituents’ concerns and the broader community interest; of promoting public debate; and of scrutinising the Executive and contributing towards better government through a more informed administration and policy making process. This was first time this type of specialized training had been provided to East Timorese parliamentarians.

Workshop Participants

CDI Deputy Director, Quinton Clements, convened the workshop, together with:

- Mr Warren Cahill - Project Manager, Parliamentary Strengthening Project, National Parliament of Solomon Islands; and
- Mr Jude Devesi – Committee Secretariat, National Parliament of Solomon Islands.

Ms Mary Lou Schramm and IFES provided the on-the-ground logistical support.

Six Members of Committee A plus secretariat staff participated in the two day workshop with good representation from both government and opposition parties.
Background

The Timor-Leste Parliament has two types of parliamentary committees – standing committees and ad hoc committees – provided for in the Rules of Procedure of the Parliament. Standing committees are established for the life of the Parliament. The role of the standing committees is to examine and advise the Plenary on draft legislation, amendments and treaties, consider petitions, and undertake inquiries. There are currently nine standing committees.

Committee A have been tasked by the Plenary to review and redraft four of the five electoral laws. The Committee was scheduled to commence this task in November 2007 with the Suco Laws in order to have these laws reformed in time for the 2008 local level elections. The Committee decided to begin with a series of public hearings in Dili and the districts seeking input from stakeholders and the public on these electoral laws. IFES is assisting Committee A in this process – with legislative drafting and technical assistance relating to electoral reform – and Committee A asked IFES to provide some training on how to conduct public hearings. As specialist parliamentary procedural training is not an area of expertise for IFES, Ms Schramm contacted Mr Clements to see if CDI would assist.

The Workshop

The program was based on sharing the experiences of other parliaments in the region, specifically those of Australia and Solomon Islands, with the East Timorese parliamentarians and staff. The workshop sessions were designed to be highly interactive. The workshop began with background to parliamentary committees and the process of conducting committee inquiries. The benefits of inquiries, such as involving the public/constituents in the work of Parliament, were highlighted.

Mr Devesi described the role committees can play and the challenges they will face in trying to do so. He illustrated this by providing an overview of the parliamentary committee system in Solomon Islands. He explained how committees can be informed and productive, be heard and seen, give the public the confidence to have their say, debate well and reach consensus and be high-profile and integrated with the House. Participants were shown examples of good committee practice including television footage of public hearings as part of the Solomon Islands Public Accounts Committee’s inquiry into the 2007 budget appropriations.

The participants then considered the elements that underlie effective committees. They were introduced to good practice in holding public hearings by examining issues to do with effective committee membership, the role of the secretariat and procedure. There was considerable discussion on such procedural issues as using an oath or affirmation, protection of witnesses and contempt, the power of the Committee to compel a person/ organisation to give evidence, and open hearings and in-camera sessions. The presenters noted the importance of bipartisanship and consensus in committee work, the role of the Committee Chair, holding manageable inquiries, using external assistance for inquiries, properly preparing for hearings, and producing evidence based reports. Mr Clements also discussed the issue of witness protection, using examples to illustrate how the way committees conduct hearings can potentially affect witnesses.

Mr Devesi’s presentation on the role and work of committees in the National Parliament of Solomon Islands was of particular interest to participants. They provided a concrete, regional example of what was possible and practical in
strengthening Parliament and its committees. The presentations by Mr Devesi provoked numerous questions and considerable discussion.

The day two sessions were focused on taking the participants through a typical inquiry process – establishing an inquiry, planning, collecting written and oral evidence, and reporting back to the Plenary. Emphasis was placed on planning and then conducting a public hearing. Each session involved a practical exercise including the holding of a mock public hearing using a topic and questions prepared by the participants.

Following the workshop, the CDI team supported Committee A's first public hearing on Saturday 17th November 2007. This hearing, into the draft Private Lawyers Bill referred to Committee A by the Plenary, was again a first for the Timor-Leste Parliament. Drawing on the lessons of the workshop, Committee A was able to conduct a structured and focused public hearing. Witnesses were encouraged to provide written submissions prior to the hearing and to give short opening statements. Members were then able to ask targeted questions and address the key issues of the Bill. Particular attention was paid to recording the hearing and establishing a record management system that would assist the Committee in considering its findings and drafting the final report to the plenary. Again, this was another first for the Timor-Leste Parliament.

**Conclusion**

CDI worked closely with the IFES Dili office in preparing for the workshop. IFES organised the venue and associated administrative matters.

There were a number of challenges CDI faced in organising and conducting this particular workshop. Firstly, unlike Pacific region parliaments which are modelled on the Westminster system, the East Timorese Parliament and its committees have a different structure, procedures and political culture. Accordingly, in designing the workshop, CDI had to tailor the program to these local circumstances and the presenters had to be conscious of the different context in which the participants operated. Secondly, the workshop had to be conducted in the local language, Tetum. All presentations and handouts were translated into Tetum and simultaneous translation into Tetum was provided for all sessions.

Notwithstanding these challenges, the workshop was extremely well received by the parliamentarians and staff. Feedback from participants was that the workshop addressed the many operational and procedural issues they were grappling with. Having Mr Devesi involved in the workshop proved invaluable as there is considerable interest on the part of the East Timorese parliamentarians in the way the Solomon Islands parliamentary committees work.

CDI used a highly interactive program very much based on the input of Committee A as to the issues Members wanted addressed. Each of the presenters used an inclusive approach in getting their messages across and engaging with the audience. As a result, the sessions generated lively discussion and numerous questions from participants. All participants exhibited a genuine desire to learn about committee practice and procedure and gain a better understanding of how to make the East Timorese parliamentary committees function more effectively. Feedback from the participants has been overwhelmingly positive. Most of the lessons learnt in the workshop were subsequently implemented in the first public hearing held on 17th November. Its was invaluable for both the participants and the CDI team to not only
have the workshop but to follow that training through with planning, preparing for and conducting an actual public hearing.

**Acknowledgements**
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CDI is especially grateful for the enthusiastic participation of the Members and staff of Committee A. CDI also acknowledges the generous support of the National Parliament of Solomon Islands and the UNDP Pacific for allowing Mr Devesi and Mr Cahill to participate. A special note of appreciation goes to Ms Mary Lou Schramm and her staff at IFES for managing all the logistical arrangements and to Mr Karlito Nunes of IRI for his advice and assistance. The Committee Office, Department of the House of Representatives, Parliament of Australia, through the Parliamentary Relations Office, also assisted CDI by providing a range of training aids and materials, including video footage of Australian parliamentary committees at work.

CDI greatly appreciates the involvement of Mr Cahill and Mr Devesi. Their genuine interest, enthusiasm, patience, extraordinary skill as facilitators and presenters and deep knowledge of parliaments helped ensure the workshop was a success.