

**ASSOCIATION OF ASIAN ELECTION AUTHORITIES
(AAEA): OBSERVATION MISSION REPORT
INDONESIAN GENERAL ELECTIONS
JUNE 1999**

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I. INTRODUCTION

Indonesia's political establishment was dramatically transformed when President Suharto resigned on May 21, 1998, ending 32 years of authoritarian rule. His successor, President B.J. Habibie, called for democratic elections in response to the aspirations of the Indonesian people whose protests led to the demise of Suharto's presidency. Habibie promised to revise electoral laws and hold elections by mid-1999. Keeping his word, in November 1998 he announced that national, provincial, and district legislative elections would be held in June 1999. However, the transparency and legitimacy of the elections remained in question due to factors including severe and worsening economic hardships, student agitation, the president's ability to maintain power and stability, and social unrest. In addition, Indonesia had held sham elections since the 1960s, so the electorate was suspicious of the government's declared intention to conduct credible and fair elections. In previous polls, the final vote count only confirmed the ruling party's lock on power. In June 1999, it would be up to the government, election officials, and monitors to convince voters that the results of this election were not pre-determined.

The international community was also concerned about the prospects for the June 1999 elections given the Indonesian government's electoral history. The United States and other donor countries thus supported election monitoring and observation efforts by domestic and international organizations in the hope of improving the political atmosphere, setting new standards for Indonesian elections, and strengthening the capacity of Indonesian organizations to monitor the election process. Such an approach would send an important signal that the elections must be free and fair for the long-term stability of Indonesia and the benefit of the Indonesian people.

A number of domestic, regional and international groups, including the Association of Asian Election Authorities (AAEA) and the International Foundation for Election Systems (IFES), were funded to organize missions

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to observe the Indonesian elections. The AAEA and IFES had several objectives:

- assess technical preparations for the elections,
- evaluate the transparency and fairness of the process,
- determine potential obstacles and impediments in the process, and
- demonstrate support by the regional and international community for Indonesians interested in establishing an open, fair, and sound electoral process in the country.

An election observation could have a number of immediate benefits:

- assisting interested parties in monitoring the election process and assessing its credibility;
- supporting efforts of local observers and monitors through election guides and polling materials, and joint visits to polling stations;
- motivating election officials and voters to maintain order and security at the polling stations; and
- raising awareness about Indonesia's electoral and constitutional environment, and the country's process of democratization.

International observation would also bring a level of credibility to the process. In theory, the election commission would be more diligent in the administration of the elections under the watchful eyes of observers. The presence of international observers would instill confidence in voters and election organizers at the provincial, district, and polling station level that objective participants are monitoring the process. This encourages legitimacy in election operations. Voters would be more assured about the process and interested in taking part in the balloting. And, if the elections were seen as free and fair by both domestic and international observers, the results would more likely be accepted by the voting public.

In an effort to support a return to democracy and credible elections in Indonesia, the AAEA and IFES fielded a joint observation team for the June 1999 elections. The AAEA/IFES team prepared and distributed the following report which assessed the event and made recommendations for improvements.

II. BACKGROUND

June 7, 1999, marked a turning point in the history of democracy in the Republic of Indonesia. After nearly 40 years of dictatorial rule and sham elections, over 100 million Indonesian voters were given a true electoral choice, a choice that will chart their country's future. This report summarizes the Association of Asian Election Authorities' election observation mission,

facilitated by IFES for the Indonesian general parliamentary elections. It describes the mission's activities, and its evaluation of the elections.

A. INDONESIAN ELECTORAL HISTORY

Under the leadership of its founding father Sukarno, Indonesia first declared its independence from the Dutch in 1945. In 1949, after four years of warfare, the Dutch formally granted independence and Sukarno became firmly established as the leader of the new nation. The first national election was held in 1955, and it and subsequent elections kept Sukarno in power until 1967. By that time, public faith in him had eroded and he was forced to hand over power to General Suharto. Suharto was subsequently elected president seven times (each with a five-year term), but these elections were closely controlled and manipulated by Suharto and his ruling GOLKAR party. The Asian economic crisis and growing social unrest led to massive civil strife in 1998 and Suharto was forced to step down, turning over his power and presidency to B.J. Habibie. Habibie vowed to rewrite the electoral laws and called for free and open elections in mid-1999. Keeping his word, he announced in November that elections would be held on 7 June, and the massive job of preparing for a free election began. With over 100 million voters, nearly 330 thousand polling places, and the need for an entirely revamped election code, Indonesia had set itself on a course that appeared to have little chance of success with such a short timeframe. But with support from the international community, the election was held as scheduled. The impact of this momentous event on the social, economic, and political future of the country is yet to be determined.

B. POLITICAL ORGANIZATION

The political organization and electoral system of Indonesia are unique. The primary, national, legislative body, the People's Representative Assembly (DPR), is elected by the voters in a proportional representation system -- but not on the basis of the nationwide popular vote. Seats on the DPR are allocated on the basis of the vote in each of the 27 provinces, with each province providing a number of seats based roughly on its population. In addition, some eight percent of the members of the DPR are appointed by the military. While the DPR is the primary political body, the function of electing the country's president belongs to a higher body, the People's Consultative Assembly (MPR). The MPR consists of all 500 members of the DPR plus another 200 members added on through various methods. The MPR meets only once every five years. Practically its sole purpose has been

to elect the president. So while 7 June saw the most significant electoral event in the country's history, the ultimate goal of electing a new president remains many steps removed and will not occur until the MPR finally is established and meets in November 1999.

In addition to selecting the DPR, the 7 June election also selected the provincial-level legislative assemblies (called the DPRD-I) and regency/municipality-level assemblies (called DPRD-II).

C. ORGANIZATION OF ELECTION ADMINISTRATION

Much like the political structure, the electoral structure in Indonesia consists of many overlapping and often confusing layers. And, much like the political structure, decisions concerning the structure and organization of the electoral system were made only weeks before the election campaign began. Four different bodies have some degree of control over the electoral system: the National Election Commission (KPU), the National Election Committee (PPI), the election administration Secretariat, and a national overseer committee called Panwas. With the exception of the KPU, each of these entities has similarly constructed committees at regional and local levels. The newness of this structure and the vagueness of its differentiation of tasks led to a command structure that was often perplexing to both Indonesians and internationals involved in assisting or observing the election. It is a testament to the good faith effort of the Indonesian people -- and particularly those involved in conducting the election -- that a system so new, complex, confusing, and seemingly designed for failure, was able to produce a national election in the third most populous country in the world.

III. PROGRAM DESCRIPTION

After setting the date for the elections, the Government of the Republic of Indonesia issued an invitation to observers from around the world. Indeed, about 15 organizations and governments agreed to send observers. The United States Agency for International Development (USAID) offered support for IFES to sponsor a delegation from the Association of Asian Election Authorities (AAEA).

A. ASSOCIATION OF ASIAN ELECTION AUTHORITIES

The Association of Asian Election Authorities was founded in 1998 to promote and institutionalize open and transparent elections, independent and impartial election authorities, professional development of Asian election administrators, citizen participation in the electoral and civic process, information sharing, and the development of resources for election-related information and research. These objectives will be achieved through an exchange of experiences and information relating to election law and procedure, technology, administrative practice, and voter/civic education programs among election administrators and civic leaders.

There are presently 13 members of the AAEA, representing election authorities from south and east Asia and the Central Asian Republics. The General Assembly of the Association has set out activities to be undertaken by the membership, conducting election observation missions and staff exchanges, distributing election-related materials, and arranging for professional development opportunities. The AAEA fielded a team of Asian election officials to observe the 1998 Cambodian elections in a joint mission with IFES.

B. INDONESIA DELEGATION

Seven AAEA member commissions responded affirmatively to the invitation to observe the Indonesian elections: Bangladesh, India, Nepal, Pakistan, Papua New Guinea, the Philippines, and Sri Lanka. Several other member states expressed interest but, due to the potential for violence surrounding the election, ultimately declined. Two additional delegates accepted invitations for the mission: one, a representative from Cambodia (which is considering membership in AAEA) and one, an internationally recognized Japanese political scientist who is a member of the IFES International Advisory Board. With the exception of the latter, all delegates were senior election officials in their home countries. These nine delegates were complemented and supported in the mission by nine IFES staff members and consultants, and one representative from USAID/Indonesia.

The purpose of the mission was to monitor and strengthen the electoral process in Indonesia through objective observation and reporting on the elections. The parliamentary elections -- if conducted in an open, fair, and transparent manner -- would help to restore democratic principles to Indonesia. The AAEA/IFES team provided unique insights into the

election process due to their collective experience in election administration.

C. TRAINING AND BRIEFINGS

Prior to their departure for Indonesia, each delegate received a comprehensive briefing book prepared by IFES staff. The book contained relevant laws and regulations, IFES assessments of the election laws and technical aspects of the election, results and analysis of a national voter survey, and numerous background materials and press clippings concerning the country and the election.

A comprehensive training and orientation program had been prepared by the IFES Program Assistant for Asia and IFES' Election Observation Specialist. It began on Tuesday, 1 June with a welcome and briefing by the IFES Deputy Director for Asia. On the first morning each delegate also received an orientation packet that included: a complete listing of the 48 political parties contesting the election; a glossary of key political parties and election terms; a chart of the political divisions, levels of government, and levels of election administration operating in Indonesia; and a listing of basic expressions in the Indonesian language.

Each morning prior to the election, the AAEA delegates attended a breakfast briefing that outlined the day's activities. A synopsis of these activities follows:

Day 1 (Tuesday, 1 June)

- Tour of IFES/Indonesia Field Office
- Political and electoral overview by IFES Project Manager
- Election law overview by IFES Election Law Specialist
- Pollworker Training overview by IFES Pollworker Training Specialist

Day 2 (Wednesday, 2 June)

- Meeting with Secretary General of National Election Commission (KPU) Secretariat
- Tour of KPU Building and IFES/KPU office
- Briefings on domestic monitoring, voting, counting and security by United Nations Development Programme and others

Day 3 (Thursday, 3 June)

- Meeting with KPU Chairman and a Commission member
- Tour of IFES/Joint Operations Media Center (JOMC) and briefing by IFES JOMC Coordinator

Day 4 (Friday, 4 June)

- Meeting with representatives of PAN (one of the major political parties)
- Briefing by USAID /Indonesia Democracy Officer
- Briefing on deployment logistics
- Observer training by IFES Election Observation Specialist

The final briefing session involved a walk-through of the *AAEA Election Observation Manual and Checklists* developed by the IFES Election Observation Specialist with assistance from other IFES staff. This manual was designed to provide each delegate a tool with which to examine the key aspects of the pre-election period, poll-opening procedures, polling day operations, and closing and counting procedures. To the degree possible, the manual guided the observer to those features of the election environment that were addressed in the government's laws and regulations and in the pollworker training manual developed by the IFES Pollworker Training Specialist and distributed throughout the country. Five key questions formed the focus of the manual and checklists:

- Are the polling stations managed well?
- Is the voting process efficient?
- Are polling station staff members adequately trained?
- Are voters free from intimidation and threats and are their votes secret?
- Is the voting process free from fraud?

Each section of the manual prescribed observation tasks for one of the four observing periods delineated above. For each, there was also a checklist of 14 to 20 questions to be answered at each polling station, or, in the pre-election phase, each village visited. Finally, a serious incident reporting form was included. Fortunately, this form was never needed by the AAEA observers.

D. DEPLOYMENT AND OBSERVATION

Choosing a deployment scheme was difficult in a country with approximately 330,000 polling stations, a breadth greater than the United States, and limited means of transportation. Factors in the deployment decision included: achieving some level of geographic and ethnic diversity, choosing sites that could accommodate observing both urban and rural polling, choosing sites with a paucity of other international observers, and choosing sites that were accessible in less than a day's travel time. Three-person teams were established; each included an AAEA delegate, an IFES

staff person or consultant, and an interpreter. One team also included the USAID representative. Thus, nine teams were established and deployed to nine different areas of the country. These were:

- Palembang, South Sumatra
- Padang, West Sumatra
- Banjarmasin, South Kalimantan
- Pontianak, West Kalimantan
- Balikpapan, East Kalimantan
- Mataram, Lombok
- Kupang, East Nusa Tenggara
- Palu, Central Sulawesi
- Manado, North Sulawesi

Teams were dispatched from Jakarta in the early morning of Saturday, 5 June. In the field, each team observed the pre-election environment, met with representatives of regional and local election committees, polling station staff, and local party representatives, and developed a polling station visitation schedule.

In the two days prior to the election, most teams were able to meet with election committees at multiple levels of responsibility. These ranged from polling station committees to provincial election committees. About half the teams were able to meet with party representatives during this period. On election day, the AAEA observer teams visited almost 60 polling stations. Each team observed at least one poll opening procedure and, at the end of the day, at least part of the counting procedure in a station.

The teams returned to Jakarta on Tuesday, 8 June. The next morning a debriefing was held at which all participants -- AAEA delegates, IFES staff, and interpreters -- were given the opportunity to provide opinions and insights into what they observed, what problems they encountered, and whether they thought the election was free, fair, and transparent. At this time the teams also delivered their completed checklists for collation and analysis. Based on the delegates' debriefing comments and checklist answers and remarks, the IFES Election Observation Specialist then developed a draft statement. In their final meeting, the delegates reviewed and edited the statement. The final version was delivered to the KPU/Joint Operations Media Center that evening for dissemination to the media.

In their statement, the delegates expressed their view that in general the elections were free, fair, and peaceful. The delegates applauded the efforts of the pollworkers and citizens to keep the elections free and peaceful under trying circumstances. Only a few isolated instances of potentially fraudulent activity were witnessed. However, the delegates found many

aspects of the conduct of the elections problematical, and, in their statement, provided a list of areas where improvement was needed. These included: more adequate training of pollworkers, timely delivery of election materials, a more streamlined and understandable chain of command, and a thorough review and retooling of voting process regulations and procedures.

IV. EVALUATION

Evaluation of the election based on the verbal and written comments of the AAEA Observer Mission may be divided into four categories: overall election administration, pre-election campaign and polling preparations, election day operations, and counting procedures. It should be noted that these areas have many overlaps -- an election administration problem would often impact polling day operations, for example.

Overall Election Administration

- Observers found that the complexity of election administration -- with six hierarchical levels of election committees and four different, and sometimes competing, electoral structures -- created unnecessary confusion and faulty communication. In North Sulawesi, one local election committee chair said that there was no coordination between the Secretariat's government workers and the regional election committees.
- Several observers noted the shortage of funds filtering down from electoral authorities to the local level. This produced a situation of inadequate pay for pollworkers and, in some cases, inadequate funding for local production of materials such as polling booths. Payments were also made late to many pollworkers. While this problem was overridden by pollworker enthusiasm in this election, such may not be the case in future elections.
- In many cases, the laws and regulations in place led to some of the problems encountered on election day. One observer noted that late voter registration, and the ease of voting in a polling station different than the one assigned, slowed up the election day process due to the large number of voters not found on the rolls. Overall, observers expressed the feeling that the procedures needed to be simplified.
- One delegate observed that the administration of the results-reporting process was a significant problem. Two parallel reporting systems had been set up -- both in Jakarta and both under the umbrella of the National Election Commission -- and this heightened voter distrust of the counting procedures.
- In some areas, voter registration was much too short. One observer was told that registration in his area lasted for only two days.
- The time-period prescribed for voting -- from 8 a.m. to 2 p.m. -- was considered too short, particularly in light of the time-consuming poll opening procedures that did not

commence until 8 a.m.

Pre-election Campaign and Preparation Period

- Observers found no signs of campaigning during the two-day cooling off period immediately preceding the election. All areas visited were extremely peaceful during this period, and it appeared that the parties were closely observing the rules.
- Observers reported that the various election committees were all very open and helpful to international observers and allowed free access to the polling station and election material preparation process.
- There was a widespread problem of late delivery of election materials. Of particular concern was the late delivery of ballots and indelible ink. In some areas, particularly North Sulawesi, this led to polling stations not opening on time or, in some cases, not opening at all. Observers in South Sumatra found that, though the ballots had been delivered, they had not been folded, and that party agents volunteered to spend the hours before the election folding the ballots.
- In some areas, election committees at the local level did not have the ability to verify that all materials had been received because the materials had been packed and sealed at a higher committee level.
- Inadequate pollworker training -- and the distribution of training materials -- was the source of many problems. Training manuals and pollworker newsletters were lacking in many areas. The myriad levels of administration may have contributed to this problem. Some believe that, while the materials were delivered in a timely manner to the provincial election committees, they never filtered down to the local level where they were needed.
- Though not as widespread, there was an equally significant problem of shortages of election materials. Several areas reported shortages of ballots, holograms (a security device affixed to the ballots), and accounting forms.

Election Day Operations

- In general, observers found a spirit of cooperation among all concerned parties that contributed to a peaceful and open election environment. This cooperation was found among party agents, domestic observers, and polling station staff. It was especially evident among the voters, who exhibited admirable patience, enthusiasm, and good will under often trying circumstances. One observer noted that people waited for hours to cast their votes and did not complain. Another remarked that there was a sense of community spirit at the polling stations. A third commented, people were excited by the process; it had the aura of a neighborhood event.
- There were no reports of intimidation or harassment. In most locations, police presence was minimal and, where there were police, they generally stayed out of the immediate polling area. In South Sumatra however, police were reported to have been at most polling stations copying voter turnout figures, and local authorities and

Panwas representatives were inserting themselves into the process where they should not have been.

- The large and widespread involvement of domestic observers was lauded by the delegates. Virtually every polling station visited by AAEA teams had domestic observers present. For the most part, they were knowledgeable and attentive to the process. The fact that most of them were quite young speaks well for the future involvement of young people in the electoral process.
- Observers found that most pollworkers made good-faith efforts to follow the rules and procedures, even when they did not understand their purpose or importance. One observer noted that, even though one polling station's staff realized that the indelible ink they were using washed off easily, they continued to apply it to voters because the rules required it.
- Generally, the rules involving polling station opening procedures were not rigidly followed. In several areas, ballots were either not counted at all or not counted properly. The number of voters on the Voter Registry was not announced. But, as one observer noted, there were two sides to this issue. The formalized procedures were so time-consuming and cumbersome that following them to the letter would have occupied much of the morning. Where they were followed, polling generally did not begin until after 9 a.m., thereby cutting into the polling day. To counteract this, some polling stations began their opening procedures well before the 8 a.m. starting time.
- Polling station committees often made up their own procedures for processing voters. In many cases, the standard rule of first-come, first-served was not followed. In some cases, voters had to approach the check-in table two or three times before they could actually vote. Often these methods led to much confusion and slowed the overall process.
- The proper use of indelible ink was not followed in several areas. Two teams reported that pollworkers seldom checked voters for ink before they voted. Several teams reported that the ink applied to voters' fingers after voting was dry or could not be seen or was easily washed off.
- The team in West Kalimantan reported that, in several polling stations, the size and layout of the station was inadequate to handle the number of voters present.
- The team in West Sumatra reported two problems with party agents. First, the party in power was paying its party agents while the other parties were unable to do so. Second, the party agents seemed unaware of their job tasks.
- Voting in refugee settlements produced special problems that, in the case of West Kalimantan, were handled poorly by the officials present. The primary problem in that location was a communication barrier; the refugees and the officials did not speak one another's language.
- Several observers reported that voters voting in a different polling station than their own were not written on the supplemental voter registry as procedures required.

Some observers reported that the voter registry was not even used.

- In two instances -- one bad, one good -- voting continued past the announced closing time of 2 p.m. In one station in North Sulawesi, the polling station committee simply ignored the poll closing time and continued allowing people to arrive and vote up until 4:45 p.m. In Lombok, near the time for closing, one committee moved the whole process to the local hospital and went from ward to ward allowing all eligible patients to vote -- a process that lasted until early evening.
- Several teams reported that the pollworkers were not using the official manual issued to them by the national election committee and prepared by IFES. In these instances, they either followed procedures from previous elections or from an earlier (and incorrect) manual.
- Overall, observer mission members believed that the mismanagement of polling procedures and non-compliance with regulations did not negatively impact the election or produce fraud; however, by not following the rules, the polling station committees created the potential for fraud.

Counting Procedures

- Observers generally agreed that counting was conducted in the open, with party agents, domestic and international observers, and the public allowed full access to the process. An observer in West Kalimantan noted however, that there was too much public participation, including ballot counting by young children.
- Many instances were observed where neither the unused ballots nor the number of marked-off voters on the Voter Registry were counted, as was required by the regulations.
- As a result of not following the prescribed accounting procedures, there were many instances where the number of counted ballots did not square with the apparent number of voters. In most cases the difference was minor, but one station had a discrepancy of 16 ballots. Seldom was an attempt made to reconcile these figures.
- In many instances, security for the counted and unused ballots was extremely lax. A South Kalimantan observer noted that there was inadequate space for the proper control of counted and unused ballots. In some cases, boxes containing these sensitive materials were unlocked, unsealed, and left unattended. While this lack of security could be viewed as an invitation to fraud, the observers saw none.
- While not observed due to time constraints, the delegates noted that the established procedures for aggregating the counts resulted in a painfully slow process that cast a cloud over the openness and general fairness exhibited by authorities on election day.

V. RECOMMENDATIONS

The AAEA mission delegates made a number of recommendations to highlight significant areas in electoral administration and processes in need of improvement to further the democratic aims of Indonesia. The recommendations, as noted in the AAEA Observer Statement, were:

- Review the entire electoral administrative structure—from KPU to KPPS—to make the system more efficient, responsive, and transparent to the public.
- Strengthen the independence of election authorities and ensure it from government control.
- Provide sufficient financing for electoral authorities, particularly polling station staff.
- Review the rules for the voting process to clarify them and make them less cumbersome.
- Require more rigorous adherence by pollworkers to election rules.
- Strengthen and expand pollworker training.
- Review preparation and election day use of the voter registry.
- Assess security measures for election materials, from pre-election preparation to final count and consolidation.
- Evaluate the use of indelible ink and its success in preventing voter fraud.
- Distribute voting materials to the polling stations in a timely manner.

VI. LESSONS LEARNED FOR FUTURE OBSERVER MISSIONS

While the Indonesian government made provisions for the required accreditation of international observers, the process used by the authorities was extremely cumbersome and mismanaged. Among other issues, different authorities could not agree on what items needed to be submitted for accreditation, when they needed to be submitted, and what visas were required. As a result, IFES staff was forced to spend an inordinate amount of time -- time that could have been used for more substantive matters -- on maneuvering through the accreditation obstacle course, a task that was not completed until the day before deployment. For future missions, particularly where the host country has issued an open invitation to international observation, the country's authorities should be strongly encouraged to

provide and adhere to a clear and concise roadmap through the accreditation process.

Due to fiscal and time constraints, the AAFA delegates were only in country for from six to ten days. By the time the orientation and briefings -- most of which were necessary to the purpose of the mission -- were completed, the delegates had only two days to acquaint themselves with the situation in their respective observation areas. Most believed that this was too short a time period to adequately observe the political situation in their area and to meet with the players involved. Since these last two days before the election were also the campaign cooling off period, there was no opportunity to observe the political campaigning outside of Jakarta. After the election, the observers needed to immediately return to Jakarta for debriefing and preparation of the delegation's statement before returning to their home countries. As a result, there wasn't a good opportunity to observe the full counting and aggregation process, a process so slow, cumbersome, and open to fraud that it nearly marred the election. The delegates and IFES staff believe that more time needs to be allotted for full and proper observation.