



Timor-Leste Parliamentary Elections, July 2017

Disability Access Monitoring

Dili, Timor-Leste | October 2017



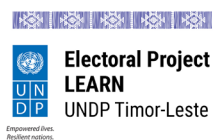
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ACRONYMS

CNE	Commissao Nacional de Eleicoes (National Election Commission)
DFAT	Australian Government's Department of Foreign Affairs and Trade
IFES	International Foundation for Electoral Systems
UNDP LEARN	UNDP Leveraging Electoral Assistance for Regionalized Nation-Building Project
MOF	Ministerio das Financas (Ministry of Finance)
MSS	Ministerio de Solidariedade Social (Ministry of Social Solidarity)
RDTL	Democratic Republic of Timor-Leste
RHTO	Ra'ès Hadomi Timor Oan
STAE	Secretariado Tecnico de Administracao Eleitoral (Technical Secretariat for Election Administration)
UNCRPD	United Nations Convention of the Rights of Persons with Disabilities
UNDP	United Nations Development Programme
WB	World Bank
WHO	World Health Organisation

1. DEFINITIONS

Accessible - A site, facility, work environment, service or program that is easy to approach, enter, operate, participate in and/or use safely, independently and with dignity by persons with disabilities.

Accessible formats - Print, audio or visual information that is accessible to persons with disabilities.

Braille - Writing system comprised of raised dots used by people who are blind or have low vision.

Disabled Persons Organisation (DPO) – an organisation that is run by and promotes the interests of persons with disabilities.

Hearing disability – a severe or profound loss of hearing resulting in inability to hear.

Inclusion- Persons with disabilities are involved in all electoral activities on an equal basis with other citizens, including leadership positions, rather than just having accommodations that might segregate persons with disabilities from other citizens.

Intellectual disability – a limit to a person’s ability to learn at an expected level and function in daily life.

National Election Commission (CNE) – the independent body that supervises all electoral processes in Timor-Leste.

Persons with disabilities– according to Article 1 of the United Nations Convention on the Rights of Persons with Disabilities, includes those who have “long-term/permanent physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others”.

Physical disability – a limitation on a person’s physical functioning, mobility, dexterity or stamina.

Polling Center (PC) – a building in which one or more polling stations are located.

Political campaign event - an activity organized by a political party or coalition, such as a rally, door to door campaign, parade, presentation, meeting, dialogue, concert and similar, with the goal of promoting political messages inviting voters to support the political party or coalition in elections.

Polling Station (PS) – a room or similar facility used for voting on Election Day.

Psycho-social disability – an impairment or participation restriction related to mental health issues.

Ramp – An inclined plane or series of planes without obstacles to provide access to floor levels of different heights in the external and internal parts of a facility.

Technical Secretariat for Election Administration (STAE) – The Election Management Body that is responsible for administration and organization of elections in Timor-Leste.

Visual disability – a functional limitation of the eye, eyes or vision system that causes problems not fixable by usual means such as glasses and contact lenses.

2. EXECUTIVE SUMMARY

In 2017, Timor-Leste conducted two national elections: Presidential Election on 20th March 2017 and Parliamentary Election on 22nd July 2017.

In order to assess the accessibility of these elections to persons with disabilities, Raes Hadomi Timor Oan (RHTO), supported by the International Foundation for Electoral Systems (IFES), and the UNDP LEARN Project, conducted disability access monitoring for these two elections. The support from IFES was funded by Australian Government's Department of Foreign Affairs and Trade (DFAT), while the support from UNDP LEARN was funded by the Government of Japan and the Government of the Republic of Korea.

The monitoring of the presidential election was conducted in Dili municipality only and was largely used to trial the methodology, checklists and training to be used for the monitoring of the parliamentary election. For the parliamentary election, ten Election-Day monitors were deployed in each of Timor-Leste's thirteen municipalities, and at least one medium-term monitor was deployed in each municipality to monitor selected political campaign events. Monitors used standard checklists to assess the accessibility and obtain the views of persons with disabilities attending campaign events and voting. Monitors attended a total of 124 polling stations on Election-Day, and 44 political campaign events. As these locations were not randomly selected, the results of the monitoring are indicative rather than representative. Additionally, RHTO's headquarters staff conducted an assessment of the administrative and legal framework for the elections.

The results of the disability access monitoring for the July 22 elections for the National Parliament Elections indicated that there was no cohesive or strategic approach by the Government of Timor-Leste, CNE, STAE and other stakeholders to provide access to political and electoral processes for persons with disabilities. There appears to be some reluctance to deal specifically with disability issues in relation to political and electoral access, in the absence of comprehensive requirements in law. The Government of Timor-Leste has developed a National Action Plan for Persons with Disabilities, but it does not cover implementing political and electoral participation rights.

Despite the National Action Plan, the disability access monitoring for the parliamentary election found that physical access to electoral facilities, and access to electoral employment, is poor. Access to civic and voter education is also limited. The monitoring also found that most political parties did not consider any approach to dealing with persons with disabilities, in areas such as promoting access to their campaign events, tailoring policies and information campaigns and inclusion in executive bodies and candidacy for elected positions.

The analysis of the legal framework found that with one exception, persons with disabilities may freely participate in elections in Timor Leste. Election regulations, however, states that election staff should ban access to polling stations to any person 'acknowledged to be mentally ill'. Unlike for prisoners and patients in hospital, there are no legal provisions that allow persons with a disability to access mobile voting services. However, election regulation allows election staff to give priority in voting to persons with disabilities, and voters with disabilities may choose whomever they wish to assist them to vote.

The two Election Management Bodies, CNE and STAE have a limited strategy for dealing with access to elections for persons with disabilities. However, both bodies cooperated with RHTO in this access monitoring process, for example in involving RHTO in enhancements to training of election staff in relation to provisions for persons with disabilities, and in developing civic and voter education materials urging persons with disabilities to participate in the election.

The monitoring of campaign events for the parliamentary election showed that few (16%) of the events visited were publicized to disabled persons organizations, and most (82%) of the campaign venues visited were assessed as not accessible to persons with disabilities. At 21% of the campaign events monitored, some issues relating to disability were covered by speakers. While at 50% of the campaign events monitored there was information provided that was accessible to some persons with disabilities, at only one event was there a sign language interpreter and at another there was campaign material in large print available for those with visual disability. The monitors interviewed some persons with disabilities who attended these campaign events: 32% of those interviewed rated the policy of the party holding the event towards persons with a disability as 'good' or 'very good'.

The results of the Election-Day monitoring highlighted the continuing barriers to physical access to polling stations faced by persons with disabilities. Only 4% of polling stations visited met all eight physical accessibility criteria being assessed, while 87% met only three or fewer of these criteria. There were stairs and no ramp at 69% of polling stations visited, no accessible toilet facilities at 77%, and obstacles restricting access for persons with disabilities at 79%.

In 43% of polling stations monitored there were obstacles that made it difficult for voters with a visual disability to move around, and very few of the polling stations monitored offered any aids for persons with visual disabilities.

The design of the voting compartments used for elections in Timor-Leste makes it very difficult for voters in a wheelchair or of low height to vote in secret. Additionally, in 63% of polling stations monitored the placement of the voting compartments was not suitable for wheelchair voters. In almost half the polling stations monitored the ballot box was placed too high to be accessible to voters in a wheelchair or of low height.

Approximately in 50% of the polling stations monitored, election staff were not providing clear information on the voting process to voters with disabilities. The monitors observed 253 voters with disabilities being assisted to vote – over three quarters of these (76%) were allowed to freely choose who assisted them, in line with the law.

Participation in an election as election staff is an important means of engaging persons with disabilities in electoral processes. In only 14% of the polling stations visited there was a staff member with disability – equivalent to 0.2% of the total staff of the polling stations visited.

The disability access monitors also requested that voters with disabilities participate in a short survey after voting, and 153 voters agreed. A majority of voters who answered the survey did not believe that there was sufficient accessible information about the election available to them from political parties or the media, and a little over one third (35%) had had any contact with STAE or CNE's education campaigns. In general, significant majorities of these respondents stated that the voting process was easy to understand.

Summary of major barriers to participation in voting by persons with disabilities at the 2012 and 2017 elections:

Issue	2012 Presidential and Parliamentary Elections (10 polling centre locations observed)	2017 Presidential and Parliamentary Elections (124 polling centre locations observed)
Stairs at access points to polling stations	Stairs at all polling stations visited	Stairs at 84% of polling stations visited
Braille materials at polling stations	No Braille materials	No Braille materials
Priority for persons with disabilities casting their votes	Recommended by RHTO to STAE and CNE	Priority was generally being given to persons with disabilities when casting their votes
Polling stations with ramps	Lack of ramps in all polling station	Ramps at 20% of polling stations with stairs
Relationship between STAE, CNE and RHTO	In 2012, STAE and CNE did not work with RHTO	CNE and STAE invited RHTO to attend several meetings and workshops, and CNE developed a public service announcement with RHTO
Inclusion of persons with intellectual and psychosocial disabilities as voters	Recommended by RHTO to CNE and STAE	Legal barriers to voting by persons with intellectual and psychosocial disabilities still persist

Table 1: Major barriers to participants in voting by persons with disabilities

3. INTRODUCTION

International law requires that all citizens shall have the right and opportunity to take part in public affairs, including to vote and be elected at elections held by universal and equal suffrage.¹


Additionally, the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD), Article 29, calls on States to ensure that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, directly or through freely chosen representatives, including having the right and opportunity to vote and be elected. Timor-Leste has not yet ratified the UNCRPD.

In order to assess how effectively these principles are implemented in Timor-Leste, Raès Hadomi Timor Oan (RHTO), a national disability organisation that works to promote the rights of persons with disabilities, has monitored the accessibility of election processes to persons with disabilities. Prior to 2017, RHTO staff have gained experience in election monitoring at the 2012 Presidential and Parliamentary elections, and at the 2016 Suco elections.

Based on its 2012 and 2016 election observations, RHTO has advocated to the government of Timor-Leste, CNE and STAE on the necessity to improve election conditions, particularly in polling stations, so that persons with disabilities have full access to cast their votes. STAE and CNE have responded positively to this advocacy.

¹ International Covenant on Civil and Political Rights, 1966, Article 25



 Rochan Kadariya / UNDP Timor-Leste

In 2017 RHTO, with support from its partners International Foundation for Electoral Systems (IFES) and the UNDP LEARN project, fielded a small group of election access monitors in Dili Municipality for the Presidential Election held on 20th March and access monitors in all 13 Municipalities for the Parliamentary Elections held on 22nd July. The findings and recommendations resulting from the activities of these monitors, as presented in this report, will be used by RHTO to continue its advocacy for full and complete access for persons with disabilities to all electoral processes in Timor-Leste.

4. DISABILITY IN TIMOR-LESTE

In the 2015 National Census of Timor-Leste² 38,118 people, or 3.2% of the population, identified as having a disability. However, this number is highly questionable, given barriers to self-reporting a disability and the limited knowledge of census officials regarding disability.

Research by the World Health Organisation³ and the World Bank indicates that, worldwide, 15% population have a disability. On this basis it can be estimated that around 177,000 people in Timor-Leste have a disability.

The government of Timor-Leste has designed A National Policy for the Inclusion and Promotion of the Rights of Persons with Disabilities, and a National Action Plan for Persons with Disabilities 2014-2018⁴. The main objectives of the Policy are to:

1. Promote equal opportunities, active participation, and improved quality of life for persons with disabilities.
2. Define areas of Government intervention in 10 sectors such as education, vocational training and employment, health, justice, gender equality, communication, accessibility of public works, transport, sport and culture, and social assistance.

2 Ministry of Finance 2016

3 World Health Organisation 2011

4 Developed by the Ministry of Social Solidarity

3. Create a mechanism of cooperation between Government and civil society to enable monitoring.

The Ministry of Social Solidarity is to lead the implementation of these actions through coordination with relevant Ministries. Despite efforts made by the Ministry of Social Solidarity, there is a persistent lack of disability awareness in Timor- Leste society. In particular, there is a lack of awareness within Government entities of the rights of persons with disabilities.

Persons with disabilities in Timor-Leste still experience violations of their rights such as poor accessibility to government institutions and few special health services to persons with different types of disabilities. There is very high unemployment of persons with disabilities, exacerbated by a lack of effective and inclusive education, particularly for persons with visual and hearing impairments. Access to the fundamental right to vote can be denied to persons with disabilities due to physical inaccessibility of polling stations, as well as the lack of civic education regarding the rights of persons with disabilities to participate in elections which is accessible to the disability community.

5. DISABILITY ACCESS MONITORING METHODOLOGY

The disability access monitoring program for the 2017 elections was implemented by Raes Hadomi Timor Oan (RHTO), with support from the Australian Department of Foreign Affairs and Trade through the International Foundation for Electoral Systems (IFES) and the Government of Korea and the Government of Japan through the UNDP LEARN project.

As well as monitoring accessibility to voting on 22 July 2017, Election Day for the National Parliament of Timor Leste, the disability access monitoring program also examined: the extent to which the legal framework and administrative practices safeguard the electoral rights of persons with disabilities; the extent to which political party campaigns address issues dealing with persons with disabilities; and the views of persons with disability on their experiences of political campaign events and of voting.

The access monitoring program was implemented by medium-term monitors and election day monitors. Twelve medium- term monitors, one in every municipality except Oecusse, were deployed from July 7 to 18 to cover selective political campaign events. Forty-four political campaign events were covered, and 33 persons with disabilities attending these events were interviewed. Additionally, 130 short-term monitors were deployed on Election-Day, with 10 assigned to each of the 13 municipalities in Timor-Leste. On Election-Day, these monitors visited 124 polling stations and assessed their accessibility, and also interviewed 153 voters with disabilities about their voting experience.

Access monitors in Baucau, Dili, Ermera, Liquica and Oecusse were funded by the Australian Department of Foreign Affairs and Trade through the International Foundation for Electoral Systems (IFES). Access monitors in Aileu, Ainaro, Bobonaro, Covalima, Lautem, Manatuto, Manufahi and Viqueque were funded by the Government of Korea and the Government of Japan through the UNDP LEARN project.

Polling stations to be covered by the monitors could not be assigned using a random sample of the total 1,118 polling stations operating in Timor-Leste for the election, as this would have created significant difficulties for monitors to access their assigned polling stations. Instead, monitors were assigned to polling stations generally within urban areas that were accessible to their place of living. Similarly to the election day monitoring, campaign events to be covered by the monitors could not be assigned on a randomly sampled basis, as this would have created significant difficulties in terms of the time available, the parties' campaign schedules, and access by the monitors to event locations.

Instead, monitors attended campaign events that occurred during the last week of the campaign close to their place of work, generally within urban areas, and according to the monitor’s availability.

This has two impacts on the data:

- The data is INDICATIVE rather than REPRESENTATIVE and is generally for political campaign events and polling stations that are in or around larger settlements.
- Some findings on accessibility of political campaign event locations and of polling stations locations may not hold for rural areas. Some findings, such as on how accessible the polling station is from the road, will thus understate the extent of problems with accessibility.

Each monitor was scheduled to visit at least one polling station on Election-Day and all were assigned to different polling centres. However, due to lack of confidence and access issues, in some municipalities multiple monitors visited the same polling station. Only one checklist from each polling station has been processed, though all interviews with voters have been processed. In total, Election-Day RHTO processed checklist from 124 polling stations.

Training

One RHTO municipal staff member from each municipality, each with disability, received two full day training as a trainer to access monitors, at RHTO’s Dili headquarters on 5 and 6 July. These staff returned to their municipalities the next day and trained the other nine monitors in the municipality between 8 and 11 July. IFES attended these trainings in Baucau on 8 July and Aileu on 10 July and was satisfied with the quality of the training. The training was challenging as most of the access monitors had not observed an election previously, and many did not have a paid employment.

Checklists and Questionnaires

The checklists and questionnaires used consisted mainly of closed-ended questions for which monitors had to choose between Yes or No options, and where appropriate space was provided for monitors to elaborate on their answer. The political campaign event monitors used two data collection instruments (See Annex):

- A political campaign event accessibility checklist;
- A short questionnaire for voters with disabilities at the event, who were willing to talk about their views on the event.

The Election-Day access monitors used a further two data collection instruments developed by



Frederico Hornay monitored the election at a number of polling centres in Dili Municipality. Even though election staff were willing to assist him, to observe voting, he either had to crawl into the polling station, or try to observe from outside the buildings as there was no access for his wheelchair.

RHTO in collaboration with IFES:

- A polling station accessibility checklist;
- A questionnaire for voters with disabilities who were willing to talk about their voting experience.

These instruments confirmed issues covered in other disability access monitoring missions worldwide, with some adjustments to Timor-Leste conditions. For the first time in the world, checklist templates in braille were available for use by access monitors with a visual disability.

The checklists and questionnaires used are available in Annex 1 of this report.

Pilot study

The materials and methodology for the disability access monitoring were piloted only on the Election-Day of the Presidential Election held on 20 March 2017. On 14 March, 19 disability access monitors were trained at RHTO's Dili headquarters on the use of the Election-Day checklist and the questionnaire for voters with disabilities. These monitors were deployed to polling stations in Dili municipality on Election-Day, visiting a total of 50 polling stations. The pilot study was used to test management controls, fine tune the content of the checklist and questionnaire and train data processing staff. Where relevant, some findings from this pilot study are included in this report.

6. LEGAL AND ADMINISTRATIVE FRAMEWORKS

Electoral rights of persons with disabilities in Timor-Leste

In international law, the guiding principles for issues relating to persons with disabilities are detailed in the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). Article 29 of UNCRPD specifies requirements for State parties to ensure that persons with disabilities can “*fully participate in political and public life on an equal basis to others*”, which is “*including the right and opportunity for persons with disabilities to vote and be elected*”. Article 29 then gives examples of what State parties must ensure to give effect to these rights, including “*ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use*”, “*protecting the right of persons with disabilities to vote by secret ballot in elections and public referendums without intimidation, and to stand for elections*”, “*guaranteeing the free expression of the will of persons with disabilities as electors*” and “*where necessary, at their request, allowing assistance in voting by a person of their own choice*”.

Timor-Leste has not yet signed or ratified the UNCRPD.

Section 16 of the Constitution of the Democratic Republic of Timor-Leste states that all citizens have the same rights and that no-one shall be discriminated against on grounds including physical or mental condition. Section 21 of the Constitution further states that a citizen with a disability has the same rights and duties as all other citizens except for those rights and duties which he or she is unable to fulfil due to his or her disability.

In the absence of Timor-Leste's signing or ratification of the UNCRPD, there has been little accountability in Timor-Leste for ensuring that these constitutionally guaranteed rights are upheld.

There is very little in Timor-Leste laws and regulations which govern electoral processes which would



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ensure the implementation of the rights of persons with disabilities that are enshrined in Articles 16 and 21 of the Constitution. There are no requirements to provide civic and electoral information in formats that are accessible to persons with disabilities, no standards for physical accessibility of polling centres and polling stations, no requirement that specifications for polling equipment and materials, including ballots, include that they are accessible to persons with disabilities, no alternative methods of voting made available to persons with disabilities who cannot access a polling station.

The laws that govern the election process in Timor-Leste, Law 4/2017 on Elections for the President and Law 9/2017 on Elections for the National Parliament, contain no mention of providing accessible voting for persons with disabilities. Election regulations - Government Decree 7/2017 on voting, vote counting and tabulation procedures for the presidential election and Government Decree 21/2017 on polling centres and polling stations, voting, vote counting and result tabulation for the parliamentary elections - do address the issue of voting by persons with disabilities in a very limited fashion. These regulations provide a measure of paternalistic ‘charity’ for persons with disabilities by giving them priority in voting queues and allowing them to be assisted to vote by a person of their choice, with its attendant potential violation of ballot secrecy. While voting assistance is mentioned in UNCRPD Article 29, it is as a less satisfactory position “*where necessary*”, not as the norm. The electoral framework in Timor-Leste does not allow all persons with disabilities to independently, freely and secretly access their right to vote – as is usual for any other registered voter in Timor-Leste.

The attitude of the STAE has been somewhat legalistic, arguing that unless particular accessibility measures for persons with disabilities are specifically mentioned in the law, it has no authority to provide them. Without reform of the electoral legal framework, electoral accessibility for persons with disabilities in Timor-Leste is not likely to improve.

In 2012, the Government of Timor-Leste promulgated the National Policy for Inclusion and Promotion of the Rights of Persons with Disabilities. According to the Mid-Term Review of the National Action Plan for Persons with Disabilities, 2014-2018, this policy requires: “In order to ensure the implementation of the strategies provided in this policy, each governmental department and State agency must include in its annual action plan, activities to promote the rights of disabled people and an annual budget for this purpose.”⁵

Such provisions are not included in the election budgets and action plans of CNE and STAE.

⁵ Looking Backwards, Planning Forwards, Report of the Mid Term Review of the National Action Plan for Persons with Disabilities, October 2016, page 4

The National Action Plan envisages a number of activities that would have a significant impact on electoral accessibility for persons with disabilities, specifically:⁶

- Ratification of the Convention of the Rights of Persons with Disabilities;
- The creation of a guideline and rules for accessibility of public places, which would affect most polling centres, which are in schools or *aldeia* and *suco* offices;
- Provision of sign language interpretation on Television Timor-Leste;
- Provision of training about disabilities for journalists and media.

No progress against these activities is described in the mid-term review of the plan. The review notes barriers to progress including: a low level of knowledge of the plan; low priority for implementation of the plan; weak coordination; and insufficient resources allocated.⁷ The plan has no objectives specifically related to empowering persons with disabilities to make the decisions that govern their environment. While some newer government ministry buildings in Dili are designed with international standards for disability access in mind, there are no standards for disability access of buildings or public places – such as for door widths, ramp gradients, railings, rest rooms, corridors and maneuvering spaces – defined in Timor-Leste law or regulations.

Electoral information for persons with disabilities

While there was some information about the election produced which targeted motivating persons with disabilities to participate in the election, it was generally more “about” persons with disabilities rather than produced in formats accessible to persons with disabilities. Accessibility to information is a greater problem in Timor-Leste for those with a hearing or visual disability. There is very little access for persons with a profound hearing disability to learn sign languages, and very limited opportunities for those with a visual disability to learn Braille.

For the parliamentary election, with the support from UNDP LEARN Project, STAE produced voter education posters and billboards featuring persons with physical disabilities, on the theme of all people have the same rights to vote. The flip-chart used by the STAE’s brigadas for face-to-face voter education sessions at village level also featured graphics and a message promoting inclusion of persons with disabilities in the elections. For television, with the support from UNDP LEARN Project, STAE produced both short public service announcements and a series of short films on aspects of the electoral process, suitable for voter education and staff training. Those on voting processes dealt in particular with assisting voters with visual disability, though these videos were not specifically targeted at or in formats suitable for persons with disabilities. STAE also produced a large print A2 size facsimile of the ballot paper, to be displayed outside polling stations, that was useful for voters with poor vision.



6 As summarised in Looking Backwards, Planning Forwards, Report of the Mid Term Review of the National Action Plan for Persons with Disabilities, October 2016, page 6

7 3 *ibid*, pages 9-11

With support from IFES, CNE produced a television public service announcement (PSA) in conjunction with RHTO, featuring RHTO staff members urging persons with disabilities to participate in the parliamentary elections. The PSA was broadcast on TVTL during July and run up to the Election-Day. This is the first election public service announcement in Timor-Leste to have on-screen sign languages.



CNE also worked with civil society organization- Search for Common Ground supported by IFES to produce a radio PSA promoting that persons with disabilities must be able to vote without discrimination, that was broadcast on five community radio stations between 3 June and 19 July.

Political parties

Few political parties made any effort to target persons with disabilities with specific messages, and none employed message formats designed to be accessible to persons with disabilities. For the Presidential election, Angela Freitas was the only candidate who reached out to the disability community. For the parliamentary election, Dr. Mari Alkatiri (president of Fretilin) held a dialogue with persons with disabilities at the RHTO office in Dili, at which he promised that ratification of the Convention on the Rights of Persons with Disabilities would be a high priority for Fretilin party government. The Democrat Party (PD) also met with representatives of the disability community prior to the parliamentary election.

Civil society organisations

As well as its video public service announcement produced with the CNE, RHTO also produced a radio public service announcement motivating persons with disabilities to go to vote, focusing on persons with a visual disability, and radio talk shows. These were broadcast in the lead up to the parliamentary election.

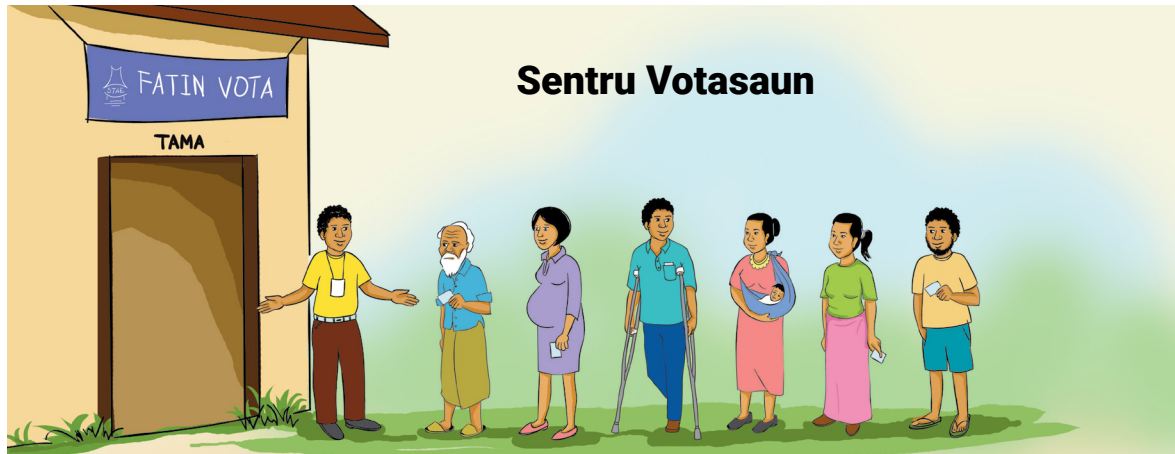
Implementing political and electoral access for persons with disabilities

Elections in Timor Leste are managed by a two-part election management body - the CNE, which is the constitutionally independent body which supervises the electoral processes and among other responsibilities, conducts civic education and the national tabulation of votes and deals with electoral complaints and challenges, and the STAE, which implements all electoral processes. Prior to the parliamentary election RHTO met with both STAE and CNE, and the results of these meetings had a positive impact on STAE's training of election staff and CNE's civic education content. STAE's policies and procedures for electoral access for persons with disabilities do not go beyond the very limited provisions for assisted voting and priority access to voting as mentioned in the election law and regulations. There is reluctance to consider any activity that is not required by law, to make voting for persons with disabilities more accessible. Polling centres and stations are defined in the legal framework⁸ as being set up in public buildings, preferably schools, which offer accessibility (i.e. are close to a population centre) and security to voters, and if these are not available in suco offices or community centres. These buildings are generally old, and were built at a time when disability access

8 Government Decree 21/2017, Article 4

design was not considered. A more flexible policy on where polling centres may be located or legal reform to allow mobile ballot boxes from these polling centres would enhance disability access.

STAE manuals and videos produced for training its election staff at municipal to polling station level with the support of UNDP LEARN Project, included depictions of person with disabilities voting. STAE's training workshops for election staff also emphasized the rights of persons with disabilities to be assisted to vote by a person of their choice and to be given priority in queues for voting. The reports of the Election-Day access monitors indicated that this training was generally effective.



STAE coordinated with RHTO to ensure persons with disabilities who are eligible to vote are included in the voter register. RHTO field officers provided numbers or lists of persons with disabilities from each Municipality to STAE in order to support an inclusive voter registration process. STAE also conducted mobile voter registration in all remote areas during the pre-presidential election voter register update campaign. CNE recognised the need to motivate persons with disabilities to participate in voting, and included this in their regional face-to-face civic education activities and also promoted through television prior to the parliamentary elections, with input that was provided by disability organizations. Article 8 of Law 6 of 2016 on Election Management Bodies, gives, among others, the following powers to CNE:

1. Enforce the application of constitutional and legal norms regarding the registration process, the elections and referenda;
2. Ensure equality of treatment for citizens in all registration and election acts.

'Ensuring equality of treatment' and *'enforcing the application of constitutional ... norms'* would require that CNE actively take steps to ensure that persons with disabilities have equal access to electoral processes like any other citizen of Timor-Leste. As this access monitoring report shows, that is not the case. Since the only requirement for disability access to electoral processes defined in law or regulations is for priority voting and assistance to vote by a person of choice. It is unclear that there could be any legal basis for any claim or objection in relation to electoral operations⁹ on the grounds that an electoral process was not accessible to persons with disabilities. There is no data available on whether political parties considered persons with disabilities in the process of selecting candidates, or if any internal quotas have been considered to ensure their participation in party structures. The Law on Parliamentary Elections does not provide any quota for political parties to include candidates with disabilities in their candidate lists, as is the case with the gender quota. Some political parties had candidates with a disability on their candidate lists for the parliamentary election – for example, the Democrat Party had one, and ASDT, whose candidate list was rejected by the Court of Appeal, had five.

9 For example, as allowed by Article 45(1) of Government Decree 21/2017: "Any voter or agent of a candidacy, during the operating hours of the polling station, can raise questions and file objections and claims regarding electoral operations".

Involvement of persons with disabilities in electoral administration

STAE does not have data available on how many persons with disabilities are employed as election staff. Neither STAE nor CNE have any targets for employment of persons with disabilities or strategies for encouraging persons with disabilities to become involved in electoral administration. While monitoring election day operations, the disability access monitors found very few election staff with a disability – only 0.2% of the total staffing of the polling stations monitored. Employment as an election official, observer, or party agent, even for a short period on election day, provides valuable confidence and experience to persons with disabilities.

Neither in STAE’s voter education and election staff training materials nor in CNE’s civic education materials, there are depictions of persons with disabilities as election staff or as playing active roles – as a candidate, observer, party agent – in the electoral process. This reinforces an image of persons with disabilities as passive consumers rather than active participants in the electoral process.

7. POLITICAL CAMPAIGN EVENTS

For persons with disabilities to have effective access to electoral processes, access to voting on Election-Day only is not sufficient. To make an informed choice on Election-Day, persons with disabilities also need to have access to political parties’ campaign events and political campaign information.

For the last week of the election campaign, one disability access monitor in each municipality apart from Oecusse attended at least one political campaign event, to assess how accessible these campaign activities were to persons with disabilities. A total of 44 campaign events were attended, with eight being attended in Ermera, six in Lautem and five in Manatuto, four in Baucau, Manufahi and Viqueque, three in Aileu and Ainaro and two in Bobonaro, Covalima and Dili. Of these events, a little under half (44%) were rallies, with the remainder mainly split between dialogues and door-to-door campaigning. Around one-quarter (27%) of these events had 50 or less attendees, with 20% having 51-100 attendees and 18% having 101-500 attendees. Campaign events held by 12 of the 21 election-contesting parties and coalition were attended, split as follows:

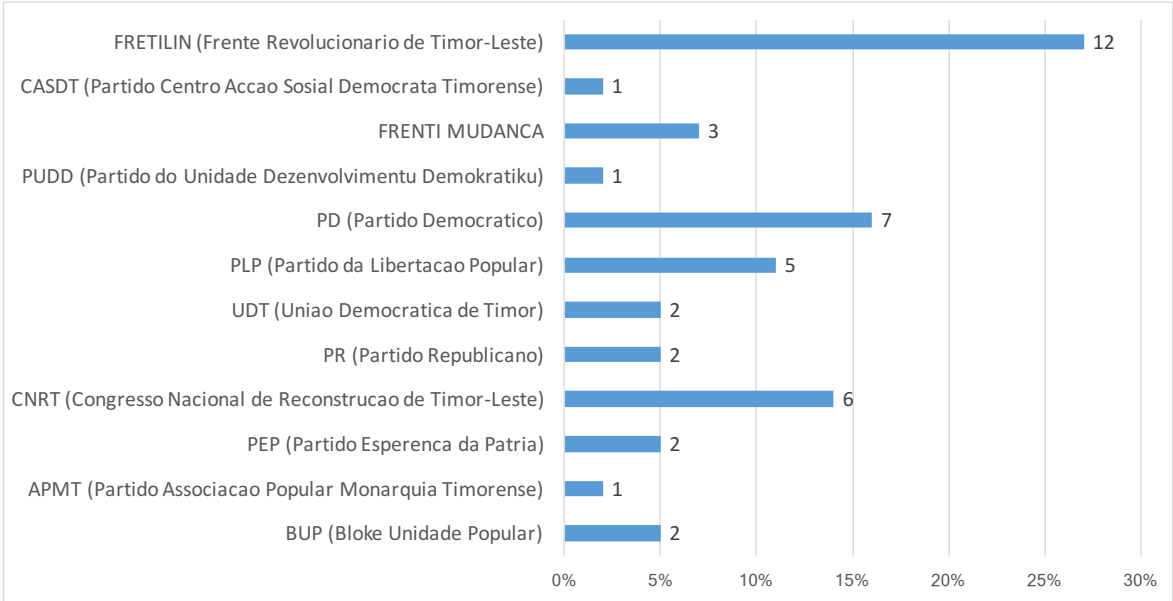


Figure 1: Number of political party campaign events attended by monitors

Accessibility of the campaign events

Few of the campaign events attended (16%) had been publicized among disabled persons organisations, while under half the events attended (47%) were publicized with materials that could be accessible to some persons with disabilities. This may be why few persons with disabilities were seen at most of the events attended. The events that were publicised among the disability community were held by CNRT, PUDD, Fretilin, PLP and PD.

Transport for persons with disabilities to attend the political campaign event was available for 21% of the events monitored. In general, it was the smaller political parties which had not made transport available to the events observed - APMT, PEP, PR, UDT, and CASDT, though the access monitors also reported that PD had not provided transport to any of their seven political campaign events that were observed.

From the evidence at the political campaign event locations attended, it would have been difficult for persons with disabilities to attend most of these events to become informed about the choices available at the election.

Many of the political campaign events attended by the access monitors were held in locations offering poor accessibility to persons with disabilities. On an overall assessment, 82% of the political campaign event locations that were assessed by the access monitors was not accessible to persons with disabilities. Fretilin (four of its twelve events attended) and PR (one of its two events attended) were the only political parties campaign events where the access monitors assessed as being accessible. Eighty-four percent of the political campaign events attended did not have level access. Only one PLP event and three Fretilin events attended were assessed as having level access. Twenty-one percent of the campaign event locations had enough accessible seating, and the same percentage had obstacle

free maneuverability for wheelchair users. None of the events attended that were organized by BUP, PEP, PR, UDT and PUDD had accessible seating or in venues that was free of obstacles. A higher proportion of the political campaign event locations – 43% - were assessed as having toilets suitable for persons with disabilities.

In relation to the political information provided at these events, 50% of the campaign events attended were assessed as providing information that was accessible to some persons with disabilities. However only one event had a sign language interpreter and one other event had information in a format accessible to persons with a visual disability.

At 59% of the campaign events there were no persons with disabilities in the audience. If there were persons with disabilities in attendance it was generally in small numbers. At 30% of campaign events attended, there were between 1-10 attendees with disabilities. On the other hand, at one CNRT political campaign event 70 persons with disabilities were reported as being present. This was one of the events that had been publicized among disabled persons organisations.



Maria Fatima Gomes is the RHTO Field Officer in Bobonaro, and at the 2017 elections in Timor-Leste became the first election observer to use a Braille election observation checklist, to enable her to complete her access monitoring report unaided. Maria noted that *“everyone, including my neighbours, was amazed that I could be an election observer, and I explained to them that persons with disabilities have the same rights as everyone.”*

Content of the campaign events

There was at least one speaker with a disability at only four (9%) of the political campaign events attended. Two of these events had one such speaker, one had two, and one had four. These events were held by Fretilin (two events), CNRT (one event) and PUDD (one event).

At nine (21%) of the campaign events attended at least one speaker mentioned issues related to disability rights. In three of the four events where there were speakers with a disability, disability rights issues were covered during the event.

An analysis of which political parties or coalition covered which disability related issues during a political campaign event is as follows:

Issues	Number	%	Party or Coalition Name - Number of Events at Which Issue is Mentioned												
			BUP	APMT	PEP	CNRT	PR	UDT	PLP	PD	PUDD	MUDANCA	CASDT	FRETILIN	
Party will pay attention to persons with disabilities	3	7%							2						1
Continued pensions for persons with disabilities	1	2%													1
Ratification of CRPD	1	2%									1				
Right to education	1	2%													1
Accessibility of public facilities	2	5%				1				1					
Ensure involvement of persons with disabilities	1	2%													1
Total	9	21%				1			2	1	1				4

Table 2: Disability related issues covered by political parties

Of these parties, at the events attended by the access monitors PLP appears to have limited its discussion of disability issues in general, while the other parties – CNRT, PD, PUDD and Fretilin, were more likely to address specific policy issues related to disability.

8. SURVEY OF PERSONS WITH DISABILITIES PRESENT AT POLITICAL CAMPAIGN EVENTS

At each campaign event attended, the disability access monitor attempted to interview some persons with disabilities who were present, asking two questions: how accessible the person thought the venue was and why; and the person’s assessment of the program of the party towards persons with disabilities, and the reason for this assessment. At the 44 campaign events attended, the disability access monitors spoke to 33 persons with disabilities who were willing to be interviewed. In relation to accessibility of the venue, the attendees were more inclined to favourably rate the venue than the access monitors, with 46% of those interviewed rating the venue as ‘good’ or ‘very good’ for accessibility and 54% as ‘fair’.

Reviewing some of the reasons for the rating it is evident that persons with disabilities have low expectations: some of those giving a fair or good rating noted that there were no accessible toilet facilities or that parts of the venue were not accessible to persons with disabilities.

Over a third (36%) of persons with a disability attending an event who were interviewed rated the programs of the political party holding the campaign event towards persons with disabilities as ‘good’ or ‘very good’, while a majority (52%) rated them as ‘fair’.

Fretilin and CNRT programs were more likely to be assessed as good or very good, whilst PD and PR programs were more likely to be assessed as bad.

Reasons for these ratings among those who rated the party’s program as good included that at the campaign event the speakers mentioned issues such as education rights or employment rights for persons with disabilities, supported disability rights in general or claimed it was the only party that would look after the interests of persons with disabilities. Those who rated the party’s program towards persons with disabilities as fair or bad were more likely to support this by stating that at the event the speakers talked only about development in general, not about any programs specifically for persons with disabilities.

9. ELECTION DAY

Election access monitors deployment

On parliamentary elections held on 22 July 2017, RHTO deployed 130 election access monitors on Election-Day. The deployment by municipality and type of disability was as follows:

Municipality	NUMBER OF ACCESS MONITORS BY TYPE OF DISABILITY									Total
	Physical	Visual	Hearing	Polio	Cerebral Palsy	Mute	Intellectual	Visual and Physical	None	
AILEU#	3	1	4			1		1		10
AINARO#	10									10
BAUCAU*	6				1				3	10
BOBONARO#	9	1								10
COVALIMA#				10						10
DILI*	7			2	1					10
ERMERA*	9		1							10
LAUTEM#	8	1					1			10
LIQUICA*	9			1						10
MANATUTO#	8	2								10
MUNUFAHI#	10									10
OECUSSE*	5	1	4							10
VIQUEQUE#	8	1			1					10
TOTAL	92	7	9	13	3	1	1	1	3	130
%	70.8%	5.4%	6.9%	10.0%	2.3%	0.8%	0.8%	0.8%	2.3%	100.0%

Funded by UNDP LEARN project *Funded by DFAT Australia through IFES

Table 3: Disability access monitors by type of disability

All disability access monitors were officially accredited by STAE as election observers, giving them all the rights and responsibilities pertaining to election observers. In Baucau, RHTO was not able to recruit more persons with disabilities as Election-Day monitors therefore, persons with no disability were used.

In total, an Election-Day access monitoring checklist was processed from 124 polling stations, with the following municipal breakdown:

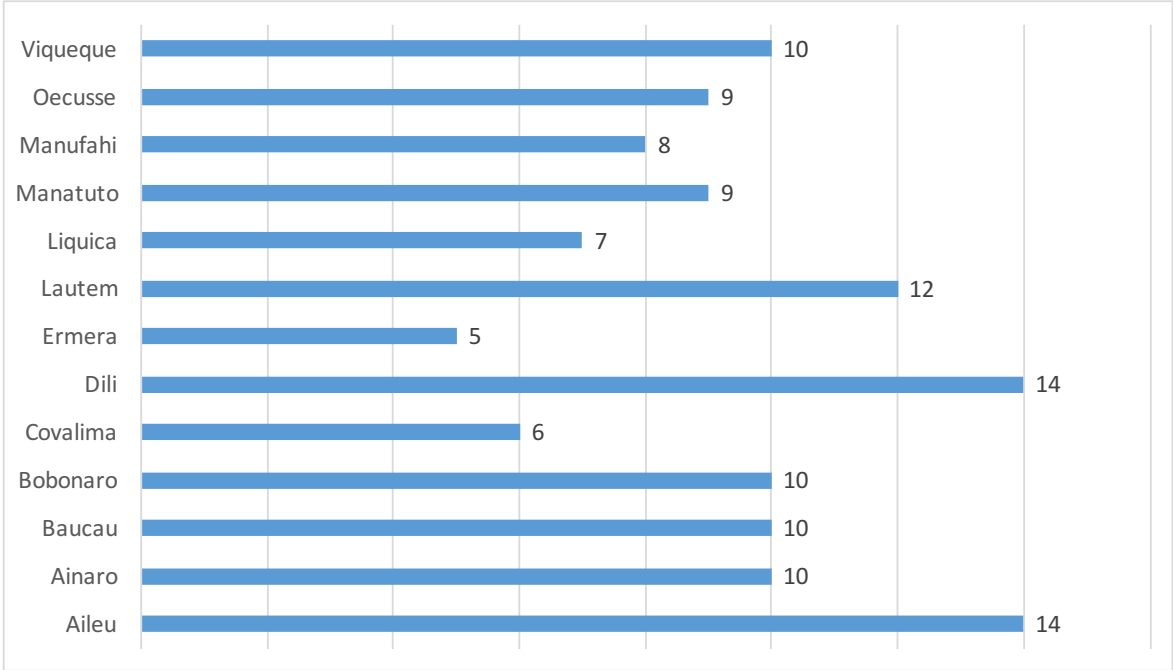


Figure 2: Number of polling stations visited per municipality

Polling station checklists

Priority voting for persons with disabilities

Article 41(5) of Election Regulation 21/2017 requires that voters who are pregnant women, over 65 years old or who have a disability must be given priority to vote. In 94% of the polling stations visited where persons with disabilities, elderly voters and pregnant women were seen waiting to vote when there was a queue to vote, they were given priority in voting.

Accessibility of road/path to building housing the polling station

In around one-third of the polling stations visited, the access monitors noted that the path to the polling station was not easily accessible to voters with a disability (32%) and/or there were obstacles in the road/path to the polling station that could make access difficult for voters with disabilities (35%).

Accessibility of polling station building

The physical accessibility of the polling station buildings was assessed on eight criteria:

- No stairs to the building, or if there are stairs there is a suitable ramp;
- Sufficient width of entrance for wheelchair access;
- Sufficient width of exit for wheelchair access;

- Accessible toilets or washrooms;
- Enough accessible seating;
- Enough space for wheelchair users to move around easily;
- Entrance areas free of obstacles;
- Voting area free of obstacles.

The results of the assessment against these criteria is shown in the following chart:

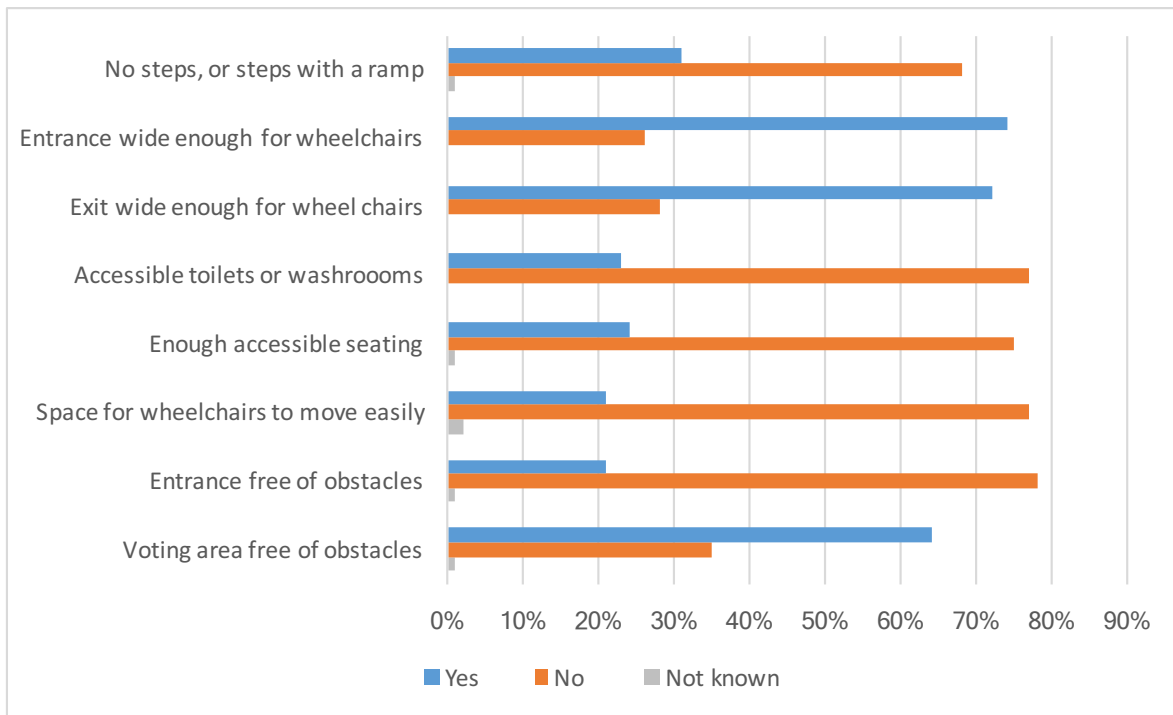


Figure 3: Polling station accessibility criteria

In 83% of polling stations visited for which data is available, there was at least one stair at the entrance, while 35% had 3 or more stairs. In all municipalities but Covalima, majority of the polling stations visited had stairs that had to be climbed to access the polling station. The polling stations visited in Aileu and Manatuto were more likely to have more than 3 stairs than those visited in other municipalities.

Of those polling stations with stairs, only 20% had some type of ramp that could be used by voters with disabilities to access the polling station. None of the polling stations visited in Bobonaro, Ermera or Viqueque which had stairs had a facility of ramp. Some of the ramps seen had a gradient that was too steep for comfortable use by a voter in a wheelchair, and many did not have a safety rail.

In a little under 30% of polling stations visited, the entrances or exits were not wide enough for a wheelchair to fit through. In Aileu, Ainaro, Bobonaro and Manufahi almost all, or all, polling stations visited had a sufficiently wide entrance and exit, compared to 50% or less of polling stations visited in Dili, Ermera and Oecusse.

In 77% of polling stations visited there was no toilet or washroom that was accessible to voters with disabilities. In most municipalities, few of the polling stations visited had accessible toilet or washroom

facilities. In only Baucau, Ermera and Oecusse majority of the polling stations visited have such suitable facilities.

Just under a quarter (24%) of polling stations visited had sufficient accessible seating for persons with disabilities waiting to vote. Only in Baucau, and to a lesser extent Aileu and Oecusse, did a significant proportion of the polling stations visited have sufficient accessible seating for voters.

In 78% of polling stations visited there were obstacles for voters with disabilities in or around the entrance. Only in Liquica were the entrances to most polling stations visited free of obstacles.

In 64% of polling stations visited, there were obstacles in the voting area that made it difficult for voters with disabilities to access all parts of the voting area. In almost all (90%) of the polling stations visited in Ainaro, access monitors reported obstacles in the voting area.

The following table summarises the data on these eight criteria provided by the access monitors in each municipality:



Madalena da Costa observed an election for the first time in Dili in 2017, which reinforced to her how many barriers are faced by persons with disabilities to participate in voting. After the election she said *“I am so happy that RHTO gave me this opportunity to observe the election, and meet and share my experiences with other observers. I can use these experience in my future work with RHTO to support persons with disabilities”*.

Municipality	Number of polling stations visited	% of Polling stations visited that meet each disability access criterion							
		No stairs, or a ramp	Entrance width	Exit width	Accessible toilet	Accessible seating	Space for wheelchair users	Obstacle free entrance	Obstacle free voting area
Aileu	14	36%	93%	93%	29%	50%	43%	21%	79%
Ainaro	10	30%	90%	90%	10%	20%	20%	30%	10%
Baucau	10	40%	60%	50%	70%	50%	50%	40%	90%
Bobonaro	10	10%	100%	100%	0%	0%	0%	0%	60%
Covalima	6	67%	83%	83%	17%	17%	17%	17%	83%
Dili	14	43%	50%	50%	29%	21%	21%	21%	57%
Ermera	5	0%	40%	40%	60%	0%	0%	20%	60%
Lautem	12	33%	75%	83%	8%	8%	8%	17%	67%
Liquica	7	29%	71%	71%	14%	14%	14%	87%	57%
Manatuto	9	11%	78%	78%	0%	0%	0%	0%	44%
Manufahi	8	25%	100%	88%	13%	13%	13%	13%	50%
Oecusse	9	56%	56%	33%	56%	33%	33%	11%	89%
Viqueque	10	20%	60%	60%	0%	30%	30%	10%	80%
Total	124	31%	74%	72%	23%	24%	21%	21%	64%

Table 4: Summary of disability access criteria per polling station visited

Overall assessment of physical accessibility of polling station buildings

Overall, the data provided by the access monitors shows that only 5 of the 124 polling stations visited were fully accessible to persons with disabilities. In only 20% of the polling stations visited were majority of the accessibility requirements met. Polling stations visited in Aileu and Baucau were more likely to meet a greater number of the eight accessibility criteria. Even having one accessibility criterion not met may make the polling station inaccessible to at least some persons with disabilities.

The overall score for the 124 polling stations visited on Election-Day is as follows:

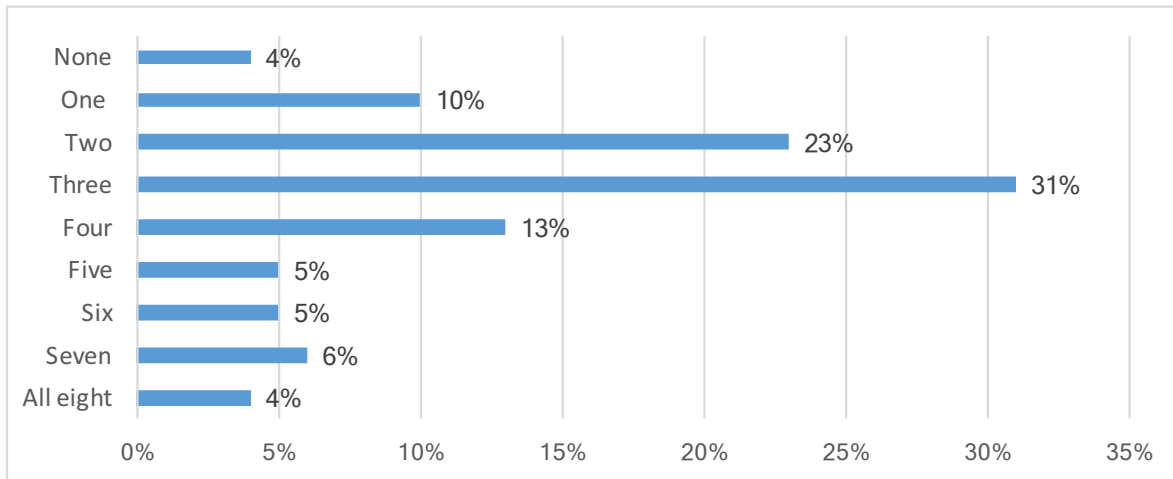


Figure 4: Overall accessibility score of 124 polling stations visited

Election staff and voters with a disability

At each polling station visited, the access monitors noted if any election staff were with disability. One or more staff with disability were noted at 18 (14.5%) of the polling stations visited. However, the 19 staff with disability noted represent just 0.2% of the total staff (10 per polling station) allocated to the 124 polling stations visited. The breakdown of staff noted with disability is as follows:

Type of disability	Number of election staff in polling stations visited
Visual disability	1
Hearing disability	0
Physical disability	12
Intellectual or psycho social disability	1
Not specified	5
Total	19

Table 5: Election staff with disability

There were no election staff with a disability in any of the polling stations visited in Ermera, Liquica, Oecusse and Viqueque. The election access monitors took a tally of how many voters with disability, elderly voters, and pregnant women voted at the polling station they were monitoring. Overall, in the 124 polling stations visited they noted 2,524 persons with disabilities arriving to vote (1,442 men, 1,082 women). Of these, 746 had visual disability, 501- hearing disability, 939- physical disability and 338- intellectual or psychosocial disability. The STAE is not mandated to record the disability status of voters when they register to vote, so it is not possible from this data to know what percentage of voters with disability may have voted at the parliamentary elections.

The access monitors also noted the numbers of elderly voters and pregnant women turning out to vote, recording 4,019 elderly voters (2,133 men and 1,886 women) and 931 pregnant women.

Barriers to voters with a specific disability

- Visual disability

For 43% of polling stations visited there were obstacles in the polling centre that made it difficult for persons with visual disability to move around. This problem was reported by the access monitors in over three quarters of the polling stations visited in Ainaro and Manufahi. However, light (brightness) in the polling stations visited was generally sufficient. In 86% of polling stations visited there was enough light in the voting compartments for voters with poor vision to be able to see the ballot. On the other hand, in only 8 of the 124 polling stations visited (6.5%) had the facility of aiding the persons with visual disabilities: in two polling stations, these were identified as magnifying glasses; the others were not specified. The STAE does not provide such aids, so these would have been local initiatives.

- Physical disability

The writing/punching surface in the standard cardboard voting compartments used in all polling stations in Timor-Leste is too high for persons in a wheelchair or of low height to reach to be able to vote in secret. The solid cardboard front of the voting compartment makes it very difficult for anyone in a wheelchair to be near enough to the voting compartment to attempt to use the writing/punching surface. To cater for these persons with disabilities, many countries make available in each polling station a folding three-sided cardboard or wooden screen that can be placed on a low table so all persons in a wheelchair or of low height may vote in secret.

In 63% of polling stations visited the placement of the voting compartments made it difficult for voters in wheelchairs to move behind the compartment to vote. This problem was found less frequent in the polling stations visited in Manatuto, Oecusse and Viqueque. In two thirds (66%) of polling stations visited, the access monitors saw other voters assisting voters with disabilities to overcome obstacles to entering or moving around the polling station. In almost half (49%) of polling stations visited the ballot box was placed so that the slit was too high for voters in a wheelchair or of low height to reach to deposit their ballots. It is important that voters who can vote unaided can independently place their ballot in the ballot box. This problem was frequently found in polling stations visited in Aileu, Ainaro, Manufahi and Viqueque.



- Hearing disability

In around half the polling stations visited the access monitors did not observe a person with a hearing disability voting. Where voters with a hearing disability were observed voting, in 23% of polling stations, election officials were communicating with the voter using non-verbal means, and in 34%, the officials were speaking very distinctly and slowly to communicate with these voters. This support to voters with hearing disabilities was much less likely provided in the polling stations visited in Ainaro and Manatuto.

- Intellectual and psychosocial disabilities

In around 40% of the polling stations visited the access monitors did not observe a person with an intellectual or psychosocial disability voting. In 45% of polling stations where voters with an intellectual or psychosocial disability were observed voting, the voter appeared to have difficulty understanding the ballot paper, and in 37% the voter appeared to be unsure of what to do to cast a vote. In 4 polling stations (one polling station in each of Aileu, Dili, Ermera and Oecusse), the access monitors observed persons attempting to prevent a voter with an intellectual or psychosocial disability from voting.

Assistance for voting

Article 31 of Government Decree 21/2017 allows voters who are blind or have another disability to choose someone freely to assist them to vote. In 60% of polling stations visited, the access monitors observed at least one voter with disability requesting and being allowed assistance to vote, with a total of over 253 voters given assistance. In 76% of these polling stations voters could choose freely who he or she wanted to assist with the voting. In Ainaro, Dili and Lautem, in over 50% of these polling stations the access monitors recorded that at least one voter could not freely choose whoever he or she wanted to assist to vote.

In 60% of the polling stations where voters with disabilities were observed voting, election staff were offering assistance to these voters, and in 48% of these polling stations the election staff were explaining the voting procedures. In between 80% and 90% of the polling stations observed in Ainaro, Covalima, Manatuto and Viqueque, election staff were not explaining the procedures to persons with disabilities. In all the polling stations observed in Ainaro election officials were not offering any assistance to voters with disabilities; such assistance was not offered in 89% of polling stations observed in Manatuto.

Comments on the voting process from election access monitors

The election access monitors were also asked to provide any further comments on their observation of voting in the polling stations that they visited. In total 173 comments were received from the monitors. Most of these comments (91) reinforced the assessments of accessibility they had made in the closed questions in their checklist. Almost all of these comments (84) referred to features that made the polling station not accessible to persons with disabilities: such as stairs, obstacles and narrow doorways, poor condition of access paths, and lack of suitable toilets. Sixteen of the 130 observers commented on how well the election was being managed at the polling station at which they were observing, while four noted how proud they were to be observing the election and nine noted that persons with disabilities were fully participating in the election.

On a less positive note, five of the access monitors noted that in the polling stations they were monitoring, party agents and/or election staff were not treating voters with disabilities well, while

three recorded that they were not allowed to take photos of inaccessible features of the polling station. Two accredited access monitors/election observers reported that they were prevented by polling officials from voting in the polling station in which they were monitoring. This is contrary to the direction in Article 29 of Government Decree 21/2017 which allows accredited observers to vote wherever they are on duty. Four accredited access monitors/observers were refused entry to the polling station by election staff, and had to monitor from outside the polling station.



10. SURVEY OF VOTERS WITH DISABILITIES

Participation by voters with disabilities

The questionnaire for voters with disabilities asked 11 questions about their election experience. In many polling stations monitored, voters with disability were reluctant to participate in the survey. Election staff did not place any obstacles in the way of the access monitors conducting the survey with voters willing to participate. A total of 153 voters with disabilities completed the survey, broken down by municipality as follows:

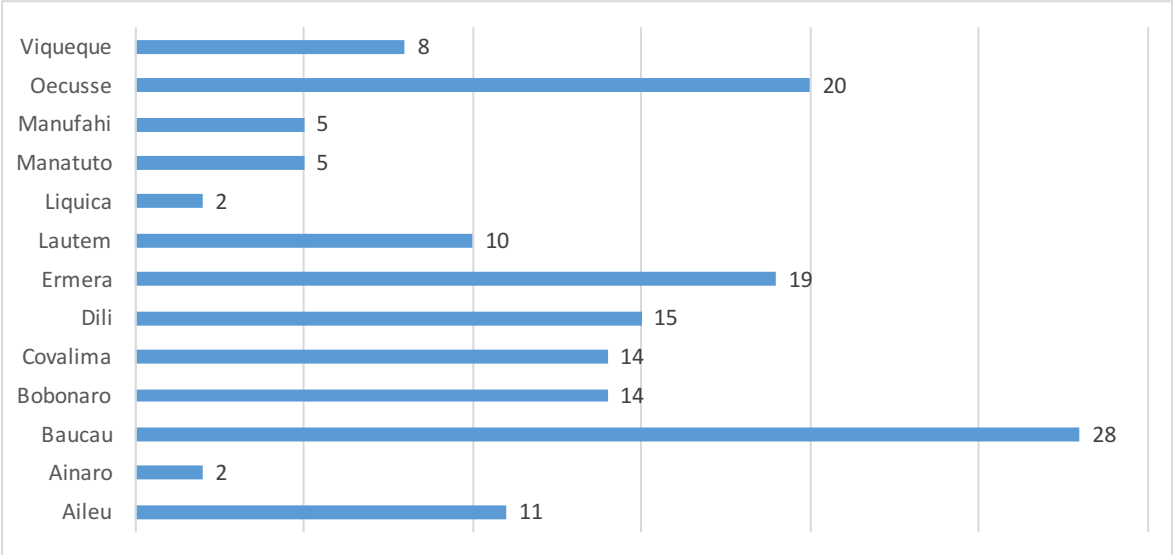


Figure 5: Summary of disability access criteria per polling station visited

Respondents gender-wise classification- 44% men, 47% women and 9% not recorded;

Respondents age-wise classification- 38% were aged 17 to 30 years, 14% between 31 and 40 years, 32% over 40 years and for 20% the age was not recorded.

The type of disability of the respondents is as follows:

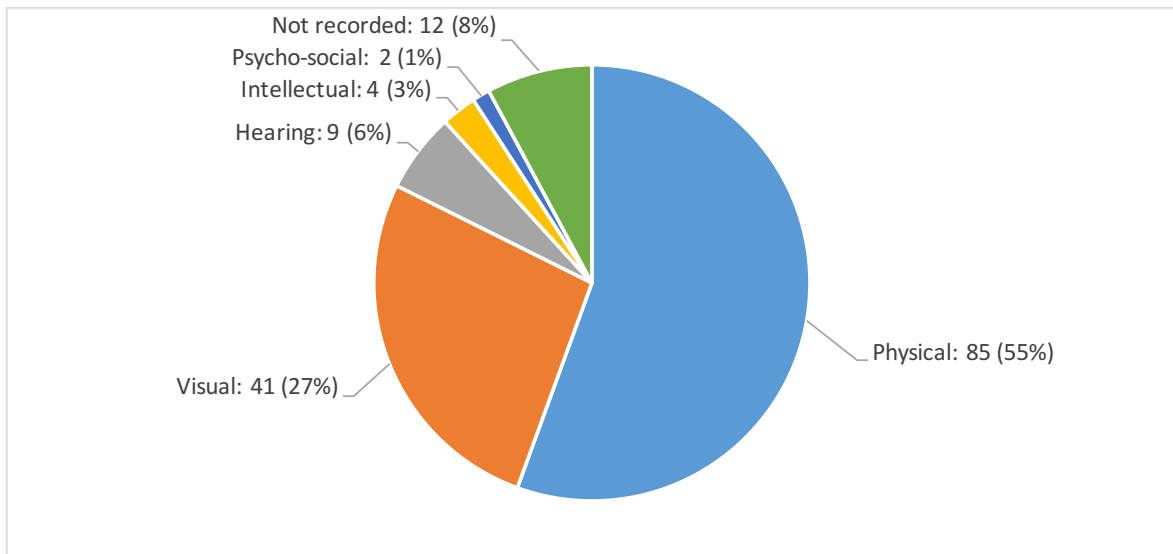


Figure 6: Type of disability of the respondents

The majority of respondents had a positive response to the election process, even though the reports from the election access monitors indicate that very few of the polling stations observed were fully accessible to persons with disabilities. Most of the voters with disabilities interviewed (77%) did not feel intimidated at the polling station. Majority of those voters with disabilities interviewed noted that they were allowed sufficient time to vote (84%) and that it was easy to understand (84%) and to mark (78%) the ballot paper. Two-thirds of those interviewed were able to vote without assistance, while 61% believed that if they needed assistance they could freely choose whoever they wanted.

The following is a summary of responses to the questions asked of these voters with disabilities:

Question	Yes %	No %	No Answer %
Did you feel intimidated at the polling station?	22%	77%	1%
If you needed an assistant, were you able to choose one freely?	61%	38%	1%
Did you have enough time to vote?	84%	15%	1%
Did you receive adequate information about the parties and candidate lists?	56%	43%	1%
Was it easy for you to mark the ballot paper?	78%	20%	2%
Was it easy for you to understand the ballot paper?	84%	15%	1%
Were you able to vote without any difficulties or assistance at the voting booth?	67%	32%	1%
Have you ever heard about/attended a voter education held by STAE or CNE?	35%	64%	1%
Do you think that the media has provided enough information that is accessible to persons with disabilities?	47%	52%	1%
Do you think that the political parties have provided enough information that is accessible to persons with disabilities?	35%	64%	1%
Are you aware of any friends, family members or relatives with disabilities who are not listed in the voters list?	17%	82%	1%

Table 6: Summary of responses from voters with disabilities

An overall observation that can be made from this data is that majority of persons with disabilities who answered the questionnaire did not believe that there was sufficient accessible information about the election available to them. Fifty-two percent believed that the media did not provide enough accessible information, and 64% thought the same of political parties. Additionally, only around one-third (35%) of these voters had had any contact with voter education campaigns conducted by the STAE or the CNE. A little over one half of these voters (56%) believed that they had sufficient information about the parties and the candidate lists: this is a little surprising given that there was not any widespread publication of the candidates on each party’s list, and no official publication of the candidates on each political party’s candidate lists as required by law.

There were no significant differences in the pattern of responses from men and women voters with disabilities.

Voters with hearing disability who answered the questionnaire were more likely than voters with other types of disability not to have contacts with any STAE or CNE voter education program and believe that the media and political parties had not provided sufficient accessible information about the election. In Bobonaro and Manufahi no, and in Baucau few (17%), voters with disability had had any contact with STAE and CNE voter education programs.

Respondents over 60 years of age in Baucau and Ermera, and those with visual disability were more likely to feel intimidated by the voting process. Older voters with disability (over 60 years old) who answered the questionnaire were less likely to state that they could vote without assistance, as were, unsurprisingly, voters with visual disability. Respondents over 70 years old were more likely to state that they did not find it easy to understand or mark the ballot paper.

Respondents in Bobonaro were less likely than those in other municipalities to feel that they could freely choose an assistant for voting. Respondents with visual or intellectual disability were more likely than those with other types of disability to feel that they could freely choose someone to assist them voting.

The voters who answered the questionnaire were asked to provide some additional information, if they wished, in relation to some of the questions.

Those who responded that they had experienced difficulties in voting were asked to describe briefly. Less than half of those who indicated they had difficulty voting provided any further information (49 respondents), but of those who did, the majority were voters with visual disability:

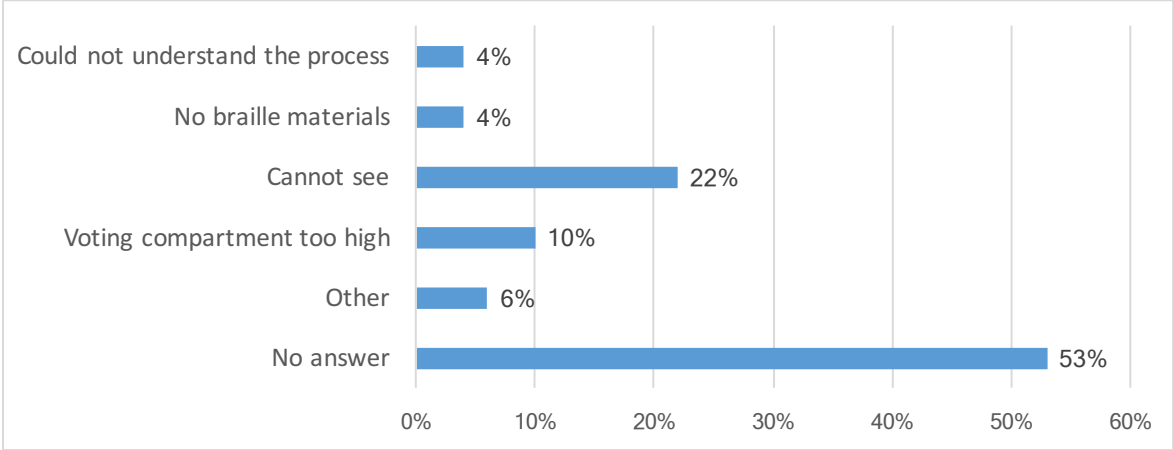


Figure 7: Difficulties in voting process experienced by the voters

On voter education, those who had attended/attended or listened to a voter education session were asked to nominate what message they had received from these following results. Again, less than half of these respondents provided any further information (52 respondents), but the most common takeaway was that persons with disabilities have the right to vote.

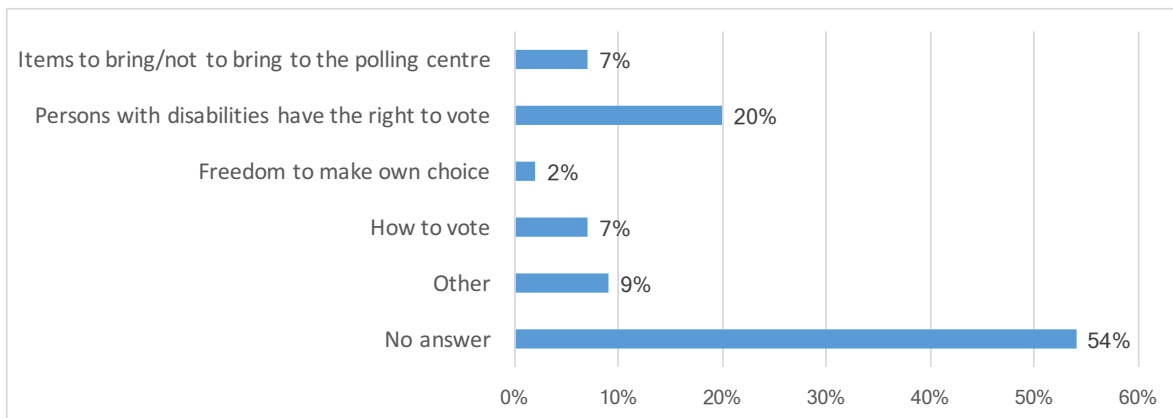


Figure 8: Message received from voter education

Respondents who noted that the media had provided enough information on the election that is accessible to persons with disabilities were asked for reasons. Only one-third of these respondents could give a reason, stating that the information received mostly was on their voting rights. Respondents who noted that the media had not provided enough information on the election that is accessible to persons with disabilities were also asked for reasons. Again, only around one-third of these respondents could give a reason. The most responses were that the media provided no information at all or it was in an inaccessible presentation.

Respondents who noted that political parties had provided enough information on the election that is accessible to persons with disabilities were asked for reasons. Fewer than one-third of these respondents could provide a reason, with most of the responses stating that political parties raised about disability issues. Respondents who noted that political parties had not provided enough information on the election that is accessible to persons with disabilities were also asked for reasons. Only around one-quarter of these respondents could give a reason. The responses were mostly stating that the political parties provided no information at all or did not raise the issue about people with disability.

11. RECOMMENDATIONS

Based on the findings of its disability access monitoring of the 2017 elections in Timor-Leste, RHTO makes the following recommendations for actions that must be taken by stakeholders in the electoral process for persons with disabilities in Timor-Leste to have full access to the civic and electoral rights guaranteed to them under international law and the Constitution of the Democratic Republic of Timor-Leste.

Government of Timor-Leste

1. Ratify the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD).
2. Improve the current electoral legal and regulatory framework to ensure that the electoral and political rights of persons with disabilities are fully protected in accordance with the principles of the UNCRPD.

3. Consider amending the current legal framework for elections to include accessibility standards for premises used for voter registration and voting, and to provide alternative methods of voting, such as mobile ballot boxes or curbside polling, that will be more accessible to persons with disabilities.
4. Ensure that the legal framework guarantees the right to lodge a complaint against any barriers to access or discrimination against persons with disabilities in electoral processes, and that CNE and other authorities are granted powers to impose sanctions and require remedial actions.
5. Revise the regulatory framework to ensure that all persons with an intellectual or psychosocial disability who are otherwise qualified to register to vote and vote, may do so.
6. Review voter registration regulations to allow, in accordance with requirements for protecting private information, record if voter's have a need for accomodation on E-Day, in order to provide better targeted electoral services to persons with disabilities.
7. Conduct assessments of all public buildings, including local government offices and educational facilities, that may be used for electoral purposes to ensure they meet disability access standards.

National Election Commission (CNE) and the Technical Secretariat for Election Administration (STAE)

1. Develop a Disability Access and Inclusiveness Strategy for Elections within the next twelve months, in consultation with Disabled Persons Organizations and other stakeholders.
2. Ensure that all CNE and STAE offices are accessible to persons with disabilities.
3. Improve cooperation and collaborative activities with Disabled Persons Organizations in areas such as civic and voter education, registration of persons with disabilities, and accessibility of all electoral processes, in order to increase election participation among voters with disabilities.
4. Develop specific civic and electoral information materials that are in formats accessible for persons with physical, hearing, visual, intellectual or psychosocial disabilities.
5. Increase the numbers of persons with disabilities employed by CNE and STAE as both permanent and temporary staff, including by designating within the CNE Secretariat and STAE a permanent position with responsibility for disability inclusiveness to be filled by a person with disability.
6. CNE develops a strategy for monitoring that the electoral rights of persons with disabilities are not violated, and that any violations of these rights are remedied.
7. STAE conducts an accessibility assessment of each polling center and polling station prior to each election, and takes action to improve accessibility where needed, such as by installing ramps, removing obstacles, having sufficient lighting available for voters, and ensuring accessible toilets and sanitation facilities.
8. STAE identifies and uses more accessible premises for polling centres and polling stations if an existing location cannot be made accessible to persons with disabilities.
9. STAE revises polling equipment specifications and polling station layout instructions to ensure persons with physical disabilities can access voting compartments and ballot boxes to vote in secret and without assistance.

10. STAE revises its training programs and manuals to ensure that all polling staff understand and implement the electoral rights of persons with disabilities, in relation to issues such as priority voting, assisted voting, and secrecy and confidentiality of voting.
11. STAE considers the provision of one table-top voting compartment per polling station.
12. STAE revises ballot paper specifications so that political party acronyms and flags/symbols are printed so they are easily recognizable by people with low vision.
13. STAE ensures that magnifying glasses and Braille and/or tactile ballot marking guides are supplied to all polling stations and train election staff in their use.
14. STAE includes the provision of a help desk facility at each polling station, to provide information to voters, including those with a disability and the elderly, requiring information on the voting process.
15. STAE ensures that persons with disability, the elderly and pregnant women are always given priority to vote, and that there are sufficient chairs in each polling station for them while waiting to vote.
16. STAE refines its counting and tabulation procedures and training to ensure that the counting of ballots is transparent to persons with disabilities, such as by clearly announcing votes, and by ensuring that the vote tally sheet is positioned and of sufficient size so that all persons can clearly see the vote tallies.

Political Parties, Coalitions and Candidates for the Presidency of the Republic

1. Regularly review political platforms and policies in consultation with DPOs to ensure that the policies address the concerns of persons with disabilities.
2. Hold regular consultation meetings with DPOs to discuss and advance policies on persons with disabilities.
3. Review political party internal statutes and rules and take action to ensure that persons with disabilities are included in party executive and administrative structures, policy and decision-making processes, and are encouraged to be actively engaged in party administration and activities, and as party agents.
4. Ensure that persons with disabilities are included in the political party or coalition's candidate lists for elections.
5. Ensure that all political party administrative offices meet accessibility standards for persons with disabilities.
6. Publicize political campaign events among DPOs, and provide campaign information that is in accessible formats for persons with physical, hearing, visual, intellectual or psycho-social disabilities, including using accessible venues for campaign events.

Mass media

1. Consider means of making political and electoral information available in formats accessible to persons with physical, hearing, visual, intellectual or psycho-social disabilities, for example by having sign language interpretation of relevant television programming.
2. Consider printing or broadcasting programming that promotes public understanding of the rights of persons with disabilities and their current environment.

Disabled Persons Organizations

1. Continue to conduct disability access monitoring for future elections.
2. Actively cooperate with CNE and STAE to promote the participation of persons with disabilities in electoral processes, provide civic and voter education to persons with disabilities, and provide advice on disability access issues.
3. Monitor the extent to which political parties, coalitions and presidential candidates address issues related to persons with disabilities in their policies and during campaigns, and implement advocacy activities to ensure that political party policies promote the rights of persons with disabilities.
4. Monitor the extent to which the legal framework and its implementation by CNE and STAE, guarantees the electoral rights of persons with disabilities and implement advocacy activities to ensure the rights of persons with disabilities are respected.
5. Support the electoral rights of persons with disabilities by providing services to make up for shortfalls in state services, for example providing transport to polling centres, and physical and visual disability aids and information services at polling centres, to voters with disabilities.

REFERENCES

Asia Pacific Forum, 2017. Right for people with disability. Viewed on June 28, 2017.

<http://www.asiapacificforum.net/human-rights/people-disabilities/>

Raès Hadomi Timor Oan (RHTO), 2016. People with Disabilities call on the Government of Timor-Leste to uphold disability rights now. Viewed July 15, 2017.

<http://dpo-rhto.wixsite.com/timor/single-post/2016/06/05/People-with-Disabilities-call-on-the-Government-of-TimorLeste-to-uphold-disability-rights-NOW>

Statistic Timor-Leste, 2015. General Directorate of Statistic: Census Publication in “Analytical Report on Disability, Vol. 10”. Viewed on July 23, 2017.

http://www.statistics.gov.tl/wp-content/uploads/2013/12/Disability_Monograph.pdf

The Government of Timor Leste (GoTL), 2002. The Constitution of the democratic republic of Timor-Leste. Viewed on August 9, 2017.

http://timor-leste.gov.tl/wp-content/uploads/2010/03/Constitution_RDTL_ENG.pdf

The United Nations Human Right (UNHR), 2011. Report on the rights of persons with disabilities in Timor-Leste, August 15, 2017.

http://www.ohchr.org/Documents/Countries/TP/UNHR_Report2011_en.pdf

World Bank, 2016. Disability Overview. Viewed on August 23, 2017.

<http://www.worldbank.org/en/topic/disability/overview>

World Health Organization (WHO), 2011. World Report on Disability, Viewed on August 30, 2017.

http://www.who.int/disabilities/world_report/2011/en/

Rae's Hadomi Timor Oan (RHTO) 2012. People with disability have the right to vote: National Parliament Elections 7th July 2012, viewed on July 18, 2017.

World Health Organization (WHO) and World Bank 2011. World Report On Disability. World Health Organization, 2011.

http://www.who.int/disabilities/world_report/2011/report.pdf

