

Annex II

Agreement regarding the modalities for the popular consultation
of the East Timorese through a direct ballot

The Governments of Indonesia and Portugal and the Secretary-General of the
United Nations,

Agree as follows:

Immediately following the conclusion of the agreement between the two Governments requesting the Secretary-General to consult the East Timorese people on whether they would accept or reject the proposed constitutional framework for autonomy, the Secretary-General will, subject to the appropriate legislative mandate, begin preparations for the popular consultation by deploying in East Timor such personnel as will be adequate for the purpose of executing the various phases of the consultation process. Preparations for the vote outside East Timor will also begin at locations of major East Timorese concentration outside East Timor.

A. Date for consultation

The ballot will take place on Sunday, 8 August 1999, both inside and outside East Timor.

B. Question to be put before the voters

The question that the Secretary-General will put to the voters is:

<i>“Do you <u>accept</u> the proposed special autonomy for East Timor within the Unitary State of the Republic of Indonesia?”</i>	ACCEPT <input type="checkbox"/>
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OR

<i>“Do you <u>reject</u> the proposed special autonomy for East Timor, leading to East Timor’s separation from Indonesia?”</i>	REJECT <input type="checkbox"/>
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The United Nations logo will appear on the ballot papers. The ballot papers will include symbols to facilitate voting by illiterate persons.

C. Entitlement to vote

The following persons, aged 17 years or above, shall be eligible to vote in the popular consultation:

- (a) persons born in East Timor,
- (b) persons born outside East Timor but with at least one parent having been born in East Timor, and
- (c) persons whose spouses fall under either of the two categories above.

D. Schedule of the consultation process (in overlapping time periods)

The schedule for the operational stages of the consultation process will be approximately as follows:

Operational planning/Deployment	10 May-15 June
Public information programme/ Voter education	10 May - 5 August
Preparation and Registration	13 June - 17 July
Exhibition of lists and challenges/ Decisions on challenges and complaints	18 July - 23 July
Political Campaign	20 July - 5 August*
Cooling off period	6 August-7 August
Polling Day	8 August

* Subject to revision

E. Operational Phases

a) Information Campaign

- The United Nations will make available the text of the main Agreement and the autonomy document to be voted on in the following languages: Tetun, Bahasa Indonesia, Portuguese and English.
- The United Nations will disseminate and explain the content of the main Agreement and the autonomy document in an impartial and factual manner inside and outside East Timor.
- The United Nations will explain to voters the process and procedure of the vote, and the implications of an 'accept' or 'reject' vote.

- The radio stations and the newspapers in East Timor as well as other Indonesian and Portuguese media outlets will be utilized in the dissemination of this information. Other appropriate means of dissemination will be made use of as required.

b) Registration

- Registration inside and outside East Timor will take place for a continuous period of 20 days.
- Two hundred registration centres will be opened in East Timor for this purpose.
- Outside East Timor, special registration centres will be opened in Jakarta, Yogyakarta, Surabaya, Denpasar, Ujung Pandang, Sydney, Darwin, Perth, Melbourne, Lisbon, Maputo, Macau, New York with adjustments to be made as appropriate. The United Nations may utilize the services of the Australian Electoral Commission for the balloting in Australia and of the International Organization for Migration (IOM) in Portugal and elsewhere.
- The registration lists will be exhibited for five days at the end of the registration period at the respective registration centres, regional offices and at Dili headquarters. Challenges to the lists shall be submitted to the regional offices for a final decision by the Electoral Commission prior to polling day.

c) Campaign

- Supporters and opponents of the autonomy proposal will campaign ahead of the vote in a peaceful and democratic manner during the period designated for this purpose.
- There will be a Code of Conduct for the campaign, to be proposed by the United Nations and discussed with the supporters and opponents of the autonomy proposal.
- The United Nations will devise the means to provide equal opportunity for the two sides to disseminate their views to the public.
- Officials of the Governments of Indonesia and Portugal will not participate in the campaign in support of either option.
- East Timorese government officials may campaign in their personal

capacity. All such campaigning will be carried out strictly according to the Code of Conduct without use of public funds and government resources or recourse to pressure of office.

d) Balloting in East Timor

- Voting in East Timor will take place in approximately 700 registration/polling stations located in 200 polling centres.

e) Balloting outside East Timor

- Voting will take place in polling stations set up in the same locations as the registration centres mentioned above.

f) Observers

- Indonesia and Portugal shall be entitled to send an equal number of representatives to observe all the operational phases of the consultation process both inside and outside East Timor.
- International observers will be able to observe the consultation process under terms to be developed by the United Nations to regulate their presence.

F. Funding

The Secretary-General will seek the approval of the Security Council for the operation in order to ensure assessed budgetary funding. Voluntary contributions will be channeled through a Trust Fund established for this purpose.

G. Security

The Indonesian authorities will ensure a secure environment for a free and fair popular consultation process and will be responsible for the security of United Nations

personnel. A number of United Nations security guards will be deployed to ensure the security and safety of United Nations personnel and property. A number of international civilian police will be available in East Timor to advise the Indonesian Police during the operational phases of the popular consultation and, at the time of the consultation, to supervise the escort of ballot papers and boxes to and from polling sites.

DONE in New York on this 5th day of May, 1999.

For the Government of
Indonesia



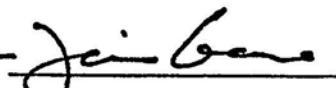
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Minister for Foreign Affairs

For the United Nations



Kofi A. Annan
Secretary-General

For the Government of
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Jaime Gama
Minister for Foreign Affairs