



Summary:

Activities of the National Parliament in September 2020

Introduction

JSMP monitored the daily activities of the National Parliament. The main activities of the National Parliament were plenary meetings and meetings of the Specialised Standing Committees and the monitoring of Government programs and activities.

Plenary meetings took place on Mondays and Tuesdays, and Committee meetings took place on Wednesdays and Thursdays, and monitoring took place on Fridays. In addition to normal plenary meetings, there were also extraordinary plenary meetings. Extraordinary plenary meetings deviate from the normal schedule for plenary meetings.

Between 1 - 14 September the National Parliament had a recess and during this period only the Standing Committee functioned in the National Parliament. The Committee comprised members of parliament appointed from the parliamentary benches, namely the Fretilin Bench, CNRT, PLP, KHUNTO, PD, FM+UDT and PUDD with a total of 27 members. The Standing Committee only met for certain issues and did not function regularly.

The National Parliament recommenced plenary meetings on 15 September 2020 with the opening of the third legislative session of the 5th Legislature of the National Parliament.

Activities of the Standing Committees

The Standing Committee shall sit when the National Parliament is dissolved or in recession and in the other cases provided for in the Constitution, according to Article 102.1 of the Timor-Leste Constitution and Article 38 of Law No. 15/2009 on the National Parliament Rules of Procedure,

Rua Beco Lakateu, Aldeia Manu fuik,
Suku Colmera, Administrativu Vera Cruz
Dili Timor Leste
PoBox: 275

Telephone: 3323883 | 77040735

www.jsmp.tl

info@jsmp.tl

Facebook: www.facebook.com/timorleste.jsmp

Twitter: @JSMPtl

as amended by Law No. 1/2016. This Committee has its own competence as provided for in Article 102.3 of the Timor-Leste Constitution and Article 40 of Law No. 15/2009 on the National Parliament Rules of Procedure, as amended by Law No. 1/2016.

Based on JSMP observations, the Standing Committee continued to conduct its activities effectively and productively, even though in certain plenary meetings some members of parliament from the opposition did not participate. JSMP also observed that this Committee did not encounter problems and challenges in performing its role during the first half of September.

Plenary meetings of the Standing Committee between 1 - 14 September 2020

a) Plenary on 2 September 2020

Plenary meeting of the National Parliament on 2 September 2020 to discuss the following:

- Speeches on various topics by members of parliament.
- Information from the Minister of Parliamentary Affairs and Social Communication about issues raised by members of parliament in the plenary.
- Approval of request from the President of the Republic to call a meeting to discuss the request to Declare a State of Emergency.

• *Speeches on various topics by members of parliament*

During the speeches on various topics, members of parliament spoke about:

- The reasons for the State by way of the Government to maintain the State of Emergency (SOE).
- Timor-Leste had no air transport during the State of Emergency which made it very difficult for patients to obtain treatment overseas because no health equipment was available in the country and therefore they could not receive treatment.
- There is still a lack of clean water, not just in rural areas, but also in Dili because many neighbourhoods are lacking clean water.
- Schools in villages are still lacking facilities which makes it difficult for students and teachers to perform their roles properly.
- Communities in Maluru Village could not access electricity.
- The road linking villages in Postu Saibada is in bad condition so communities cannot access the market. Also, communities there find it hard to access clean water and therefore they have requested for the Government to fix the road and provide access to clean water in this location.
- Residents in Postu Laleia, Cairui Village have requested for irrigation to be repaired to provide water to communities in this village so they can plant rice, and the school in this village lacks facilities and the Government has been requested to make repairs.

- Members of parliament asked for the roads linking Lospalos and Iliomar and Watukarbau and linking Laga and Baguia to be repaired.
- The Ministry of Agriculture and Fisheries has been asked to repair irrigation from the Bebui river and other irrigation that is damaged, as well as to construct a dam to provide clean water and irrigation for agriculture to increase production.
- Also, a request was made to assist and improve the quality of agricultural production, especially in regards to horticulture production to encourage communities to grow produce and for the Government to provide markets for them to sell their produce for reasonable prices.
- Members of parliament also requested for the Government to repair houses and schools that were damaged by strong winds to make sure that residents and students will not be exposed to rain during the rainy season.
- The Ministry of Education was requested to pay contracted teachers in Baucau who did not receive their salaries in January.

b) Plenary on 3 September 2020

In the plenary meeting on 3 September 2020 the Standing Committee of the National Parliament approved Law No. 8/2020 authorising the extension of the State of Emergency pursuant to Presidential Decree No. 59/2020 to continue to anticipate and prevent Covid-19 transmission in Timor-Leste¹.

c) Plenary on 4 September 2020

During the plenary meeting on 4 September 2020 the Standing Committee of the National Parliament held a plenary meeting to conduct a ritual ceremony to replace the table of the National Parliament. This ritual ceremony was attended by customary elders representing the 12 Municipalities and the Special Administrative Region of Oecusse-Ambeno (RAEOA).

During the plenary meeting and ritual ceremony members of parliament from the CNRT Bench did not participate because they believed it was necessary to find out why the table was broken and resolve this issue before holding a ritual ceremony to replace the table.

Activities of the National Parliament between 15-30 September 2020

Article 45.1 of Law No. 15/2009 on the National Parliament Rules of Procedure, as amended by Law No. 1/2016, states that the legislative session shall have the duration of one year, starting on 15 September and ending on 14 September the following year. Therefore, on 15 September 2020, the 5th Legislature of the National Parliament started its third legislative session.

The following plenary meetings took place between 15-30 September 2020:

a) c) Plenary on 15 September 2020

¹ Please refer to the details of the law and the presidential decree in the State Gazette online: http://www.mj.gov.tl/jornal/public/docs/2020/serie_1/SERIE_I_NO_36_B.pdf

During a plenary meeting on 15 September 2020, the 5th Legislature of the National Parliament started its third legislative session. This legislative session was opened by the President of the Republic, Francisco Guterres “Lu-Olo”.

In this plenary meeting the CNRT Bench made a political statement relating to the legality of the Presidency of the Chair of the National Parliament and the 8th Government. After reading out the political statement the members of parliament from CNRT walked out of the plenary and did not listen to the opening speech of the President of the Republic, Francisco Guterres “Lu-Olo”.²

The President of the Republic, Francisco Guterres “Lu-Olo”, in his speech raised the issue of a debate regarding the constitutionality and legality of the 8th Constitutional Government because the State Budget was not passed in relation to interpretation of Article 112.2 and the challenges faced by the country in 2019/2020 regarding natural disasters and the COVID-19 pandemic. Also, the President of the Republic requested for members of parliament to engage in debate critically, openly and honestly as a constructive way to strengthen peace, national unity and integrity to reflect on and respond to the needs and interests of the people.

In addition, during this plenary meeting, the President of the National Parliament, His Excellency, Aniceto Longuinhos Monteiro, presented the parliament plan to build a new National Parliament building.

b) Plenary on 16 September 2020

On 16 September 2020 the National Parliament held an extraordinary plenary meeting of to discuss the following:

During the period before the agenda:

- Reading out a message from the President of the Republic about Promulgating the Law on Preventative Measures for Combatting Corruption and vetoing the Decree-Law of the National Parliament on Civil Protection.
- Motion of sorrow for the deceased Tomas Correia Oliveira "Oli Lemorai" which was passed with 59 in favour, 0 against and 0 abstentions from a total of 59 MPs.

Agenda:

- Announcing the Draft Law regarding the first amendment of the Law on National Defence to be sent to Committee B.

² Please refer to JSMP press release regarding this matter: https://jsmp.tl/wp-content/uploads/PrBankadaCNRTWalkOuthusiPN_TETUM.pdf

- Announcing the draft resolution on an air services work agreement between Australia and Timor-Leste to send to Committee B.

Discussion and vote on draft deliberations on the establishment of a Specialised Standing Committee.

- Announcing the 2020 Draft State Budget Law to send to Committee C. The Chair of the National Parliament via the President of the National Parliament, Aniceto Guterres, submitted the 2020 Draft State Budget Law to the President of Committee C, Ms. Angêlica Rangel, that deals with Public Finance for the aforementioned draft to be considered by the Committee before general discussion and vote and Committee C was given 24 hours to consider the draft.
- The President of the National Parliament also announced the draft first amendment of the Law on National Defence and draft resolution on an air services work agreement between Australia and Timor-Leste to send to Committee B.
- Discussion and approval of the draft deliberations on the establishment of a Specialised Standing Committee with 53 in favour, 0 against and 2 abstentions and this draft passed with some of the members of the Specialised Committee improving the draft based on an agreement between the CNRT bench and the Fretilin bench.

c) Plenary on 17 September 2020

On 17 September 2020 the National Parliament held an extraordinary plenary meeting with the following agenda:

- Discussion and vote on a Government Request for Urgency regarding the 2020 Draft State Budget Law.

During the discussion on the Request for Urgency, the Minister of Finance provided justification that the request for priority and urgency for members of parliament to consider the 2020 Draft State Budget Law was intended to normalise budget execution and increase economic growth within the country due to the impact of the Covid-19 pandemic and also to attend to priority needs to ensure the functioning of the machinery of the State and also to pay for projects undertaken by the State.

In their opinion regarding this request, MPs in Committee C that deals with Public Finance said that it was important and urgent, therefore it was justified as a basis for Committee C to unanimously approve by all 13 MPs the opinion that this request be submitted to the plenary.

During the plenary discussion MPs decided that the request of the Government was justified, so the MPs suggested an agenda for discussion and a public meeting between the Specialised Standing Committee and members of Government. MPs asked members of Government to follow the agenda to accelerate the process and properly justify expenditure for the 2020 budget program to convince the MPs to vote.

This request was approved with 54 votes in favour, 0 against and 7 abstentions, from a total of 61 MPs present.

The total proposed allocation from the 2020 State Budget was US\$ 1,497,100,000 with the following categories:

- Salaries and wages US\$ 206,694,000
- Goods and Services US\$ 499,341,000
- Public Transfers US\$ 568,730,000
- Minor Capital US\$ 8,933,000
- Capital and Development US\$ 213,402,000

d) Plenary on 21 September 2020

The National Parliament held a plenary meeting on 21 September 2020 to discuss the following:

- Justification of the absence of MPs Duarte Nunes and Terezinha Viegas.
- Written notification about the delegation of MP Arão Noe de Amaral to the Specialised Committed that deals with Infrastructure.
- Debate with the Government about the progress of executing the 2020 budget.

Debate with the Government about the progress of executing the 2020 budget.

Presentation on the progress of executing the 2020 State Budget from the Minister of Finance accompanied by the Minister of Parliamentary Affairs and Social Communication, Minister of Health, Minister of Foreign Affairs and Cooperation and Vice Minister of Finance. The Minister of Finance stated that he was providing an explanation as a constitutional requirement as the executive organ relating to budget execution during the duodecimal period and during the period of application with allocations linked to the Covid-19 fund in 2020.

From 1 January - August 2020, a total of US\$ 954,5 million was distributed to institutions and US\$ 479.3 million was spent according to the following categories:

- Salaries and wages US\$ 123.3 million
- Goods and Services US\$ 151.3 million.
- Minor Capital US\$ 2.2 million
- Public transfers US\$ 60.5 million, and capital and development US\$ 120.8 million and expenditures of an urgent and unexpected nature from the reserve fund totalling US\$ 10.6 million.

These expenditures were funded from domestic revenue of US\$ 117.4 million, Transfers from the Petroleum Fund of US\$ 316.8 million, with US\$ 364.2 million deposited in the

Treasury. Therefore, the total execution of the duodecimal budget from 1 January to 31 August 2020 was US\$ 479.3 million.

e) Plenary on 29 and 30 September

During a plenary meeting on 29 and 30 September 2020 the National Parliament discussed and approved opinions of the Specialised Standing Committee. Based on these opinions, the National Parliament discussed and approved the 2020 Draft State Budget Law in general and specifically before proceeding to the final global vote.

The National Parliament held a plenary meeting on the afternoon of Tuesday 29 September 2020 to discuss the following:

“Discussion and Approval of Draft Resolution No. 59 /V (3rd) on the 2021 Exclusive Budget of the National Parliament”.

The priority plan for the 2021 budget of the National Parliament is to improve administration at the National Parliament and make it more effective, improve monitoring conducted by members of parliament and to repair the National Parliament building.

During the discussion members of parliament questioned why the revenue table of the Parliament’s budget for 2020 was not included in the 2021 budget table and also the additional proposal to provide a subsidy for mobile phone credit for technical support staff to the Specialised Committees.

Also, members of parliament requested that in 2021 administration costs should be reduced, as well as a reduction of visits abroad and increased monitoring of local visits and also vehicles need to be repaired, including funds for the construction of a new National Parliament building because the current building doesn’t have any space to ensure effective functioning.

The general approval of this draft resolutions passed with 39 votes in favour, 0 against and 19 abstentions from a total of 58 MPs who were present.

The results of the final global vote on Draft Resolution No.59 /V (3rd) on the Exclusive Budget of the National Parliament for 2020 were 41 votes in favour, 0 against and 8 abstentions from the 49 MPs. The abstentions were made by MPs from the CNRT Bench.

The Exclusive Budget of the National Parliament for 2021 totalled US\$ 16,984,006 allocated to the budget categories of Salaries and Wages US\$ 5,581,203, Goods and Services US\$ 6,250,029, Public Transfers US\$ 1,660,203, Minor Capital US\$ 492,796, Capital and Development US\$ 3,000,000.

Meeting of Committee A of the National Parliament

Between 23 – 28 September 2020 the Specialised Committee held a public meeting with the State ministries and institutions regarding the 2020 State Budget allocations to relevant entities.

The public meeting regarding the 2020 State Budget involved Committee A of the National Parliament, members of Government including members of other State institutions belonging to the areas covered by the Committee that deals with constitutional issues and justice.

These State organs and institutions met with Committee A of the National Parliament with the proposed budget plan for 2020 as follows:

- The Office of the President with a total budget allocation of US \$ 6,044,000 for the budget categories of Salaries and Wages US\$ 996,000, Goods and Services US\$ 4,961,000, Public Transfers US\$ 53,000, Minor Capital US\$ 34,000, and no funds for Capital and Development.
- Office of the Prime Minister with a total budget of US\$ 5,700,000 for the budget categories of Salaries and Wages US\$ 340,000, Goods and Services US\$1,893,000, Public Transfers US\$ 3,387,000, Minor Capital US\$ 80,000, and no funds for Capital Development.
- The Office of the Civil Society Support Fund allocation is for Public Transfers of US\$ 3,387,000, whereas funds for Salaries and Wages, Goods and Services, Minor Capital were grouped together within the budget of the Office of the Prime Minister.
- The Minister of the Presidency of the Council of Ministers with a total budget of US \$ 3,807,000 for the budget categories of Salaries and Wages US\$ 506,000, Goods and Services US\$ 3,302,000, and no funds for Public Transfers, Minor Capital and Capital and Development.
- The Minister of Parliamentary Affairs and Social Communication with a total budget of US \$ 4,368,000 for the budget categories of Salaries and Wages US\$ 884,000, Goods and Services US\$ 1,693,000, Public Transfers US\$1,790,000, and no money allocated for Minor Capital, Capital and Development.
- The Minister of State Administration with a total budget of US \$ 14,568,000 for the budget categories of Salaries and Wages US\$ \$3,630,000, Goods and Services US\$ 2,471,000, Public Transfers US\$ 8,441,000, Minor Capital US\$ 25,000 and no money allocated for Capital and Development.
- The Ministry of Justice with a total budget of US\$ 11,609,000 for the budget categories of Salaries and Wages US\$ \$4,614,000, Goods and Services US\$ 6,459,000, Minor Capital US\$ 343,000, Capital and Development US\$ 194,000, and no money allocated for Public Transfers.

- The Office of the Public Defender with a total budget of US\$ 1,408,000 for the budget categories of Salaries and Wages US\$ 1,272,000, Goods and Services US\$ 49,000, Capital and Development US\$ 88,000, and no money allocated for Public Transfers and Minor Capital.
- The Legal and Judicial Training Centre with a total budget of US\$ 128,000 for the budget categories of Salaries and Wages US\$ 102,000, Goods and Services US\$ 27,000 and no money allocated for Public Transfers, Minor Capital, and Capital and Development. Allocation to the Ministry of Justice of US\$ 1.5 million from the Human Capital Development Fund to facilitate the work of the training to finance training activities, especially the recruitment of trainers etc.
- The courts with a total budget of US\$ 4,925,000 for the budget categories of Salaries and Wages US\$ 2,941,000, Goods and Services US\$ 1,984,000, and no money allocated for Public Transfers and Minor Capital, and the courts were given funds for Capital and Development of US\$ 13,000,000 for multiannual funding. These funds were allocated for the construction of court buildings which is now underway.
- The Public Prosecution Service with a total budget of US\$ 4,084,000 for the budget categories of Salaries and Wages US\$ 1,904,000, Goods and Services US\$ 1,609,000 and no money allocated for Public Transfers and Minor Capital, meanwhile US\$ 572,000 was allocated for Capital and Development to pay for the construction of buildings for the Public Prosecution Service in Lospalos and a building for the Central Office for corruption and organized crimes.
- The Police Forensic and Criminal Investigations (PSIK) with a total budget of US\$ 545,000 for the budget categories of Salaries and Wages US\$ 211,000, Goods and Services US\$ 334,000, and no funds for Public Transfers, Minor Capital, and Capital and Development for 2020.
- The Office of the Ombudsman for Human Rights and Justice (PDHJ) with a total budget of US\$ 1,156,000 for the budget categories of Salaries and Wages US\$ 741,000, Goods and Services US\$ 415,000, and no budget allocation for Public Transfers, Minor Capital, Capital and Development for 2020.
- The Anti-Corruption Commission (KAK) with a total of US \$ 1,072,000 for the budget categories of Salaries and Wages US\$ 773,000, Goods and Services US\$ 298,000, and no funds for Public Transfers, Minor Capital, Capital and Development.
- The Public Service Commission with a total of US\$ 2,240,000 for the budget categories of Salaries and Wages US\$ 1,170,000, Goods and Services US\$ 1,071,000, and no funds for Public Transfers, Minor Capital, Capital and Development.
- The National Electoral Commission (CNE) with a total of US\$ 7,276,000 for the budget categories of Salaries and Wages US\$ 785,000, Goods and Services US\$ 490,000, Public Transfers US\$ 6,000,000 and no funds for Minor Capital, Capital and Development.

In this meeting Committee A requested for State institutions to present their budget plan for 2020 and the results of budget execution from January to August 2020 and also the progress achieved and challenges faced by institutions whilst executing the duodecimal budget.

Conclusions and Recommendations

The National Parliament, during the recess period, and at the start of the third legislative session, functioned effectively, even though there were political disagreements between political parties from the Government and the opposition.

Therefore, JSMP recommends for the National Parliament to continue with these positive practices and behaviours in the future to promote and increase the productivity of the Parliament.