

Memorandum of Understanding
between
The European Union
and
The Government of Timor-Leste
Concerning the observation of the
2017 General Elections

The Government of the Republic of Timor-Leste, and the European Union

Considering:

- that an invitation was issued to the European Union on 16 November 2016 by the Government of the Democratic Republic of Timor-Leste (RDTL) to observe the Presidential and Legislative elections in 2017;
- that the European Union, has accepted the invitation to observe the 2017 Presidential and Legislative Elections and that an EU Election Observation Mission (EU EOM) is ready for deployment;
- that the National Electoral Commission of the Democratic Republic of Timor-Leste is signing with the European Union (EU) a Memorandum of Understanding containing respective rights and obligations in connection with the above mentioned elections (the signed document will be sent to the Ministry of Foreign Affairs of the RDTL);

hereby agree on the following arrangements for the setting up of a European Union Election Observation Mission (EU EOM):

- The present memorandum of understanding applies to the Presidential elections scheduled for 20 March and 20 April 2017 and for the Legislative elections scheduled for the 8 July 2017.
- The EU EOM and its members will maintain strict impartiality, objectivity and independence in the conduct of their mandate. All EU EOM observers will abide by the Code of Conduct for European Observers (attached). The EU EOM will abide by the Declaration of Principles for International Election Observation and Code of Conduct for International Election Observers (attached) which was commemorated at the United Nations in New York in October 2005.
- The Government of Timor-Leste will take all necessary steps to facilitate the timely granting of adequate visas and special stay authorisations to all observers to ensure their lawful entry into Timor-Leste for the period of the mission.
- The Government of the Democratic Republic of Timor-Leste will provide the EOM with any assistance required, for the implementation of the mission's mandate, in accordance with the laws in force in Timor-Leste and the terms of the present agreement.



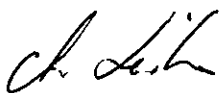
- In the framework of their observation mandate, the members of the EU EOM will enjoy freedom of movement throughout the country, without the need for prior permission or notification. They will have freedom of access to all political parties, candidates and election officials, as well as representatives from civil society and voters.
- The Government of Timor-Leste will take all adequate measures to ensure the personal safety of the members of the EU EOM.
- The EU will entrust the logistics of the EU EOM deployment to a European or international service provider which will facilitate the mission (e.g. renting facilities, transportation, accommodation in Timor-Leste, administrative arrangements as well as the temporary importation of goods such as communication equipment, informatics equipment, etc). The list of equipment to be temporarily imported will be communicated to the Government of the Democratic Republic of Timor-Leste at the beginning of the EU EOM deployment. This equipment will be re-exported at the end of the EU EOM mission. The government of the Democratic Republic of Timor-Leste shall permit the entry and exit of articles for the EU EOM In respect of locally purchased and imported goods as well as locally provided services, the Government of the Democratic Republic of Timor-Leste will cover all custom duties, fees, tolls, taxes and similar charges of the EU EOM and the EU EOM Service Providers
- The EU will inform the Ministry of Foreign Affairs of the number of observers deemed necessary to guarantee a credible observation of the entire electoral process and the names and details of all EU observers.
- All members of the EU EOM will receive prescribed identification and be accredited by the Technical Secretariat for Electoral Administration (STAE) without discrimination. Some of the EU EOM observers will be deployed on well in advance of Election Day, to allow them to follow the administrative preparation as well as the election campaign. Some observers may remain in country to follow the election process until it is completed, including the announcement of official results and the processing of complaints and appeals. The STAE will also facilitate the movement of EU observers along with their locally contracted translators.
- The Government of Timor-Leste will guarantee to the EU EOM and its members freedom of access to all bodies of the electoral administration as well as to all information relevant to the electoral process during the whole period of its presence in the country.



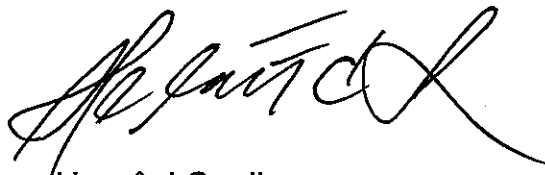
- On polling day and thereafter the Government of the Democratic Republic of Timor-Leste will guarantee the EU EOM and its members, including its contracted assistants' freedom of access, at any time, to all polling stations and counting/tabulation centres, as well as to all other bodies of the electoral administration, in order to observe voting and counting procedures, and the tabulation of results.
- The EU will nominate a Chief Observer and a Deputy Chief Observer who will represent the EU EOM. The Chief Observer, or in case of absence the Deputy Chief Observer, will be the only representatives authorised to make public statements or comments on the electoral process on behalf of the EU EOM throughout the whole duration of the mission.
- The EU will share the EU EOM Preliminary Statement and Conclusions with the Government of Timor-Leste, which will be issued after Election Day. The Chief Observer will present the final report of the Election Observation Mission to the Government of the Democratic Republic of Timor-Leste. This will take place between one and three months after Election Day.

For the European Union

For the Government of the
Democratic Republic of Timor-
Leste



Alexandre Leitão
Head of EU Delegation



Hernâni Coelho
Minister of Foreign Affairs
Democratic Republic of Timor-Leste

Date: 8 February 2017