

# Timor-Leste in 2009: A Report

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In October 2009, the Speaker of the Northern Territory Legislative Assembly, Jane Aagaard, led a delegation of Members to Timor-Leste at the invitation of the President [Speaker] of the *Parlamento Nacional*, His Excellency Mr Fernando La Sama de Araujo.

## ***Advance Delegation***

Two weeks prior to the official delegation, I undertook an advance delegation with the invaluable assistance of officers from the Department of the Chief Minister's Asian Relations Unit.

We were scheduled to meet with a range of parliamentary officials during that visit, however, on the first of the two days, the nation was consumed by a Motion of No Confidence<sup>1</sup> in both the President and Prime Minister of the Republic. That matter was debated from 10am until 10.30pm and lost along party lines. The whole of the debate was broadcast on national television and radio. Interestingly the Constitution provides for only one Motion of No Confidence during the life of a parliament, so there cannot be another until after the 2012 election.

The Parliament of Timor-Leste has 65 Members, all of whom are elected centrally. That is, no Member has an electorate *per se* and this can be problematic for those who live in regions or villages that are not home to an elected representative. Representation of the regions is further compounded by the fact that the vast majority of people who live in the regions are uneducated or poorly educated people whose sole source of meagre income is agriculture<sup>2</sup> and who speak only Tetum<sup>3</sup>.

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<sup>1</sup> Arising from the President ordering an Indonesian soldier being held in prison to be released. The Constitution does not provide for the President to make such decisions; it should be a decision of the Parliament.

<sup>2</sup> The *CIA World Fact Book* puts labour force figures at: agriculture: 90%; industry: NA%; services: NA% (2006 est).

<sup>3</sup> The national language of Timor-Leste is Portuguese, with secondary languages being Tetum and Bahasa. English has no official language status.

A three-party coalition makes up the Government of Timor-Leste, which Opposition members identified as problematic in terms of keeping the government accountable. Whilst the coalition forms the government, Fretelin was the party which won the most seats during the last election. The Constitution appears to be ambiguous about whether one or the other should prevail. While Fretelin is not entirely satisfied with the *status quo*, it has made a commitment to participate as an Opposition party until the next election in 2012. Both President Horta and Prime Minister Gusmao made the observation to the delegation that Fretelin is an effective opposition.<sup>4</sup>

There are nine Parliamentary Committees<sup>5</sup> and 89 staff with more recruitment planned for 2010. Seven parties make up the Plenary. All Members of Parliament have a car and a driver.<sup>6</sup> There is a UN Development Program project for Parliamentary Secretaries and Committees and a capacity-building program for national legal drafters (parliamentary counsel). The Asian Foundation provides researchers and there is a Co-operation Plan with the Inter-Parliamentary Union (IPU). The Parliament of Timor-Leste is a Member of the *Comunidade dos Países de Língua Portuguesa*, the Community of Portuguese Speaking Countries (CPLP).

There is no equivalent of the Clerk in the Timor-Leste Parliament. The Secretary-General of Parliament is responsible for administration only and is a political appointment made by the President of the Parliament. There are several advisors on procedure who fall into two categories: advisors to the Plenary; and advisors to Committees.

The Parliamentary building itself is bursting at the seams and can barely accommodate its present occupants. A new building is proposed for Tasi Tolu, about 15 minutes west of Dili, with construction due to commence in March 2010.<sup>7</sup>

### ***Delegation Proper***

The official visit was for two days, Dili being an hour flying time from Darwin. The parliamentary delegation comprised the following Members: Jane Aagaard (Speaker), Lynne Walker (Deputy Speaker & Member for Nhulunbuy), Terry Mills (Leader of the Opposition and Member for Blain), Peter Styles (Member for Sanderson) and Gerry Wood (Independent Member for Nelson).

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<sup>4</sup> Both President Horta and Prime Minister Gusmao are former members of Fretelin. There are two veteran guerrilla [Fretelin] fighters who are now leaders of non-Fretelin parties.

<sup>5</sup> These include: Ethics; Security, Defence and Foreign Affairs; Agriculture, Fisheries & Forestry, Natural Resources & Environment; Property, Production, Rural Development, Gender Equality and Veterans' Issues; Internal Relations; Infrastructure, Social Economics; Education, Culture and Health; Youth, Sport, Employment & Training.

<sup>6</sup> This is a recent entitlement voted upon by Members. It met with student demonstrations.

<sup>7</sup> After the Wet Season.

The delegation met with the Acting President of the Parliament of Timor-Leste, His Excellency Mr Vicente Guterres, the Presidents (Chairs) of Committees, Leaders of Government Coalition Parties and Leaders of Opposition Parties. From these meetings, the following emerged as the dominant issues:

**Language** – the most recurrent theme was the desperate need for training in English both for Members of Parliament and for parliamentary officers. Notwithstanding the official languages of Timor-Leste are Portuguese, Tetum and Bahasa, most international reports are published in English and the majority of Members and parliamentary officers are unable to access them because of their lack of English.

**Structure** – lack of staff, lack of resources, lack of training, lack of parliamentary awareness. This applies to parliamentary officers generally, and to parliamentary counsel. MPs do not have offices or electorate offices.

**Organisation** – lack of staff with necessary training, lack of succession plan, lack of training plan (because of the lack of resources).

**Institutional Weakness** – lack of transparency and accountability of Ministers (appointed externally) to the Parliament generally and the Opposition parties in particular. Lack of officers such as Auditor-General and Ombudsman.

**Financial Weakness** – lack of resources to fund appropriate training, recruitment of staff, etc.

**Human Resources** – lack of appropriately qualified staff and lack of people to train them. It appeared that the majority of parliamentary staff do not speak English and this was highlighted as an urgent need requiring addressing before training or exchanges can be effectively facilitated.

When the delegation met with the President of the Republic of Timor-Leste, His Excellency Dr Jose Ramos Horta, the matter of English language was again raised with the President making the observation that Australia, and the Northern Territory in particular, is well placed to assist in the areas of English and parliamentary training.

Acknowledging that there is a desperate need for parliamentary training, exposure of parliamentary officers to other parliaments and, in the longer term, a system of parliamentary exchanges and/or internships, none of these are possible without first delivering comprehensive training in English for both Members of Parliament and Parliamentary officers. Without appropriate English language skills, meaningful training cannot be delivered. The most practical response to this is to find funding to provide for an ESL teacher on the ground in Timor-Leste for the necessary time (or blocks of time) for Members and parliamentary officers to undertake training separately. The most appropriate channel for this undertaking appears to be AusAid, which is very active in Timor-Leste. ASPG President Kevin Rozzoli is pursuing this avenue.

Arising from the various meetings and subsequent discussions with English-speaking Members, the Legislative Assembly has forwarded material on, for example, benchmarking and Terms of Reference for the Public Accounts and Estimates Committees. This is intended to assist with problems such as self-assessment of the parliament's performance and scrutiny of the Government by Opposition parties. Further, the Parliamentary Library Service is undertaking a project to collate credible reference sites for parliamentary researchers in Timor-Leste.

In addition, the Leader of the National Unity Party, Fernanda Borges, was a refugee from Timor Timur and was educated in Darwin. She has family in Darwin and visits regularly. We have undertaken to meet on a regular basis and for the Legislative Assembly to offer whatever practical support and advice we can. Ms Borges has offered to translate material from English to Portuguese for the benefit of other Members of the Timor-Leste Parliament. ▲