



Presidential Election 2022

Supplementary Notes

Polling Station Secretaries' Handbook Voting Abroad



Issued by the Technical Secretariat
for Electoral Administration (STAE)

February 2022

Implemented by:



Funded by:



From
the People of Japan

Part 1 - Introduction and overview

1.1 You have been given the task of taking the votes of persons who will be voting at sites outside Timor-Leste.

1.2 Provision for this process is made in Law No. 7/2006 (*Electoral Law for the President of the Republic*) and Government Decree No. 8/2017 as amended 14 January 2022 (*Approves the Technical Procedures for the Implementation of the Presidential Election Abroad*). You need to read them carefully to familiarise yourself with their requirements.

1.3 Polling Centres overseas must operate in a way which complies with local laws, especially in relation to public health and the prevention of Covid-19 transmission, such as requirements for the wearing of masks. In addition, it must be emphasised that Decree No. 8/2017 does not give polling staff the power to enforce its requirements other than on property which is owned or rented by Timor-Leste's authorities.

- So, for example, while the Decree bans the display of electoral propaganda within 25 metres of an overseas Polling Centre, the Polling Centre President has no power to require the removal of such propaganda if it is on someone else's private property and does not breach any local laws: he or she can only request that the propaganda be removed.

1.4 For polling overseas, STAE's most important counterparts are the Ministry for Foreign Affairs and Cooperation (MNEC) and, in overseas sites, the local Embassies and Consulates of Timor-Leste.

1.5 In general, the polling and counting procedures applicable abroad are similar to those described in the *Polling Centre Presidents' Handbook* and the *Polling Station Secretaries' Handbook*. These Supplementary Notes therefore focus on the most important differences of which you need to be aware.

Part 2 - Preparation prior to election day

2.1 Sites for overseas polling are determined by STAE. Factors which need to be taken into account in choosing appropriate sites include:

- general accessibility for voters, including those who may have disabilities; and
- specifically, the need for the site to be open:
 - to staff on the day before election day (to enable it to be set up);
 - to staff from before 06h00 (local time) on election day, for the rest of the day; and
 - to voters from 07h00 to 15h00 (local time), and possibly later, on election day.

These factors may be especially significant if a site in a “high rise” office building is being considered, since in the absence of special arrangements, such buildings may not be generally open to members of the public throughout the prescribed polling hours. If Timorese diplomatic or consular premises are used, there should be a separate (or at least a separately defined area) for polling and counting, so that both the security of the poll and the security of consulate/mission diplomatic functions can be maintained.

2.2 It is also highly desirable that the same site be available for a second round of voting for the presidency, should that be required.

2.3 As a matter of courtesy, you should always ensure that the local authorities are made aware as early as possible, and no later than three days before election day, that polling and counting for Timor-Leste’s election will be taking place. This is particularly important if it is anticipated that the conduct of polling will have an impact on the immediate environment of the Polling Centre (for example, because a line of voters may stretch onto a street, or significant numbers of people may be trying to park cars in limited spaces).

Part 3 - Staffing

3.1 In general, the local Head of Mission or Consular Head will exercise authority which in Timor-Leste would be exercised by the STAE Municipal Coordinator. In exercising such authority, those individuals are responsible to STAE, rather than MNEC. Where STAE staff have been deployed from Timor-Leste to support the overseas voting process, they will be available to advise on decisions which need to be made.

3.2 All electoral staff are required to be fully vaccinated, according to the definition of “full” vaccination which applies in the country where voting is taking place. Staff are pre-selected by the head of the local Timorese Embassy or Consulate, and formally appointed by STAE after consultation with CNE. Half of the appointed applicants must be female. This process also involves the pre-selection and appointment of substitute staff who can be called upon to fill any gaps in the event that the primarily selected staff are unable to serve.

Part 4 - Covid-19

4.1 The entire polling and counting operation needs to be implemented in a way that complies fully with local laws relating to Covid-19. These will vary from country to country, or even from site to site within a single country.

Part 5 - Fiscais, observers, monitors and media

5.1 At polling operations overseas, there is no limit on the number of fiscais which a candidate can appoint for, and deploy at a given time to, a Polling Centre or Polling Station; nor is there a requirement for fiscais to be appointed for a specific Polling Centre or Polling Station.

5.2 Media representatives at overseas polling are more likely to come from the country in which the polling is being conducted than from Timor-Leste. It would therefore be impractical to expect them to be accredited by STAE. A decision on whether to permit such representatives to be present will therefore be left to the discretion of the local Head of Mission or Consular Head.

Part 6 - Tabulation of results

6.1 Once the counting of votes at an overseas Polling Centre has been completed, the results are required to be transmitted electronically to STAE, in accordance with STAE's instructions. Thereafter, the Polling Centre Akta, and any disputed votes, are required to be delivered in physical form to the National Tabulation Centre in Dili, within 72 hours from the time at which the overseas counting and tabulation concluded.

6.2 When voting, counting and tabulation operations carried out abroad are completed, diplomatic or consular officials designated by STAE are required to ensure the transport from abroad to Dili of all documents relating to the electoral process, including Polling Centre and Polling Station Aktas, the used and unused ballot papers, and the complaints and appeals that may have been lodged.

Part 7 - Questions, claims and objections

7.1 Complaints and appeals to CNE and the Court of Appeal in relation to voting, counting of votes or tabulation of results from a Polling Centre or Polling Station operating abroad are presented to the local Head of Mission or Consular Head.

- CNE and the Court are each required to create an email account to receive such complaints or appeals.
- Likewise, the Court is required to establish an email account to receive the materials that are submitted to it in relation to voting, counting of votes and the tabulation of results that take place abroad.
- The email addresses for the accounts described in the preceding paragraphs must be communicated to STAE no later than fifteen days before the day scheduled as election day.

You must ensure that you know these email addresses.