

This is a complete file of the formal complaints made by the MMP and the responses received.

1.

As a result of an August 9 meeting with political parties
a series of related complaints were generated and passed on to OCPI:

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 9 August 2001

Complaint/Comment

Party/Candidate: KOTA — Clementino Amaral

1. Clementino Amaral spoke with Demetrio of the MMP, complaining that there was little UNTAET news coverage of party activities and campaigns in the districts. He said he had the impression that UNTAET media was only following the activities of large parties in the districts and that his party and others were not drawing media attention from UNTAET radio and TV. He said three KOTA rallies in the districts had all been ignored.

Action Taken

Complaint logged and forwarded to UNTAET OCPI. No specific recommendation from MMP yet.

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date:

Complaint/Comment

Party/Candidate: Partai Liberal – PL — Salvador Tilman, Party representative

Salvador Tilman attended a meeting called by the Media Mediation Panel on 9 August to discuss media issues with the political parties.

1. Tilman feels that the UNTAET media are ignoring the smaller parties and that coverage of the parties is not balanced. He believes that journalists are just not interested in the smaller parties. He complains that journalists are also not interested in district events and are ignoring activities at that district level.

Action Taken

1. Complaint will be forwarded to UNTAET – OCPI and the IEC.

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 9 August 2001

Complaint/Comment

Party/Candidate: Partido Nacionalista Timorense – Alianca Araujo

Alianca Araujo attended a meeting called by the Media Mediation Panel MP on 9 August to discuss the media situation with political parties.

1. She believes the news coverage of the smaller parties is not adequate, citing Radio UNTAET, TVTL & Tais Timor. She believes there is a “political blockade” against her party and other smaller parties, especially in terms of campaign coverage. She believes that the larger parties are better treated in the media and would like to see UNTAET devote more resources to covering parties in the districts.
2. She is very pleased with the Soro Muto and direct access programs but would like more time. Want to see an extra Soro Muto for every party and three different direct access slots a week.

Action Taken

1. Her complaint about news coverage of smaller parties has been mentioned by others and will be forwarded to UNTAET – OCPI and the IEC.
2. Her desire for more coverage in Soro Muto and Direct Access is unrealistic at this late date.

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 9 August 2001

Complaint/Comment

Party/Candidate: Partido Social Democrata Timor Lorosa'e – PSD – Fernando Gusmao, Media Liason

Fernando Gusmao attended a meeting on 9 August called by the Media Mediation Panel to discuss political party reaction to UNTAET media.

He said PSD was substantially pleased with their representation in the news coverage of UNTAET and they feel that reports about the party have been fair and balanced.

1. He said the party is still waiting for an campaign code of conduct to be issued by the IEC. He did not seem to know that no such code exists.

Action Taken

1. PSD's concern about a code of conduct for the campaign will be forwarded to the IEC.

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 9 August 2001

Complaint/Comment

Party/Candidate: Partido Socialista de Timor – PST – Nelson Correia (chief spokesman)

Nelson Correia attended a meeting called by the Media Mediation Panel on August 9 to discuss media complaints and perceptions with the political parties.

1. His chief complaint is that district rallies and events staged by the PST are not being covered by the UNTAET media. He believes that the journalists are tilting their news coverage toward large events staged by bigger parties. He believes that UNTAET reporters should get out of Dili more to follow the campaign of the parties. .

2. He said His party is confused by the lack of a campaign code of conduct. And he said they are still waiting for the IEC to distribute a code of campaign conduct. He wants the IEC to clarify the rules. (The MMP understands that there is no such code of conduct, only a Pact of Unity and the criminal code.)

3. He likes the Soro Muto and the Direct Access programs. .

Action Taken

1. This complaint, similar to others, will be forwarded to UNTAET-OCPI and the IEC.

2. This confusion over a code of conduct, which has also been mentioned by others, will be forwarded to the IEC.

The MMP received the following response to these complaints from OCPI:

*Office of Communication and Public Information
17 August 2001*

*To: Lin Neumann, Media Mediation Panel
Fm: Brennon Jones, OIC OCPI*

Re: Criticism of OCPI Party Coverage

Thanks for sharing with us the complaints of several political parties regarding OCPI coverage of their activities. I have asked our different units to respond to the complaints. The political parties have valid concerns of course, but we hope that they can understand that it is chiefly because OCPI has limited resources, particularly to provide coverage in the districts. In addition, we have been hampered in part by many of the political parties themselves that don't give us adequate notice of their activities, or abruptly rescheduling them.

As the parties know well, the coverage of their rallies is only one part of the package of what OCPI provides. Through "Soro Muto" (Meet the Press), OCPI-organized political party debates, Civic Education programming, party profiles as well as the direct access spots -- provided on an equitable-basis to all parties and independent candidates, and now being extended -- we are providing significant airtime for each of them.

As you will see below, we have just started Radio and TV District Reporter projects, and given our district PIOs digital cameras. This should enable us to put increased coverage on political activities in the districts.

As for print publications, as you know, Tais Timor has a special issue, 100,000 copies, devoted entirely to the political parties and independent candidates. It has been distributed nationwide and been posted on the 80-plus bulletin/notice boards throughout the country. It has been a huge success, so much so that we are now reprinting it.

Radio UNTAET

Radio UNTAET has difficulty doing regional coverage because of the lack of trained journalists in the region. We identified this as a major problem in election coverage more than a year ago, when through a World Bank and USAID project, we organized to hire and train reporters in each district for the election and to improve district/national coverage. This has been done, although delayed, and several district reporters have just one week ago been sent out to the districts.

These new district reporters will help address the situation throughout the country as far as reporting from the districts. Already they are starting to send regular, almost daily reports from the region, and many of these are related to election reporting. However, these people are still very new, relatively untrained and inexperienced reporters.

We are working to improve the district coverage in other ways as well. We have started to regularly send reporters out to the districts to cover election events as they are taking place. However, with the small number of staff in the newsroom, it is impossible to be in all places at once.

Another initiative to improve district reporting is through the District Election Reporting Team, a project funded by UNDP. In this project, a team of four radio and television journalists are traveling throughout the districts to get a regional "profile" or report from each district. This initiative will also help to address some of the issues identified regarding district coverage of parties.

TVTL

The complaints by parties that UNTAET media are not adequately covering their district activities are partially true - but not by any deliberate action. TVTL has a serious resources problem that hampers its ability to provide broad coverage in the districts.

TVTL, in particular, operates with a staff of five reporters - at least three of which must remain in the studio on any given afternoon in order to make the news appear on the air. That leaves two reporters who could potentially cover something in the districts - if all reporters are on-duty, and if there is nothing major happening in Dili.

We do not like this situation, we would like to cover the news in the districts more often, but this is the reality of our resources.

However, UNDP has created a special district reporting team for both radio and TV UNTAET. They just started work last week, and are beginning to aggressively pursue and focus upon district election activities.

Also, Internews is making a radio show about election activities in the districts. These two supplementary operations are both small teams of 24 people, but this does help ease the problem somewhat.

TVTL has another limitation, one that is less a problem for radio - we are essentially event-driven because we are so small. We cannot afford to dig out a news story when we just have a tiny handful of reporters - we respond almost exclusively to breaking news.

If a political party does not stage events, chances are low that TVTL will be able to seek them out to cover them. Once again - this is not at all intentional - it is a physical limitation that we would very much like to overcome - but unfortunately, that is not likely to happen before election day.

Some General Observations

Radio UNTAET and TVTL are operating under less than ideal conditions to give total coverage to party activities throughout East Timor. This has included a limited number of journalists able to go out into districts, and only one car regularly available for travel. Measures are being taken to rectify this and already are having a positive effect. However, many editorial decisions involve how to share partial coverage as best as possible, combining equity of coverage and demands of news value.

Other obstacles have been obtaining information from parties themselves. In spite of repeated approaches, many parties still have not given a program of campaign activities. Parties in this position include: PTT, KOTA, PDC, PL, and PDM. After repeated enquiries, PNT had stated that it would not begin campaign activities until the party's president, Abilio Araujo, returned to Timor. Since his return last week, no further information has been forthcoming.

Other parties have announced programs, but then changed or altered them without notice. Parties in this situation include: ASDT, PST, Apodeti. Because of this, Radio UNTAET and TVTL has asked for information to be provided two or three days in advance. However, for the majority of parties, this has not been forthcoming.

After appearing at more than one programmed event, and finding that it did not take place, Radio UNTAET and TVTL also attempts to reconfirm the activities of parties one or two days beforehand. Often however parties have been uncontactable on their supplied contact numbers.

Some parties, when asked for detail of campaign activities, such as where it will take place in a district and what time, have responded that such decisions are made only at the district level and the information is unavailable from the contacts provided.

Radio UNTAET also interviews parties on campaign issues that are not related to direct news events. Often again, parties have been uncontactable, sometimes resulting in nearly a week's worth of effort to organize a single interview. This all makes it exceptionally difficult to broadcast the ideal mix of programming desired. However, within these internal and external constraints, efforts have been made and programming aired that gives coverage to each party, and follows crucial news events.

Response to Complaints of Individual Parties

PST

PST has been approached regarding its campaign activities schedule. Although it provided a schedule, on consultation UNTAET media was told this is subject to change, depending on events being organized on the ground. PST was advised that UNTAET media is making efforts to cover events, but requires information one or two days in advance. On the first weekend in August, PST informed they would be holding campaign activities in Los Palos town. Radio UNTAET and TVTL traveled to Los Palos on a two-day trip, which included gathering material for other stories but was designed and scheduled to cover the PST event. However on the Sunday indicated, the journalists in Los Palos town were informed that the event was now instead taking place in another sub-district, making coverage impossible. To date, no information about further campaign events has been supplied by PST.

KOTA.

KOTA party has not provided any calendar of campaign events, either in Dili or the districts. One Dili rally was held without any prior notice given to UNTAET media, and received coverage purely because UNTAET media was able to respond. KOTA is also one of seven parties holding joint campaign activities. However when UNTAET media went to one such event in Manatuto, after several failed attempts to confirm with different parties including KOTA, no event took place. (The event had eventually been confirmed with PPT, who also did not appear.)

PNT

As stated above, PNT informed UNTAET media that they would hold no campaign activities until their president Abilio Araujo returned from Portugal. Mr Araujo's return was covered by UNTAET media, and in fact broken by Radio UNTAET. PNT has also been interviewed on issues such as national symbols, education and health. Since Mr Araujo's return, no information has been forthcoming regarding campaign activities, in spite of standing requests for the same.

PL

Partai Liberal has not provided any information about campaign events. PL is also one of the seven parties which plan to hold events together. PL was one of the parties to be targeted for interview at the joint party event which, although scheduled, did not take place in Manatuto (see KOTA note). PL was sought out for an interview on national symbols, but because of difficulties contacting the party on the supplied contact number, said interview took around five days to line up.

2.
TLJA:

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 9 August 2001

Complaint/Comment

Complaint received from the Timor Lorosa'e Journalists' Association (TLJA)

While not strictly within the mandate of the Media Mediation Panel, the panel decided to entertain the comments of Virgilio Guterres, the president of TLJA, regarding the Polling Center Manual being prepared by the IEC.

In the section of the manual on The Media, the TLJA believes the wording is unnecessarily harsh and unduly restrictive and raises the following concerns:

1. The Manual states:

"While the media have an important role to promote and report on the conduct of free and fair elections, it is even more important that voters do not feel intimidated."

Why is there an assumption here that the media is going to intimidate voters, TLJA asks? Guterres notes that "During the 1999 referendum it was the militia that was intimidating voters, not the journalists."

2. In the amendment to the manual dated July 31, it states:

'The IEC has specialist Public Information Officers, who will, in coordination with OCPI, assist the media to cover the election. If members of the media visit your Polling Centre in the company of an IEC or UNTAET Public Information Officer on an organised visit, you may rely on the Officer to ensure appropriate conduct. Such journalists may film or photograph the overall situation in a polling station, but they must not, under any circumstances, film or photograph a person marking her/his ballot.

The following guidelines are for situations where journalists or camera crews attend your Polling Centre without an IEC or UNTAET OCPI escort.

- The DEO is the point of contact
- The DEO does not comment on the conduct of the election, other than to state the broad nature of his/her role at the Polling Centre
- Journalists may remain in the Polling Centre for no more than about 5 minutes
- Journalists may not film, photograph, make voice reports or use mobile phones within the building or structure housing the Polling Stations
- Journalists may not interview, film or photograph any voter within the building or structure housing the Polling Stations
- The DEO asks journalists to be tactful if speaking to voters after they leave the Polling Centre."

This raises several questions, according to the TLJA.

- A. Why must the media be accompanied to the polling stations in order to conduct filming or take pictures? Shouldn't the media be free to do their job without minders from OCPI?

B. Why are the media restricted in the time they can stay in the polling place to “about five minutes” when electoral observers face no such restriction? Why are the media given more restrictions than observers? Who is going to time a reporter’s stay in a polling station?

3. Consultation

According to the TLJA, the Manual was drawn up with no consultation from the local media or the TLJA.

4. Assumptions About the Future

Given the restrictive language and treatment of the media, the lesson for future elections in East Timor seems to be that the media must be restricted in some ways. This is a dangerous precedent in a free society. Rules of proper conduct for the media are fair, according to the TLJA, which has even drawn up its own code of conduct for the elections, but those rules should be made in consultation with the media and should not treat the media as a source of intimidation.

Action Taken

The MMP decided to forward the concerns of the TLJA to the IEC and OCPI. We urge the IEC to consider seriously these concerns and to take steps to consult with the media on accepted codes of behavior. The MMP notes that in other countries, such as Indonesia in 1999, where international and local observers participated in the election, there has seldom been a two-tier system of treatment or access to polling station between accredited reporters and accredited observers.

The MMP received a response from Bong-Scuk Sohn , Chair of the IEC, on 18 August which stated, in part:

“The Board remains of the view that the prescription set out in the Polling Centre Manual are appropriate in all the circumstances and draw a reasonable balance between the important rights of the media and the rights of individual voters to cast their votes in a calm and familiar environment.”

3.
UDC/PDC:

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 17 August 2001

Complaint/Comment

Party/Candidate: UDC/PDC, Vicente Guterres

We were first alerted by TVTL that there was a problem with UDC/PDC. Subsequently, Mr. Guterres complained in person to the MMP that on 6 August in Bacau, TVTL aired an old TVTL news story (dated 23 May) in which his party was accused by some demonstrators in Dili of engaging in money politics by allegedly offering voters \$150.00 to register with his party. Guterres says the story was false at the time it was aired and that he has challenged the claim in court. He said that the airing of the program had caused his party great distress and that he wanted the right to reply to the story on the air. Guterres believed initially that the airing of the old story might have been part of a political plot of some kind against his party.

The MMP viewed the story in question and confirmed with TVTL that it had aired. Carolyn Robinson of TVTL said that the current news, which is being rebroadcast in Baucau on videotape after it is aired in Dili, had been taped on a used videotape cassette that had not been erased. The operator in Baucau let the tape run to its full length and, unfortunately, the old story about UDC/PDC was aired.

Action Taken

The MMP negotiated a solution with TVTL and Mr. Guterres in which TVTL agreed to apologize on air and Mr. Guterres was also given air time to explain his position regarding the money politics charge. The apology and Mr. Guterres explanation was to be aired in Bacau only. The MMP explained to Mr. Guterres that the incident appeared to be an honest mistake. The MMP encouraged TVTL to erase tapes before reusing them to avoid further mistakes of this kind.

Below is email from the MMP to TVTL on 17 Aug:

Subject: Solution Agreed
Date: Fri, 17 Aug 2001 12:20:52 +0800
From: Media Panel <mediapanel@undp.org>
To: Carolyn ROBINSON <robinsonc@un.org>
CC: MGabrielaHeard@netscape.net, Brennon JONES <jonesb@un.org>

After discussing the situation of the false/old news report about UDC-PDC which was erroneously broadcast in Baucau last week with Caroline Robinson and with Vincente Guterres of UDC-PDC it has been decided that:
TVTL will air a spot in Baucau in which:

TVTL will apologize and explain the error using about 60 seconds of air time;
Vincente Guterres will clarify his position with regard to the erroneous report and the political damage he feels may have been done to his party. He will be given about 60 seconds for this reply; In addition, the spot will run the same number of times that the mistaken news spot ran -- at least twice in one day within the news time slot .

Guterres has been contacted and told to be at the TVTL studios to cut his response at 1:30 PM this afternoon (Friday, 17 August). The spot will air next week as soon as TVTL can get it on air in Baucau. It is important to Mr. Guterres that the length of the TVTL apology and the UDC-PDC reply be roughly equal in

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Complaints and Responses

length to the time of the mistaken news report -- about 2-2.5 minutes. The MMP considers this a reasonable request.

We further urge TVTL to erase old tapes before re-recording on them in order to avoid such a situation in the future.

The MMP understands that this situation was resolved amicably.

4.
Fretilin Sweeping:

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 20 August 2001

Complaint/Comment

Party/Candidate: General Concern About Intimidation from Parties and Observers

It has come to the attention of the Media Mediation Panel from numerous sources both inside and outside of political parties that a disturbing pattern of apparent verbal intimidation has become a focal point of the campaign of Fretilin, especially in the districts. Numerous witnesses, including members of the MMP, have heard senior Fretilin leaders use the words “dasa rai”, a tetum term meaning “to sweep the ground”, during campaign appearances over the last two weeks in Maliana, Bobonaro, and Same. In this context, the Fretilin leaders said they would “sweep” the country clean after the August 30 elections.

This term has a very disturbing meaning for the people of East Timor because it recalls intimidation that occurred during the Indonesian occupation when the military used the same term to describe military operations conducted against the resistance. In 1999 before the popular consultation, pro-Indonesia militia groups also used the same term to threaten the population before the referendum.

When asked about the use of this term during the debate in Baucau on Saturday, August 18, Fretilin representative Estanislau da Silva said that the Party merely meant to engage in a clean up campaign of trash, like posters and other debris, left behind by the election campaign.

What concerns the MMP in this context is that the use of the term “dasa rai” is being interpreted by many observers as an act of intimidation that is clearly out of step with the Pact of National Unity signed by most political parties, including Fretilin, on July 8. We are concerned that an atmosphere of suspicion and intimidation may be building in the closing weeks of the election campaign leading to a rise in fear and tension among the people.

We believe it would be helpful if UNTAET Radio and TVTL would undertake a systematic journalistic investigation of these charges and air them fully on radio and television news programs in a balanced and professional manner in order to help dispel the fear and clear the air. UNTAET journalists should put the question of these charges to Fretilin and perhaps to others involved in the political process and air their responses.

It is the responsibility of the UNTAET media, as the dominant media in East Timor, to fully, transparently and widely document this issue and get to the bottom of these charges. The MMP believes this story should be made an immediate priority since it is becoming clear that this issue of “sweeping” is having a negative impact on the political process.

Action Taken

Concern forwarded to OCPI, IEC and UNDP as of the date of this letter.

Official OCPI Response:

The panel received the following letter from OCPI regarding this complaint:

21 August 2001

To: Lin Neumann, Media Mediation Panel

Fm: Ahmad Fawzi, OIC, OCPI

Re: Complaint of campaign intimidation being underreported

Thanks for your letter of 20 August, citing the concern of political parties, NGOs, observers and others that alleged intimidation by FRETILIN campaign workers is not being sufficiently reported.

A hallmark of this election has of course been the signing of the national Unity Pact and of similar district ones. OCPI through its radio, TV and print outlets has been constantly repeating the need for peace and tolerance by all parties. This has been buffered by the efforts of the Civic Education campaign and by the work of countless NGOs as well.

Regarding, the specific use of the term "to sweep the ground" by FRETILIN party members: it is our understanding that when it first was used more than a week ago, concern was immediately raised by UNTAET and the IEC with the FRETILIN leadership. In fact, they have been asked to stop using it.

As for OCPI's efforts to report and investigate the alleged problem: in both its coverage of the political parties, including meet the press forums, political debates and interviews, various parties have repeatedly raised the issue. Both Radio UNTAET and TVTL have also – within the abilities of their limited resources –made efforts to follow up on reported cases of inflammatory rhetoric and intimidation.

In addition they have frequently interviewed NGOs and observers regarding such alleged infractions. In this context, the NGOs and observers and OCPI, itself, have reinforced the need for the IEC and CivPol to be contacted directly when such incidents arise.

OCPI will continue to look into the issue of inflammatory rhetoric and intimidation by all parties, and will also keep spreading information about the importance of the Unity Pacts and of peaceful and tolerant campaign activities by all parties.

Incidentally, OCPI will hold its third and final Political Parties Debate, this Saturday, 25 August, from 9:00 AM to 2:00 PM. in the Gymnasium in Dili. It will be moderated by Jose Ramos-Horta, and Xanana and Bishop Belo will be among those asking the candidates questions. This will be a great forum to reinforce the need for calm and for toned-down rhetoric.

MMP Response to OCPI:

28 August 2001

To: Ahmad Fawzi c/o OCPI

From: Lin Neumann, Media Mediation Panel.

Dear Mr. Fawzi,

This is a belated response to your letter dated 21 August responding to the media panel's raising of the issue of the term "sweeping" by Fretilin during the campaign.

Complaints and Responses

It is our belief that as the issue began to be discussed more openly in the past week -- in large part on TVTL and Radio UNTAET -- some of the fear associated with the term has diminished. In addition, Fretilin has been asked repeatedly about the issue and has sought to clarify the issue. This is all to the good from our point of view.

The panel found both TVTL and Radio UNTAET to be very responsive to our concerns and appreciative of the fact that they were raised. We received similar feedback from interested parties within UNDP, UNTAET, East Timorese NGOs and political parties.

The only significant negative comment came in a LUSA wire story in which Mari Alkatiri of Fretilin was quoted calling the "Independent Electoral Mediation Panel" (sic) "intellectually dishonest" for raising the complaint. The panel spoke informally with Fretilin and offered to meet with Mr. Alkatiri or other leaders to discuss the issue further but we have had no formal response from the party. It is the policy of the Media Mediation Panel not to respond to comments in the press or to give interviews to the media regarding our actions.

We have had no new complaints from political parties or other observers regarding the use of the term "sweeping" by Fretilin since we issued our last formal communication with your office.

In this instance, we feel the process worked. An important issue was raised, it got discussed in the UNTAET media and elsewhere and as a result the quality of political dialogue appears to have been raised during the campaign.

Subsequent Actions:

28 August 2001:

While the panel took no further formal actions on this matter, informal discussions were held with TVTL and Radio Untaet staff. TVTL's Carolyn Robinson told Lin Neumann that she had been hoping to do an in-depth story on the issue even prior to the panel's letter but had difficulty getting anyone to go on camera about the sweeping allegations. Staff from Radio Untaet said that they had run at least one story on the sweeping allegations prior to the MMP.

Both Jaqueline Toupin of Radio UNTAET and Carolyn Robinson of TVTL expressed their appreciation for the panel's interest in the matter of the sweeping allegations. It is our understanding that further coverage of the issue ensued on both TVTL and Radio UNTAET.

Lin Neumann of the MMP spoke briefly on 24 August with Dennis McNamara, the Deputy SRSG, who was furnished with a copy of the panel's initial complaint. He said that the letter had been read to the SRSG. McNamara said the action of the panel seemed appropriate in his view. Neumann also met with Ahmad Fawzi of OCPI to discuss this and other issues on 24 August. Fawzi said he thought the matter had been handled appropriately.

It should be noted that the Media Mediation Panel's initial complaint, which was sent out via email to interested persons within UNTAET, UNDP and the IEC became the subject of several press reports (CNN, the South China Morning Post, the Sydney Morning Herald, AFP and others), apparently because the initial complaint was passed on to some journalists outside of the UN. The panel has a policy of not giving interviews in the press nor of issuing press releases

regarding our actions. It does seem that the press attention the issue generated indicates a high level of interest in the subject.

The only significant negative comment came in a LUSA wire story in which Mari Alkatiri of Fretilin was quoted calling the "Independent Electoral Mediation Panel" (sic) "intellectually dishonest" for raising the complaint. The panel spoke informally with Fretilin and offered to meet with Mr. Alkatiri or other leaders to discuss the issue further but we had no formal response from the party. It is the policy of the Media Mediation Panel not to respond to comments in the press.

5.

Fretilin and PD Rally Coverage:

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 29 August 2001

Complaint/Comment

Party/Candidate: Partido Democratico (PD) — Jose Buras, Vice President & Virgilio da Costa, Social Department.

On the evening of 28 August, five representatives of the PD went to TVTL to complain about what they perceived to be unfair coverage of their party by TVTL. They were particularly disappointed that the final campaign rally of PD, which was held on Sunday 26 August, was not covered on TVTL despite the presence of a TVTL reporter and camera at the rally. During the time of their visit to the TVTL studios, Caroline Robinson of TVTL called Lin Neumann of the MMP to come to the station and assist in the discussion. It was an uncomfortable situation for TVTL as the visit was unannounced. While it did not appear that the PD representatives were threatening TVTL it is clear that they were angry. When Neumann arrived he called Demetrio Amaral of the MMP and the two of them urged the PD members to meet with the MMP the following day. Jose Buras and Virgilio da Costa met with the MMP the following day.

The MMP strongly urged PD to come directly to the media panel in the future with any complaints.

PD had no complaint about Radio Untaet, which did cover their rally.

The PD complaint:

1. Why did TVTL not cover the final PD rally when TVTL did cover the final rally of Fretilin? Why was a TVTL crew at the PD rally and why was the coverage not aired? They felt this was unfair to their party. The PD representatives say were told by TVTL that the staff covering their rally was not authorized to do so.

2. They felt that their rallies in the districts throughout the campaign had not been covered by TVTL. They requested to see logs of the coverage of their party.

The PD representatives said they are concerned that the TVTL was not being “democratic”. They realize that with the campaign over nothing can be done to rectify the situation on air but they would like to receive an explanation from TVTL about their complaints.

Recommendation/Analysis

In this instance the panel feels there are a number of issues at work.

1. First there is the question of news judgment. In the case of the final rallies of the three political parties which are widely acknowledged to be the largest in East Timor — PD on 26 August, PSD on 27 August and Fretilin on 28 August — it seems reasonable for the parties to have expected coverage on both UN radio and television. These expectations were further raised, in the eyes of the PD, when a television crew from TVTL was present at their final rally in Dili on Sunday 26 August. The party has reason to be disappointed that no item appeared on the news that evening regarding their rally. In the case of these three rallies in question, even the international media, in town to cover the elections, deemed the events worthy of coverage. Why not the local television station?

TVTL explained to the MMP that the only reason the Fretilin rally was covered was because it got to be very large and its news value could not be ignored. Given that TVTL is effectively the state broadcaster, this decision, unfortunately, had political ramifications.

The panel is aware that TVTL was trying to be extremely fair to all political parties by apparently deciding in advance not to cover the last rallies out of a concern that TVTL would be called upon to cover the final rallies of all 16 parties. In this case, however, it seems to the MMP that it was clear to most observers that these three rallies — all of them large, all of them crucial in the electoral context and all of them attended by Xanana Gusmao — were worthy of coverage and that coverage should have been planned in advance. It should be possible for news professionals to foresee that the Fretilin rally would be huge and to deduce from that fact the need to protectively cover, at the very least, the final rallies of the next two largest parties, PD and PSD.

In the event that neither PD nor PSD was covered, we are not surprised that the parties would feel anger when Fretilin's rally was covered.

2. The issue of professional management is further raised by the presence of a TVTL crew at the PD rally on Sunday. Was the crew assigned? If so, by whom? Who was in charge of TVTL's coverage on Sunday? Did TVTL staff tell the PD representatives that the reporter was acting on her own initiative? If that is the case, then the comment seems inappropriate. The MMP would hope that TVTL would not expose their own internal management problems in front of a political party.

A bigger question for us is this: on this final push of the campaign period was senior management available to offer guidance and support to their staff, even on Sunday?

3. Communication with parties. If the decision was hard and fast not to cover any of the three rallies on TVTL, was this decision shared with the press liaison officers of the parties in question?

4. Security. In any country, radio and television facilities are strategic assets and are frequently a target of partisan anger. The panel was dismayed to learn that the staff of TVTL could be made to feel vulnerable. Apparently almost anyone can enter unchallenged into the TVTL studios.

In light of all of the above the panel makes the following recommendations:

- The staff of TVTL should look seriously at the manner in which the judgment to not cover the final rallies of the large parties was made. In the view of the MMP, just because there are 16 parties and they all need to be treated fairly, it does not mean that the final events of the largest parties are not newsworthy — these three rallies, on the days they occurred, were the biggest public events happening in Dili. To cover them all would not have been partisan but prudent. To have covered one without covering the others, led to a perception of unfairness. It is obviously too late to change what has happened, but at the very least OCPI needs to see this event as a learning exercise.
- In the aftermath of the election, the panel feels we all need to be mindful of the possibility of public anger following the results. We strongly urge OCPI to arrange for adequate security at their studios immediately in the form of a proper reception area for visitors and a small Civ Pol presence. In no case, should staff be exposed to potential hostility from the public over the prosecution of their duties.
- TVTL should recognize that the political parties expected coverage of their final rallies and TVTL should issue an explanation of why the rallies were not covered. In the view of the MMP this decision was a mistake and a statement should at the very least acknowledge the perception among the parties that this mistake was made. This could do a lot to ease tensions and calm hurt feelings.

- In addition, the Media Panel requests Radio Untaet to tape and air an interview, beginning today, with one of our Tetum speaking panel members reminding the political parties to take any complaints they may have about coverage after the elections directly to the media panel and not to Radio Untaet or TVTL.

Independent Election Media Mediation Panel
Markas Compound
Jl. Balide
mediapanel@undp.org

Date: 29 August 2001

Complaint/Comment

Party/Candidate: Fretilin — Aderito Soares, Jacob Fernandez, Jurisdiction Commission; Jose Manuel, and Aleixo Cobra, Central Committee.

On the evening of 28 August Mari Alkatiri of Fretilin raised concerns privately, in the garden of the Turismo Hotel, with TVTL management that the final rally of Fretilin was not adequately covered by TVTL. The MMP was asked to speak to Fretilin about the matter which the MMP did the following day.

The party is concerned that their final rally on 28 August, surely one of the largest political events in the history East Timor, was given only scant coverage on TVTL in which they feel that their message during the rally was not aired for viewers. Fretilin feels that the international media covered the event with considerable resources but that TVTL all but ignored the rally, giving it only about 30 seconds of coverage.

The party representatives further told the MMP that they believe that many of their large rallies have gone uncovered, especially an event in Bairo Pite, Dili on 18 August.

Recommendation

As stated in an earlier communication, dated today, regarding the PD complaint over the lack of coverage of the final PD rally, the MMP feels that TVTL needs to review the decision not to cover the final three rallies of PD, PSD and Fretilin. These were major news events and the MMP feels that these large parties had a reasonable expectation that their final campaign events, if successful, would be covered as news stories. TVTL should consider issuing a public statement regarding this matter and explaining the decision. As a state broadcaster and the only television station in East Timor, TVTL occupies a special place of prominence and concern for the political parties.

The MMP Received the following response from OCPI regarding the above complaints:

*Office of Communication and Public Information
3 September 2001*

*To: Lin Neumann, Media Mediation Panel
Fm: Anne-Margrete Wachtmeister, Chief, OCPI*

Re: Complaint to Media Mediation Panel from PD and Fretilin

Thanks for sharing with us on 29 August, the complaints filed by the two parties, Partido Democratico and Fretilin, regarding TVTL coverage of their rallies.

I was pleased to see that the complaints did not refer to our UNTAET Radio coverage; Radio is, of course, the medium that reaches the most Timorese in the

country. Nonetheless, we take the complaints against TVTL extremely seriously and have made a thorough investigation into them, thus the delay in responding to you.

As for both complaints, there is something which I hope all political parties and all Timorese, for that matter, will bear in mind: TVTL is a young medium, rebuilt from the ashes, with inadequate physical resources, and a young, though talented, mainly Timorese staff each of whom must wear myriad hats as reporter, news presenter, researcher, translator, etc. The staff is far too small, and yes, perhaps far

too green, to the immense task of covering a six-week political campaign that included 16 parties, plus independent candidates, without risking an occasional misstep.

The election campaign challenged the staff in a number of ways. The biggest challenge, of course, was to provide fair and equal coverage to all the political parties – large and small – both in Dili and in the Districts.

As you know, given our lean staff and resources it was an almost impossible goal, but it was uppermost in our minds throughout the campaign period, and, ironically, was the principal reason that we did not adequately cover some of the larger rallies in the final days.

Our paramount concern was how to do justice to all parties and in particular not to overlook those many small parties, several of which had already complained that their activities were not being adequately covered. By the final days of the campaign, it should be noted, that together with PSD, PD and Fretilin had received the lion's-share of the coverage. Given this, TVTL believed that the positions of the two parties were widely known through East Timor in large part because of TVTL and UNTAET Radio coverage plus the "Meet the Press" forums, the direct access spot and other programming.

With only a handful of cameras and crews –TV had to make hard choices and do it extremely fast.

Another challenge for the very small TVTL staff was the ability to adequately cover events seven days a week. Five-plus weeks into the campaign, the TVTL staff was more than a bit worn down.

There is, of course, a third challenge. All the day's news has to be squeezed into only 15 to 30 minutes of airtime – the amount of original TVTL news programming each day. Compare that to UNTAET radio which produces hours of original programming daily.

In combination these three pressures – the effort to give coverage to the smaller parties; the sheer exhaustion factor and the extremely small news hole -- influenced news judgements regarding the coverage, or lack thereof, given to all the final rallies of the larger parties, including PD and Fretilin.

Although, this doubtlessly reveals flaws and limitations at TVTL, I hope the parties can empathize with the unique pressures under which it has been operating and can accept our apologies for any unintended slight that occurred.

Regarding the PD complaint, a couple of comments:

Yes, there was a TVTL journalist at the Monday 27 August rally, but rightly or wrongly, a decision was made by TVTL management not to air the footage because the station was attempting to give airtime in the final days to the smaller

parties. Some of them had received only a small percentage of the play that PD had already received.

As for the issue of a group of PD representatives coming directly to TVTL to complain: As you know, both the MMP and OCPI have done their best to publicize the existence of the Media Panel and to let the political parties know that this is where they should address their complaints regarding OCPI media.

In this case, it was unfortunate that PD representatives came to confront TVTL. The hostile manner of the five PD men made it an uncomfortable situation for

a time. Nonetheless, we were able to summon Lin Neumann of the MMP quite quickly and the hostile situation was soon resolved.

We want, however, to make MMP aware of the fact that the PD representatives also requested that we should cut out any TV coverage of the Fretilin rally that had taken place the same day. Such an action by a political party is of course not acceptable.

Security

While the issue of OCPI security is clearly beyond the domain of MMP's concerns, we appreciate your support and you might want to know that we had already strengthened security in our facilities during the last week – principally in the context of the opening of the Election Media Center in our Information Center Compound.

Regarding the Fretilin complaint

It is our understanding that Mr. Mari Alkatiri's initial complaint --made in the garden of the Turismo Hotel to two OCPI staff – was based on erroneous information. He had been led to believe that TVTL was not planning to air any coverage of the final Fretilin rally that night. But, in fact, a 35-second spot aired twice that night.

The decision to air it, and to cover the rally at all was triggered by the sheer massiveness of the event with Dili traffic ground to a halt by scores of Fretilin trucks and others vehicles that were headed to the event.

Should TVTL have aired an even longer piece? That's a news judgement that was determined largely by the fact that it was the final campaign night and there were other parties and other events that needed to be covered in the last 15 minutes of TVTL news before the campaign ended, to ensure a fair and balanced coverage.

A note regarding monitoring of UNTAET TV and Radio coverage:

PD had requested to examine our coverage in detail. It should know, as should all the parties and independent candidates, that the MMP, itself, has been tasked with such monitoring, and will be doing so in the coming days. It will subsequently issue a final report on UNTAET media coverage during the entire electoral period. Since, MMP's establishment, we have welcomed the independent body as one that can fairly air party complaints of UNTAET media, assess their validity as well as monitor the balance of radio and TV programming during the election period.

Finally, I would like you to know that OCPI plans to do an extensive review of all election coverage by Radio UNTAET, TVTL and the Publications Unit. The

objective will be to see with a clear eye where we went wrong and to implement the necessary changes.

We are with you in wanting to have the best media coverage possible. The Timorese people deserve no less.

On 5 September the following response was sent to Anne-Margrete Wachtmeister of OCPI:

Dear Anne-Margrete:

After reading again your Sep 3 response to the Media Mediation Panel, it is evident that we continue to have some points of disagreement, which is natural in these circumstances. Rather than issuing any more letters, however, I think it best that we all

just wait for our final MMP report, which will be ready in a few days and which will contain the verbatim responses we received from OCPI on all of our complaints as well as any further judgments and recommendations that we are able to make.

I would like to clarify one point to avoid any confusion. As you know, no "Broadcast Monitoring Office", as it was to be called according to the terms of reference, was empowered, despite an effort to do so. It was thus not within either our terms of reference or our capability to monitor fully the UNTAET media during the campaign period. We had no support staff or facilities for that task. I only note this because in your response to our complaint, it is stated that the MMP is tasked with monitoring UNTAET coverage. This is not the case. We were empanelled to receive and review complaints from parties, observers and others and to impartially pass on those complaints, with recommendations, to OCPI.

As a result we will heavily rely on TVTL's fairness report (which we received today) and Radio Untaet's report, which we have not received yet, for our judgments regarding quantitative fairness.

Thanks.

Lin Neumann

7.

OCPI on Mistaken broadcast:

The MMP received the following note from OCPI regarding a mistaken broadcast on TVTL. We did not receive a formal complaint over this issue.

*Office of Communication and Public Information
3 September 2001*

*To: Lin Neumann, Media Mediation Panel
From: Anne-Margrete Wachtmeister, Chief, OCPI*

Re: TVTL Error in Airing Independent Candidate Piece After Deadline

As you may have heard by now, TVTL committed an unfortunate error on Wednesday, 29 August, the day after the official campaign period had ended. It inadvertently aired a news piece on an independent candidate, Daniel Ramalho, twice during that evening's news segment.

The incident occurred due to a misunderstanding between the head of news and a reporter and news presenter, all of whom are Timorese. The news piece on Mr. Ramalho was intended for the evening news segment the previous night, Tuesday, 28 August, but there was not sufficient time to air it. The following morning the head of news expressed to the reporter and news presenter her great disappointment that the piece had not aired. She was greatly disappointed because Mr. Ramalho had not received a lot of coverage during the campaign. As you know, it has been a challenge to give each of the 16 parties and the independent candidates adequate coverage given TVTL's limited staff and other resources.

The reporter and the presenter unfortunately misunderstood the burden of the news head's disappointment. They thought she wanted them to air the piece on Wednesday even though the campaign period had ended. The miscommunication was largely a problem of language. Tetun does not have verb tenses. The reporter and the presenter said TAMBA IMPORTANTE ENTAO ITA TENKI TAU? ("If it is important then we should use it") and The head of news said "SIM" Which means "Yes." But she actually meant you should have used it.

When the head of news handed over the lineup for the evening news segment without including the report on Daniel Ramalho, the reporter and the presenter simply assumed, based on their earlier misinterpretation, that the head of news had forgotten to include it, so they did.

Our analysis, after a thorough investigation, is that the error was purely due to a miscommunication. As a result of this incident TVTL is now instituting an improved inter-newsroom communication arrangement that will hopefully avoid such problems in the future. Nonetheless, it is worth mentioning that no such problem has occurred previously, as far as we know.

In the final analysis, it all points to an exceedingly young TVTL, which has, from most of the feedback we have been receiving, done a good job under trying circumstances. But let me assure you, TVTL is indeed learning from such painful mistakes.