



EXECUTIVE ORDER NO. 2002/10

ON INDEPENDENT ELECTORAL COMMISSION

The Special Representative of the Secretary-General (hereinafter: Transitional Administrator),

Pursuant to the authority given to him under United Nations Security Council Resolution 1272 (1999) of 25 October 1999,

Taking into account UNTAET Regulation No. 1999/1 of 27 November 1999 on the authority of the Transitional Administration in East Timor,

Taking into account UNTAET Regulation No. 2001/2 on the election of a constituent assembly to prepare a constitution for an independent and democratic East Timor and UNTAET Regulation No. 2002/1 on the election of the first president of an independent and democratic East Timor,

For the purpose of establishing an independent East Timorese electoral body as a critical element in the development of an effective administration and the development of civil services as mandated by the Security Council in Resolution 1272,

After consultations with the Chief Minister,

Promulgates the following:

The Independent Electoral Commission

Section 1

Independent Electoral Commission

1.1 The Independent Electoral Commission established under UNTAET Regulation No. 2001/2 and extended under UNTAET Regulation No. 2002/1 is hereby abolished.

1.2 A new Independent Electoral Commission (hereinafter, "IEC") is hereby established for the purpose of advising the National Parliament of the Democratic Republic of East Timor on electoral matters.

1.3 The IEC shall operate as an independent body and shall exercise its functions without regard to any influence, direct or indirect, which might endanger or be seen to endanger the IEC's independence.

1.4 The IEC shall have such staff as may be necessary for its proper functioning.

1.5 The staff shall be selected by an ad hoc body established by the Council of Ministers from among candidates with previous experience in electoral administration.

Section 2

Period of operation of the Independent Electoral Commission (IEC)

The IEC shall operate under this Order until such date as may be established by the National Parliament of the Democratic Republic of East Timor.

Section 3

Functions of the Independent Electoral Commission (IEC)

3.1 The IEC shall be responsible for the analysis of electoral issues and development of policy options for consideration by the National Parliament.

3.2 The IEC shall serve as a focal point for international technical assistance in institutionalizing democratic elections in the Democratic Republic of East Timor and shall hold in trust for a future electoral body any assets transferred to it by external donors.

3.3 The IEC shall consider such electoral matters as may be referred to it by the Government or National Parliament.

Section 4

Obligations of office holders, officials and staff of the IEC

4.1 All office holders, officials and staff of the IEC shall be independent and impartial in the exercise of their functions.

4.2 All office holders, officials and staff shall refrain from any action which might impugn their neutrality or impartiality, and shall not, in the performance of their duties seek or receive instructions from any government, political party, candidate or any other authority or person.

Sergio Vieira de Mello
Transitional Administrator