



## Asian Network for Free Elections

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### **ANFREL first week observation mission report**

#### **Aceh Election: December 11<sup>th</sup>, 2006**

*Ten Observers are from Malaysia, Sri Lanka, Bangladesh, India, Thailand, South Korea, Pakistan and America. The areas of observation covered: Banda Aceh, Biruen, Aceh Selatan, Aceh Takengon, Aceh Barat, Nagan Raya, Aceh Barat Daya, Kota Langsa, Aceh Timur and Aceh Tamiang.*

#### **Electoral and Political environment:**

##### **1. Election Environment:**

Most residents, at least those eligible to vote are sanguine as the Pilkada (election) comes close on the heels of the Helsinki Agreement signed between the Gerakan Aceh Merdeka or simply GAM and the Indonesian Government. The election promises to be the, “beginning of change,” for the people of Aceh, who had been subjected to 30 years of armed struggle, conflict and the Tsunami devastation that came as a double blow throwing life completely out of gear. While election has assumed Grand significance for the general public the MoU has come as “a blessing,” and are willing to do everything possible to get back on track and lead a normal life.

The MoU, a key component of the peace agreement, which signaled the end of 30 years of armed conflict, was signed at Helsinki on August 2005. The GAM is a separatist group seeking independence for the Aceh region of Sumatra from Indonesia. The armed wing of the organisation has reportedly been dissolved following 2005 peace agreement with the Indonesian Government.

In the areas badly hit by Tsunami, reactions were mixed. On the one hand people were happy that a true democratic process was unfolding, but on the other they were angry with politicians and the Government for not providing adequate financial support so as to rehabilitate them. Some of them said “*election is politics and politicians have not done anything for us, so we don't what different this election will make for us.*” However a good number were optimistic that the process would open up the floodgates for democracy, economic uplift and social security all over this province of Northern Sumatra. Although there were skeptics as well, who felt that everything would depend on the outcome of the elections, their numbers would certainly not outweigh the sense of confidence expressed by most residents. The message here was loud and clear, “to strive for democracy and respect for human rights,” of the people.

Many issues—security, money politics, influencing voters, threat and intimidation, political party rivalry, voter education, voter registration, training of trainers for Polling officer and women's participation in elections—which would perhaps have a potential impact on Aceh politics and elections have already surfaced. Aceh Election Commission or KIP decisions,

Party coalitions, and the responsibility/sharing of electoral duties are all playing a significant role in the conduct and success of Election Day.

To ensure that election is free from violence and conducted under peaceful conditions, all 8's Governor Candidates took oath and signed on a concrete peace formation which was commemorative inscriptions at the **Baiturahman** Grand Mosque on 23<sup>rd</sup> November 2006. Candidates from all political parties as well as independent candidates dressed in their traditional attires took part in the oath taking and peace campaign. The peace campaign was a public function and people from all walks of life attended. The Peace campaign by the candidates was followed by formal Speech of "Mission and Vision statement in front of the provincial Assembly of Nanggroe Aceh Darussalam and in acting as Aceh Governor, police commander and military commander as well," by each candidate at the Syiah Kuala University on November 24<sup>th</sup> 2006, and following debates among the candidates one day after which were publish live in TV.

The December 11<sup>th</sup> election is for both Governor and Mayors contesting in Aceh. Campaign all over the 21 districts of Aceh started since 24<sup>th</sup> November and will until 7<sup>th</sup> December, 2006. The campaign for Governor (and Vice Governor) will be conducted in all districts but the Mayors (and Vice Mayors) candidates will be in only 19 districts.

**2. Security Situation:** The overall security situation in Aceh was however much more improved and healthier than what it used to be before the Tsunami struck this region. The ANFREL team was informed by the village Chief of Lamre Malahayati that after the signing of the peace agreement in Helsinki, things have been peaceful and even the run-up to the elections have been peaceful. The Polisi (police) too told the ANFREL observers that elections are expected to be peaceful, even in many Kecamatan (sub-districts) which had a significant presence of GAM members. Police and the Election Commission or the Komisi Independen Pemilihan (KIP) too encouraged the international observers to move around freely, without fear and insecurity.

There are about 2433 policeman could be recruited in consultation with the Government of Indonesia for law and order duty and security during the election and more policemen could be used. As per the MoU signed between the Government of Indonesia and the GAM the ceiling for total number of policemen on duty during peace time is only 9000. It is possible for AMM (Aceh Monitoring Mission) to manage the 2000 plus policemen and there is likelihoods that 40 police personnel (or one platoon) will be deployed in each area for the Pilkada (election). The KIP has a standard rule in organizing the police. Meanwhile a request has also been sent to the Government of Indonesia to provide TNI support to the police if the situation demands that is in case of extreme security breakdown. The TNI troupes have already started moving towards Aceh. However, the army personnel have been strict instructions to stay in their barracks and not move out into public places as it could create a negative influence the election process. Article 4.8 of the MoU signed at Helsinki states thus: "No major movements of military forces after the signing of the MoU. All movements more than a platoon size will require prior notification to the Head of the Monitoring Mission" If violence breaks out and escalates beyond control then the Police Chief can request by law the assistance of the TNI.

Police have conducted special training about the security procedure at the polling station at the Election Day, with the coordination with KIP and PANWASLIH (Election Supervisory body).

However, TNI in several areas of **Banda Aceh** and **Kluet Utara** have conducted exercises in the communities and villages. Some voters expressed fear of TNI conduct during elections. Military harassment has been reported from some areas as recently as four months ago. ANFREL observers and KIPP local observers have raised their concern submitting the letter to the Chair of KIP regarding the TNI militaries break the MoU. GAM in Nagan Raya expressed his feeling that he was not happy with the presence of the military in the public during the last few days.

KIP officials said that the election is expected to be peaceful. The same views were expressed by a large section of the society. However the first reports of real violence have already started to come in. In *Matang Glumpang Dua, Birueun District* a candidate for the gubernatorial election **Mr. Humam Hamid – Hasbi Abdullah** was physically assaulted by some group of unknown person, a vehicle was also set on fire and election materials like posters, brochures etc burnt. ANFREL team went to the spot for verification.

***Report from Human Right Organisation:***

*From the report of Violence by KontraS, the dispute clearly took place between the supporter of Mr. Humam Hamid – Hasbi Abdullah (H2O) and Irwandi-Nazar. Both of them have claimed got support from ex GAM. The difference between this group is, Mr. Humam Hamid-Hasbi Abdullah got supported from the Exiled Elite GAM in Europe but Mr. Irwandi - Nazar from the field combatant.*

*The dispute between this group become clearly seen when Mr. Humam Hamid and his 15 supporters were attacked at the inside of one kiosk at the Matang Glumpang Dua, Birueun District, 30 minute by vehicle from Exxon Mobile Company Based in Lhokseumawe to the west. Mr. Humam Hamid and his supporter want to have a rest and come into one of food stall and suddenly attacked. The attacker punched Mr. Humam Hamid once, cracked down the bus and burned the sticker and banner belong to Humam Hamid but no serious injured reported*

*This incident is the second case between the supporters of Humam Hamid and Irwandi Nazar, before the case was occurred when the supporter of Humam Hamid distributed a Weekly tabloid, the article in those tabloid highlighted about Humam Hamid. The supporters of Irwandi-Nazar don't like with those activities and punched him.*

*Another case was occurred when the Electoral Independent Commission (Komite Independen Pemilu – KIP) memasuki arena curah pendapat di salah satu hotel di Banda Aceh, Namely Swiss Bell Hotel, he was attacked by someone participant at the public hearing, this case considered by KIP as serious incident so the KIP reported this case to Police.*

The military in district level and the police said they are neutral, the commander expressed apprehension of violence breaking out in Bener Meriah.

In Biruen which was considered a stronghold of the GAM, the security situation has improved drastically after the peace MoU. Prior to the MOU there were a lot of TNI checkpoints all over Biruen.

For the election, police have readied 863 personnel with the help of

1744 personnel from LIMAS (volunteer organization for security from the people) to guard the 685 polling stations in 17 sub-district of Biruen.

**3. Election Commission (KIP):** The KIP was formed under the law No. 11/2006 about the local on governing of Aceh. The primary role of the KIP is to make a regulation about Pilkada, arrange the schedule for Pilkada campaigns, arrangements of polling station, preparing of ballot papers, facilitating the candidates manifesto and to announce the election result.

The KIP has been regarded by the people as the most useful institution to handle and conduct a free and fair election. The KIP has been held as a useful organisation which has helped people to register themselves as voters and also to learn more about the Pilkada (elections) through information dissemination in the print media (newspapers), radio, and television and even through posters and distribution of pamphlets and election materials in the Mosque after the Friday prayers. Most people appeared to be satisfied with the “very strong,” advertising of the Pilkada by the KIP through media. However during the first few days of visit to different parts of Aceh it was learnt that there are certain shortcomings like lack of information about voter’s registration and the date when Voter Cards would be given to the people. Most voters appeared to be confused about the registration process and hoped that the KIP officials would take some more interest to explain the voter registration system to the people so as to ensure that names of eligible and genuine voters are not left out from the voters list.

Some residents were completely ignorant about the existence of KIP in their area. For example in Biruen majority of the ordinary people such as villagers, fisherman, and women voters did not know about KIP. In July Village, just one kilometer from the KIP office in Biruen, a 52 year old women told the ANFREL team that she don’t have any information about KIP.

Voters are of the opinion that KIP should go to the grassroots level and educate people regarding the upcoming Pilkada.

During the first few days of the ANFREL teams visit to Aceh 6 areas it was discovered that most voters had complaints of lack of information about registration and voter education by the KIP. Some voters said that they did not know when and where to register while others were ignorant about the door to door visit by the KIP to educate the voters. Residents of Aceh Besar said that they are too preoccupied with post Tsunami reconstruction and rehabilitation work and were not able to reach the office of the KIP to collect information about registration procedures. Some women voters said that they had old registration cards which they had used to vote in the last election in 2004.

### **3.1 KIP approval of candidates and verification Process:**

Among the eight (8) candidates contesting for the Governor’s elections in Aceh, five from Political parties and three independents, While the candidates representing political parties have to make coalitions to be able to get the mandatory 15 per cent of the total seats in the Provincial Assembly, Independent candidates would be required to collect signatures of at least 3 per cent of their supporters out of the total provincial population of Aceh so as to be eligible to contest the election. The Signatures are to be supported by Identity cards of voters. After the independent candidates submit the documents the KIP conducts a verification process to ensure that no manipulation takes place. If the candidate indulges in foul play by

forging signatures etc, then the KIP will invalidate another 100 identity cards and gives 10 days time to the candidates to make correction and get the required numbers. On the Polling day there will be two ballot boxes for Governor and Vice-Governors and the same will apply in the case of the mayor election voting process.

### 3.2 Voter Registration

Although the due date for announcing the complete list of voters was on 8<sup>th</sup> November 2006, the KIP says that there is delay owing to non-completion of the process of enlisting voters and deleting names of missing and dead voters. The GTZ (Germany Development Cooperation) which is a German Company has been entrusted the job of compiling the voters' registration. KIP and PPK offices worked in conjunction with Bupati and Camat (chairman of district) of Interior Affairs to corroborate voter list.

In some sub-districts, no one has been a denied registration and there have been no filed complaints or failure to be registered. Interviewed voters said they were aware of the registration process. Voter lists were posted in several public areas of each village, including outside Mosque, in the markets outside Kecamatan (district office) and on the main road. The door to door method KIP employed was successful. In the area of Aceh Barat and Nagan Raya voter lists were shown to the public two weeks ago. The observer was told that voter registration responsibility will return to the Population Department.

**Number of voter registered: 2, 632, 935 voters.**  
**Head of election staff" Dr. Mahdi Syahbandir SH**

Districts	Total Voters	Polling Stations
Banda Aceh	115.633	252
Sabang	19.303	60
Aceh Besar	194.164	660
Pidie	314.796	995
Biruen	239.241	685
Bener Meriah	73.133	260
Aceh Tengah	103.949	380
Aceh Utara	305.652	1.034
Lhok Seumawe	98.935	214
Aceh Timur	201.892	650
Langsa	88.236	210
Aceh Tamiang	145.837	431
Aceh Jaya	44.183	182
Aceh Barat	106.360	461
Nagan Raya	84.968	265
Aceh Barat Daya	74.204	198
Aceh Selatan	126.929	349
Aceh Singkil	86.658	300
Aceh Tenggara	114.880	492
Gayo Lues	46.681	197
Simeuleu	47.301	196
<b>Total</b>	<b>2.632.935</b>	<b>8.471</b>

### **3.3 Transparency and efficiency of polling and counting Process.**

Observers could not observe the printing site of ballot paper since all were printed from Jakarta and there is no information about the quality of indelible ink.

The governor ballot papers are all the same but the mayor ballot papers are different from each district. We were informed that 2.5 percent ballot papers will be kept as backup which there will have a question later whether the left over ballot papers will be destroyed or kept safely for reconcile. The additional knowledge from KIP about the polling day, we aware that:

- One or two police are assigned to the area outside the KPPS; however, they have no clear set of rules to follow.
- Weapons are not allowed within 25 meters of the KPPS.
- People, particularly party officials, are allowed to gather around the KPPS. No buffer zone.
- There will be 400-600 voters per polling station
- If a voter has a complaint, he/she will be directed to inform the KPPS Chairperson; if intimidation occurred inside KPPS, or any irregularities.
- Complaints received by KIP will be referred to Police for the serious cases which lead to disruption of the process, for the other irregularities can be offered to the Party agent and together with KPPS will solve the problem immediately.
- Unused Ballot papers are NOT invalidated after the KPPS closes. They are counted and put in a separate envelop only. This is a potential source of ballot manipulation.
- On the polling day, the chief of the polling station will be paid Rp. 150,000. Per day and the staff or poll officer will receive Rp.100,000.

ANFREL also concern about the counting at the polling station and the result that send from polling stations to sub districts, districts and to provincial levels whether they will be the same result. Do Panwaslih, candidates and local monitoring NGOs monitor the whole process of the result? Indonesia systems do not announce the result as fast as other countries. The official result will be announced on the 8<sup>th</sup> of January. The second round election (if there is) will be in March 2007, 60 days after the result.

### **4. KIP Voter Education and Civic Education**

The KIP is supported by the Aceh Local Election Support (ALES)–UNDP, USAID, NDI, JPPR in educating the voters and training PPKs (sub-district officials) and election/polling agents and village chiefs. Voter education is being conducted by the KIP with support from local NGOs. Besides, the KIP's media centre has been disseminating information through posters, pamphlets, brochures and manual (guide books). Most of the information material has been sent to the Kabupaten's (district) and Kecamatan's (sub-district) for distribution amongst voters.

The UNDP supported by local volunteers have started mobile information units and mobile cinema units spread out in four districts to educate the voter. A radio quiz will also be conducted for people to come together. Prizes will be given to the winners. Radio quiz has

been held in 22 areas. The winner will receive motorbike. Mobile cinema unite has been spread out in to 6 teams. There are 128 showings with KIP for the first operation, following by 80 showings at the second time. Mobile information units on simulations have also started one week before campaign.

From the interviews with villagers, they aware that they have the right to vote and that there is an election coming up. . However, with exception to government and political party offices, the applicable rights of voters are virtually unknown: less than 50 % in the villages know the date of election, non know the KPPS location, very few have knowledge of Candidate Pool (all 8 Governor's candidates) and estimate 15 % have knowledge of more than one candidate.

Many people still do not know about the detail of election. Meanwhile it put even more concern to civic education which KIP has given to the Chief and the poll officers. All the process and system of this election is the same to the general election (organized by KPU) in 1999 and 2004 when we found that many poll officers did not understand the reason behind each process and did not works effectively. Many intentional/unintentional technical problems and human errors took place. Local monitoring organization like JPPR (funded by the Asia Foundation) has given trainings to voters in the districts all over Aceh and will have observers in all polling stations on the Election Day. KIPP observers will be mobile around strategic sub districts in most areas. KIPP's 120 activists have worked on their own capacity, no funding.

**5. Voter's Voice:** Different people think differently and this law of life is applicable to the residents of Aceh on the issue of the Gubernatorial and Mayor elections. While many people have expressed their confidence about the election, many others accounted for a lukewarm response. Aceh Takengon and Aceh Besar had contrasting situations. In Takengon people showed a lack of interest in voting, calling it "wastage of time," while residents of Aceh Besar district said they would "go out and vote." Intriguingly, even in some parts of Banda Aceh, where the level of awareness is considered to be slightly better, many people (shop owners, traders, taxi drivers etc) did not know much about the election. Notwithstanding the fact that campaign posters have been pasted all over the city and information about the election has been distributed by the KIP, ignorance about the election is worrying.

**6. Panwaslih:** The Panwaslih has been created to observe and monitor the election process. The mandate of the Panwaslih is to monitor the election at different levels, from the filing of nominations, to registering complaints from candidates and voters and also tackling matters related to violation and cheating as well as crime. The Panwaslih composition is unique. One representative each from police, Attorney, Press, educational institution (university), Civil Society organization, makes up the Panwaslih. The Panwaslih is head quartered at Banda Aceh and it monitors irregularities in campaigns by candidates and political parties, indulgence in crime, register complaints etc. So far the Panwaslih have received complaints from candidates who have failed to qualify the Al Qur'an recital test. The cases were referred by Panwaslih to the KIP.

Due to funding limitations, they currently will only have three observers for each sub-district on December 11. In Aceh Selatan, Panwaslih directed observers to observe rural electoral operation in Kluets Selatan, Kluet Timur, Kluet Utara, Kluet Tengah, Pasilia and Tumung as they suspect these areas are prone to voter manipulation. The areas of Selatan need international observers to present on the polling day.

In every sub districts of Bireun, Panwaslih have 3 personnel. They will observe the whole process of Pilkada including the Pre Pilkada, Pilkada Day and the counting process. They will also observe the KIP administration and field work. In many areas the Panwaslih did not have adequate manpower to monitor the polling process. Efforts are on to recruit volunteers. Interestingly, however, unlike the district level Panwaslih office which were under staffed, the subordinate office (sub-district level) are better equipped and more prepared. A good number of the staff from the sub-district level office were out in the field. However, we couldn't think that every staffs is now on their duty.

Panwaslih in Kota Langsa wanted the ANFREL team to work closely with them and report to them any violations and irregularities that the team comes across during the observation mission.

## **6. Candidates, Political Parties, GAM and Campaigns**

Golkar, PAN, PDIP, PKS, and PPP are the strongest parties in many areas. PBB and PBR seem to be small parties here. Each party has each policy to highlight for the future of Aceh. Most of them told us that if they are elected they will give priority to Economic, Education, Employment and Good Governance for Acehnesse people.

The registration period was not without incident though. ANFREL has received reports and interviewed voters who were pressured during Candidate Registration.

So far, there have been no major complaints of violence or money-politics. But that does not rule out the possibility of money playing a decisive role in the election. In some areas like Aceh Takengon political parties are reportedly giving money and cements for repairing mosques besides other facilities while in others candidates are accusing each other of setting up a scheme to bribe voters.

A "big party," candidate for the Governor said that vote buying would be extensive on the night before the Election Day. In Bireun candidates are distributing free food to woo voters. Local monitoring NGOs like KIPP have expressed apprehension about "money politics." However, most people who spoke to the ANFREL team at Aceh Besar said that so far no political parties has approached them with money or have tried to send money through different channels. The Law in Aceh prohibits the use of money by political parties and candidates to buy votes.

Independent groups especially GAM candidates claimed that "some political parties giving money and other facilities. The GAM said that they did not have money and would not seek for votes with money which according to them was not correct.

10pairs of GAM candidates are contesting all over Aceh as Independent candidates. These candidates said that they would organize 20 campaigns in 14 days. They hoped that their support has increased after the peace MoU. However an area of concern that emanates from a candidate who was in the GAM.

Every party has warned that witness intimidation is likely to occur in rural villages. The polling day is not of concern; party witnesses will be coerced the night before Election Day.

Most candidates have set economic uplift, education and good governance as priorities in their manifesto. Apart from that most of the candidates have underscored the need for a

peaceful situation, democracy, health, development of Islamic centre, livelihood, improvement of infrastructure and the need for a prosperous society. Each political party will campaign three times in rotation. Some Independent candidates contesting for the Mayors election said that 3 days was enough for campaign as they do not have much money to campaign. We were also told that Mosques are important place to do campaigns for candidates and also being the centre of the community activities.

In what could be termed as a violation of the freedom of expression in Takengon, police have stopped rallies and demonstration for the fear of outbreak of violence.

## **7. Women Participation**

The participation of women in the election both as a voter and as candidates is significant compared to previous elections. Though there are no candidates for the gubernatorial polls, but few are contesting the Mayor's election which is being held for 19 of the 21 districts.

Women in the urban areas in Aceh Selatan appear to be independent thinkers. Interviews with women and men in the village indicate that women's opinions are their own, separate from those of the husbands. However, women in rural areas are more likely to fall into the patriarchal pattern and follow their husband's voting.

Women in Aceh are allowed to enter the mosque with their heads covered which is the law of the land. Many women, some from the KIP were seen actively participating in the Candidates oath taking ceremony held at the Grand Mosque on 23<sup>rd</sup> November 2006. Women were allowed to host the event and translate from the Holy Al Qur'an. Women are not criticized and are given sufficient space to air their opinion. Unlike some Islamic states here husbands are encouraged to take their wife out to vote. Most women in the city of Banda Aceh said they are independent to vote for a candidate and that there was no pressure on them from their husbands or family members to abstain from voting. Women are also participating in the election campaign. In Biruen the chief canvasser of two candidates for the Governor is a woman.

However in contrast to the general situation where women appear to be relatively free to make their own choice, election is perhaps a different ball game, which continues to be plagued by gender discrimination. Many women feel that political parties are reluctant to recommend women's candidature. *"In Aceh Tengah seven women are in leading executive posts, 18 women's organizations are functioning under one umbrella, but I would like women to be candidates, and women's political participation is needed. Recently political parties agreed to increase women's participation in politics. Some political parties respect the women's political participation, but they subjugate their rights by giving them low profile member status, which means no decision making post. We are requesting women's have to be in the decision making process level"* said Head of Division Women Empowerment in Aceh Tengah.

## **7. Ulama's (religious leader)**

The influence of Ulama's exists in a power sphere separate from political and elected positions. While many Ulama's do have a party preference (often PPP), they remain neutral in the village. The neutrality in Aceh Selatan is illustrated by their reluctance to allow parties

to canvass their villages. Some Ulamas are known to promote independent voting while some Ulama's said that *"my duty was to encourage people to exercise their voting rights and bring change, I will choose my candidate on the basis of merit without any political inclination and I consider money politics as a corruption."*

### **8. Other Electoral Issues:**

Fisher-folk and tsunami affected persons have the same voter awareness as the general population. They do plan to vote. Their motives for voting and participating in the electoral process are different though. Many fisher-folk feel marginalized by the new MOU government. They expected help after the tsunami; when some did not receive help, they understood that voting was their recourse. Also, the local Camat in Pasi Raja was attacked last month after protests over missing subsidies got out of control.

### **Recommendations**

1. All candidates need to put more effort to ask their supporters, canvassers and members to campaign peacefully, no violence, threat or intimidation.

Request all authorities and media identify the cases before publishing the news since some cases are not related to the election but it should not be hidden either.

2. KIP is requested by voters to find the solution if some voter names are not in the list or do not receive registration cards even though they are already registered. Voters should know their polling stations and able to check if their name is not at the station.

3. Voter education is the main task of KIP, NGOs and Candidates, all stakeholders need to give priority to voter's awareness for the coming weeks. Voter education by political parties and candidates must be on the right track. Since the December 11 election is a local election, it is very rare to see voter's education on the TV.

4. KIP civic education is very much needed. Clarity is needed on all steps of voting so as to properly understand the necessity of each step of the process such as, why it is important to check voters' fingers, the reason to dry the indelible ink after dipping the ink, the valid and invalid ballot papers, keeping secrecy of voters, booth setting, impersonation, etc.

5. Law and order and security management during the election should be in the hands of the police from Aceh and the deployment of policemen should depend on the situation. However, maximum efforts should be made not to use the services of the army as it may disturb the prevailing mindsets which are all oriented towards peace and democracy. Using the army could also influence the voters.

6. It would be a Grand benefit for Aceh democracy if all female voters are allowed to exercise their rights without any influences by the males, authorities, employers, religious readers, village chiefs etc.

7. We should convince the employers of all working places to allow the employees or their subordinates to vote notwithstanding the fact that Sunday is a working day for some private sector.

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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.