



Press Release
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National Parliament

The Parliament and the Government have not prioritised the creation of legislative measures to ensure that disabled persons can exercise their rights in the Law on the Election of the President of the Republic

JSMP is concerned and regrets the decision of the Parliament and the Government

On 28 June 2021 the National Parliament gave its final approval of Draft Law No. 30/V (3rd) the Sixth Amendment of Law No. 7/2006, 28 December, Law on the Election of the President of the Republic, including the Amendment of Law No. 5/2006, 28 December, on the Electoral Administration Bodies and the First Amendment of Law No. 6/2016, 25 May, Law on Voter Registration.

These draft amendments came from the Government including Article 38 of Law No. 7/2006 with a provision about producing a “braille” ballot paper for voters who are visually impaired so they can properly exercise their right to vote. This proposal was eliminated by the members of parliament when they voted on specific terms. Also, in these proposed amendments neither the Government nor the National Parliament included any provisions about how to establish voter stations that have secure and favorable conditions and facilities to enable disabled voters to better exercise their political rights to vote.

“JSMP regrets the decision of the Government and the National Parliament to not include a draft amendment in these legislative measures to ensure favourable conditions and facilities for disabled voters to properly exercise their rights and political power as members of the public, to vote freely, directly, equally and secretly in accordance with the provisions of Article 7 of the Timor-Leste Constitution, and all citizens enjoy the same rights and shall not be discriminated against on the grounds of their physical condition as set out in the provisions of Article 16 of the Timor-Leste Constitution. The provisions of Article 21 of the Timor-Leste Constitution specifically state that the disabled have the same rights as others and the State is obliged to protect and promote their rights. Therefore, the State is obliged to create appropriate legislative measures so they can exercise their fundamental rights which fall within pragmatic standards”, said the Executive Director of JSMP, Ana Paula Marçal.

JSMP also recommends for the President of the Republic to give attention to this issue, which was raised previously by JSMP, before promulgating the aforementioned law to ask the Government and the National Parliament to include provisions that can ensure that disabled persons can exercise their political rights during elections.

JSMP believes that the articles that need to be improved are the provisions of Article 31 of Law No. 7/2006 on voting centres that should include some requirements linked to the facilities provided in the voting centres and voting stations that have to provide favourable conditions to the disabled so they can have free access when they vote.

Also, the provisions of Article 38 on ballot papers needs to be amended to include a provision that Braille ballot papers must be made available to the visually impaired in every voting centre so they can vote as they wish freely, directly and secretly.

According to data from the 2015 census, the total number of disabled persons registered in Timor-Leste was more than 38,118 and this number includes 14,828 people who are visually impaired.

Based on JSMP's observations, the proposed amendments to these three laws were finalised by Committee A of the National Parliament in a specific discussion between 23-25 June 2021 in Aileu with the participation of the Government who made these proposals, namely the Ministry of State Administration and Territorial Planning, and was attended by representatives from CNE and STAE who gave their opinions in relation to these amendments proposed by the Government including the additional proposals made by members of parliament for inclusion during the specific discussion.

The approval of the proposed amendments to these three laws was given via a final, global vote in the National Parliament, where the 62 members present voted unanimously.

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