



## Asian Network for Free Elections

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### **ANFREL STATEMENT**

#### **Introduction:**

ANFREL is a regional network in Asia and it came about as part of Asian civil society to campaign for political rights and democratization in the region. It aims to contribute to the democratization process by building capacities through training and supporting actual monitoring of elections by local groups as well as disseminating election related information. The ANFREL has observed more than 30 elections in Asia, three times in Indonesia, including East Timur.

The ANFREL was invited by the Komisi Independen Pemilihan (KIP), Banda Aceh and welcomed by all political parties and independent candidates as well as the people. To observe the election, ANFREL deployed an 11-member team comprising of international observers from Thailand, Pakistan, Bangladesh, South Korea, Malaysia, India, Sri Lanka and America. The team was spread out in 20 districts of Aceh. The LTOs team was led by Executive Director of ANFREL Ms. Somsri Hananuntasuk and later, a week before the vote day Mission Head Damaso Magbual from Philippines joined the team.

This statement is a collection of observations of the ANFREL on the events leading up to the Governor and Mayor/Regents election in Aceh including the polling process. This statement complements the two preceding election (first week and second week) reports that were prepared by the ANFREL and distributed to all and sundry.

#### **General Observations:**

To build on the report of the Long Term Observers (LTOs) who have been in the field since November 15, 2006 all the LTOs of ANFREL observed the final days of the election campaign, the opening and closing of polling stations, voting operations and the vote count.

The findings from the field by our observers has brought to fore a number of positive aspects from the electoral exercise and several other issues such as every stakeholder involved in the electoral exercise were able to ensure that the election is conducted in an atmosphere of peace.

The election was a historic process as it is part of a transitory phase following the signing of the peace agreement between the Free Aceh Movement or GAM and the Government of Indonesia on August last year. The election could be described as a key aspect of the overall democratic process that is unfolding in Aceh. The election has succeeded in injecting a belief in the people and also amongst the GAM that peace would return to Aceh and the people of Aceh can develop together with the rest of Indonesia. For any election that is held under a complete de-militarized environment

and after a conflict, we are conscious of the fact that the most demanding aspects of international elections standards cannot be entirely met. There were shortcomings, but most if it was not intentional and people were happy that they could come out vote. The elections have thrown up a real challenge to the Election Commission or the KIP, especially as it is a relatively inexperienced and new organisation that was set up under the provisions of the Qanun (Law) to conduct the elections in Aceh. The KIP responded to irregularities promptly and tried to rectify the mistakes without any hesitation. A case in point is the inadvertent distribution of the invitation letter receipt to the voter, which is actually meant to be retained by the distributing authority. This was first detected by ANFREL and reported to the KIP which acted promptly and rectified the error.

Candidates and political parties made appreciable efforts to adhere to the election regulations. Overall, most candidates used the opportunity to reach out to the voters. They also spelled out their mission and vision clearly and participated in debates and campaigns in the media.

The media took enough initiative to give coverage to the elections. The media centre that was set up by the KIP with support from international agencies complimented the process of dissemination of information. The media centre allowed the public access to vital information.

Another positive aspect of the election process was characterized by the fact that international and domestic observers were welcomed in almost every polling station and this notwithstanding the fact that polling procedures were conducted in many places almost very casually. A few more positives of the election that deserves mention was arrangements at the hospital and prisons where chairs were provided for voters to sit while waiting for their turn to vote. The ballot papers were clear and the security arrangements in and around polling stations and campaign areas were adequate.

The campaign for the election was well conducted, except stray incidents of intimidation and violence that were reported mostly from Bireun and Lhoksuemawe. While the KIP and PPKs ensured that security was place and people are not threatened or intimidated by supporters or members of political parties. The inclusion of singers and theatre artists in most campaigns managed to attract a sizeable gathering in most campaign areas, if not anything else. Some political parties and independent candidate used the opportunity to educate voters about the election.

The campaign period during the run-up to the election was largely peaceful and democratic, however it was characterized by a number of issues of concern, such as violation of campaign timings, lack of initiative by the political parties and candidates to educate the voters, and there were cases of destruction of campaign materials. Many areas were completely ignored by political parties and candidates.

## **Summary of key findings:**

### **Pre-election:**

- There were several issues of concern like delay in distribution of voter cards, ballot paper, finalizing voter lists etc. Election related budget were not allocated and distributed on time to sub-district level offices of the KIP and this caused serious problems in some areas
- The Panwaslih too had limited resources and it affected their manpower and mobilization. Lack of manpower and frequent conflicts with the KIP led to non-registration of complaints by the Pawwaslih in many areas.
- Panwaslish not entirely neutral in a few areas. In Aceh Barat Daya for instance the Panwaslih Chief has links to political parties. The level of cooperation of the Panwaslih too was poor in some areas.
- Variations and irregularities in Voters registration card, invitation letter and discrepancies in distribution of polling materials
- Lack of training of polling officials
- Inadequate voter education, civic education and socialization exercises
- Campaign irregularities in some areas. Candidates were allowed to hold campaigns beyond scheduled campaign periods. One Television carried a candidate's campaign during the cooling period
- Inadequate use of the media and KIP Media centre by the authorities to disseminate information about the election to the public
- Use of children in Campaigns by political parties and candidates
- Lack of adequate participation of women as candidates in the election
- Use of money by candidates to woo voters

### **Election Day**

- Voting took place on December 11 2006 in a generally peaceful manner and the atmosphere was peaceful with no untoward incident in any of the polling places.
- Overall, the polling process was well managed, though in many places the polling stations were not well organized and the booths were not well positioned to guarantee the secrecy of the voter.
- Reports of ballot papers going missing and shortages continued to be a cause of concern. In Kota Langsa for instance as many as 2500 ballot papers for the Governor went missing and there was utter confusion as the printing company claimed that it had delivered 90,756 ballot papers including the 2.5 per cent extra. Moreover, this caused a delay in distribution of the ballot papers as investigations had to be set up.
- The polling process in a number of polling stations started later than the scheduled time and this irked the voter who had to wait for long hours to vote. In Kota Langsa for instance the polling process in a prison started an hour late.
- Notwithstanding the decision of the KIP that a person could vote without the voter cards or the invitation letter, or could vote with either of the document, many voters were asked to produce both the documents. For instance in Peunayang TPS 1, the voter presented an invitation letter but did not have a voter card. He was not allowed to vote but was told to get his voter card at the village office. But in TPS 2, the voter had a voter's card but had no invitation letter; he too was not allowed to vote but was told to secure a voter's card from the village office.
- In some places the chairman of polling stations allowed his subordinates to sign on ballot papers.

- In many polling stations the chairman of the polling station could care less even if voters did not know how to fold the ballot papers properly, with voters seeking help from LINMAS personnel or friends to assist them.
- Polling station staffs were not careful enough to ensure that ballot papers were correctly inserted in the ballot boxes. Ballots for Governor's were inserted in the box of Mayor's.
- Overall the distribution of ballot papers was done efficiently. However, there were a few cases of ballot papers (Gampong Cot Seurani, Muara Batu sub-district Aceh Utara) not reaching on time and ballot papers punched (Cobloss) before the polling process began. This was detected in sub-district Lut Tawar in Takengon Timur-Tetanjung.
- Most polling stations posted the voters list in conspicuous and convenient places within the polling centers.
- Preliminary checking of voters fingers was not done and most people, including the KPPS did not know which finger to stain with the indelible ink. Many voters were allowed to go without dipping their finger in the indelible ink.
- In many polling stations ghost voters were detected, which prevented genuine voters from casting their franchise. A case in point is Nagan Raya where in a polling station an unregistered voter's name was inserted in place of registered voter who polling officials had left the area.
- In many polling stations the chairman decided to allow the witnesses to decide if voters who did not have any document or were not registered could vote or not.
- Many polling stations issued voter cards and invitation letters to voters on arrival to the polling stations.
- Many agents representing different candidates were not well trained to monitor the voting process and were too passive.
- Polling process closed early and polling officials conducted the count before the scheduled closure time that is after 2:00 pm. In Aceh Tengah for instance 3 polling stations closed before 12: 40 pm. The same was experienced in Nagan Raya where a polling station closed at 12:30 pm.
- In Rutan KIs II B, Jantho prison, two prisoners were allowed to sport a T-shirt of candidate number 3, and walk around the prison.
- Arbitrary decisions were taken with the consent of witnesses to carry ballot papers to homes of people who were either sick, senior citizens and to women who were expecting. The KPPS decision in contrary to the KIP election regulation which does not provide for such concessions.
- The impact of the discrepancies in the registration process and use of invitation letters and other documents to vote cannot be accurately assessed as yet.
- A number of issues of concern, like non-receipt of invitation letters and voter cards, duplication of voter's names, lack of adequate information about location of polling stations, transportation of ballot papers and polling materials, delay in distribution of these documents to voters, excess manpower in polling stations, inadequate training of KPPS staff, LINMAS, as well as inadequate awareness about the election amongst the voter marked the run-up to the election.

#### **Counting:**

- There was no uniformity in counting. Some TPS counted the Mayor's ballot first whereas other counted the Governor's ballots.

- Some TPS stuck to the election guidelines and defaced the unused ballot papers whereas others preferred to ignore the unused and the extra (2.5 per cent) ballot papers.
- Unused ballot papers were lying unattended in inconspicuous places.
- During the count it was discovered that ballot papers for Governor and Mayor were placed in the same ballot box. Ballot boxes were not protected from rain and were at the risk of getting destroyed.
- Irregularities in the method adopted in sending ballot boxes after the end of the counting process in the polling stations. Lack of transparency in the movement of ballot boxes and their overall security.

## **Recommendations:**

### **Budget allocation and distribution for election**

There is need for better coordination and cooperation from the Central Government to smoothen loose ends like delay in distribution of voter cards, ballot paper, finalizing voter lists etc. Election related budget should be allocated and distributed, in collaboration with the KIP (province) and this should be done in accordance with their manpower recruitment. Lack of clarification and unnecessary delays in such matters could render the electoral processes in sub-district and village levels ineffective.

### **Information and socialization**

In order to reduce confusion amongst the people, poll officers and to increase the level of voter participation, the electoral body needs to put more effort for public awareness and socialization in order to raise the confidence level amongst the people and inject the much required dose of participation, so as to make them come out and vote. Similar efforts could reduce some conflicts that often takes place among voters, candidates and the KIP/Panwaslih officers.

### **Media cooperation**

Electoral activities and movements will not be known without the involvement of media. ANFREL appreciates the initiative taken to set up a media center and the generosity of the all the international agencies to allow the public to access vital information but the center should be used as a more effective tool by the for KIP, Panwaslih for their public relation.

### **Voter education and civic education**

There is a need for adequate voter education and civic education all over Aceh.

### **KIP and Panwaslih and their neutral character**

To build up credibility and trust of both organizations in every election, all KIP and Panwaslih must strictly adhere to the principles of impartiality and neutrality. Election will not have fair competition if some officers resort double standards.

### **Sending electoral result, final result and its transparency**

There is a need for maintaining more transparency in the sending the electoral results to the next level as well to assure maximum security till the final result.

### **Promotion the rights of women and respecting the right of children**

Women should be encouraged to participate in the electoral process. For the sake of security and respecting the right of children, the candidates and parties should not use children as their campaign tool.

### **Preventing a culture of corruption in election**

To prevent a culture of corruption, the public should desist from receiving money or gifts from any candidate and political party. Receiving money is a promotion of corruption.

### **Conclusion:**

The deficiencies that were found in the electoral process did not seem to worry the voter or disrupt the polling process, but when taken together, they weakened important safeguards designed to verify the identity of voters and ensure a free and transparent polling process.

However, at the end of it all what is encouraging to note is the excitement amongst the people. Generally People were happy that at last they will participate in a direct election and vote their "own leader." Most people believe that the elections will be decisive in reshaping the future of Aceh. Many civil society actors in Aceh, from academicians, to religious leaders, students and the ordinary man on the street were extremely cautious so as not to make a mistake for which they would have to regret later. The conflict and the Tsunami have taken its toll on the people and therefore, there is a "feel positive factor," which in all likelihood has directed people's actions and emotions.

The ANFREL was pleased to see numerous domestic election observers and poll watchers from all political parties and independent candidates in voting centres. We appreciate the efforts of the AMM, GAM, KIP, Panwaslih and all candidates who contributed towards the building up of a positive environment for holding the election. Our appreciation goes out to all local NGOs and Donors who worked on different aspects of training, voter education, civic education and election monitoring. Mention must be made of the JPPR volunteers for their effort and a big thank you to KIPP for last week's outreach activities.

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ANFREL is a regional networking in Asian continent. It came about as part of Asian civil society to campaign for political rights and democratization in the region. It aims to contribute to the democratization process by building capacities through training and supporting actual monitoring of elections by local groups as well as lobbying and disseminating election related information.