

ACEH: Balloting for Peace and Democracy

PILKADA NANGGROE ACEH DARUSSALAM (NAD) 2006

Report of International Observation Missions

November – December 2006



Asian Network for Free Elections (ANFREL)

ACEH: Balloting for Peace and Democracy / Pilkada Nanggroe Aceh Darussalam, 2006

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ACKNOWLEDGEMENT

Aceh was the first mission for ANFREL to observe and study elections at a local level within one province, and this was also the biggest direct local election in Indonesia. The election was to select one Governor / Deputy Governor and 19 Heads of Regency / Deputy Heads of regency and Mayors / Deputy Mayors. It was also historical, being the first local election after the Aceh's decades of conflict. All observers were aware not only of the politics, but also had an understanding of the social, economic, and cultural background of Aceh including the complexities of certain areas.

ANFREL would first like to thank the Finnish NGO Foundation for Human Rights (KIOS) for supporting ANFREL in its mission by funding the whole observation mission in Aceh, Indonesia. ANFREL was able to carry out preparatory fieldwork, observe the free and fair elections, analyse the electoral process, and witness the human rights situation in the post conflict & tsunami period. We are grateful to KIOS for their funding support and making this mission possible.

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ANFREL was delighted to send a mission with observers from nine countries who were interested in democracy, and free and fair elections (Pilkada in Nanggroe Aceh Darussalam). We found that the December 11th, 2006, elections in Aceh had greater importance and significance than had been expected.

The observers and local organizations' help and facilitation are very much appreciated along with their sincere support.

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For the better future of Aceh and for peace

ACEH MAP



GLOSSARY

Terms	Indonesia	English
ABRI	Angkatan Bersenjata Republik Indonesia	Armed Forces of the Republic of Indonesia. Renamed TNI (Tentara Nasional Indonesia) in the post-Suharto period
AGAM	Angkatan Gerakan Aceh Merdeka	Forces of the Free Aceh Movement, military wing of GAM. Renamed TNA (Tentara Negara Aceh) with the Stavanger Declaration in 2002
ASEAN	Persatuan Negara Asia Tenggara	Association of Southeast Asian Nations
ASNLF	Front Nasional Pembebasan Aceh Sumatra	Aceh Sumatra National Liberation Front
BAKORNAS BPP	Badan Koordinasi Nasional Penanganan Bencana dan Pengungsi,	National Coordinating Agency for Management and the Handling of Disaster and Internally Displaced Persons
Brimob	Brigade Mobil	Paramilitary mobile police brigade units
Bupati	Kepala Pemerintahan tingkat Kabupaten	administrative head of rural district
Walikota	Kepala Pemerintahan tingkat Kota	Mayor
Camat	Kepala pemerintahan tingkat Kecamatan	administrative head of sub district Coblos nail/sharp tool used by voter to mark ballot paper to record their choice
COHA		Cessation of Hostilities Agreement
Desa		Village (in Kabupaten Administrative System)
Dayah	Pesantren	Islamic religious boarding schools
DOM	Daerah Operasi Militer	Military Operations Zone. Designation for Aceh during the counter-insurgency operations from May 1990 to August 1998
GAM	Gerakan Aceh Merdeka	Free Aceh Movement Group. Political movement leading Aceh's struggle for

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		independence. Founded in 1976
DPR	Dewan Perwakilan Rakyat	National Representative Assembly (National Parliament)
DPRD I/DPRA	Dewan Perwakilan Rakyat Daerah Dewan Perwakilan Rakyat Aceh (Provincial Level)	Provincial Parliament Aceh Provincial Parliament
DPRD II	Dewan Perwakilan Rakyat Daerah Tk II (Regency/city Level)	Regency/District Parliament
GOI	Pemerintah Indonesia	Government of Indonesia
Golkar	Partai Golongan Karya	Golkar Party (The ruling Party)
HDC	Henry Dunant Center.	Geneva-based organization facilitating the failed peace process in 2000-2003. Later renamed: Centre for Humanitarian Dialogue
IDPs	Pengungsi dalam satu wilayah	Internally Displaced persons
JSC	Komite Keamanan Bersama	Joint Security Committee. A tripartite committee of representatives for the Government of Indonesia, GAM, and international organizations to guard the peace agreement.
Kabupaten (Kab.)	Daerah Administratif yang berada di bawah Propinsi	District/ Regency in Kabupaten Administration
Kotamadya/Kota	Daerah Administratif/Kota yang berada dalam satu Propinsi	Municipality/City
Kecamatan (Kec.)		Sub-District in Kabupaten/Kota
Kelurahan (Kel.)	-	Village in Town Area
KIP	Komite Independen Pemilihan	Electoral Independent Commission in Aceh
KPU	Komisi Pemilihan Umum	National Election Commission
Kontras	Komisi Untuk Orang Hilang dan Korban Tindak Kekerasan	The Commission for Disappearances and Victims of Violence. Indonesian national human rights organization
Kopassus	Komando Pasukan Khusus	Army Special Forces
Kostrad	Komando Strategis Angkatan	Army Strategic Reserve Command

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	Darat	
KPPS	Ketua Petugas Pemungutan Suara	Head of Polling Station Staff
LBH	Lembaga Bantuan Hukum	Legal Aid Foundation. Indonesian national human rights organization
Meunasah	Mushola	Small mosque usually found in villages
NAD	Nanggroe Aceh Darussalam	The official name for Aceh province introduced with the Special Autonomy Law of 2001
Operasi Terpadu	Operasi Gabungan	Integrated Operation (encompassing four operations – including security recovery operations and humanitarian operations) officially launched 19 May 2003
PAN	Partai Amanat Nasional	National Mandate Party
PANWASLIH	Panitia Pengawas Pemilihan	Election Supervisory Committee
PBR	Partai Bintang Reformasi	Star Reform Party
PCC	Pusat Krisis Masyarakat	People's Crisis Center
PD	Partai Demokrat	Democrat Party
PDI-P	Partai Demokrasi Indonesia Perjuangan	Indonesian Democratic Party of Struggle
Panglima	Komandan Pasukan	Military Commander
PPK	Petugas Pemungutan di Kecamatan	Polling Station Staff at Kecamatan level
PKB	Partai Kebangkitan Bangsa	National Awakening Party
PKS	Partai Keadilan Sejahtera	Justice and Prosperous Party
PPP	Partai Persatuan Pembangunan	United Development Party
PPS	Petugas Pemungutan Suara	Polling Station Staff
Propinsi		Province
Santri		Students in Islamic Boarding School
Qanun	Peraturan Daerah	Local provincial Regulation
SIRA	Sentral Informasi Referendum	Aceh Referendum Information Center

	Aceh,	
SMUR	Solidaritas Mahasiswa untuk Rakyat	Student Solidarity for the People
Suku		Designation for ethnic group affiliation in Aceh
TNA	Tentara Negara Aceh	Army of the State of Aceh. Current name of the military wing of GAM
TNI	Tentara Nasional Indonesia.	The Indonesian Armed Forces
TPS	Tempat Pemungutan Suara	Polling Station
Ulama		Islamic religious scholars/community

1. ACEH: TSUNAMI RECONSTRUCTION AND HELSINKI AGREEMENT

Aceh has been in the world news and getting its attention since the last 30 years or more, but December 2004 Tsunami highlighted the plight of the destruction that was caused in the recent times by the 9.0 Richter scale magnitude earthquakes, which struck off the Indonesian island of Sumatra. The epicenter was later found to be located 3,32N 95,85E, approximately 150 km from the coastal area of Banda Aceh. The tsunami was recorded as the second largest wave in history, which swept across the Indian Ocean and made massive destruction across several cities located near the sea shores. In Indonesia itself the tsunami swept most of the west coast of Sumatra Island within a few minutes flattening almost 800 km of distance, almost the same distance between Paris and Berlin overland.¹ The Indonesian government recorded more than 132,000 as dead, and more than 37,000 missing.

The impact of the destruction on Aceh was visible by the maligned landscape which had turned horrible and resulted in a total shut down of all public facilities, economic system, civilian and government activities. There was lack of proper edible and nutritious food, adequate drinking water, communication and transportation. Many victims of the tsunami had become isolated, as bridges and roads were destroyed; many of

¹ BRR (Reconstruction and Rehabilitation Agency for Aceh and Nias)

them had managed to escape into the jungles and were staying over there without any relief for several days. Most of the relief for people in the interior areas arrived after several days by air transportation. Despite the reports which pointed out the need for medical assistance for relief and rescue to be carried out into the rural and isolated areas, most of the medical and relief teams preferred to work in the city, and some even refused to be deployed in the rural areas fearing lack of transportation and also the heightened security concerns, as Aceh was still reeling under conflict and martial law was still imposed.

The Indonesian government declared a national disaster, but even then the National Coordinating Board of Disaster Board (BAKORNAS PBP) was not launched until March 26, 2005. It was endorsed by the President Mr. Susilo Bambang Yudhoyono, and was put under the control of the Minister for Social Welfare to coordinate the international relief missions being sent from various countries. According to the records, 133 countries joined the tsunami relief humanitarian mission along with immense military troops, warships, airplanes, helicopters to manage the logistics, medical support, etc. It was described as one of the largest non-military war operation since the World War II².

1.1 Recovery set up by Indonesian Government

Following the end of emergency response phase, the government of Indonesia then set up the master plan for the rehabilitation and reconstruction of Aceh through presidential regulation No. 30/2005 on April 2005. And on the following day the President declared the establishment of the Agency of Reconstruction and Rehabilitation for the region and community of Aceh and Nias (BRR-Badan Rekontruksi dan Rehabilitasi) in Government regulation lieu of law No. 2/2005; later, after being passed by the Indonesian parliament, this emergency regulation became law No. 10/2005. Since that time, the reconstruction and rehabilitation process handling was formally done by BRR and everything was in accordance with the national Budget (APBN).

² BRR (Recontruccion and Rehabilitation Agency for Aceh and Nias)

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Estimation Loss and Project Plan		Actual Progress in 2006	Approx. %
People dead / missing	167,000	-	-
Displaces from home	500,000	-	-
Houses	120,000 unit	57,123**	47,5
Transitional house	-	15,000	-
Teacher	2500 death	5,124 teacher trained	49
School Building	2,006 Unit	623 permanent -379 temporary	50
Religious Facility	11,536 (damaged)	-	
Health Facilities	517 unit	468 Health Facilities	90,5
Fishing Boats	12,766	3,902 fishing Vessel	30,56
Fish Ponds	27,593	6,800 Ha	24,6
Agriculture land	73,869	48,830Ha	66,1
Roads	3,000 km	1,201 km	40
Bridges	120 unit	121 unit	100
Micro Credit	100,000 ukm*	-	

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Sea Port	14 unit	11	78,5
Airport	11 Unit	6	54,5
Tsunami waste	5,765,000 M3	1,060,307 m3 clean and processed, including reclaimed rubble for 52km road, 17,400m3 recycle timber.	-
Damaged productive sector	USD 1,2 billion	-	-
** Including Nias island * UKM (Small Business Unit) Source: Aceh and Nias Two Years after Tsunami report by BRR			

The master plan showed the estimated budget of IDR 60 trillion required for re-construction and re-habilitation in Aceh. This amount was to be obtained from national budget, a moratorium on the Indonesian government's debt of IDR 21 trillion, various commitments made by NGOs, donor countries, and private individual donors from around Indonesia and international communities.



Temporary shelter for tsunami victims

The recovery process was not smoothly implemented during the first or two months after the tsunami, when the survivors were struggling day by day with physical and psychological problems, lack of sanitation, post-traumatic shock, loss of loved ones, and sight of death bodies, as well as exacerbated and frustrated feeling. The bureaucrats within the

government and administrative machinery designed to work in a normal situation and were still paying much of their time discussing formal political matters, while the national parliament, which had held up approving essential budgets yet, until the government completed a grand development blueprint for Aceh and set up a reconstruction agency, lack coordination among the ministries, donors, and also the problem regarding of land rights. Another real challenge in the field is; heavy condition; broken roads, damage bridges, destroy port, total loss governance - working under an extreme areas and extreme mechanism - lack of resources; man power and material – the local political complexity – the social value after a tens years of conflict and under pressure periods

Aid workers and government officials agreed that after cleaning the dead bodies and reconnecting to the isolated places to supply the logistics and first aid medicines during the “tsunami emergency” response period, the next important step became helping people return to permanent homes. Many domestic and international NGOs became involved in providing temporary and permanent shelter for the people, even until December 2006, many housing project units still were going periodically. Some organizations had pulled out due to the protracted nature of work involved, and some units had become damaged due to the corrupt practices from the contractors and lack of quality control. Many people were left frustrated seeing the home reconstruction promise unfulfilled.

1.2 Conflict Resolution

Aceh conflict has been continuing for the last 30 years and still going strong in a post-tsunami scenario too. Previous attempts for reconciliation of the conflict such as Cessation of the Hostilities Agreement (COHA) failed, and the ceasefire agreements also did not work due to the lack of faith in each other by the parties to the conflict, namely TNI and GAM.



The signatory of MoU in Helsinki-Finland

Source : World Bank Report

In 2002, Aceh province was granted a special status, which allowed the Islamic Shariah law and greater revenue from the provincial income. The reasons of the conflict were seen as being the growing tension of the local population and migrants, who moved into the region following the oil and gas exploration, this got compounded by the ongoing

economic crisis impact and also by the fact that the military violence against Aceh was still continuing. This continued violence was leading to an increased support to GAM³, a factor strengthened due to the overriding distrust of the central government's actions by the local people.

The conflict history recorded the worst violence period during 1990-1998; that time the government declared Aceh as a "Military Operations Zone (DOM-Daerah Operasi Militer) and during 2003-2004 under the martial law, which was, still remaining until post tsunami stroke. During the emergency relief for disaster many international organization had problems to enter and distribute the supply because the central government did not order the military to abort the continuing search for

³ Tsunami and aceh conflict resolution, Svetlana Sinitchkina,
<http://www.american.edu/ted/ice/tsunami-aceh.htm>

the GAM soldiers or declare off the martial law. The heavy destruction did not automatically end in cessation of hostilities and conflict between both side (Indonesian government or TNI and Aceh Free Movement/GAM)⁴, even though both sides had been badly affected and lost many resources such as personnel, and war equipment as well. The TNI used this opportunity, and instead of concentrating their effort to help civilians affected by the tsunami, they continued searching for the rebellions. This situation gave TNI advantage in the ongoing conflict with the GAM, as they were the immediate in-charge of “humanitarian relief and security operation” which was in fact misleading.

But the impact of the tsunami was too strong and affected much with the environment, and pushed both sides to compromise. It proved worthwhile, as still despite the conflict situation each side gave a priority to how re-develop Aceh in the future. After holding many discussions and talks, finally a peace agreement was signed by the government of Indonesia⁵ and GAM⁶ on August 15, 2005, placed in Helsinki, Finland⁷.

The Indonesian government granted special autonomy, agreed to release the GAM prisoners and make corrections for economic concessions. GAM dropped the demand to be independent and agreed to hand over 840 weapons for destruction.

The Helsinki MoU had 6 (six) main points, which broadly are: the Governance of Aceh, Human Rights matters, Amnesty and Integration of the GAM ex-combatant into the society, Security Arrangement, the establishment of the Aceh Monitoring Mission (AMM) and dispute settlement of matters.⁸ To ensure and monitor the progress, the parties accepted the existence of a body to stand in between until the whole process is completed or any side withdraws their participation from the process.

⁴ Free Aceh Movement (Gerakan Aceh Merdeka) founded in 1976 Dr. tengku Hasan di tiro – a direct descendant of Teuku cik ditiro, the famous hero of Aceh war during independent war with Dutch in 1973-1913, Tiro.

⁵ Sign by Mr. Hamid Awaludin (the minister of Law and Human rights, representing of the Gol.

⁶ Sign by Mr. Malik Mahmud, (the Leadership of GAM) represent and On behalf of GAM

⁷ Witnessed by Mr. Marti Ahtisaari, the former Finland President and chairman of the board Directors of the crisis Management Initiative

⁸ Full of clauses content of the MoU completed in Appendix.

1.3 Aceh Monitoring Mission (AMM)

AMM was launched on September 15, 2005 according to the mandated clause of MoU Helsinki 1.3.3, and had the invitation from government of Indonesia and full support of the leadership of GAM, regarding the independent monitoring of the implementation of various aspects of the peace agreement set out in the MoU Helsinki, led by **Mr. Pieter Feith** from EU. Contributions from ASEAN (Thailand, Malaysia, Brunei, Philippines and Singapore), Norway and Switzerland, were made in providing monitors for the peace process in Aceh for 6 months terms. It was thereafter extended until 15 December, 2006 in order to contribute to a peaceful, comprehensive, and sustainable solution of the conflict in Aceh without any interferes to the territorial integrity and sovereignty of the unitary state of the republic of Indonesia. The main task was to oversee the decommissioning of GAM, and the relocation of non organic military and police forces along side monitoring the human rights situation, the process of legislative change and the reintegration of GAM members in the society.

AMM played an important role to ensure the peace process. AMM was a non-military mission, a civilian mission without carrying any weapons during the operation; some monitor members did have a military background to perform certain technical tasks required by the mission. The entire mission used white uniform with the AMM logo, which was easy to recognize. They patrolled and communicated with both parties. Due to the AMM assistance finally both sides succeeded in completion of the decommissioning of GAM armaments and relocations of non-organic military and police force. On January 5th 2006, GAM handed over 840 weapons, and the TNI and POLRI remained in Aceh at the maximum strength of 14,700 for the TNI and 9,100 for the police⁹. Around 25,890 military troops/TNI and 5,791 Police were withdrawn and relocated, and the government later on issued a policy to use the police only as a front line to maintain security and return the TNI to the barracks. It was also agreed that in the future new recruits and members of the police would be drawn only from the local areas.

⁹ The amount of the weapons that should GAM hand over mention in MoU Helsinki articles no 4.3 and for the TNI and POLRI in article no 4.7 as well.



The implementation of agreement – Source: AMM Website

Following the success of the process above, GAM officially disbanded its military wing (TNA) and demobilized 3,000 troops¹⁰ to be reintegrated with the society. The government of Indonesia showed a good sign by releasing many political prisoners from several country prisons in Indonesia; at the same time Government provided the re-integration program under the Aceh Re-Integration Agency (BRA) with special mandate to speed up the re-integration process of the GAM ex-combatants to the society and also give compensation to the victims of the conflict.

2. ACEH: FIRST DIRECT ELECTIONS FOR SELF-GOVERNANCE

With the conducive environment following the Helsinki MoU in 2005, the Government of Indonesia was willing to be more accommodative in giving Aceh more self governance. The Indonesian Government promulgated a new special law for Aceh, which was the most important point to support the democratization in the region. This provided an opportunity for the people of Aceh to have the right to participate in the political process in Aceh after a lengthy subjugation and suppression. The aspirations of the MoU became realities, and the Indonesian Government agreed to have political parties in Aceh and permitted them to contest the Parliamentary Elections in 2009. Additionally, the Government also proposed to replace the current temporary/caretaker

¹⁰ Article No.4.2 of Helsinki Agreement

Aceh Governor and head of district/Mayor immediately by holding a direct local election (PILKADA) in 2006.

The PILKADA can be considered as the most important aspect of the peace process. The election process and the results would provide a barometer of how the long term transition of Aceh from the violent conflict towards a political peace was progressing. These developments in the ongoing environment of peace give a positive effort to the economic and infrastructure recovery in a post-tsunami Aceh, and a



The ex-combatant arrive back to their village and welcome with tears of happy (source; world bank website)

region recovering from decades of violent conflict. Simultaneously, it has also been a right step to build an atmosphere of trust between the central Government of Indonesia and the people of Aceh. The Government of Indonesia now needs to prove their goodwill by sticking to the other MoU requirements.

2.1 Law of Governing on Aceh (LoGA)

The changes however did not happen easily. The law was debated and contested in the national parliament, and finally after a long dispute on July 11, 2006¹¹, the Indonesian National Parliament passed the Law on Governing Aceh (LoGA) registered as Law No. 11/2006, which operates consistently with the clauses of the MoU.

GAM complained about the law since its launch, stating that it was inconsistent in its implementation with many of the clauses mentioned in the MoU. However GAM accepted that it did contain the basic guidelines for holding direct local elections to elect a new governor and the district

¹¹ The clause article no. 1.2.2 specifies the election will be held on April 2006 at the latest. Delay in finalizing the LoGA meant this deadline was missed.

head/Mayor in Aceh¹².

With much deliberation the elections were scheduled for December 2006, and former GAM combatants, military -backed parties, and independent candidates obtained tickets to stand as candidates to be elected. This can be stated to be another major step in the process of democratization in Aceh, considering the election characteristics in Indonesia which is dominated by the political parties and for the first and the last time independent candidates would be allowed to contest Aceh's local elections.¹³ The system was designed to give an opportunity and confidence to the Acehnese people, who distrusted the political national parties and their electoral system, and to provide the participating space for GAM ex-combatants to be involved more in the democratic process until the establishment of the local political party (or parties) by 2009. After the local party comes into being, the next elections will use the original system where every candidate must represent and be appointed by a political party.

Not only was the system was different, the Helsinki MoU also made an effort to guarantee that the elections will run freely and fairly with the involvement of international stakeholders to support the elections, such as technical assistance and observers¹⁴. The LoGA also encouraged the election process to set more transparent and accountable systems by getting the local stakeholders to play a positive role as the main actors. The KIP was thus formed to manage the local independent election. The KIP was different in its composition from the National design.¹⁵ KIP had more independent members without any intervention from the central election commission, who were still facing problems of institutional and

¹² The elections for Governor would be held across 21 districts and district head/Mayor election occur in each of 19 districts. Another two districts will not have the head of Regency/Mayor election because their term had not yet expired (1 period for 5 years term).

¹³ Articles in LoGA

¹⁴ MoU Helsinki, article 1.2.7 "the outside monitors will be invited to monitor the elections in Aceh. Local election may be undertaken with outside technical assistance"

¹⁵ National design is Komisi Pemilihan Umum Daerah (KPUD) with 5 independent members, but KIP formed with 8 additional members + original KPUD Members, making 13 members in total.

individual performance.¹⁶ The KIP Commissioners were selected from the Provincial Assembly which represented the people of Aceh.

While the national stakeholders were still in dispute regarding the LoGA and MoU, the elections faced a serious problem because there were only five months to go to election and the preparations had not even begun. Practically, the Provincial Assembly had a very short time to arrange the LoGA to be in Qanun as a formal regulation. This would provide the detailed instruction, such as forming KIP and forming the detailed regulation for the implementation of the whole election process. KIP also faced a similar problem; after their selection and inauguration by the DPRD; and they had a race against time to organize for the election. This would include the coordination and establishment of mutual understanding among the commissioners, organizing KIP's structure and training at District Level, organizing the financial support, attending to the candidates' problems, and election management involving logistics and distribution of operational matters. Some people described this as mission impossible.

The challenges were serious, but there was great spirit and commitment from the commissioners and support from the Acehnese people: they worked hand in hand and succeeded in passing through the process stage by stage. Finally, KIP took control until the elections were over after December 11, 2006, without any major accident or violence in the region.

2.2 Electoral System

The elections were to be held on December 11, 2006, in order to elect the Governor/Vice Governor and at the same time to elect 15 Bupai/Deputy of Bupati and 4 Mayors/Vice Mayor through direct election. This involved voters directly indicating their choice by marking the ballot papers, this was later termed as the PILKADA elections in the electoral law in Indonesia.

The PILKADA was regulated by law No.32/2004 on the issues of local

¹⁶ Only 3 members of Central election Commission (KPU) remained after two members had resigned. One commissioner, the signatory of the Helsinki MoU, was appointed to be Minister of Law and Human Rights-) and another commissioner was in prison/court for corruption.

governance, which clearly outlined the new mechanism given by the DPRD to hold the direct election. It was also addressed again by the PP in the Government law no. 17/2005 which replaced the previous Government's law no. 6/2005 about the elections, appointments and suspension of the head/vice head of the area (Governor, Bupati and Mayor). For Aceh's local election the National Government and the Parliament needed to design a regulation of the election together with other matters about the governance in Aceh and elections as a package according to the Helsinki MoU. The system that was agreed in the case of PILKADA elections in Nanggroe Aceh Darussalam thus reflected a compilation from the national and provincial law and was in fact in some elements against the basic national law. However, the LoGA was passed by the National parliament as a step towards building trust to continue the peace process among the parties involved. The LoGA proved to be a meaningful step towards the peace-building and future of Aceh, which included some important articles on arranging and holding the PILKADA.¹⁷

Once the President of Indonesia signed the law, the LoGA gave temporary authority of Aceh to Mr. Mustafa Abu Bakar and the chair of the DPRD. These officials had to further arrange for the articles to be reflected in the local Qanun, to define and outline the elections' details before the process was started.

On hindsight, the process of holding the elections was amazing. Especially considering the available time and the pressure to deliver and considering all other aspects to settle everything in time for the PILKADA meeting all legal aspects and formal institutional management.¹⁸

The election system had welcomed candidates from political parties and independents as well. The independent candidates were allowed to contest the poll as long as they fulfilled the criteria of gathering at least 3% of the support of the total population of Aceh: the support was also to be obtained from a minimum of 50% of the number of Kab/Kota for a Governor candidate and 3% support from the Kabupaten / Kota

¹⁷ Three chapters deal with the Pilkada of Aceh in LoGA: chapters No. 9, 10 and 11

¹⁸ Qanun No. 7 was the final law regulating the Pilkada after three changes from Qanun No. 2 and 3 and 5. The full Qanun no. 7 is attached at the appendix.

population, which were spread out in at least 50% of Kecamatan for the Bupati/Mayor candidacies. All the supporting documents were also to be proven by original signature and a copy of the ID card, passport, driving licenses, or other formal letter from local authorities.¹⁹ This was difficult considering that some people may have lost their documents due to the tsunami. The candidacy could also be endorsed by a political party (either on its own or in coalition)²⁰ provided certain requirements were met. The party must have at least 15% of the seats in parliament, or 15% of the total valid votes in the relevant election (e.g. members of DPRA/DPRK²¹ for both Governor and Bupati/Mayor election).

The PILKADA of Governor and Bupati/Mayor was held together on the same day: December 11, 2006, in Aceh's all 21 districts²² starting at 08.00 am lasting until 2.00 pm. It was also agreed that as soon as the Polling stations close, the counting would start based on polling stations, and would continue with transferring of the ballot papers. These ballot papers would be aggregated based on the patterns given by hierarchy of the KIP until finalization at the District and Provincial level giving the final result of the election.

Victory require the pairs of candidates to get 50% votes + 1 of the total valid vote in province for Governor Election and 50% votes + 1 of the total vote in one district/municipality for the Bupati/mayor election²³. If the candidates were unable to get 50% of the votes, the winner would be the pairs of candidate who received more than 25% or obtained the most votes of any other candidate pairing. If neither of these circumstances existed, or there were no candidates obtaining 25% of the valid votes a second round of elections was required. This would involve only the paring candidates who had received the greatest and second greatest

¹⁹ In accordance with the LoGA article no. 68 and Qanun No. 7/2006 article No. 34 point 3

²⁰ Current political party means the parties already established and having a seat in the Provincial parliament, nevertheless the system allows any local party to endorse candidates after it gets a seat in the next 2009 election.

²¹ According to Qanun No. 7/2006 article No.34 point 2

²² Except 2 districts; Bireun and Aceh Selatan are not running for Bupati Election as the term of duty of both Bupati has not expired yet.

²³ Qanun No. 7/2006 article no 69

number of votes²⁴. The implementation of the second round of elections was to be carried out within 60 days, after the results of the vote count in the first round were determined.

The election results would be announced by the KIP NAD through a decree, and after that the elected Governor will be inaugurated by the DPRA, and for the election result for Bupati/Deputy of Bupati and Mayor/Deputy Mayor will be announced by the KIP Kabupaten/Kota Level and then inaugurated by DPRK.

2.3 Election Administration Bodies

2.3.1 Komisi Independen Pemilihan (KIP)

Better known in the English language as the Independent Election Committee of Nanggroe, Aceh Darussalam were and formally known in Indonesian as the body called KPU (Komisi Pemilihan Umum-National Election Commission), this conducted and managed the national election administration. However KIP was only formed in Aceh, which was different to other Indonesian provinces where the elections were conducted by the KPUD. The establishment of KIP was in accordance with LoGA and the details of its function and technical operation were in accordance with Qanun No. 2, 3 and 7/2006. KIP had 11 commissioner members five of whom were KPUD members, and the other 8 were elected by DPRA after selection by the ad hoc independent team of DPRA. KIP was inaugurated by the Aceh Governor on March 3, 2005 for a five year term. Two of the commissioners were women. KIP's provincial level office had the obligation to report to DPRA about the mandate, and to the Governor regarding the financial spending that followed the mechanism of provincial financial procedure.

KIP has a hierarchical structure to implement the election agenda. KIP's centre at the provincial level was placed in the capital Banda Aceh. KIP also has a structure in all District or KIP Kabupaten/kota level, in sub district/Kecamatan level called PPK (Panitia Pemilihan Kecamatan), and in the village level/Kelurahan is PPG (Panitia Pemilihan Gampong).

KIP Kabupaten/Kota (district level) have 5 members appointed by the

²⁴ Qanun No. 7.2006 article no. 69 point 1, 1-b and 1-d

current Bupati/Mayor. The members are mostly former KPUD Kabupaten/kota members,²⁵ due to the time and resource limitations, with the main duty to manage the election process in the district for a five year term, and handle the bupati/mayor election process on the districts.

The PPK (*Panitia Pemilihan Kecamatan*) or the independent election administration at the sub district level, has three ad hoc members who were selected by the KIP Kabupaten/Kota after passing several tests. The main role of the PPK is preparing and executing the election process at the sub district level. It also addresses statistical matters.

The PPG (*Panitia Pemilihan Gampong*) or the independent election member at village level is selected by members by the PPK and has the main role of engaging the polling station officers who will work only on polling day.

In relation to training, all the hierarchy have an obligation to do top down training for trainers, from the highest level in to the bottom ones. The last ones to receive training is the KPPS (polling station staff).

2.3.2 PANWAS PILKADA NAD (ELECTION SUPERVISORY BODY)

Panwas Pilkada Aceh or election supervisory body is an institution supervising the implementation of elections organized by KIP (Komisi Independen Pemilihan)²⁶. The structure and establishment of the Panwaslih was in accordance with the LoGA (law no. 11/2006 article 60) formed upon the enactment of the LoGA itself. It expires three months after the elections, following the inauguration of the Governor/Deputy Governor, Bupati/Deputy of Bupati and Mayor/deputy of Mayor offices respectively.

The five commissioners are proposed by the DPRA/DPRK. The composition of the Panwas consists of a chairman, deputy chairman and three members representing various professions such as ***Police, Prosecutor, Journalist, University academics and Independence***

²⁵ KPUD is the Election commission in district level under the National Election commission.

²⁶ Article 20 and article 85B of the Qanun No. 7/2006, article 1 point 12 of the Qanun 7/2006

figures ²⁷. This formation was considered necessary to help speed up the investigation and prosecution process for the election violation cases.

The Panwaslih in the province is assisted by Panwaslih at Regency/City and district levels while performing their duties²⁸. Both are the part of Panwaslih Aceh overseeing and monitoring the implementation of the election in district and sub district.

Panwaslih is an ad-hoc institution established with the mandate to supervise all the phases of the Aceh election. This includes receiving and following up complaints, and settling disputes in the implementation of the Aceh election; referring all unsettled findings and complaints to the concerned authorities such as the High Court and the police, and arranging coordination among the committees for election supervision at all levels²⁹.

Panwaslih is a state organization assigned to maintain the transparency of the election.³⁰ This is a unique situation and creates possible conflicts of interest. For the election, two separate election bodies will have overlapping authority and responsibility. It is possible that during the election, the main body KPU will dominate or try to obstruct Panwaslih's work.

Dispute settlement is required to handle problems regarding the counting and election result when already announced by KIP where doubted or complained of by the candidates. Candidates can lodge an objection, accompanied by supporting evidence, with the Supreme Court (the outcome of disputed cases can change the election result significantly) only within three days after the KIP's announcement of the result. The Supreme Court must decide the cases within fourteen days

²⁷ Article 20 section (3) and article 85B of the Qanun no.7/2006

²⁸ Article 20 section (2) of the Qanun No.7/2006

²⁹ Article 62 of Law no 11/2006. According to Article 1, point 3 and 7 PANWASLIH Aceh Decree No. 29/2006. Supervision is an activity requiring observing, reviewing, inspecting, and evaluating the election process pursuant to the laws and regulations to ensure direct, public, free, confidential, honest, and fair and just elections as well as ensuring that the election is implemented consistently based on the election law and regulations

³⁰ For the Aceh election the PANWASLIH following the LoGA article 60, and already inaugurated 5 person

after receiving the complaint. The Court's decision is final.

During its observation mission, there was also a possibility, due KIP and Panwaslih's overlapping responsibilities, that ANFREL may have been needed to serve as an intermediary between KIP and Panwaslih. ANFREL had not yet discussed the administration of these two bodies and needed to get a good understanding of their structures, roles and responsibilities. However ANFREL was faced with the question of having an adequate check-and-balance system for the election in order to assure the elections were being executed, monitored and observed properly.

During ANFREL's training to commissioners from 21 sub-districts, the most important matter that was discussed was neutrality and transparency. Security was also an important issue one that KIP especially was required to pay attention to. Mr. Mawardi Ismail, Dean of Faculty of Law from University Syiah Kuala (Banda Aceh), told the team on the following day that there are two factors that can make the election peaceful. *First* are the provisions in the Election law itself (LoGA) and the Provincial Regulation (QANUN). *Second* was the effectiveness of the electoral administration and its transparency. The dean noted two weaknesses of the regulation. First, Muslim candidates were obliged to read Al Qur'an. If they were not able to read Al Quran, they were deemed incompetent for the election. Secondly, Panwaslu's operation was only at the sub-district level; there was no-one assigned to work at the village level.

At this stage the Panwaslih had received complaints from candidates who had failed to qualify the Al Qur'an recital test. The cases were referred by Panwaslih to the KIP. Due to funding limitations, they had only 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 may be prone to voter manipulation.

The areas of Aceh Selatan needed international observers to be present on the polling day. The sub districts of Bireun, Panwaslih had 3 personnel. They would be observing the whole process of Pilkada

including the Pre-Pilkada, Pilkada Day and the counting process. They had to also observe the KIP administration and field work. In many areas the Panwaslih did not have adequate manpower to monitor the polling process. Efforts to recruit volunteers were occurring before the elections were held. Interestingly, however, unlike the district level Panwaslih office which was under-staffed, the subordinate office (sub-district level) was better equipped and more prepared. A good number of the staff from the sub-district level office was constantly out in the field. On the other side, Panwaslih in some districts tried to cooperate with other independent monitoring group to make more effective observation. For example the 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.

Contrary to its role as a supervisory and monitoring body, the Panwaslih in *Aceh Barat*, *Nagan Raya* and *Aceh Barat Daya* came in for sharp criticism from civil society for taking sides, supporting political parties and ignoring complaints regarding campaign violations and irregularities. The credibility of the Panwaslih as a neutral body took a beating in these areas. In *Aceh Barat*, Panwaslih chief Mr. Muzakkir Abdullah was in fact the Secretary General of the PPP, a political party. The Panwaslih chief was reportedly openly supporting a certain candidate.³¹ Complaints by NGOs to the Panwaslih Provincial office about this gross abuse of office had fallen on deaf ears. There was fear and dejection amongst the people of the politician of the Panwaslih. The Panwaslih has refused to register complaints regarding vote-buying by candidates. The non-existence of Panwaslih at the sub-district level left people frustrated as they were not able to lodge complaints.

Panwaslih in *Lhokseumawe* and *Aceh Utara* faced financial problems. Before the elections, they had not yet received financial support from the local government even though they had already recruited 1035 volunteers. The local government had promised to transfer the money but that had yet to be translated into action³². Panwaslih *Lhokseumawe* requested ANFREL to highlight this issue. The KIP in *Aceh Utara* had

³¹ Sourced from newspaper articles.

³² Based on interview with chief of PANWASLIH in *Lhokseumawe*

similar financial problems which have given room for possibilities for cancellation of the Pilkada and these Panwaslih members felt the process of holding the election was too hasty. They firmly believe that more time was needed to conduct a “good pilkada.” The formation of the Panwaslih had been delayed as it had come after two important processes such as voter’s registration and nomination of the candidate³³.

The *Gayo Lues* officer in charge of the Panwaslih clearly stated that there was a “...need for more resources. The officer here does not have sufficient computers..., transport facilities, communication facilities etc. We have requested more resources from the central government...”. The problem faced by Panwaslih has been financial constraints. The delay in distribution of funds by the authorities appeared a handicap to efficient functioning.³⁴

As a result, the Panwaslih had to drastically cut-down its manpower and sought support from international observers and other organizations. The conflict between Panwaslih and the KIP regarding settlement of cases of administrative irregularities was a pending issue and had yet to be sorted out. The Panwaslih office in *Aceh Barat Daya*, *Nagan Raya*, and *Aceh Barat* continued to function irregularly and a number of complaints from the public and candidates during the campaign process went unheard.³⁵

3. PRE-ELECTION OBSERVATION

ANFREL was present in Aceh to observe the situation and the preparations for the upcoming historical local self-governance elections. This election was a result of the peace talks and a commitment by the conflicting parties to the Helsinki MoU. ANFREL’s assessment team was sent in August and October 2006 to meet with the key actors and interact with the people of Aceh in city and rural areas, and to directly collect some preliminary information. The assessment team undertook all necessary preparations on the ground before the core team arrived and

³³ Based on interview with chief of PANWASLIH in Aceh Utara

³⁴ Interview with the central PANWASLIH chairperson in Banda Aceh

³⁵ Visit and interview with the PANWASLIH in Aceh barat, Aceh Barat daya, and Nagan Raya

started their Pre-election day observation from November 15th – December 10th 2006 in the various sub-districts of Aceh. During both periods of observation (Assessment and Pre-election day) ANFREL noted its findings which were announced to the public through press releases and weekly reports. ANFREL also engaged with election stakeholders and from its findings proposed a series of recommendations for a better election. A short summary of the findings can be seen below:

- There were several issues of concern, such as delay in distribution of voter cards, ballot papers and delay in finalizing voter lists. The election-related budget was not allocated and distributed on time to sub-district level offices of the KIP and this caused serious problems in some areas.
- The PANWASLIH also had limited resources and this affected their manpower and mobilization. Lack of manpower and frequent conflicts with the KIP led to non-registration of complaints by the PANWASLIH in many areas.
- PANWASLIH was not entirely neutral in several areas. In Aceh Barat Daya, for instance, the PANWASLIH member had links to political parties. The level of cooperation of the PANWASLIH was also poor in some areas.
- Variations and irregularities in voters' registration cards, invitation letters, 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. For example, candidates were allowed to hold campaigns beyond scheduled campaign periods. One television station 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 elections.
- Use of money by candidates to influence voting intention.

3.1 Political/Electoral Environment

Aceh, a year after reaching a peace agreement and whilst still under post-tsunami construction and development, is a unique challenge for the election observation mission. It appeared to have been difficult to achieve normality in the light of the new social, political and geographical developments taking place in the country. The population no longer experienced restrictions or threats, military check-points blocking the road; there were no more Brimob sweeping in the villages or markets; and it was again possible to see children playing happily in the streets and schools and women laughing in the traditional markets, which remained open until late at night. The atmosphere in the country was totally different to the situation during the previous conflict-filled years, during which there were no civilian activities after Isya³⁶.

ANFREL found the overall situation to be peaceful and calm. The Acehnese, as well as the NGOs and military, were happy with the ceasefire and peace agreement (MOU). People agreed that, while the tsunami was a terrible tragedy, it had brought Aceh's political conflict to an end. The success of the Helsinki Agreement could be attributed to the cooperation of the Indonesian government, the Free Aceh Movement (GAM), and international bodies. Everyone was looking forward to the coming elections and with it the prospect of self-governance and democracy.

Minutes after touch down in Aceh, it was easy to recognize that peace had improved the situation., rFom the Airport, which was located outside

³⁶ Isya: night prayers for Muslims approximately 1900 hrs.

the city, there were no signs of the previous military check-points, such as TNI/BRIMOB set up a few years ago³⁷. Yet the tsunami destruction, wreckage, and waste were very much visible in most parts of Banda Aceh. GAM criticized the delay in the building of new houses for the survivors. The central government had prioritized the construction of military compounds and buildings in Banda Aceh rather than shelters for local people. The reaction of the people in the tsunami-affected areas was mixed, on one hand the people were happy that a true democratic process was unfolding, and on the other some were angry with the politicians and the government for not properly providing the adequate financial support so as to rehabilitate the displaced and affected people. Some of them said that *"Election is politic[s] and politicians have not done anything for us, we don't see what different this election will...bring for us"*. However many Acehnese in city and rural areas were optimistic that the process would bring democracy, economic uplift, and social security to the neglected province of northern Sumatra. Although there were skeptics, who felt that everything depended upon the outcome of the elections, their numbers certainly did 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".

Many issues which could have an impact on Aceh politics and elections started to surface. These included security, money politics, influencing voters, threats and intimidation, political party rivalry, voter education, voter registration, training of trainers for polling officials and women's participation in elections. The decisions of the Aceh Election Commission or KIP were influential, and party coalitions and the responsibility/sharing of electoral duties all played a significant role in the conduct and success of the Election Day.

From the field, GAM reported that approximately one million demonstrators organized themselves on 15 August to protest against the Law on Government of Aceh (LoGA) which they claimed conflicts with the MOU. This day also marked the one-year anniversary of the Aceh and Indonesian government ceasefire.

³⁷ During conflict and Aceh under DOM (Military Operation Territory) military check points were common everywhere, especially on main roads and near military compounds.

The 11 December election was to be a local level election. One governor and 19 mayors in 21 districts were to be elected. The election ballot process was to be similar to that of Indonesia where a nail (coblos) or another sharp object was used to punch a hole next to the preferred candidate. A number of KIP directors and staff members had previous experience of working in local and national elections, and faced the challenges of time constraints, lack of facilities and delays in financial support.

3.2 Political Parties and Candidates

The candidates' registration process was started with 11 candidates representing four parties and an additional seven independents. According to LoGA, the candidacy from the political party should have a minimum support of 15% seats in the provincial parliament (DPRA). The political parties were able to form coalition parties to reach the minimum threshold.³⁸

The local political parties and coalitions could submit their candidates' names for election³⁹; however, they must first be represented in the parliament. So, in this case the local parties would not have been able to run for election as Aceh is not represented in parliament yet. Initially, for this election, the only means for candidacy was to be an independent candidate. There was a statutory obligation upon independent candidates to collect signatures from 3% of the Aceh population⁴⁰ (about 130,000 names) to contest the governor election; it varied for the mayoral races. The candidate was required to attach a copy of the ID cards relating to each signature.

This obligation made the independent candidates unhappy. It was a difficult obligation to meet as the candidates were required to wait for the KIP to issue the signature forms before they could look for signatures and they were to submit the forms within 15 days.⁴¹ ANFREL raised several questions with KIP including whether 15 days was a viable time to collect signatures, the equality in candidacy and how KIP

³⁸ LoGa article 67 point (a) and KIP decree no. 19/2006 article 6 point 6

³⁹ LoGA article 67 point (b)

⁴⁰ LoGA, article 68 point (d) and KIP decree No. 19/2006 article 6 point (5)

⁴¹ KIP Decree no.18/2006 about the election schedule and KIP decree No. 19/2006 article 6 point 3

checked if one voter signs his/her name to more than one candidate (especially since they do not have computer systems in every area).

The 11 December elections were the only opportunity for independent candidates to campaign in an election; because by the next general elections, GAM will be requested to form a party and represent the populace. As a result several candidates and parties began their campaigning. PKS and PAN were still strong in the city, while PPP/Golkar was popular in the rural areas. GAM had more support from villages than the city.

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A local organisation which recently founded a formal political party was the Aceh People Party (PRA), a local socialist party established to respond the agenda of MoU Helsinki. PRA did not participate in this election. During the period of martial law, PRA went underground to fight with the military.⁴³ PRA is socialist while GAM is nationalist, according the leaders of the party. Parties were active in working to consolidate and increase their membership to support particular candidates.

⁴² KIP Decree no.18/2006 about the election schedule and KIP decree No. 19/2006 article 6 point 3

⁴³ Most of the members of the PRA are in underground movement groups in SMUR (Solidaritas Mahasiswa Untuk Rakyat) and the strongest activist has been the target of operations by the military/police

1

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8

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CALON WAKIL GUBERNUR



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Tempat/Tgl. Lahir: Banda Aceh, 11 Juni 1982
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CALON GUBERNUR



H. H. Saibani Hossain, MS

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The presidential and parliamentary election 2004 results indicate that Golkar, PAN, PDIP, PKS, and PPP were still the strongest parties in many areas. PBB and PBR seem to be small parties. Each party had a policy for the future of Aceh. Most of the parties told us that if they are elected they will give priority to the economy, education, employment, and good governance for Acehnese people.

The team interviewed a retired General Lieutenant from the TNI army who was a candidate from the coalition parties (PBR+PPNUI+PKB+PD). Aceh law, as with Indonesian law, does not allow active members of the military to vote in any election. Retired members of the military may vote. Gen Lieutenant Tamlicha Ali explained his election platform: if he is elected, he will allocate 20% of the national budget to give the Acehnese free education. He reiterated his concern about security for this election. He wants KIP to ask for military assistance to safeguard the polls with 10,000 police from Jakarta. Currently there are only 9,100 police deployed in Aceh.⁴⁴

After struggling with all kinds of procedural requirements, and collecting signatures and verifying supporters, there were only 8 candidates who could contest the Governor Elections and 122 for Bupati/Deputy Bupati and Mayor/Deputy Mayor. It was a very difficult campaign on the ground for the independent candidates who were using all the resources available to them to collect the required supporting evidence from people within the short time given. The requirements were criticised by NGOs and candidates, as unfair towards the weak or poor candidates, due to the problems in conducting the “collection operation” in the whole district, and moreover there were bound to be advantages for rich and strong candidates to use their resources (i.e. money and man power) to collect the required documentary support, which would be beyond the means of poorer candidates.

In the end, three pairs of candidates for governor election, including two female candidates, were disqualified because of their inability to collect the required documents. Among the remaining eight candidates there were no female candidates at all.

⁴⁴ MoU Helsinki article No. 4.7 and 4.8

3.3 Party Conflict: Vertical, horizontal and internal

Following the result of the tests and verifications of those who endorsed the candidate, most candidates were able to continue their candidacy. Upon the announcement of the candidate names a protest was recorded regarding the process (recital Al'quran and Healthiness'), This resulted in increased tension amongst the candidates and their supporters. Not only were the results and the entire process full of risks, but there were also complaints from the grass roots party supporters. ANFREL also identified some conflicts which have been classified in three groups.

- **Individual / group and the state.** This refers to a conflict between the party/individual candidate and the election administration body (KIP or PANWAS). During September 2006, several incidents were recorded involving members of the community, when they were demonstrating and questioning the Decree letter and neutrality of PANWAS and the KIP commissioner, who had been selected by the DPRD. In Banda Aceh, one of the female candidates for Governor lodged a protest with the Ministry of Interior regarding the recital of Al' Quran. The complaint was about the requirements of the test, which were unclear and unfair, and demanded the dismissal of the KIP. In Aceh Utara protests and big demonstrations were took place when the KIP rejected a candidate who had affiliation with KPA/GAM, almost causing political chaos,. Initially, this did not spread to the grassroots but became more violent, until finally the candidate himself accepted the decision and withdrew from the contest.
- **Internal party conflict.** Conflicts increased inside political parties from the beginning of the candidacy period, with different people wanting to secure themselves as a candidate. In the beginning of August 2006, 7 incidents were noted inside the leading parties. These parties being PPP in Aceh Utara, PPP in Aceh Tengah, PPDI in Aceh Tenggara, Democrat party in Aceh Barat Daya, PDI-P in Aceh Barat Daya, and Golkar in Langsa.
- **Internal Government Conflict.** In the middle of October 2006, conflict inside the government institutions was also noted between those who were taking responsibility for the election preparation (i.e.

conflict between the KIP, Panwas) and the DPRD who were taking responsibility for the operational budgeting. Until October 2006, the KIP and PANWASLIH did not receive any budget, and not wanting to frustrate the whole process, they created a self-fund to operate within their agenda. Although all KIP and PANWAS members were confident that they could hold the elections on schedule, the financial issues they faced affected their focus and the quality of the election itself.

Another challenge faced by the Government institutions was the delay in issuing regulations. Many of the election timetables were postponed while waiting for the regulation from central government (i.e. regulation about the observers both international and domestic). This brought about conflict regarding the issues that were pending among the various agencies.

3.4 Situation of GAM

It is clear that the Free Aceh Movement (GAM) played a significant role in resolving the conflict in Aceh. During the conflict between the central government and Aceh, over 15,000 people died, disappeared, or were injured. In addition, the tsunami tragedy took the lives of many GAM members. After the significant losses from war and disaster, the ending of conflict after the tsunami, although unexpected, was welcomed. With international support, GAM and the central government agreed to a peace treaty, which was later ratified in Helsinki, Finland. Both sides agreed to end the conflict, death, and destruction. The final component to a peaceful civil society is, the return of power to the Acehnese people. Self-governance will allow the Acehnese people the political freedom and independence to which they are entitled.

Peace and self-governance however does not lead to total harmony. When the ANFREL field team interviewed students and party members to assess their views of GAM, they reported internal conflict and fragmentation. GAM was unable to agree upon either a representative, or the number of candidates to participate in the election. The general view is that although GAM has radical ideas regarding the Indonesian government, they are ineffective leaders. As one student reported, "GAM just tells people to hate the Jakarta administration and the military

(TNI)". To date, GAM has yet to establish any concrete policies to benefit the Acehnese people.

In response to the upcoming election GAM initially seemed confused in making a political decision, unable to decide between submitting a candidate for the upcoming elections, or just waiting for other political possibilities. Up to the time of the GAM/KPA assembly being held in Banda Aceh, GAM had decided not to provide any representatives to campaign in the Governor and Mayor/Bupati elections. However, GAM/KPA allowed members to become candidates in their personal capacity but not representing the organization. Two persons who had affiliation in GAM/KPA ran as candidates for different parties: Mr. Hasbi Abdullah ran for Deputy Governor pairing with Mr. Humam Hamid, a candidate for Governor with PPP as a vehicle. In another area Mr. Irwandi Yusuf from KPA (acting as a GAM representative in AMM) stood as an independent.

An additional point must be made here. It came to light that there was an intra-party conflict between the some candidates who stood for GAM/KPA at the local or provincial level. Two candidates, who had the same affiliation (Human-Hasbi and Irwandi-Nazar) claimed support from the organization leader in Sweden. After the clarification process it was found that the support letter for Irwandi-Nazar was fake. It cost Irwandi the leadership of KPA/GAM as a representative of GAM/KPA in AMM. He was replaced by Mr. Muzakir Manaf. This affected many other political aspects of GAM/KPA and made the organization weak.

4. ELECTION ADMINISTRATION

4.1 Voter Registration

The total number of tsunami-related deaths remains unclear and disputes are still on even the government through BRR (Reconstruction and Rehabilitation Agency) has announced an official number of victims. Some estimates put losses at 200,000 while the GAM reports 250,000 dead and missing and remaining automatically disputes about the current statistic of Aceh for the basic registration.

The election commission (KIP) was also unable to provide information if the victim's names were to be updated on the voter list. Aceh population statistics declared 4,031,589 eligible voters; ***to be eligible; a voter must be over 17 years of age and participate in election processes for the December 11th local election.*** Until October 2006 KIP confirmed that almost 75 percentage of registration process was finished and still on going until the schedule end. Initially the government of Aceh got supported by GTZ (Gesellschaft für Technische Zusammenarbeit)⁴⁵, it was planned to replace the Aceh red-white ID card⁴⁶ with the new card which similar with other provinces.

However many people until December 2006, even in the city were still using the old red-white ID cards and did not have an idea when their old ID card was to be replaced. Meanwhile the people were still waiting for the Temporary Voter's List, to check their name for changing and get the corrections done if their name was not in the list.

Although the due date for announcing the complete list of voters was on 8th November 2006, the KIP stated that the delay was owing to non-completion of the process of enlisting voters and deleting names of missing and dead voters. The GTZ (Germany Development Cooperation) had been entrusted the job of compiling the voters' registration. KIP and PPK offices worked in conjunction with Bupati and Camat (chief of district) of Interior Affairs to corroborate voter list.

In some sub-districts ANFREL saw a positive result of voter registration, no one has been a denied registration, and there have been no filing of 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 the Mosque, in the markets outside Kecamatan 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

⁴⁵ The Germany company who working to the statistic, population and voter registration)

⁴⁶ The Id card issuing during the conflict under the martial law to distinguish the civilian and GAM⁴⁶

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⁴⁶ The Id card issuing during the conflict under the martial law to distinguish the civilian and GAM

ACEH: Balloting for Peace and Democracy / Pilkada Nanggroe Aceh Darussalam, 2006

Population Department. But in some other part of Aceh, especially in rural and tsunami area the registration of voters has a negative result and continues to be a cause of concern all over Aceh.

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 Singgkil	86.658	300
Aceh Tenggara	114.880	492
Gayo Lues	46.681	197
Simeuleu	47.301	196
Total	2.632.935	8.471

Source: the KIP Media Center

However during the first few days of visit to different parts of Aceh especially in rural area it was learnt that there were 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 to ensure that names of eligible and genuine voters are not left out from the voters list.

The observation record several finding for the voter registration and Voter card distribution problem as in:

Aceh Jaya for example, complaints were galore about the KIP not registering all voters. The most affected seems to be the fisher folks who said that they were not interested in the Pilkada as they did not receive voter registration cards.⁴⁷ Many said they did not know about the registration while others claimed that KIP/PPG did not send its officials to their houses to register them. However the Chief of the village called Ujang Mulie near Lam No said that the voters' registration process was completed two months back with the involvement of the PPG and KIP.⁴⁸ He was confident that most fishermen would turn up for voting as on election they do not go to the sea.

And intriguingly the same concerns were raised in *Banda Aceh*, notwithstanding its better access to the KIP headquarters. Residents of *Peulanggahan*⁴⁹ in Banda Aceh who have been badly affected by the tsunami seemed to care little even if their names did not figure in the voters list. Aceh Jaya is a case in point of either lack of voter education or sheer ignorance by the residents as some data/audit⁵⁰ claim that the voter registration has been high up to 87 percent. Whatever be the case there was a definite problem as the voters seemed unaware of the fact, that, they have to be registered or they do not know where to cast their vote.

⁴⁷ Fisherfolks in Lamno

⁴⁸ Interview with Keucik (chief of the village)

⁴⁹ Interview with the residents and media reports/Jakarta post and Serambi Indonesia daily news paper

⁵⁰ Jurdil Aceh Independent Audit and USAID supported IFES Survey.

In Aceh Utara, the chief of the village had been repeatedly adding names of new people to the Voter's list⁵¹. The voter's registration cards were yet to reach the KIP in Aceh Utara from the KIP branch in Banda Aceh. KIP in Pidie had a problem with the database of voters. The software that they used was always getting hanged, the name, spelling of the voters were mostly wrong and the software being used was only capable for 10,000 names while there were more than 300,000 voters in Pidie. This is perhaps why the names of voters in each polling station were yet to be registered⁵².

In Gayo Lues, the KIP had not visited the prison, but they registered the prisoners as voters from their family members in their homes⁵³. The problem remained that for the constituency area where the voter would vote, if the prison was out of their residence, the prisoners would lose their right to vote. ANFREL observer visited the prison and met prison officers and prisoners. When ANFREL observer discovered that prisoners were not registered, the matter was brought to the notice of the KIP chief, following which, the registration process was started. Prisoner's knowledge about the election was mainly through visitors and they were interested in voting. However, a person serving a prison term for over 5 years could not vote. Prison officers had the right to vote, but the police and TNI according to the Election regulation were not allowed to vote due to the political situation post Soeharto regime to maintain the neutrality in terms involving in political practice⁵⁴.

The same thing also happened to many residents in *Keude Bakongan of Aceh Selatan*, they said they were not registered to vote and knew nothing about the elections. Also, PPK *Bakongan* reported that a software snag managed by the GTZ had registered all voter ages as 20 years old. PPK said this caused them to delay their second posting of the registration lists as no mechanism to compile standardized post election data. And in other observation site ANFREL found a complain

⁵¹ Based on Interview with Members of KIP in Aceh Utara

⁵² Based on Interview with the member of KIP in Pidie

⁵³ KIP Officer

⁵⁴ Soeharto is the former Indonesian President and lead the country more than 30 years, during that time police still under the National armed forces structure, the Military play dual function not only a national security guard but also as a political power which affiliate with ruling party.

about voter registration double entry received by PANWASLIH in Gayo Lues from Golkar party No-1. Usually Camat (sub district chief) gives the voter registration to the PPK, and then PPK gives those details to the KIP, but in this case Camat gave the details to the PPK as well as to KIP. An investigation had been initiated to establish whether this had been done by mistake or if it was planned.

4.2 Dispute of Voter Card

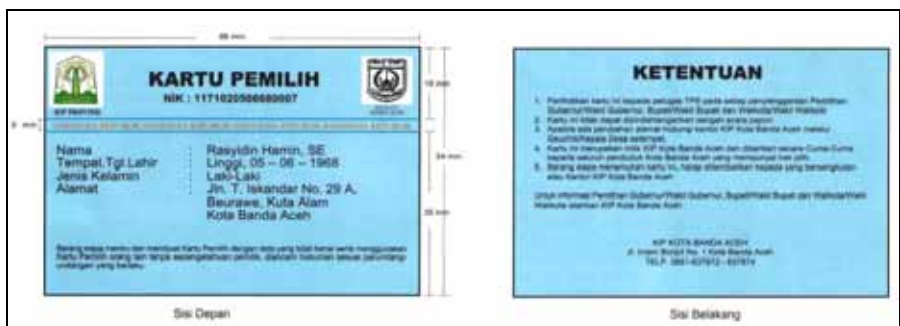
Meanwhile, what continued to be worrisome was, that there were, conflicting reports on voters' registration. While the KIP continued to maintain that the registration process has been completed and the final voters list was ready, there were reports originating from various sources indicating that the registration process was still on, with less than a month to go for the elections. This gave rise to obvious questions regarding management of ballot papers in the KPPS (polling stations) as there was every possibility that the number of voters would exceed the total number of voters and this could create utter confusion inside polling stations. The general feeling was that, the genuine residents of Aceh, who had not received both voter card and invitation letter, are allowed to vote.⁵⁵ Moreover, distribution of the invitation letter too ran into problems, as in a number of areas the receipt which was supposed to be retained by the distributing authority (KIP/ Kelurahan / Gampong / Village Chief) had been inadvertently given to the voter. The error was brought to the notice of the KIP in Banda Aceh and was rectified.

A week before the Election Day, the chairperson of KIP Provincial level in Banda, confirmed that the final voter list was ready and the registration process had been closed on 24th November 2006, and there was no extra registration being done. 90% (percent) of the voter cards have been already distributed, while the remaining 10% (percent) being problematic, owing to the fact that process of finalization of NIK (population code) was yet to be completed. However, in the coordination meeting, between the Ministry of Interior and the KIP, it was decided that the best way to tied over this problem would be to allow those without voter cards to either use the invitation letter or any other legal document

⁵⁵ Interaction and meeting with other International and domestic Observers organizations

to prove their identity. However, this was applicable only for voters whose names figure in the voters list.

The KIP Chairman informed that Polling Stations would be set up one day before the polling day. Observers were informed that a number of voters would not go to vote, even though they were already registered. This was because they had not received, both types of documents and the people still did not know, which document they should use for their election, the invitation letter from KIP or voter cards, or both. There seemed to be no answer as to why the voter cards had not reached the people in assuring their franchise before 11th December '06, and to give them time to complain and get re-dressal in case they did not receive the card from the Jakarta administration. The apprehension of the voter was perhaps not unfounded as registration documents at one Kelurahan in Sabang⁵⁶ revealed that the identification process of the voter was questionable. In the registration, there was no mention of the population number or NIK, which is the code number of the new ID cards, except date of birth, address, and serial number. Originally the NIK and the family card were meant to be used for identification of the voter on the Election Day. It thus appeared that the invitation letter was then the most dependable form of identification.



Electoral card

One day before the elections, the KIP was flooded with queries from different quarters regarding the status of voter's registration process as

⁵⁶ Interviews and physical verification with officials of Kelurahan Sabang

the impact from the unclear information of Voter registration and voter card. SMS (Short Message Service) were going around stating that the voter needed to bring any ID card/document to get vote in the polling station; another stated that the KIP⁵⁷ had announced that in the event of the voter card not reaching the voter, the invitation letter issued to all registered voters would be treated as the most acceptable document. However, in case a voter did not have the invitation letter or the voter card, for whatever reasons, any identity card specifying the population number (NIK) then would be taken into consideration as the legal document and voters would be allowed to cast their franchise.

However, it was unlikely that this last minute change in decision would filter down to the grassroots, considering that advertisements in newspapers which was carried out by the KIP, was catering to only a few thousands in the cities and urban dwellers.

Cases of lack of awareness about registration and the inability of the election authorities to distribute the voters' cards even till the day of the Election Day were reported from Aceh Barat, Nagan Raya and Aceh Barat Daya⁵⁸. In *Southern* or *Northwestern Singkil* voters cards had arrived till as late as Saturday and KPPS, Heads of Villages, and Police said that they were told that they would get voter cards (and maybe governor candidate posters) on Sunday. Some women said they were genuine residents but so far they had not been informed about the status of the voter's registration. These women threatened to lodge a criminal case against the KIP if they did not receive any information whether they have been registered as voters till Sunday morning.

In *Biruen* the problem was of a different kind. Campaigners of Independent candidate *Irwandi Yusuf* and *M. Nazar* announced that they would ensure that supporters, who they claimed are permanent settlers of the district, get to vote, even if they did not possess the voters' registration card or the invitation letter. The supporters have been asked to get a photocopy of the ID card and wait near the polling station⁵⁹ even

⁵⁷ Interview with Chairman of central KIP

⁵⁸ PPK (Kecamatan Kaway) XVI

⁵⁹ Based on interview with the Members of KIP in Biureun, Irwandi-Nazar Campaign in Biruen on December 6th 2006

if they are not permitted to vote. The KIP was apprehensive about this development as they felt that this could lead to security problems at the polling station. In *Pidie* which is close to *Biruen*, former GAM members residing in a village called *Meurah Dua* sub district claimed that their friends, from the GAM had not been registered as voters⁶⁰ as they did not have identity cards but wanted to cast their franchise. The KIP however, defended itself saying that ample opportunity had been given to the former GAM members without identity cards to register; this was done by way of information thru the village chief.

In some areas there were reports of unclaimed voters' cards. In *Timbang Langsa, Langsa city*, for instance the KPPS (chairman of polling station) kept five unclaimed voter cards after the completion of distribution. The recipients of the voter cards were dead after the voter registration. Also in *Sungai Lueng, Langsa city*, 3 (three) unclaimed voter cards were found, and KPPS could not find the persons whose names were on the voter cards in the village. KPPS said that they would send back the unclaimed voter cards to KIP sub district office. However, as there were no specific instructions to the PPK from the district KIP office, apprehensions that the unclaimed voter cards could be manipulated by any impartial KPPS supporting a particular candidate were abound.

In Kec. PB Seulamak, Langsa City which had 6,531 voters and 16 polling stations, KPPS had trouble in distributing Voter cards to villagers because the voter card didn't have a specific address they could refer to. What was worse, that the new voter list given with voter cards by KIP also didn't include the addresses of the voters. The KIP officers complained that it would cause another critical problem while KPPS officers were being fully occupied with the distribution of invitation letters. The chief of PPG in these villages, kept the file of voter cards in the corner of their office, undecided, if it should be send back to KPPS.

This problem was compounded by the delay in the voter registration process and inability of the KIP to send voter IDs and invitation letters to voters well in advance. Most people don't know if they would receive the voter card or the invitation letter to vote in the Pilkada, whether they

⁶⁰ Based on interview with the Ex-GAM member in "Meurah Dua" sub district *Pidie*.

could lodge their complaints if deprived of the opportunity to cast their franchise. In some areas (*Aceh, Melabouh, Lam No*) voters had not been registered as yet. This uniform expression of concern by residents cutting across asymmetrical population distribution in Aceh contradicts the optimism of the KIP and also raised serious doubts about preparations for the election.

4.3 Minority Voter (*Christian and Chinese Ethnic*)

ANFREL observers also visited and interviewed some Chinese community in central office in *Banda Aceh*. Permanent Chinese settlers of Aceh had registered themselves as voters and were eager to participate in the elections. The Chinese community is better off now than a few years back as they now feel completely part of the system. The mandarins in this community have been hopeful of contributing their franchise to elect the best candidate.⁶¹ There are about 3,000 Chinese speaking populations, distributed in about 750 households in Banda Aceh, who are eligible to vote in the election and also these communities had been approached by the candidate to get a support. A Chinese person can also join the political system and contest the election and is not required to prove his ability in reciting the Quran correctly as is mandatory for candidates practicing Islam and it's usage in previous elections of 2004. Most Chinese follow Buddhism as a religion while very few were Christians.

Unfortunately not all the Chinese communities could organize themselves to bargain and follow the process. In *Aceh Barat* even though there is a sizeable population of Chinese community, but they had not been registered as voters as yet by November 2006.

In *Langsa*, the Christian communities had their only church in the city, covering all the area of *Aceh Timur* and *Aceh Tamiang*, and about 200 people regularly went there every holy Sunday to pray. One of the local observers remarked that there was discrimination in the society and especially at a profession like that of a teacher. While most the communities received the invitation letter, but in the case of ANFREL's

⁶¹ Interaction with Chinese resident and Taiwan population in E-learning centre, the communities were active in the political process and also the recovery of the tsunami relief support.

local observer, who was a Christian, a strange thing happened, in her family only her father was listed in the voter's list and was allowed to vote, not the rest of family, including her self, so even if they had the invitation letter they couldn't exercise their franchise.

4.4 Logistic preparation and Distribution

During its assessment mission in October 2006, ANFREL observed one significant concern arising in *Banda Aceh*, it concerned the printing of the ballot papers by KIP. While the assessment mission was being undertaken, it was learnt that they had not yet been printed as the KIP was still deciding where they would get them printed. While the local business community in Aceh demanded that the printing be done by at a local printing company, yet the problem faced was, that none of these businesses were capable of printing the necessary amount of the required ballot papers. The ballot papers for the Governor's election were to be printed in the District 21, and the Mayoral elections papers were to be printed in different districts including the voters' cards, invitation letters, additional forms and some more detailed documents printing. The KIP had decided to absorb the local resources and share the printing between the two sides, while the easy and simple materials were to be printed by the local company, the ballot paper with the special seal paper was to be printed in Jakarta.



The ballot papers sample for the 1st time show on the public by Ministry of communication and Information in Banda Aceh, November 18th (photo-Serambi Indonesia)

The KIP was required to provide for 8,471 Polling Stations in 21 districts in the whole of Aceh, around 16,942 ballot boxes and 33,884 voting boost (hard material already provided from previous election), 8.471 indelible permanent inks, 2,632.935 + 2, 5% ballot paper (Mayor/Bupati), 2,702,674 Ballot Paper for Governor Election 2,632,935 Voter card, 245.641 Additional form serial C, Nail puncher, ink

marker, seal, etc. were needed.

By decree no.55/2006 KIP also decided to print the ballots with security paper seal (which have a specific un-transparent sign inside the paper) to guarantee duplication would not happen in the printing process. After settling the matter of printing the ballot papers, which were to be distributed directly from the printing press to KIP in Kabupaten/city level office for efficiency purposes, all the KIP offices got busy occupied with logistics issues.

It was learnt that at the district level 600 ballot papers were packed in each box and the materials were sent to the sub-district KIP office (PPK) for onward transmission after being added with the additional materials required in each polling stations. Aceh Timur office even hired some civilians to complete the logistics part. The sealing boxes (padlocks and paper seals) were transferred to KPPS a day before the elections day, put into temporary storage and secured by the Linmas or local police, there were to be only taken out during the opening process and was to be witnessed by the party agents or observers.

All this seemed a very simple logistics operation and the KIP had put up an impressive networking system getting the Gampong (Kelurahan)/City administration to assist them in the distribution of the invitation letters to the voters and also for the voters' cards⁶².

The documents were distributed district wise.^{63 64} Yet, it was not without flaw, the technical error and incident happened in the logistics operation tools. In *Aceh Timur*, about 3000 ballot papers for the mayor elections were misprinted and so the KIP had to order reprint of it in Medan on November 27. This led to the delay in the distribution of the voters' list, which ANFREL learnt, were in fact kept in a hotel for a day before the elections took place. ANFREL could not observe the printing of the ballot papers since they were being printed at Jakarta and there was no information available on the quality of the indelible ink.

In *Langsa City* a big amount of 2500 ballot papers, were found short and

⁶² Interview with member of KIP in Sabang City

⁶³ Interview with the member of KIP in Sabang City

⁶⁴ Interview with Kelurahan/Gampong Officer

missing. According the printing company, 90,756 ballot papers were sent to *Kota Langsa* including 2.5% as backup, the final number of voters were 88,236. On the request to supply insufficient ballot papers from *Kota Langsa*, KIP Banda Aceh rejected it and sent an investigation team to verify if the amount of missing ballot papers were hidden for improper use or not.

The design of the ballot papers for Governor/Deputy Governor, were the same, but the Mayor's ballot papers were different from each district⁶⁵. It was informed that 2.5 percent ballot papers were kept as backup, there was no clear answer to the question, whether the left over ballot papers will be destroyed or kept safely for any later use.

The KIP chairman had informed ANFREL, that the logistics for the elections had been completed, though he admitted to facing problems during the distribution process, considering the wide territory and transportation difficulties, it was solved with the collaboration of Military and Air force, who made task force, to distribute all such logistics' right on time. No major incident and serious complain regarding the logistic preparation was identified by the observers, but it still needed better coordination and efficiency in printing and planning the logistic operation.

4.5 Voter Education and Public Awareness

In the course of ANFREL's in-depth travel along the north coast during the assessment mission (October 2006), public awareness materials were on display by the KIP to raise awareness among the people, the team felt that the KIP took its responsibility seriously. In the life of Acehnese people (and for all Moslem community), the mosque is an important place, KIP voter educative posters were put there also. Brochures, bulletins, and magazine were also published by the KIP; these initiatives were supported by the coalition of international donors such as: EU, Royal Netherlands Embassy, Spanish Embassy, AECI and UNDP for media education. It also aimed to provide better information for the election stake holders, and facilitate as a media centre located in KIP central office to distribute and manage election information.

⁶⁵ All 19 ballot paper design need to printed



Banners posted in front of the mosque at Bener Meriah

In the city and district capital, the KIP was regarded by the people as the most useful institution to handle and conduct a free and fair election. The KIP had been held as a useful organization which 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. Yet, it was astonishing to note that some residents were completely unaware 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 woman, told ANFREL team, that she didn'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 the six areas in Aceh, it was discovered that, most voters had complaints regarding lack of information about registration and voter education being undertaken 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.

KIP was also 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 was being conducted by the KIP with support from local NGOs. Besides, the KIP's media centre had been disseminating information through posters, pamphlets, brochures, and manual (guide books). Most of the information material was sent to the Kabupaten's (district) and Kecamatan's (sub-district) for distribution amongst voters.

The UNDP supported by local volunteers had started Mobile information units and mobile cinema units spread out in four districts to educate the voter. A radio quiz was also conducted for people to come together. Prizes were given to the winners. Radio quizzes had been held in 22 areas. The winner was to receive a motorbike. The mobile cinema unit had been spread out into 6 teams. There were 128 showings with KIP for the first operation, followed by 80 showings at the second time. Mobile information units on simulations were also launched one week before campaign.

In *Padang Seurahet* in the *Johan Pahlawan* region of *Aceh Barat*, people, mostly fishermen, were completely unaware of the elections. A settlement of 4,000 fishermen who had been badly affected by the Tsunami, considered the election's was wastage of time, as they believed, that politicians had not done anything for the Tsunami victims. Most people were of the opinion that the NGOs were more effective than Governments. So far voter registration had not been done in villages in *Aceh Barat*. The Chief Doctor of Gayo Lues Hospital was of the opinion that "voters were very enthusiast in this elections", unlike the previous elections', which were not democratic in nature, and that in the last election's people only knew the political parties, but in this elections'

they knew the candidates and their parties.”

School teachers had reasons to be hopeful as they believe that electing an “appropriate governor,” for Aceh and Mayor for district, could improve their pay packets, or better their salaries. Students stated that they would participate in the election. A 17 year girl student knew that “one day people will gather in the village,” which is called the Election Day.

Many people still did not know the details of the election. It raised concerns about the civic education, which KIP was giving to the Chief and the poll officers. Despite the fact that all the process and systems of this election were similar to the general election's (organized by KPU) in 1999 and 2004, ANFREL found by talking to the poll officers, that many did not understand the reason behind each process and therefore were ineffective in their work. Many intentional and un-intentional technical problems and human errors took place. Local monitoring organization like JPPR, had given trainings to voters in the districts all over Aceh and were going to deploy observers in all polling stations on the Election Day. KIPP observers were to be mobile around strategic sub districts in most areas. KIPP's 120 activists had worked on their own capacity, without any national or international funding.

Two weeks before the polling day, the coordination between the various stakeholders that were involved in the elections seemed to be good. The relationship was especially good with the media and this allowed the KIP to make up for lost time. Till that time, the media, both English and local language newspapers as well televisions, had supported the election process by publishing advertisements released by the KIP and also with news reports, which reflected the actual ground situation. While organizations like the UNDP, JPPR and a few others have supported the KIP with voter education exercises, the KIPP (self funding NGO, Jakarta based) also had plans for outreach to remind the voters about the election process 3 days before Election Day. JPPR organized a candidate's debate live at the local radio station.⁶⁶

The population that has apparently not received any attention could make a difference to the overall outcome of the electoral process. This

⁶⁶ Base on Interview with JPPR coordinator in Lhokseumawe

lack of knowledge was used by candidates and political parties and the KIP Media centre, observation surveys conducted by ANFREL Team in area of Banda Aceh, Aceh Jaya and Aceh Besar showed. There was still need for more efforts to inject information about the candidates or political parties contesting for the post of Governor/Vice-Governors and Mayors/Vice-Mayors. Many people were more aware of the KPU (National Commission), but not many seemed to know about the KIP. In *Aceh Utara*, even though KIP has a fairly good coordination with the media to disseminate information about the Pilkada, but that was not enough as it was difficult to access the people, especially in rural area⁶⁷. These shortcomings perhaps were bound to create doubts and likelihood of another round of voting, in case the voter turnout was low or there was a breakdown of the system, but that did not in any way undermine the efforts that had gone in, keeping in mind the time constraint, to organize the elections.

What has to be borne in mind, unlike other elections, maybe even the 2004 general elections in Indonesia, is the post conflict and post Tsunami situations, which have thrown up a number of challenges for everyone from the government controlled administrations to independent bodies like the KIP, NGOs and the general public.

Even as there is no denying, the positive feeling, or the optimism that was being expressed by the KIP and other organizations, about things falling into place on the Election Day, what cannot be ignored is the fact that voter education in a number of areas has been poor. A day before the election's, many voters were not fully aware about the electoral process.⁶⁸ This is not say that surveys conducted by different agencies citing a high voter turnout is being undermined, but the fact that many voters still pleaded ignorance about where to vote, which document to use to vote, and who to vote for, was not taken into consideration.

In a number of areas civic education was near to nil which gave the impression that most of this had resulted out of lack of coordination between the KIP province and the various levels of the system that were responsible for conducting the elections. The onus was certainly on the

⁶⁷ Base on Interview with KIP Member in Aceh Utara

⁶⁸ Interaction with residents and village chief (keuchik) in Aceh Besar and Aceh Jaya

KIP, to fine tune the system, with whatever time was left, and so that the voter turnout is was not affected. ***Perhaps in the future, a more effective use of the media is needed to educate the voter.***

It is also worthwhile to note, that in some areas like *Biruen* and *Lhokseumawe*, the police had put up banners for driving home the message of a peaceful election.⁶⁹ Besides this, student groups too participated in distribution of leaflets, highlight the importance of a peaceful election to guide Aceh towards a prosperous and thriving democracy.

KIP in *Lhokseumawe* organized the debates for the 6 Mayor and Vice-Mayor Couple candidates at PT Plaza Samudera International Hotel on 27th November 2006 with the cooperation of KNPI. This debate was organized for middle class residents. KIP organized another candidate's debate for the working class and the poor on 2nd December 2006⁷⁰.

The ALES-UNDP is assisting the KIP to impart voter education. In *Aceh Utara*, the KIP coordinated well with the media to distribute the information about the elections. But the KIP in Aceh Utara was of the opinion that, people in rural areas still lacked of information about election⁷¹.

The fact that KIP and agencies supporting it, had not managed to penetrate into the remote and far flung areas or create the much needed voter awareness, which had resulted in contributing to the low key interest in many areas. For example, a number of villages in *Aceh Jaya* and the West coast of *Nanggroe Aceh Darussalam (NAD)* had been left unattended as findings from a series of visits and interviews suggests. Notwithstanding the fact, that various methods of voter education had been carried out in several *Kabupatens* (districts) and *Kecamatans* (sub-districts)⁷², yet a certain number of Aceh population remained uninformed, so much so that some don't know the date of the polling day.

⁶⁹ Based on observation in Pidie, Biureun, Lhokseumawe and Aceh Utara

⁷⁰ Based on interview with Member of KIP Lhokseumawe

⁷¹ Based on interview with member of KIP in Aceh Utara

⁷² Information from ALES/UNDP/USAID/KIP Media Centre

4.6 Money Politics

Most of the people were happy with the Pilkada for the simple reason, that it was being held under a non-militarized environment and it was aiming to put in place a more “acceptable democratic structure.” Moreover this was the first time people would be electing a local government directly.⁷³ Before the elections, many voters were still confused with the candidates. They had hoped that KIP or the NGO’s could go to the grassroots level to explain to them regarding this⁷⁴. In *Blang Luah* village in *Aceh Barat* there were reports that a certain candidate had spent Rp. 20,000 to Rp. 50,000 to buy a single vote. Investigations revealed that money had been given out to the voters during the campaigns. Vote buying was said to be an old tradition in this area and most people interviewed said that maximum vote buying would take place three days before the election.⁷⁵ In some places, candidates are distributing gifts to the society and trying to take their votes. Most people were unanimous that vote buying was “not a good practice,” and that “vote should come sincerely from the heart otherwise it will effect the future of Aceh.”⁷⁶

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

⁷³ Based on interview with the local people in Lhokseumawe, Aceh Utara and Pidie.

⁷⁴ Based on Interview with the women in Lhokseumawe

⁷⁵ News published in the *Serambi Indonesia*

⁷⁶ Based on Interview with the villagers, Women Group and fisherman in Lhokseumawe, Aceh Utara and Pidie

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. 10 pairs 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.

However, PANWASLIH in *Banda Aceh* believes that there is every possibility of use of money to lure voters on the morning of the Election Day. Amounts ranging from Rp.50, 000 - Rp.100, 000 are likely to be given to each voter to garner voters. However, PANWASLIH is not too sure if such cases could be registered as mostly candidates use third parties making it difficult to find enough evidence.

An incident in *Gayo Lues*, maybe not election violation per se which the PANWASLIH has recorded is the distribution of school bags and books to the students, by ICRC. Political party No-2 claimed this action tantamount to giving gifts as because distribution of things in kind has been stopped till December 11 by the police following a complaint by the PANWASLIH to the police. However, in spite of the Panwaslih intervention political parties are telling voters thus: “If you choose our candidate only we will be give those things (bags) to you, other wise we never give you.” The PANWASLIH has taken up the issue with ICRC which has agreed to abide by the PANWASLIH decision to not distribute any items to people.

Nevertheless regarding this issue there is no mention of vote buying in kind in the election regulation which often allows candidate/candidates to get away with promises and distribution of gifts in kind to voters. Cases built on complaints will be heard and decided in three months⁷⁷

⁷⁷ Interview with the chairman of central PANWASLIH in Banda Aceh

4.7 Observer Training & Workshop with Election Commission (KIP)

ANFREL was invited to provide local and international election observer training based on its previous extensive international experience. ANFREL's coordinator made a power point presentation, which included 200 photos from elections in other Asian countries. The presentation highlighted the key elements of the election commission's role, challenges and 'do's and 'don'ts' during elections. Election observers were to provide a similar training to local monitoring organizations upon deployment to their specific areas.

Feedback from KIP commissioners based in the 21 sub districts indicated, that they learned a great deal from the training but are concerned with their inability to perform at optimal levels due to lack of preparation time (schedule in appendix I) and manpower limitations. They were apprehensive with the idea that international observers will be witnessing their performance during this historical election.

The team learnt that there were 3 candidates coming from a military background (two retired Generals from TNI ARMY force and one retired General from the TNI Air Force). Candidates also come from religious background, GAM and another powerful institution. It became very important to observe all of Aceh.

The main concerns of the Commissioners of KIP (Election Commission) was focused on the preparations regarding the regulation of the polling process, logistics, recruitment and training of the polling officers and also the accreditation of domestic and international observers. The security arrangement for the whole election process was receiving attention too.

The Commissioners were extremely busy and some of them became sick (requiring hospitalization and treatment), ANFREL had only had a few minutes to meet with them. The work-load and the pressure arose not only because of the election agenda, but also because various events needed to be finalized before the celebration of Idul-Fitry (the biggest Moslem celebration day), where they would be having holidays for the whole week.

Yet, despite all the pending agenda's and other things to be finalized

before the festivities, KIP had only finished half of the matters they need to complete, including:

- The recruiting of the KIP in district level,
- The verification of the candidates,
- The polling station mapping,
- The logistics verification,
- The first stage of Voter registration,
- Finalize the public outreach material, and
- Finalize many regulations about the candidates, campaigning, etc.

And closing with the Election Day, KIP had to encounter several further problems in *Biruen* in the North West of Aceh Province since the start of the election process. First, this district was hit by violence during the initial days of the campaign and now the KIP was faced with the danger of having to cancel the election for the Governor and Vice Governor, if financial problems are not sorted out immediately. For some unexplained reasons finances had not been made available to the PPK (Polling Station at Kecamatan level)⁷⁸. PPK Chief said that the finance was needed to pay the PPS (polling officials) workers⁷⁹. The fact that there is no election for Mayor and Vice Mayor in Biruen may have prompted the KIP to handle the finances from the provincial headquarters in Banda Aceh. However the KIP appeared confident that the problem would be resolved before Election Day.

4.8. Training of KIP and Polling staff

As an election management organization, KIP had a working structure, which spread from the Province until the polling station level; and to make sure all levels understood and conducted the election according to one task, proper adequate training was needed systematically, because of its resultant influence on the process itself. During the field observation, ANFREL was worried about the implementation of the

⁷⁸ According the interview with the Chief of KIP in Biruen

⁷⁹ Based on Interview with the chief of PANWASLIH in Puesangan sub district

training, considering the quantity and quality, including the procedures to be set up in special polling station such as Hospital and Prisons.

Field observations, brought to light the fact, that, the KIP did not have any laid down procedure for voting in hospitals and jail. The KIP was unsure whether ballot boxes, can be sent to the hospitals, or, patients were required to be brought to the polling stations. Patients could vote, if they or their relatives filled up a request form and submitted to the KIP in advance. There were no provisions of voting for temporary prisoners (after the tsunami, the permanent prison was shifted to Aceh Besar). Knowledge and professionalism of the KIP came into question, when in certain instance's, they were unable to respond to the technical questions regarding polling procedures, in *Aceh Barat*, KIP officials were not able to answer queries relating to use of mobile phones by voters to take pictures of ballot papers inside voting booth.

In order to, comprehensively understand, the polling process, the KIP finalized the manual of polling procedure through the KIP decree no. 42/2006. These were distributed widely at all levels in KIP, Unfortunately the Polling officer's did not follow the manual for good, it seemed that many of them were drawing their confidence of the experiences from previous election.

In *Sabang*, KIP conducted a two-day training for all the 300 plus personnel working in the 60 polling stations. The training started on 29th November at the District Government Hall⁸⁰, it was reported that the hall was so small with low power sound system, that, the participants were not able to absorb the training contents. From the training, polling agents and officials who attended, ANFREL was able to gather the following inputs:

- In the event of the voter, not being present then invitation letters was to be given to the family members.
- Voters living outside the constituency, had to report 14 days before the election day

⁸⁰ Information from observation in KIP training at District Government Hall

ACEH: Balloting for Peace and Democracy / Pilkada Nanggroe Aceh Darussalam, 2006

- Some KPPS offices were to have, five or seven (maximum) official in polling station.
- In case of shortage of ballot papers, report needed to be sent to the PPG.
- In case of mistake during Coblos (punching ballot paper by using nail), one additional chance was given to the voter.
- Simulation and CD presentation of the polling day process were shown.
- Practical exercises on recording voters and polling materials were undertaken.
- Valid and invalid ballot papers were shown as examples.
- How to check ID document for voters, from other polling station with the relevant form (Form C8-KWK) etc dully filled.

Post training, there were a few cases of un-effectiveness has been reported; in *Aceh Singkil* the KIP, PPK and TPS officials were not able to answer many questions about TPS procedures, ballot security and TPS environment security. Nothing was clear as to who would send the ballot boxes; as reports were doing rounds that the police would deliver the ballot papers, while, some stated that rented cars were to be sent by KIP with these documents to the respective polling stations. The process for monitoring the polling process in hospitals and prisons too were not clear. Even a day before the elections there was confusion as to who could vote with some officials saying that voter cards is a must and other saying that anyone can vote. In Aceh Selatan there was no consensus on where to register complaints with some saying that it was the lookout of the Polisi, whereas others said that the onus was on the PANWASLIH.

4.9 Simulation of Polling Process

The simulation of polling process was conducted with a certain amount of efficiency and essentially the message that is to conduct of the polling process inside the polling stations was permeated to different levels from polling officials to the voter. However, what appeared to be



Anfrel interviewed by media

surprising was the somewhat casual approach that was adopted by the KIP in Banda Aceh (simulation conducted in Baiturahman Grand Mosque) to explain the prerequisites needed to conduct a free and fair polling. Students were used to play voters and tissues were being used to rub off the indelible ink after the voter finished casting his/her

vote. The matter was brought to the notice of the KIP officials⁸¹ present and the media too highlighted it the reports which were carried the subsequent day.

But what perhaps could educate the voter and polling officials, at least in urban locales is the visual demonstration in the form of CDs which were distributed through different channels.

4.10 Media

Aceh has two weekly newspapers and many daily newspapers. Since 1998, there have been limitations on freedom of expression. An interview was conducted with the editor of the leading local daily newspaper, the Serambi Indonesia⁸², which distributed approximately over 35,000 copies a day.

⁸¹ Interaction and Observation during the simulation of Polling process, in Baiturahman Grand Mosque present by KIP Banda Aceh and Media Center officer

⁸² The Serambi Indonesia is the oldest daily new paper who already establish during the conflict, presently have the largest distribution in Aceh and parts of North Sumatra.

According to the editor, during the conflict period all forms of media in Aceh were under pressured by both the government and the GAM to take sides and report biased information. During the Serambi's 17 years of operation, however, no journalists were killed, but 13 lives were lost due to the tsunami. In terms of election broadcasting, the KIP will utilize local radio and TVRI.

The media, especially print media provided extensive coverage about the election. Notwithstanding, that a certain candidate who was member of the GAM complained about media not meting out equal treatment to all candidates and concentrating more on national parties, the coverage of the various processes that go to make an election seems to be fair and in the right perspective.⁸³ Posters, campaigns, and coffee shop discussions about the Pilkada, in villages and rural areas continued to be the main vehicle of information dissemination through non-media sources.

The media, both print and electronic, verily was a good source of information for the people, who learnt about the dates of the elections, polling stations, locations, etc from the various means of mass media.

The radio though being a reliable source of information dissemination, still had many variations, with many media houses in Aceh reporting variations on the level of awareness and voter awareness. Local and vernacular media in particular were critical of the way voter education was handled by the KIP and underscored the need for a more researched and systematic approach to educate the voter about their right and the importance of casting their franchise.

The non-media sources have basically been posters, campaigns, and coffee shop discussions about the Pilkada. Word of mouth information delivery has been the main feature in villages and rural areas. A local FM radio in Aceh Barat invited ANFREL team to participate in a series of live radio programs on election.

The other face of media as an industrial company is its profit orientation. The media plays an important role for the parties involved in the process

⁸³ Assessment of the News paper and electronic coverage of the election

to present their messages to the publics, and try to manage the function of education through information dissemination and profit as well; they were keen to take the opportunity to increasing their income by advertising which was ordered by an election stake holder without losing their impartiality. A good example was The Serambi Indonesia in term of the campaign, the company managed and provided equal opportunity to all candidates to fill the room advertising that they provided with charge compensation, the company made an offering to all candidate (columns size and quantity are the same) for equal treatments and to keep their independency and impartiality⁸⁴. Nevertheless not all candidates using the chances because the charge reasons, so the battles in media always win by the candidate who has big budget for campaign, and for the poor candidate they just run their campaign conventionally.

4.11 NGOs (Non Government Organizations)

According to Mr. Saifuddin Bantasyam's viewpoint, a lecturer from the University Syian Kuala, Faculty of Law, the current situation with the NGOs in Aceh, including his project, was that most of them had abandoned their mandates to work on tsunami rehabilitation. Regarding the political situation in Aceh, he noted the increase in the number of independent candidates running in the election, which was a sigh of the growing democratic aspirations of the people and their desire to participate, it reflected in the fact that more local people were participating in the politics and democracy of Aceh. According to him, it was unfortunate, that in the next parliamentary elections no independent candidate would be able to run. He hoped that in the future Aceh's constitution would allow NGOs and religious leaders to stand in the elections as candidates. According to him, "The local people must be at the forefront of democracy and the GAM should not take outlaw mechanism to win the election."

The NGO's played an important role in post-tsunami and Helsinki agreement to support many reconstruction, reintegration, and human right development. ANFREL observers found that the people trusted the NGO's more than government due the empiric history existing during and

⁸⁴ Base on Interview and briefing with Mr. Nurdinsyam, the Vice Editor of Serambi Indonesia Daily News Paper

post conflict. Most of them realized that the elections had an important impact for Aceh's future and some of the NGOs were concerned and involved in the observation and voter / civic education. ANFREL visited the human rights organization-KontraS Aceh, which, were active in monitoring the election violence related with the human rights violations. The NGO also was working along with the human rights victims groups in identifying the candidates, who were involved in the human rights abuses. The groups' goal was to submit an agenda to the candidates in having a human rights standards enforced by the candidates when they got elected as governor / deputy governor.

NGO in Aceh like to be in the drivers' seat, not only to be a humanitarian, democracy and development related, but slowly they want to expand their political wings and become a political actor themselves, i.e. SIRA (Sentra Informasi Referendum of Aceh), they are a movement group which was very active during the conflict as media information for Referendum option in Aceh. But now this group using the network to support the candidate pairs after the Head of Presidium of SIRA (Mr. M. Nazar) registered as a Deputy Governor together with GAM/KPA. ANFREL also recognize many others activists from SMUR (Solidarity Mahasiswa Untuk Rakyat) and FDRA (Front Demokratic Perlawanan Rakyat Aceh) who were struggle against the government and military repressive during conflict has been joined or formed to be political parties.

4.12 Women's Participation

ANFREL spoke with a women's group that provided vocational training for widows who had lost their husbands in the conflicts. Some of these women were also raped and recovering from the psychological and social effects of loss and sexual abuse. The team interviewed members of the group to assess their level of knowledge regarding the election and polling date. They found that some women did not know and others reported the incorrect day. It may however be too early for women to know the date of election. The head of the organization reiterated that there will be a record number of female voters in this election as well as four (4) female candidates running in the election as a Bupati/Deputi of Bupati and mayor/deputy of Mayor).

The participation of women in the election both as a voter and as candidates was significant compared to previous elections. Though there were no candidates for the gubernatorial polls, but few were 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 were reflecting their own, separate from those of their husbands. However, women in rural areas were more likely to fall into the patriarchal pattern and follow their husband's voting. Women in Aceh were allowed to enter the mosque with their heads covered, which was considered 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 23rd November 2006. Women were allowed to host the event and translate from the Holy Al Qur'an. Women were not criticized and were given sufficient space to air their opinion.

Unlike some Islamic states, here husbands were encouraged to take their wife out to vote. Most women in the city of Banda Aceh said they would independently vote for a candidate and that there was no pressure on them from their husbands or family members to abstain from voting. Women were also participating in the election campaign. In *Biruen*, the chief canvasser of two candidates for the Governor was in fact 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 felt that political parties were reluctant to recommend women's candidature.

"In Aceh Tengah, seven women hold leading executive posts, 18 women's organizations function 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 that women have to be in the decision making process level"

said Head of Division Women Empowerment in Aceh Tengah.

4.13 Role of Ulama's (The Religion 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."*

The religious leaders are trying their maximum to keep the situation calm. They gave speeches in mosque about election and peaceful process of voters and candidates. "I am trying my best to keep peaceful condition in Gayo Lues, but some biased and unfair people are disturbing that. Everything is happening because of money, I think poverty has created this situation" Ulama observed.

The MPU (Majelis Perwakilan Ulama) as an independent and charismatic ulama's organization in Aceh itself announced their neutral position and took active steps to encourage the Moslem communities to vote for the candidate with quality and capability to lead by several announcement in news paper and radio. The MPU also issued "Tausyiah" (formal declaration in Islam term) *"if the votes are obligation for the Moslems"* And a day before Election Day, many mosque, Dayah, and Meunasah announced through the microphone to remind the people to go and vote in the Election Day.

5. THE MONITORING MISSION AND DEPLOYMENT PLANS

For the purposes of election monitoring, ANFREL divided Aceh into three key areas:

- a.** The North coastal parts: Pidie, Biruen, Lhokseumawe, Aceh timur, Aceh Utara, Langsa, Aceh Tamiang, with coverage by two teams

- b. Central part (all urban and city areas): Sabang Island, Banda Aceh, Aceh Besar, Bener Meriah, Aceh Tengah, Gayo Luwes, Aceh Tenggara , with coverage by two teams
- c. The South coastal part, Aceh Barat, Nagan Raya, Aceh Barat Daya, Aceh Singkil, Aceh Selatan, Semuelu, with coverage by two teams.

In Deployment areas, ANFREL based its strategy on the following criteria:

- a. **Conflict areas** were identified based on the history of military conflict and GAM concentration and considering the frequency of incidents of human rights violations during the conflict. According to the ANFREL pre-mission observation and by the field research by UNDP/WB, it was classified further into a three level standard of *high, medium, and low* conflict potential estimation.
- b. The highland part or central part , such as: **Bener Meriah, Aceh Tengah and Aceh Tenggara**, was identified as a high potential conflict since a pro TNI/Indonesia militia group existed in the district in 2000⁸⁵; and now they follow the candidacy and continue the culture of distrust among them. The possibility that violence and voter intimidation would occur in these areas predicated the need for international monitors to ensure free elections. ANFREL deployed one experienced observer from Jaffna, a Province in Sri Lanka, where Tamil rebels exist.
- c. **Pidie, Biureun, Aceh Utara and lhokseumawe** were identified as a medium conflict area, and had the highest population. Moreover, they have been the sites of the fiercest resistance and GAM fighting; loyal GAM followers were in one village at the place where the Hasan Tiro was born, famous with “Kampung Tiro” many war victims still remain here. To accommodate this demographic, a

⁸⁵ Around 2000-2001 TNI gave arms to militia and other groups who supported the Indonesian fight against GAM, which increased ethnic conflict within communities. This became a foundation of distrust among people for a long time

team of two observers, one of them a Malaysian monitor, considered an appropriate language and cultural approach.

- d. **Coastal areas, especially those hit by the tsunami, including *Banda Aceh, Sabang, Aceh Besar, Aceh Jaya Aceh Barat, Aceh Barat Daya, Nagan Raya* and *Aceh Selatan*,** were severely affected by the tsunami and were also the focus of the movement for reconstruction and rehabilitation attracting thousands of urban and international workers in progress. The population and voter registration statistics were complicated in the area, because many people were displaced and had lost their permanent identity. There was some indication that if urban workers coming from Java, Medan and other areas got new Aceh ID cards for election and supported specific candidates⁸⁶, several social problems might arise to challenge the election process. Three teams from Thailand-Pakistan, Thailand-India and USA were sent to cover areas where some of them had observation experience, in tsunami and city areas.
- e. **Border areas, covering *Gayo Lues, Langsa, Aceh Tamiang, and Singkil*.** Those districts have a province border with North Sumatra and are easier to reach from Medan or any part of Northern Sumatra due the infrastructure access in this area, contrasting starkly with Aceh's conditions. However, there are voter issues that must be addressed; the border here is porous and voters can cross easily for elections. The border population is comprised of traditional ethnic communities that are protective of their land and values. Many of the family income come from work in Northern Sumatra. They are also politically active and organized. This population is demanding autonomy and that the new Aceh government be split (from 1 to 2 districts). A team of South Korean and Bangladeshi observers were sent to conduct and follow up the cross border observation.
- f. **The Transportation & accommodation,** we will deploy observers according to accessibility, communication, and accommodation.

⁸⁶ According to interviews with GAM members and NGOs

We realize that some areas are unreachable or difficult by land transportation and have made arrangements for alternative transportation, such as air flights (provided by SMAC air charter and another local flight to Medan) and land transportation from Medan to enter the border of Aceh.

5.1 Domestic Election Observers and International and Accreditation

According to the LoGA (Law No. 11/2006 about the governing of Aceh) and also the Qanun No.7/2006, KIP must provide the opportunity for local and international monitoring groups to observe the process, after these groups comply with the accreditation processes which opens from September 18, 2006 until November 24, 2006. In this period, not many local NGOs had been registered. One commissioner stated this is normal for local NGOs - they often register at the last minute due to financial difficulties.

In relation to international groups, apart from ANFREL, KIP had already recognized other organizations which will perform monitoring during the upcoming elections. ANFREL was the first organization registered, and has already confirmed the accreditation of other Asian observers. The groups which confirmed they would participate in observing the process were EUEOM (European Union Election Observation Mission with LTO and STO and cover all Districts, Japan with STO cover all districts, IRI with LTO, NDI with LTO which cooperate with local NGO, USA Consulate STO, Malaysian with STO from MPs of Kelantan State, several observers from donor organizations, and also a thousand local monitoring and NGO groups.

The KIP and Ministry of Foreign Affairs (MOFA) also specified that international observers should follow the regulation and code of conduct and that the first copy of any report that originates from the desk of the Observers group should be given to the KIP before distribution to the media and members of the public. This policy has been justified as a way of notifying the KIP about observers reports about the election. Two days before the polling day, talks were doing the rounds about the possibility of barring international observers from entry into polling stations.

5.2 KIPP (*Independent Committee for Election Monitoring-KIPP*) in ACEH

The KIPP is the largest monitoring organization in the province. The provincial office in Banda Aceh was functional during the previous election in 1999 as well as in 2004 where they were present in 13 districts. They were also active in voter education training for villagers in a number of rural areas including the Pidie highlands, Gayo Lues, Bener Meriah and Seumeleu Island.

Following the 2004 tsunami however, KIPP resources were weakened as members disappeared and the secretariat office and all its contents were destroyed. Shortly after the disaster, the KIPP in Aceh attempted to reconsolidate and elected new board members. In spite of this, their presence is still lacking in some districts.

In the meantime, the KIPP headquarters in Jakarta is providing assistance with training, re-consolidation and the repositioning of the branch in Aceh, maintaining daily communication as the Aceh local election approaches.

5.3 JPPR (*Jaringan Pendidikan Pilih Rakyat*)

JPPR were local monitoring groups working in the field conducting voter education and election monitoring. They were present in the whole District and covered 50% (percent) of villages in the district. They recruited one observer in the village to cover their target polling station. JPPR were also very active in conducting voter education through discussion at provincial level down to the grass roots. JPPR also actively criticized the election process, which focused on the electoral management body KIP, PANWASLIH, and the candidates as well.

6. CAMPAIGN PERIODS

The campaign was scheduled from November 24 until December 7 2006 in all 21 districts of Aceh, and had three days as a cooling-off period before the Election Day on December 11 2006. The schedule was hard to manage for the KIP given that the number of candidate in Aceh's election was big, with eight pairs of Governor Candidates and 116 pairs

of Mayor and Bupati candidates⁸⁷. Ensuring that there were equal opportunities to campaign was a challenge for them.

To ensure that the election was free from violence and conducted under peaceful conditions, all eight Governor Candidates took an oath and signed a concrete peace pledge, which was made with commemorative inscriptions at the *Baiturahman* Grand Mosque on 23 November 2006. Candidates from all political parties as well as independent candidates were dressed in their traditional attire, taking part in the oath taking and peaceful campaigning pledge. The peaceful campaigning pledge was a public function and people from all walks of life attended. It was followed by the formal speeches of the “Mission and Vision” statement by each candidate in front of the Provincial Assembly of Nanggroe Aceh Darussalam (DPRA) and the Governor of Aceh, Provincial Police Commander and Provincial Territory Military Commander, at the Syiah Kuala University on November 24, 2006. The debates among the candidates were shown on the TV. At the district level too all the candidates gave their speech and shared their vision in front of the DPRA II (District Assembly).



*Candidates, KIP and governor in peace campaign declaration
Photo by "Das"*

The campaign for the election took off with candidates, both independent and those backed by political parties campaigning during the period from

⁸⁷ The 116 were assigned by the KIP after the selection process

9:00 am to 6:00 pm to reach out to as many people as possible. Though in *Banda Aceh* campaigning, especially public rallies had been somewhat low key, in *Sabang* most of the seven pairs, who were contesting for the Mayor and Vice-Mayor held public meetings in the open ground near the Sabang Plaza. They used artists and brief skits, performed by professional artists, to drive home their message to the people. Supporters from all age groups attended the public rally. Soon after the campaign, several other candidates held their public rallies at the same venue, the next day. Candidates also held rallies in becaks, decorated with banners and posters throughout the city. In *Aceh Besar*, for instance, most candidates used singers and poets to bring people out of their homes to attend the campaigns.⁸⁸

Many candidates had limited their public rallies to two or three owing to financial constraints and an inadequate work force to handle the campaigns. In *Lapangan Padang Hirat* campaign for BUPATI/Deputy of Bupati, Kasim – Dahlan No. 4 provided transportation for the people to come and distributed free drink⁸⁹. The commonality among the mandates of the candidates was the implementation of Syariah law, establishment of peace, economic development, a good education system, and fulfillment of people's basic needs such as clean water systems, sustainable electricity, and kerosene (for stove) supply. In *Gayo Lues*, the GAM indirectly supported a particular political party. During an informal chat with ANFREL, many candidates stated that they would strive to work for peace and the economic improvement of Aceh and its people.⁹⁰ GAM members who were part of the KPA (Komite Peralihan Aceh) also said that they had given up arms, as they wanted to ensure that peace returned to Aceh. GAM members admitted that they would personally support their members who contested the elections as independent candidates, but clarified that GAM as a group did not support them. GAM leaders said that the election would be a key to cementing the peace deal signed with the Government of Indonesia in

⁸⁸ Public rallies in Aceh Besar and Sabang by candidates contesting for mayor and deputy mayor.

⁸⁹ Lapangan Padang Hirat, 28th November (1600hrs)

⁹⁰ Interview with the former Governor of Aceh and GAM Leader

Helsinki on August 2005.⁹¹

In *Aceh Barat*, disturbing variations between the sub-districts showed that the KIP seemed to be unaware of the basic rules and procedures governing the elections. For instance, the KIP had no fixed timing for campaigns, though the KIP in the province (*Banda Aceh*) had printed election regulation brochures, clearly stating that campaigns (public rallies) are allowed only from 9:00 am to 6:00 pm. A candidate even held his campaign during night and that did not even require the permission of the KIP.

Every party knew that witness intimidation was likely to occur in rural villages. The polling day was not of concern; party witnesses were likely to be coerced the night before Election Day. Most candidates targeted economic improvement, education, and good governance as priorities in their manifestos. Apart from that, most of the candidates 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 campaigned three times in rotation. However, most candidates, perhaps with a sense of helplessness, complained of the inadequate time provided for campaigns.

The 14 days for campaigning was not enough for political parties and independent candidates to educate voters and it was felt that this would have far-reaching consequences for the outcome of



A black campaign leaflet

⁹¹ Interview with GAM Leader

the election. On the contrary, many independent candidates contesting for the mayor and vice-mayor elections felt that the campaign period was sufficient, as they did not have enough financial resources to sustain a long campaign. No violations occurred during the campaign in the districts of *Banda Aceh*, *Aceh Jaya*, *Aceh Besar* and *Sabang*.

On inquiry, ANFREL learnt that most candidates considered Mosques important places to conduct campaigns for candidates since they were important religiously and considered as an important centre for community activities.

In what could be termed an instance of the violation of the freedom of expression in *Takengon*, police stopped rallies and demonstrations for the fear of outbreak of violence. Largely, the campaign period was peaceful and candidates, especially those backed by national and popular parties, managed to draw huge gatherings. GAM leaders, contesting on independent tickets also managed to attract huge turnouts in *Aceh Jaya* and *Sabang*.⁹²

One of the most disturbing factors during the campaigning period was seeing children, some below the age of ten years, canvassing in and around *Banda Aceh*. Many candidates spent considerable amount of money to woo voters. Singers and theatre artists were part of the campaigns in and around Banda Aceh. In other areas like *Simeulue Island* and *Aceh Barat*, candidates made tall promises, such as giving land to voters if they won the elections. In another area (a village called *Blang Lah*) people were made to swear on the Holy Quran to vote for a certain candidate in return for money.⁹³

Campaigning came to an end on December 7 and on the subsequent day all campaign posters, banners, and paraphernalia were removed. The cooling-off days too were largely incident-free. Most of the political parties and candidates ensured that their supporters did not indulge in any kind of irregularities during the cooling-off period.

Black campaigning reportedly took place in *Lhokseumawe* and *Aceh Utara*. A former Governor contesting the elections lodged a complaint

⁹² Report from campaign periods in different parts of Aceh

⁹³ Report from Aceh Barat

about “black campaigning”⁹⁴ carried out by some canvassers. A suspect was reportedly taken into custody by the police following PANWASLIH intervention. PANWASLIH in Lhokseumawe received reports that some candidates’ campaign materials had been burnt and destroyed. Observers went with PANWASLIH members to the location where the billboard for candidates of Mayor and Vice Mayor Drs Marzuki Muhd Amin, MM - H Fathani (No. 2) and IR. H.T.A Khalid, MM – Drs. H. Mursyid Yahya (No.5) were burnt and torn. PANWASLIH received reports from canvassers and the people near the site of the incident⁹⁵. They reported the case to the police.

6.1. Security Situation and Incidents

The overall security situation in Aceh was, however, much improved and healthier than it was 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 were peaceful and even the run-up to the elections was peaceful. An environment very conducive to peace and without any incidents between GAM-TNI had been reported. However, since September the scale of criminal violence with weapons had increased significantly in several areas of previous high GAM concentration. Comment from a Koalisi HAM member in Aceh indicated that the ex-combatants of GAM feel unsatisfied with the relief support program from the Government, or that there is conflict inside the KPA/GAM itself. It also shows that illegal weapons still exist in Aceh.

However, the police guaranteed that the whole situation of the election process was expected to be peaceful, even in many Kecamatan (sub-districts) which had a significant presence of GAM members. Police and the Komisi Independen Pemilihan (KIP) too encouraged the international observers to move around freely, without fear or a sense of insecurity.

About 2433 policeman were recruited in consultation with the Government of Indonesia for law and order and security duties during the election and more policemen were available to be used. As per the MoU signed between the Government of Indonesia and the GAM, the

⁹⁴ Interview with Chairman of PANWASLIH

⁹⁵ Based on Interview with Deputy of Chief PANWASLIH in Lhokseumawe

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 likelihood that 40 police personnel (or one platoon) will be deployed in each area for the Pilkada (election). The KIP has standard rules for organizing the police.

Meanwhile a request was made to the Government of Indonesia to provide TNI support to the police in case of an extreme security breakdown. The TNI troupes had already started moving towards Aceh. However, the army personnel had been given strict instructions to stay in their barracks and not move out into public places as it could negatively 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".



The Group of LINMAS on preparation to secure the Polling station with no weapons, cudgel stick only - Photo serambi Indonesia

The Police conducted special training about security procedures at polling stations for the Election Day, in coordination with KIP and PANWASLIH. However, in several areas of *Banda Aceh* and *Kluet Utara* TNI conducted exercises in the communities and villages. Some voters expressed fear of TNI conduct during elections. Military harassment was reported from some areas as recently as four months ago. ANFREL observers and KIPP local observers raised their concern, submitting a letter to the Chair of KIP regarding the TNI military's movement outside their barracks. GAM in Nagan Raya expressed the feeling that they were not happy with the presence of the military in public during the last few days. KIP officials said that the election was expected to be peaceful. The same views were expressed by a large section of the society.

However the first reports of real violence had already started to come in just before the Campaign process began. In *Matang Glumpang Dua, Birueun District* a candidate for the gubernatorial election Mr. Humam Hamid was physically assaulted by some group of unknown persons. A vehicle was also set on fire and election materials like posters, brochures etc were burnt.

An ANFREL team went to the spot for verification. This happened only a day before a peaceful campaign pledge in the Grand Mosque, as a kick off of the campaign period. Mr. Humam Hamid came and joined the ceremony with wound and beat marks on his face. In *Lhoksueumawe* the same thing happened, when candidates' campaign materials had been torn and burnt by unknown people. PANWASLIH reported this case to the police, hoping that such incidents would not happen again⁹⁶.

A violent incident happened in Biuren, the PPK members *Herizal* and *Tajuddin* were attacked by an unknown group of men who threw stones causing them injuries in *Makmur* sub district. ⁹⁷. This case had been reported to the police and investigations were still ongoing.

Other incidents happened in Pidie, recorded by police who received a report about the kidnapping of Ahmad Sabi, the canvasser of candidates for Mayor and Vice-Mayor, Drs. H. Bustami Usman Tiro – Tgk Anwar Yusuf (No.7). The report was from his wife, Faridah Binti Adam. Ahmad Sabi was kidnapped at Gantung Village in sub-district *Kembang Tanjong*. He was released one day after the incident near his house. Police are still investigating this case and classified this case as a normal criminal case⁹⁸.

TNI in *Lhokseumawe, Biruen, Aceh Utara* and *Pidie* were ready to provide backup support to the police should the situation demand. At the time, they believed that only the police could control the situation inside and around the polling area with help of LINMAS (a peoples' volunteer organization for security). This civilian security, temporarily recruited and trained as "core" security in the polling station, were the only ones

⁹⁶ Based on Interview with the Chairperson of PANWASLIH in Lhokseumawe District

⁹⁷ Based on interview with Mokhtaruddin and Mukhlis, Members of KIP in Biuren.

⁹⁸ Based on interview with the Deputy of Police District Commanders (Wakapolres) in Pidie, and Mr. Erwan, chief of Police Investigation Division in Pidie.

allowed to move around inside the area. The idea of involving civilians was for neutrality; this was a step towards maintaining the situation and also for the comfort of the voters who would not view them suspiciously. The official police forces were stationed around and outside the polling station during the process to monitor the elections.

In Aceh Singkil, security preparations and red (best to keep a normal situation, this election is different from past elections, society is going to respond to local shortages or problems. LIMNAS will be reflected in the forthcoming election". A Moulavi (Muslim religious leader) also added, "The situation is sensitive, so I am trying to make the people be more peaceful and calm." In Pidie, the police seemed well prepared for the elections and had even categorized and marked the various areas as:

- i) Less dangerous: will deploy one police officer to secure two polling stations
- ii) Dangerous: will deploy two police officers to secure three polling stations
- iii) Very dangerous: will deploy one police officer to secure one polling station

In Aceh Singkil, security too was categorized as green, yellow, and red (best to worst). In addition there were 300 additional police personnel on hand for Election Day to respond to local shortages or problems. LIMNAS provided 1890 personnel to help the police for the Election Day. This means that all polling stations had LIMNAS personnel.

As many as 10,014 policemen from the Nanggroe Aceh Darussalam (NAD) Regional Police attended the troops' assembly to prepare for the Pilkada⁹⁹. Assemblies were held at the regional police HQ in Banda Aceh and all the District police at the same time also had the assemblies in every district too to see the readiness of the security personnel for the upcoming Election Day. The 10,014 policemen were to be directly involved in the election's security, while another 3,000 personnel were assigned customary law and order responsibilities that mainly involved safeguarding the BRR, AMM, Exxon projects and also to monitor foreign

⁹⁹ Interview with the media by Chief of Aceh Regional Police

observers. All police officers on election duty were to receive 32,650 Rp. for 34 days. This was announced by NAD Regional Police Commander Mr. Ir-jen Bahrumsyah.

In *Sabang City*, the police provided a sound backup to the KIP in managing the security operations and were stationed at strategic places such as the Campaign ground near Sabang Plaza, KIP office and also near training centers. Up to that point, the TNI was not used in other areas like Aceh Jaya. There were enough indications to suggest that the army was maintaining a strict vigil and was on high alert. In *Gayo Lues* on the Election Day, two police officers were placed on duty in remote areas in 1 polling station. In other areas, one police officer was responsible for three polling stations. This was being done considering the geographical distribution of the polling stations and the distance between the polling stations. The police had imparted security awareness training to the public and also trained members of the LIMNAS for the election duty.

In Biruen, GAM's stronghold, the security situation improved drastically after the peace MoU. Prior to the MoU there were a lot of TNI checkpoints all over Biruen. For the elections, the police readied 863 personnel with the help of 1744 personnel from LINMAS to guard the 685 polling stations in 17 sub-districts of Biruen.

Intimidation was reported by ANFREL observation team in Tamiang Hulu. Aceh Tamiang, being on the border with North Sumatra, was one of the front lines of GAM. Intimidation by GAM was reported to PANWASLIH. It came to be known that one GAM member supporting the Mayoral candidate visited the canvasser of other candidates giving them stickers for distribution amongst the local people, at the same time threatening that they would do harm to people if the Mayoral candidate No. 4 did not get more than 50% support from the constituency. These cases were brought to the notice of the police and were subjected to investigation at the time of the mission.

The dispute between the supporters of Humam Hamid and Irwandi-Nazar with both claiming that they had support from GAM. The difference between the two groups was that Mr. Humam Hamid-Hasbi Abdullan was getting support from the Exiled Elite GAM in Europe but Mr. Irwandi –

Nazar was supported by the GAM field combatant.

The dispute between these groups become clear when Mr. Humam Hamid and his 15 supporters were attacked inside a kiosk at the Matang Glumpang Dua, Birueun District, which is 30 minutes by vehicle from Exxon Mobile Company based in Lhokseumawe to the west. Mr. Humam Hamid and his supporter wanted to have a rest and went into one of food stall and were suddenly attacked. The attacker punched Mr. Humam Hamid once, damaged the bus and burned stickers and banners belonging to Humam Hamid, although no serious injuries were reported.

This was the second case between the supporters of Humam Hamid and Irwandi Nazar. Before this incident a case had occurred when the supporters of Humam Hamid distributed a Weekly tabloid in which an article highlighted Mr. Humam Hamid. The supporters of Irwandi-Nazar did not like the importance given to Humam Hamid in the article nor what was written and it was reported that he was punched.

Another case occurred during the Electoral Independent Commission (Komite Independen Pemilu – KIP) at the hotel in Banda Aceh, namely the Swiss Bell Hotel, where he was attacked by a participant at the public hearing. This case was considered by KIP as a serious incident and they reported it to the police.

7. COOLING PERIOD AND SETTING THE POLLING STATIONS

After two weeks of noisy campaigning from November 24 – December 7 2006, KIP had imposed the cooling period to calm the situation before going to the polling days and ensured that there was no campaigning at all. This was helpful in order to reduce the tension, make a conducive atmosphere, and to concentrate on the final Election Day as well.

The observers were impressed with the initiative shown by the candidates, KIP and Panwas in helping the Government officers to clean all major campaign materials from the city. The banners, posters, stickers that were stuck on the wall or everywhere were totally removed all over Banda Aceh City within one day. Especially places such as polling stations were cleared up as it was forbidden for any particular

symbol of candidates to be in the vicinity to ensure the neutrality. Some giant banners that were not easily removable were covered with curtains, plastic, or anything else, to ensure it did not show the pictures.

In Bireun even though no major campaigning was observed, some of the banners, billboards and stickers of the candidates were still around, i.e. the billboards and stickers for candidates contesting for Governor and Vice Governor such as No. 1, 2, 3, 4, 5, 6 and 7¹⁰⁰. ANTV, a TV program based in Jakarta violated the election law and the code of conduct for media during the cooling period and were still advertising the campaign for Governor and Vice Governor by candidate No. 3¹⁰¹. While in Pidie, generally the candidates obeyed the rule of cooling period, and while all the major campaigning materials had been removed, some of the stickers and banner were still left¹⁰².

The three days of cooling period also proved to be critical as last minute preparations before the election days were still going on. There were still some logistical problems to be resolved regarding distribution and transportation, and the voter card issue also remained the most prevalent problem in several areas like Aceh Besar, Aceh Jaya, Banda Aceh, and mostly the other tsunami affected areas.

However for the areas which have managed to deal with the problem, of voters cards they were beginning to now struggle with the distribution of the ballot boxes and other sensitive materials which were waiting in the PPK. Ballot papers were loaded inside the boxes according to the number of voters in the list, with an addition of 2.5% extra ballot papers as backup. These boxes were sealed and distributed directly to the polling stations a day before the elections day. Some of the PPK had their own policies to distribute the boxes (including the sensitive materials inside the boxes) to be delivered to the polling stations a day or a night before the election days.

The boxes were to reach the polling station and placed in temporary storage in secure places under the guard of the police or the Linmas. In

¹⁰⁰ Based on our observation on 8th December 2006 around Biruen

¹⁰¹ ANTV, 1.25 pm on 8th December 2006. They still advertised the campaign Governor Candidate, No. 3.

¹⁰² Based on the observation on 9th December 2006 around Pidie

some cases it was found that the polling staff and KPPS stored the materials inside the house of the village chief or KPPS staff themselves according to the internal agreement and trust existing among them. However, in all such cases the boxes and materials did not meet the required standards of being placed in a secure place. In some cases it was found that due to the security reasons the PPK distributed the boxes only a few hours before the opening of the polling station.

While there were existing standards and instructions given in the manual and regulations, pertaining to the roles and responsibilities, in most cases these were not followed. It was noted that the PPK invited the KPPS and Linmas to pick up all the materials for the polling day, and these materials were in fact being sent using trucks, motorcycles, private cars or becak¹⁰³ and in most cases, without any security escort.

Most of the polling stations were set up a day before election day, yet some visits brought to light that some of these polling stations were left unattended while waiting for the event to take place. It was noted that the polling officers were going out without placing any security, thus leaving the place vulnerable to any disturbance or sabotage. Comparing such situations and the level of standards against the manual and regulations¹⁰⁴ that were provided by the KIP, there was a marked difference.

Most of the polling stations were poorly housed and were made using a tent, separated with plastic ropes; some polling stations were half open without any protection from the rain, while polling stations were set up inside the class rooms. However beside the problems of set up the stations we also note a positive comment that where the polling station existed in the same address managed by the KIP before, so observers had no difficulties to find the place since the observers already had a polling station address list from KIP in advance.

¹⁰³ Becak is a traditional vehicle used in daily transportation.

¹⁰⁴ KIP Decree No.42/2006 regarding the procedure for polling and counting in polling stations, annex with polling station set up.



Polling station set up manual

In *Aceh Tengah*, all 24 TPS locations were determined by KIP. Inside the 24 TPS there were no proper waiting areas for voters. Apart from that, all other facilities were provided for voters by KPPS officers. Some of the polling stations were in a real mess due to heavy rains as some of these stations were only half covered by tents and some were set up in open air and there was no protection provided for the boxes or for other important materials. This also happened in almost all open air polling station in other districts.

A part of final preparations for the election, NGOs seized the opportunity of the cooling period, in contrast to the candidates' campaigning activities pre-cooling period, and started their outreach for the public and to protest against the KIP to express their dissatisfaction with the current process. They used the last period before the elections as an important moment before the history was made. A group activity of KIPP (Komite Independen Pemantau Pemilu) was conducting public outreach in strategic places and distributed a **5 do's** and **5 don'ts** which were put together as a Voter education leaflet. This was aimed at reminding people what should they do on election day, other activist who gathered together as NGO collision of Aceh and carried out a rally to the central KIP to build pressure and to remind them for conducting a free and fair election process in Aceh.

8. POLLING DAY OBSERVATION

8.1 Opening

According to the scheduled timings, polling began at 08.00am with the oath ceremony of all polls officers; it was followed by the opening of the boxes and removing all the material and forms from the boxes. The KPPS started the voting process after transparency counting of all the ballots paper inside the boxes and ensuring that the boxes were empty boxes by showing them to the witness and observers and finally resealing the boxes for the voting process.



Underage polls officer

Generally everything seemed to go smoothly and systematically, however, there were many irregularities during the process. The observation recorded delayed in Aceh Barat, between 09.30am and 10.00am, because of heavy rain; the observation also found a group of 16 year old youth performing the role of a Polling Officer

in the Polling Station. When the observation team wanted to discuss about this issue with the KPPS, the officials seems to have disappeared and hid, simply refusing to talk.

All electoral officers and most of the witnesses presented at the polling station. Ballot boxes were brought into the location at 7.45am. Thereafter the ballot boxes were opened and checked for all essential materials for election. Many polling stations implemented different standards, some polling station counted one by one a bundle of ballot papers which were received however another polling station did not count the amount of the ballots that their received.

It was also observed and recorded that some candidate's campaigns posters / stickers were not removed within a 200m proximity to TPS. In Aceh Barat, a big poster of the candidate still remained within 100m around the location of polling station.

In some areas ANFREL observers noted cases of un-completed logistics in polling station during opening. One such example was in Aceh Selatan where ANFREL witnessed the delivery of the ballot boxes including the sensitive material inside 8 Polling stations in Pasie Raja, Krueng Kale, Aceh Selatan - the voting booths were not sent along with the boxes or other materials, resulting in the KPPS staff having to make the booths using whatever materials were available around the Polling station. In Kalkemelic village TPS ballot papers were not enough, after KPPS

realized the situation, they were immediately provided with the essential ballot papers by the PPG.

In Aceh Barat, polling station No. 8 Sub District Ujong Kalak, there were not enough ballot papers for all the voters: they had 508 voters but only 465 ballot papers. 43 voters could not vote. They asked KIP sub-district for more ballots, but on inquiry it was found that they had been waiting for 2-3 hours already.

8.2 Voting administration

As expected before, where the preparation was so short and there were many administrative problems in preparation especially about the voter card, and also inadequate training for the polling officers, this triggered irregularities in polling process administration. One example was in two TPS (polling stations) no 4 and 5 in sub district Laut Tawar, village Taken Timur-Tetanjung, where voters list got mixed up between them. Immediately both KPPS officers contacted each other and got their lists back and managed the situation. ANFREL observers also learnt that in TPS no-5, 11 punched ballot papers were recognized as legitimate votes.

In ***Aceh Tamiang and Banda Aceh***, KPPS distributed voter cards and invitation letters minutes before the voters were going to cast their ballot. The KPPS only gave an empty invitation letter and let the voters complete their personal information and then return it to the KPPS, and before the voter cast the ballot the KPPS would tear-off the invitation letter into two parts. Some Polling station collected their voter's card and many other polling stations did not. The polling stations which collected the voter cards said that they would keep this voter cards until the 2nd election and distribute them again to the voters. It seemed that there was no coordination on this matter from KIP or KPPS didn't get enough training. When asked about the last training from KIP, the staff mentioned that it was one week ago and they were busily occupied with distributions and preparation of the TPS during the final week. The KPPS allowed the voters who came without carrying the invitation letter or Voter card to cast the ballot after the KPPS checked their name in the list, as was found in *Alue Bugeng, Aceh Tamiang*.

In **Aceh Barat** the voters did not sign the voter's list when they registered to vote. The staff would put a check mark or highlight their name. It was found out that on the voters' lists there was no space for the voters to sign. In some polling stations we found the staff replaced a voter in the voter list who did not live in the village, with a voter who did not have his name in the voters list. The invitation letter was written immediately by the PPK and then s/he voted. ANFREL found 6 people being present at the time when this incident occurred. Generally it seems that the voters did not bring their voter card when registering, only the invitation letters. There was not a distribution process to give the voter card to each voter. In one polling station a villager came to complain that they could not vote because their name was misspelled on the voters list. It was done correctly by the village chief originally, but when it was sent to administration the spelling got mixed up and the final list was wrong. To solve the problem the PPK had a meeting with the secretariat team and decided that the man could vote. Half of the Polling stations operated a secretariat room to solve any problem with the voter's lists.

In *Perk Tanjung Seumantoh, Kota Lintang* there were 12 polling stations, Benua Raja 3 polling stations, and Landuh 4 polling stations. Some voters had already registered their name but they didn't get any invitation letter from KIP and voter cards.

Other cases that ANFREL found in Aceh Tengah, was the presence of unauthorized people in 2 polling stations where two people took photos (one person had a video camera and the other person had a mobile phone camera) apart from the authorized persons. In the prison a KPPS officer used a camera phone and took a photo of the ANFREL team.

8.3 General Observation of the polling process

In *Aceh Tengah* a ballot box was alleged to have been found with 11 ballot papers already punched before the voting processes. This serious allegation caused all independent groups and political parties (apart from Political party no-1) to come together for an immediate meeting about this issue at 8.30 a.m. and to discuss how to respond to the incident. All the 11 punched ballot papers were dedicated for Candidate no. 1 was the conclusion of PBR, PAN, P. Patriot Pancasila. Dr. Ahamad

Yuzar, chief of KPPS, said *"After we opened the ballot box we recognized 11 punched ballot papers in there, now we kept those 11 ballot papers separately"*. (Sub district: Lut Tawar, village Takengon Timur-Tetanjung, TPS no-5)

The same incident also happened in Aceh Barat, in polling station no. 12, where a number of ballot papers were found to have already been punched before the voting process.

In *Kluet Utara*, from 8 polling stations, ANFREL Observers noted that the polling stations were unorganized, unsecured and also had closed early.

8.3.1 Voter's Privacy

In relation to voter privacy, ANFREL observers discovered several polling booths were set up in the wrong position in Aceh Tengah. The booths at most polling station did not protect the voter's privacy - other people could see clearly the number that a voter voted for. At the booth at *Bukit Meusara* village, one LINMAS tried to look into the booth while voters were voting. He sat next to the booth and talked to voters while touching their ballot papers. There were too many LINMAS in some villages both inside and outside. Some influential persons sat outside and socialized with the voters. At the *Sukatani* village of *Aceh Besar*, one senior villager (looked like religious leader) sat inside the polling station all the time.

Most Polling stations in *Aceh Barat* were lacking privacy for the voter, even those following the layout of the manual standard, but about half of the ballot booths were not private (privacy in the polling booth). They were either too close together so people could see into the booth beside them (P/S #11) or the booths were completely open for anyone to look in behind them (Poll station #4). Privacy and secrecy was not maintained. At Poll station #1, before the opening, the observers were sitting behind the booths. This was changed before the opening after ANFREL team made a suggestion. At the indoor Poll station #14, the security stood behind the voting booth and looked at the voter when they cast the vote. It was found out later that he is a village chief. Trouble happened in some booths when somebody was not able to fold the papers, until his friend came and helped him to fold it; most of the people present could

see where the vote was put.



Lack of privacy of ballot booths where other person can observe

Photo taken by ANFREL Observers



In *Aceh Selatan*, *Pasie Raja* sub district, Silolo: 2 TPS: No. 303 was setup inside the voting tent facing the wrong way. ANFREL pointed this out to the TPS Chairman. He promptly instructed his staff to rotate the voting booths to the proper direction and take away the door drapes

In *Aceh Tengah*, 5 polling stations were set up without privacy for the voter too, in *Aceh Tamiang* mostly all the polling station visited by ANFREL set the polling booths very close to witness's seats.

8.3.2 Finger checking and Inking Problem

In the election process to distinguish the voter who already exercised their right, the polling administration should mark the the voter's finger with the indelible ink provided. To ensure against double voters the polling officer should check the voter's finger before they allow the voter to punch the ballots. ANFREL observers found most the Polling station in **Aceh Besar** and **Banda Aceh** did not check fingers before the voter proceed to cast the ballots, and most of polling staff did not know which finger that voter should dip in indelible ink, and some voter left the station without inking their fingers.



Improper indilible inking

In **Aceh Barat** almost 16 of the polling stations visited did not check to see if the voter had voted already. Ink was not used for all people. Staff did not check. P/S #1 missed 5 people and at others it was on average seen 2 people per P/S. The selection of finger didn't seem to matter - there was no standard. Nails were sometimes dipped in ink, but not fingers. This makes the marking useless.

In **Aceh Tamiang** district ANFREL also visiting a number of polling stations such as Perk Tanjung seumantoh-Karang baru, Kota Lintang, Benua raja, and Landuh. Again, there was no regular checking a finger of the voters and the voter did not dip their proper finger in the proper way. Many voters left without having dipped their finger in indelible ink.

8.3.3 Special Polling station

Prison Polling Stations

165 eligible voters (prisoners) were allowed to vote at Rutan KIs II B prison in **Jantho city, Aceh Besar**. Prisoners sentenced to less than 5 years, except the new comers, had the right to vote. All male and female

had the same right to vote at the same time in the same polling station. Prisoners were called by name one by one. Two prisoners wore T-shirt No. 3 (Golkar candidate number) and were walking around, when the team was present for the observation the ANFREL team was told that some prisoners were GAM members.

In **Aceh Tengah** ANFREL also visiting the Polling station in Prison, and recorded 187 voters who cast the votes from 194 registered in the list to cast the ballot. The Polling Station in the Aceh Tengah prison was well managed and set up according the KIP manual. In **Langsa City** prison too, the management and set up of the polling station was good and the team was quite satisfied, the secrecy of the ballot booths was protected with distance being placed opposite the wall, although the opening was delayed by an hour.

External Mobile voting for sick / ill voters



Polling station in Prison-

There was a service for voters who were sick or had to stay at home during the voting day and could not go to vote. The KPPS and Linmas carried ballot papers to the voter who was sick by motorcycle and Coblos at their houses. The paper was brought and given by hand, not put in the envelope. This practice was done without any

regulation provided by KIP and it is not part of the training process. Some KPPS staff were wrong in this process by giving ballot papers wrongly to the voters. ANFREL understands that it had been the practice in the Indonesian election 2004 and there was a regulation for that election, but not for this election. Observers asked how the KPPS the Chief can have authority to bring ballot papers outside TPS without a permission or regulation from KIP.

A special polling station in Hospital was also in Aceh Tengah. It registered 16 patients but because most of them did not bring the form DA-1, KPPS did not allow them to cast the vote. Of the 16, only one patient was allowed to vote.

ANFREL observers followed one team of KPPS and Linmas (TPS No.1 from Sukalani village) who carried 4 ballot papers to the house of 2 female voters, who just delivered 2 babies, to vote. In Aceh, Muslim women are not allowed to go out of the house for 44 days after delivering a baby. The KPPS made a mistake by giving the first woman two identical ballot papers (both for the governor election) without checking. Then the second woman refused to vote because she only has two identical ballot papers which were both for the mayor election. The KPPS asked ANFREL for advice and finally both women agree to share their vote and ignore the mistake.

8.3.4 Security

On Election Day an incident occurred when the bomb exploded in *Village Lhok Kuyuen, Kecamatan Sawang, Aceh Utara* inside a school which still under construction. A low explosive bomb detonated early before the elections around 05.00 a.m. A bomb with 25 Kg weight and 30 cm size, and explosive range of 20 meters had a simple material composition with nails, screws and iron, filled with carbide powder. It was designed to intimidate the people who would be coming to cast their vote in the polling station. It, however, failed to influence or to intimidate the voters who were coming to the polling station.

Similar opinions were expressed by the Provincial Police commander, Inspector-General Bahrumsyah and also the caretaker Governor of Aceh, Mr. Mustafa Abu Bakar.



Police bomb unit handling the material, after the explosion in Aceh Utara

Another unexploded bomb was secured by the special bomb unit of Lhoseumawe police district. No victims or injured were reported during this incident and the election process was successfully carried out in the area until closing and counting time

8.3.5 Candidate Agents

ANFREL observed that most of the candidate agents did not know how to monitor the voting process and were too passive, in all polling stations visited. Complaints regarding the restrictions on the use of any symbols and photo's of the GAM governor candidates were seemingly unattended to and there was no enforcement of the rules and regulations curtailing canvassing while the elections where going on, thus violating the election laws. Apparently the reasons were that most of the agents belonged to the independent GAM candidates.

In *Aceh Selatan* the TPS in Kota Fajar city bus station was conducted properly. However, even here, there was only one party witness per TPS; this trend was also observed in many rural areas.

8.4 Closing and Counting Process in Polling Station

There remain a number of unanswered questions about the process adopted to count the ballots after the closure of the voting. One problem was a clear lack of uniformity in the counting procedures in most of the

TPS.¹⁰⁵ In some TPS the Mayors ballots were counted first whereas in others the Governor's ballots were counted first.¹⁰⁶ Though it did not lead to any aberration it created enormous confusion, which had the potential of creating a major problem.

For instance in some polling stations in Aceh Besar the vote counting was recorded on big flip charts for the convenience of the public whereas in others districts¹⁰⁷ the counting process was kept in abeyance until a couple of days after the polling process. A Chief of a polling station said that the aggregation would be done later and that all the ballot boxes would be stored inside the PKK room/building and not moved to the district office.

Another major area of concern was tackling invalid votes by the polls officials. For instance in Alue Bugeng, Aceh Timur, the Chief of a polling station came under the influence of outsiders (villagers and non-KPPS members as well as witnesses from candidates) while deciding on whether a vote is valid or invalid. This led to confusion and differences amongst supporters of candidates. In other areas such as Aceh Selatan and Aceh Barat Daya problems arising out of invalid voting was also encountered during the counting process.¹⁰⁸

There was a complete lack of uniformity in the counting process, starting from sorting out the used and the unused ballot papers, identifying invalid votes and following a standard method of counting.¹⁰⁹ Some polling stations carefully followed the laid down guidelines of the KIP, such as defacing the unused ballot papers, while there were many cases of the 2.5 per cent unused or extra ballot papers being completely ignored by the poll officials. In many polling stations it was discovered that unused ballot papers were lying in conspicuous places giving rise to speculations of manipulations by vested interests.

In yet other polling stations it was discovered that during the counting process it was discovered that ballot papers for Governor and Mayor

¹⁰⁵ Reports from six districts monitored by ANFREL LTOs on 11th December 2006

¹⁰⁶ Report by Team 1 from Aceh Besar and Team 2 from Pidie and Biren

¹⁰⁷ Report by team 4 from Alue Bugeng, Aceh Timur

¹⁰⁸ Report by Team 5 from Aceh Barat, Nagan Raya and Team 6 from Aceh Selatan

¹⁰⁹ Report by Team 5 from Aceh Barat Daya and Aceh Barat

were placed in the same ballot box.¹¹⁰

In Nagan Raya district it was discovered that most of the invalid votes resulted owing to the fact that people didn't understand the voting procedure, perhaps indicating inadequate public education about voting. Some voters punched a hole through the folded ballot paper while there were others who tore off large portions of the photographs of candidates from the ballot papers.



Counting Situation in Polling Station

It was also observed that the chief of a particular village was managing the ballot papers while the security personnel folded the ballot papers after KPPS displayed the ballot to the public.¹¹¹ The security personnel seemed unconcerned about people who were so close to the counted ballot papers that they could easily have manipulated valid and invalid votes. Ironically, polling officials here seemed more engrossed in smoking outside the counting station.

In many polling stations KPPS members (polling officials) showed poor management after they finished the counting. While ballot papers and other poll related materials were being kept in the ballot boxes, it was discovered that a number of other important formalities were not completed.¹¹² This occurred mainly because many KPPS members lacked training on completing forms correctly. This ought to have caused some embarrassment to the KIP as only the ballot papers were sent to the KIP sub-district level offices accompanied by two policemen, while the KPPS

¹¹⁰ Cases reported from Banda Aceh, Aceh Barat and Biren

¹¹¹ Cases reported from Alue Bugeng, Aceh Timur

¹¹² Cases reported from Alue Bugeng, Aceh Timur

members wanted more time to be able to send the other documents. This was an anomaly on the part of the authorities and should be rectified so as not to leave any room for doubts about the integrity and transparency of the system.

Poll counting is regulated under KIP Decree no. 43/2006: article 31 addresses closing of the polling process and article 32 - the counting schedule, clearly stating "*the counting [is] not allowed before 02.00 pm*". However implementation in the field was different with various polling stations closing and starting the count before 02.00 pm. Generally, however, the vote counting finished smoothly: a copy of the vote count report was posted outside the counting station, and witnesses were also satisfied about the vote counting processes. Nevertheless, ANFREL did observe some irregularities in the process.

In *Aceh Besar*, 2 polling stations were found closed and started their counting before 02.00 pm. In *Aceh Tengah*, 3 TPS's closed before 12.40 pm and started to count before 01.00 pm. In those 3 TPS's total numbers of registered voter's was 817, when they closed only 723 voters cast their votes. We asked about early closing of TPS's "all witnesses agreed," so we closed, we think after this time voter not come for vote" said KPPS officers.

In *Nagan Raya*, Gunung Pungki Village, Polling station No.2 closed at 12.00 noon and started counting the ballots. Only 230 people voted out of the 603 people on the list. In another polling station, there was no announcement of closing the station, although it was done on time.

In *Kluet Utara*, Kampung Paya, two polling stations closed early at 12.00 noon and had finished counting the ballots by 01.00 pm; their tabulation sheet was also completed by that time. ANFREL observers found three Polling stations closed before 02.00pm, and according the interview with the KPPS, the closing followed the PPK instructions. Further information from BKRS monitors¹¹³ was that the instruction to close the polling station came from the "Camat" who came for inspection to close the Polling Station. The police official securing the place disagreed with the early closure, but since his duty was not connected with internal policies,

¹¹³ A local NGO present in polling station

he could not do anything and just left. An ANFREL observer followed up this situation later with the PPK chairman but he denied PPK gave the early closure order, stating "*his office or any staff had absolutely not given instruction to close early*". He explained he had given a morning briefing with instructions that all Polling Stations must remain open even if all voters had voted until 02.00pm. Further PPK Chairman supplied a list of his staff. His staff had not visited the TPS.

However, a Camat officer had spoken with the BKRS Monitor. Further interviews with PPK and the Kampung Paya Chair and staff revealed that the BKRS Monitor had said to the polling officials, "the Camat/PPK man said that all votes must arrive at the PPK office by 02.00pm". Other polling stations reported as closing early were in *Ruak-I* and *Kreung Kluet*, when an ANFREL observer arrived in the location, all the KPPS, Police, LINMAS, logistical, candidates agent had already departed. In *Ruak-II* the polling station also been recorded closed early around 01.15 pm or 01.30 pm, ANFREL arrived at 01.35 and ballot counting had just begun.

In *Kampung Paya* Polling station, ANFREL recorded that the results of counting were 540 from 576 votes (equivalent to 94%) votes for one particular Governor candidate. In *Ruak II* ANFREL recorded a 378 from 453 votes (approx. 81.6%) for a particular candidate of governor leaving only 12 votes for all the other seven candidates. These trends project a high voter percentage for one candidate (80 – 90%), and combined with the fact the two polling stations closed early, there is a high possibility of cheating and manipulation. However without any proof, evidence, witnesses or testimony this only becomes a speculative guess.

ANFREL noted that in the above mentioned areas, the polling officers, including the KPPS were not adequately trained on the polling processes and the Chairpersons of the Polling Stations did not take responsibility for getting their staff trained and continued their activities geared towards the polls. These Chairpersons consistently maintained that they had no information or guidelines about certain operations and logistics issues. Whenever there was any question or a problem, the staff and/or the Chairpersons left it unaddressed instead of contacting those in charge or higher authorities or even consulting their elections materials

and guidelines available. Whenever ANFREL questioned some of the polling staff, these staff would be searching thru their materials to find the KIP guidelines and information for the answers was read from there.

8.4.1 Invalid ballots

Invalid ballots were created when people did not understand how to vote and they punched a hole through the folded ballot causing 2 holes in the paper. In Nagan Raya there were 5-6% invalid ballots. The other causes of invalid ballots were that people were tearing out large portions of the photos of the candidates on the ballot.

The last polling station visited by ANFREL had approximately 5 invalid ballots with large holes. It was found that one of the invalid ballots was not invalid as a mosquito that had died on the ballot was thought to be a second punch hole in the ballot. ANFREL showed it to the counters and it was added as a valid ballot.

In almost all counting process observed by ANFREL, the environment was the same in which a decision for an invalid or valid ballot was taken by the witness or observer. One of the strongest reason that was prominent in all such cases was cited by KPPS to be the majority voice or opinion expressed at that time in the polling stations by the people. This allowed the KPPS officials to feel neutral and thus taking the majority decision to be the verdict they used such public opinions into count for decision.

8.4.2 Voter turnout

Since the opening of the process in whole of Aceh, the observers were informed of the enthusiasm of the people of Aceh who came to cast the ballots. The voter turnout was high, and ANFREL was confident of high participation rates. After the preliminary counting and aggregation of the results of the Governor/Deputy Governor election, it was reported there was a staggering 82% voter turnout or approximately 2,171,015 Acehnese who came and participated.¹¹⁴ The participation rate was taken from 2,632,935 of voters listed in final registration list.

¹¹⁴ Valid votes: 2,012,370 and invalid votes: 158,645. So total votes were 2,171,015, with only 7% invalid votes.

8.5 Transportation of Ballot Boxes

A number of irregularities were noticed in the method of sending ballot boxes after the end of the counting process in the polling stations. The main concern was lack of transparency in the movement of ballot boxes and their overall security.

In a few areas it was found that the ballot boxes arrived at the KIP sub-district office much later than the scheduled time. In some KIP sub-district offices it was discovered that ballot boxes were not completely sealed. Reports of such cases were found in areas like Kota Langsa Perk Tanjung Seumantoh, Karang Baru, Aceh Tamiang and others. In many KIP sub-district level offices it was found that most of the ballot boxes were unlocked, unsealed, and unsecured by the police.



*A Linmas transfer a boxes a day after
Election Day*

Inside offices, it was found that the boxes that arrived from the TPS were moved and reopened by KPPS officials so as to fill up the incomplete forms and documents regarding vote count and other details. The chief of KIP sub district office seemed to have no solution to address the situation and allowed the KPPS member to complete the forms. The contention was that the KPPS members

were not adequately trained in filling up the poll related forms.

The other problematic area that could be looked at is the delivery of ballot boxes to polling stations. Many ballot boxes carried in vehicles for transportation to PPK were not safeguarded.¹¹⁵ The transfer activities continued a day after the elections day, for some polling station in far

¹¹⁵ Cases reported from Lhokseumawe, Aceh Besar and other areas like Aceh Utara

distances, some polling stations stored the boxes during the night in the village due the distance and security reasons. The storage and counting in *Kecamatan* was witnessed by the candidates' agent.

The process was to be continued in the District and Provincial levels before a final verdict on the election results was reached. ANFREL observers recorded irregularities in the storages of the boxes. These pertained to the boxes not being secured properly, lack of security or a closed room which could be locked to guarantee that the papers would be safe and sterile. In all there was no mechanism or process which could ensure that the election results were secure. The issue is critical as such a gap in the process could easily be exploited and manipulated.

9. POST ELECTION DAY SITUATION

9.1 Quick Count by LSI and NDI

Two quick counts were conducted by the NGOs LSI (Lembaga Survey Indonesia) – JIP (Jaringan Isu Publik) and Jurdil Aceh. Both of them announced the result of their informal counting result only a few hours after the closing of the polling station. They both reported almost same result – a victory for ex-combatant GAM, the LSI-JIP count with 39, 27 % and Jurdil Aceh with 38, 57%. The result was a shock to many people because Irwandi-Nazar, were not the favorites to win the elections at all. ANFREL attended the press conferences of LSI-JIP and observed the big surprise at the result.

Opinions varied as to these methods of informal counting and declaration of the results, because they could lead to instability before the announcement of the official final results. The informal result from the two quick counts still have to wait for the final legal result following the aggregation and bottom up review according the election law¹¹⁶.

¹¹⁶ To occur at the polling station level, and then at PPK and later to KIP District office for Mayor and Bupati, but for Governor it occurs only at KIP Provincial Level.

9.2 Complaint

Many complaints were recorded by the PANWASLIH regarding the polling and counting process. Four days after the elections in Aceh Besar, the coalition pairs of candidates named FBVP (Forum Bersama Verifikasi hasil Pilkada) reported their findings to the District KIP and PANWASLIH. They demanded a new election as they observed a number of irregularities and violations by the PPK. These related to the opening of about 11 boxes without any witnesses, distribution of voter's cards where registered voters did not receive cards but unregistered voters did. The other issues which the coalition raised were about boxes being transferred from the polling station without any escorts or witnesses from the PPK. These violations were happening in almost all the sub districts in Aceh Besar including: Jantho city, Lhoong, Darul Imarah, Darul Kamal, Baitussalam, Darussalam and Ingin Raya.



Un-attended boxes in PPK storages

In Aceh Tengah, a week after Election Day, a coalition of 7 candidates also raised several protests to the election management bodies (KIP and PANWASLIH), district office and District Legislature. The coalition also demanded the disqualification of a candidate who was suspected of using the government bureaucracy and facilities at many levels

(from head of district authorities to Keuchik/head of the village) to win the election.

The coalition also brought proof of polling violations where ballot papers were found punched (holes) before the polling process had begun. Besides reporting to KIP/Panwas, the coalition brought the case to the court, although the court rejected the case. The conflict grew without solution and the tensions built to the extent that the KIP district office

was burnt on early morning of 1 January, 2007. This destroyed all election material and important documents including the ballot papers and counting documents. The police investigated the incident and arrested one staff member who was working part time. However after interrogation, the police concluded it was only criminal action and had no relation with the conflict, and stated that it would not change the election result at all.

The incident had considerable impact and put pressure on the KIP/Panwas. Without any clear explanation both groups disappeared from their posts for a while, until finally they were back on duty again to resume their work and finalized the counting result for the District legislative and left the problem behind.

In Nagan Raya, even though the KIP finalized the election results, the High court is still hearing the complaints disputing the results submitted by 8 pairs of candidates demanding new elections.

In Seumeule, 5 pairs of candidates held a big demonstration for a week to demand new elections in the whole Island. The case arose because most of the candidates were unsatisfied with several incidents of irregularities.

In Aceh Tenggara, a case was brought after the Central KIP sent a letter to the district KIP to remind them about finalizing the election result according to the schedule. The KIP at district level could not finalize it because of a unresolved disputes and demands for new elections from many candidates. The chairperson of District Legislature was subsequently involved was dissatisfaction with the Central KIP and considered that it was trying to influence the process too greatly. His unhappiness was translated into a legal government complaint and he brought the case to the state court. The case became more complicated when the state court made a decision to support the re-elections in the district. Because in the election law, the option for re-elections must be endorsed and issued by the Panwas and KIP, the declaration of the final results in the district was delayed past the scheduled date.

A big demonstration also took place in *Aceh Tamiang* by supporters of the candidates who claimed to have found money politics being used.

They brought evidence such as generators, carpets, Soccer t-shirts, and prayer tools to the KIP and PANWASLIH. They demanded re-election and, the money politics complaint was recorded. The situation got more serious when an incident happened in Kecamatan Kejuruan Muda; a group of unknown people entered the box storage room and broke the seals to open at least 90 ballot boxes. This was before the results meeting to finalize the aggregations from the Sub district office. The suspects were not identified and ran away, but the cases are still in the court with demands for a new election.

In Aceh Barat Daya, members of Al'quran reading club in Village Pasi Jambu, Kecamatan Kaway XVI signed an agreement with a particular candidate two days before Election Day. The 20 peoples who signed the agreement would get clothes and other materials if the candidate won the election. The cases were sent to the police and are still under investigation.

10. ELECTORAL RESULT

The final election results were announced by the KIP on December 29 2006. This was earlier than scheduled, because all the materials and results had been completely accepted from all districts, and there remained no major complaints of the results. The commissioner in charge of the polling and counting process decided to bring the result to an end at the KIP commissioner's assembly meeting to finalize and legalize the outcomes.

The comparative of three counting sources: Quick count method VS bottom up leveling (Jurdil Aceh - LSI/JIP- KIP)				
No	The Candidates	Counting Result (%)		
		Jurdil	LSI/JIP	KIP
1.	Ir. H. Iskandar Hoesin - MH Drs. M. Saleh Manaf, BSc	5.08	5,18	5.54
2.	H. Tamlicha Ali - Drs. Harmen Nuriqman	4.58	3,68	3.99
3.	Drs. Malik Raden - H. Sayed Fuad Zakaria, SE	12.96	13,96	13.97
4.	DR. Ir. H. A. Humam, MA - Drs. H. Hasbi Abdullah, M. Si	17.04	16,17	16.62
5.	H.M. Djali Yusuf - Drs.H.RA Syauqas Rahmatillah, MA	3.39	3,19	3.26
6.	drh. Irwandi Yusuf M.Sc - Muhammad Nazar S. Ag	38.57	39,27	38.20
7.	Ir. H. Azwar Abubakar, MM - M. Nasir Djamil	10.40	11,07	10.61
8.	Drs. Ghazali Abbas - Shalahuddin Al Fata	7.97	7,47	7.80

Through the KIP decree No. 59/2006, the KIP declared the pair of ex-combatant GAM/KPA (Irwandi Yusuf - M Nazar) as the winners of the Governor / Deputy-Governor elections, with the highest mark of 768,745 votes or approx. 38.20%. The result greatly surprised people throughout Indonesia, considering the fact that the pair did not have any prior experiences as politicians and it was their first time ever to participate in any formal elections. The results meant that the Irwandi-Nazar pair gave strong competition to others from the same GAM/KPA affiliation and

others. The results, though unexpected, were not rejected by the political parties in the local and central government. It was felt that everyone accepted the results, supported them as the decision of the people of Aceh and respected them as such.

After several administrative matters following the result, on January 8, 2007 Aceh history's was newly written in the Provincial parliament building. The Aceh Provincial Assembly, on behalf of Aceh people, appointed the ex-combatants to be the Governor / Deputy Governor of Aceh for period 2007 – 2012, through a special Assembly meeting. For the first time, the pair took oath in front of the Provincial Parliament. The function was conducted by the Minister of Interior, acting on behalf of President of the Republic of Indonesia.

The process was attended by several Indonesian Ministers, the European Union Foreign ambassadors and several Governors from Indonesian Provinces. More than 2,300 people attended inside the building, considered quite a large number for a ceremony at governor level.

Following the appointment of the Governor/Deputy Governor, the result of 19 districts for Mayor/Deputy Mayor and Bupati/Deputy Bupati Election were finalized in February 2007, after several delays due to incidents and disputes. Three districts of *Aceh Barat*, *Aceh Barat Daya* and *Aceh Tamiang* had to have second round elections because none of the candidates could gather majority votes of 25% + 1¹¹⁷. For the *Aceh Barat* and *Aceh Barat Daya*, the 2nd round election was scheduled for 4 March 2007, but for Aceh Tamiang, the KIP is expected to consult and get advice from Ministry of Interior since the area was declared a disaster area due to the sudden flooding last December, which affected the public mood and destroyed all the election materials.

Results from another 16 districts gave most victories to candidates from political parties, but overall independent candidates won in 7 districts¹¹⁸, including the three independent ex-combatant GAM, elected mayors in

¹¹⁷ Accordance the Qanun No.7/2007 if there is no candidate with a minimum 25% + 1 votes, there is an extension to a 2nd round for the two most popular candidates only.

¹¹⁸ The full statistics attached at the annex

Sabang Island, Aceh Jaya, and Aceh Timur. Most of the candidates got significant votes with more than 36 percent of votes, the highest marked in Aceh Jaya with 63, 43% of total valid votes in the district.



Minister of Interior affair appointed the elected Governor – (Serambi photo)

In Aceh Tenggara, however, the results were not yet finalized and there was a tentative triggering of a conflict and the dispute case went to court. The Ministry of Interior intervened by sending a team to find a resolution to the problem. The development of using the court is a good sign for democratic development in Aceh. It reflects the growing and improved understanding by the political parties and their candidates of democracy and the available means to express their dissatisfaction and find resolutions. In Seumeleu islands, the dispute should be settled by a high court decision, after a dispute and one week of demonstration from the supporters of 5 pairs of candidates.

In some of the districts there are still some cases pending in the high court, e.g. *Nagan Raya* still has some unresolved cases regarding 8 pairs of candidates. In Aceh Tenggara and Aceh Tengah, a court case was filed to settle the problems in a peaceful manner using the law.

11. SUMMARY, FINDINGS AND RECOMMENDATIONS

Elections to the Governor/Deputy Governor, Mayor/Deputy Mayor, Bupati/Deputy Bupati took place on December 11, 2006 in a generally peaceful manner with no major untoward incident reported from any of the polling places visited. Overall the polling process was managed efficiently, but there are areas of concern, especially organizational snags, which came to the fore during the polling and the counting process.

Procedural irregularities were easy to see, for example in the polls' opening and closing; in the counting and recording the results. This occurred where the Polling staff did not get adequate training, and some of them used previous experiences without reading the manual or regulations for the polling process.

The poor understanding of polling staff about the privacy of the polling booths was very evident. Most polling stations visited did not take adequate care about voter privacy. Inadequate training was really affecting implementation in the field, with some officers in the field not using the manual at all, and imply relying on experiences from the previous election.

Incidents also happened a few hours before the opening of the process in Aceh Timur; however it did not disturb the process at all. Here some summary finding from the observation in the field:

11.1 Findings

- 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's election 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 voters 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 one of the documents, many voters were asked to produce both the documents. For instance in Peunayang TPS 1, a 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 ballot papers.
- In many polling stations the chairman of the polling station appeared unconcerned that voters did not know how to fold the ballot papers properly and voters were seeking help from LINMAS personnel or friends for assistance.
- Polling station staffs were not careful enough to ensure that ballot papers were correctly inserted in the ballot boxes. Ballots for Governor's elections were inserted in the box for Mayor's.
- Overall the distribution of ballot papers was done efficiently. However, there were a few cases of ballot papers not reaching the stations on time (Gampong Cot Seurani, Muara Batu sub-district Aceh Utara) 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 one polling station ghost voting was detected, which prevented a genuine voter from casting his vote. 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 claimed had migrated to another 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 at 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 marked the run-up to the election., These included the 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 voters.

11.2 Recommendations

Based on the finding of its observers, the ANFREL Election Observation Mission for Aceh Local Elections would like to make the following recommendations.

A. Legal Framework

- 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 undermine ideas and efforts toward peace and democracy. Using the army could also influence the voters.
- Clear regulations are needed in relation to crucial phases of expenditure.

B. Election Management Body (KIP and PANWASLIH)

- 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. The election will be a fair competition if some officers resort to double standards.
- There is need for better coordination and cooperation from the Central Government to improve issues like delay in distribution of voter cards, ballot paper, finalizing voter lists etc. Election related budgets should be allocated and distributed, in collaboration with the KIP (province) and with adequate manpower. Lack of clarification and unnecessary delays in such matters could render the electoral processes in sub-district and village levels ineffective.
- KIP and PANWASLIH members should maintain neutrality and impartiality.
- PANWASLIH as a supervisory body who monitors the election

process should be established early before the election phases begin.

C. Voter Registration

- The registration process should be managed more seriously and systematically from the beginning, because it is an important process where seriously affects the basic rights of citizens. Duplicating, misspelling, and unregistered names will seriously affect the implementation of election phases.
- Regular updating of the citizens database is important.
- KIP should make an announcement about which documents should be used for voting and voter registration: whether this is card, invitation letter or ID card.
- KIP should clarify what is to be done if a voter's document is not present.

D. Recruitment of Electoral Officers and Polling Officers

- KPPS should get adequate training and clearly understood about the technical steps of conducting the voting process and discipline to maintain the process according to the the procedure manual.
- KPPS (Polling staff) must be trained with clear and sufficient knowledge, especially about valid and invalid ballot papers.
- The KPPS and Polling officer (PPS, PPG, PPK) should be neutral and impartial, not connected with any particular party or candidate.
- To maintain the neutrality and avoid conflict of interest, in the future a clear regulation is needed to prohibit the government officers or Chief of the village/Keuchik being involved as a KPPS or Polling staff. An alternative might be to use university students or other village stakeholder to increase the practice of democratization to the people.

E. Budget allocations and Distribution for Election

- There is need for better coordination and cooperation from the Central Government to resolve problems like delay in distribution of voter cards, ballot paper, finalizing voter lists, and implementing the election phases. An election-related budget should be allocated and distributed, in collaboration with the KIP (Province-Districts) and this should complement their manpower. Lack of clarification and unnecessary delays in such matters can render ineffective the electoral processes in sub-district and village levels.

F. Campaign Process

- The agreement to campaign peacefully was an excellent to keep the peace during the process, so the example could extend to other elections.
- The campaign should take more longer periods so the people will understand the frames of the candidates.

G. Cooling Period

- All candidates and political parties should respect and abide by the election code of conduct for the cooling days.
- The media should respect the cooling periods and stop broadcasting any candidate's advertising.

H. Voter and Civic Education

- There is a need for adequate voter education and civic education all over Aceh. In order to reduce confusion amongst the people and poll officers, and to increase the level of voter participation, the electoral body needs to put more effort into public awareness. This may raise the confidence level amongst the people and encourage participation, increasing voter turnout. Similar efforts could reduce some conflicts that often take place among voters, candidates and the KIP/PANWASLIH officers.
- All stakeholders should put more efforts on voter education.

- Systematic KIP civic education is very much needed. Clarity is needed regarding on all steps of voting such as why it is important to check voters' fingers, the reason to dry the indelible ink after dipping the ink, valid and invalid ballot papers, keeping secrecy of voters, booth setting, impersonation, etc.
- Voter education is the main task of KIP, NGOs and candidates. All stakeholders need to give priority to voter awareness for the coming weeks. Voter education by political parties and candidates must be on the right track. Since the December 11 election was a local election, it was very rare to see voter education on the TV.

I. Polling Day and its process

- **The voting System should be streamlined by replacing ballot-nailling (Coblos) with other methods, such as use of pen or stamps.**
- ANFREL continually observes the inconvenience caused by this balloting system. One of the major problems of ballot punching is double puncture of ballot papers, which in the end resulted in wide-scale recounting. In addition to that, it is very inefficient to check the tiny hole made in the ballot each time of the counting.
- All the logistics and election materials should be properly safeguarded.
- KPPS (Polling staff) must be trained with adequate knowledge especially about valid and invalid ballot papers.
- Village Chiefs should not be recruited at the polling stations even though they are not government officers.
- KIP need to have a proper response when 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 be able to check if their name is not at the station.

J. Women's and Children's Issues

- Women should be encouraged to participate in the electoral

process.

- For the sake of security and respecting the right of children, candidates and parties should not use children as campaign tools.
- It would be a great benefit for Aceh democracy if all female voters were allowed to exercise their rights without any influence by males, authorities, employers, religious leaders, village chiefs etc.

K. Local Organisation

- A strong, neutral and impartial coalition of NGOs is needed to working together and share all necessary information.
- There could be political 'contracts' undertaken by candidates regarding their positions on important issues.

L. Media Cooperation

- Electoral activities and movements cannot be known without the involvement of the 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 KIP, PANWASLIH for public education.

12. ANFREL: BACKGROUND AND MISSION OBJECTIVES

12.1 Background

The Asian Network for Free Elections (ANFREL) was established in 1997 as Asia's first regional network of civil society organizations to promote and support democratization at national and regional levels in Asia. ANFREL has served towards strengthening the democratization of countries such as Sri Lanka, Nepal, Thailand, Malaysia, Cambodia, Pakistan, Bangladesh, East Timor and Indonesia.

Considering that election observation is very significant in greater democratization efforts, Asian Network for Free Elections-ANFREL was

formed in 1997. Among ANFREL's regional organizational network members are Asian Cultural Forum on development (ACFOD), Focus on the Global South and Asian Human Rights Commission (AHRC). ANFREL also is supported by a number of national organizations from Bangladesh, Cambodia, India, Indonesia, Japan, Nepal, Pakistan, Philippines, South Korea, Sri Lanka and Thailand. Today, ANFREL is no longer affiliated with FORUM-ASIA, and is independent as an NGO itself.

From 1997 until today, ANFREL has also been active in contributing other efforts to capacity building of member and non-member organizations on issues related to election observation, voter/civic education, electoral reform and public awareness for good democratic governance. Research activities on electoral reform, democracy, and good governance were also conducted jointly with civil society organizations in several countries.

ANFREL has also been active in organizing training and comparative study seminars of election laws in Asia. In November 1998 for instance, a seminar-workshop on the election laws in Indonesia was held, participated in by election experts from selected Asian countries. The critique and the recommendations of the seminar-workshop were submitted to the Indonesian authorities for consideration in finalizing the election law. A statement was also sent to the authorities to pressure them to adopt reforms in the election law. Meetings with Indonesian embassy in Bangkok were initiated by ANFREL leaders to convey the Asian people's concern for meaningful reforms as a prerequisite for a free and fair election in Indonesia.

Recognizing the role of the media during elections, another seminar-workshop was held for journalists on: *The Role of Journalists on Elections*. The event provided a venue for journalists in the region to share their experiences with their Indonesian counterparts to help them improve their role during the election. It also served as an opportunity to organize their ranks and to plan ways on how they could support each other and work together on a regional level. Two separate reports on these activities have been produced and are available as part of Forum Asia's series of publications.

Apart from direct election observation programs, in ANFREL's election

observation missions to date, training (directly or indirectly to local organizations) has always been part of the primary objective of its mission. ANFREL believes that capacity building is one of the most important elements in democratization efforts. In line with this philosophy, ANFREL is proud to be the first election observation organization that invited and trained two Afghan nationals as to be election observers in the 2004 Indonesian Legislative Elections. ANFREL hopes that these efforts will continue to get support from the international community for greater democratization efforts in Asia

12.2 Objectives of the election Observation Program

The electoral process is one of the basic ways for citizens of a country to enjoy their freedom to exercise political rights in choosing representatives to organize and manage the country's democratic political system. Because the relationship between politics, economics and social justice is close, elections play a major role in determining the future direction of a country. ANFREL believes that the electoral system of a country must be co-ordinated and monitored carefully to assure the sovereignty of the processes.

The Universal Declaration of Human Rights (Article 21) states:

“The will of the people shall be the basis of the authority of government. This will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.”

Given the complexity of the society, ANFREL anticipates that the Aceh electoral experience will be a useful way to enhance political understanding. Nevertheless a thorough study of the evolution, cause, and effect of Aceh's political changes is too huge a task, and might not be achievable in a short period of time. Understanding all these factors, ANFREL has limited its mission in Aceh to focus on certain areas which will undoubtedly produce valuable experience to open doors for further democratization efforts in the future.

The objectives that ANFREL has set for the observation mission for the Aceh Local Elections 2006 are summarized below:

1. To ensure the integrity of electoral process as well as to minimize election irregularities and election related human rights violations.
2. To provide accurate and impartial information and analysis on issues related to the Local Elections in particular and prospects for democratic development in general.
3. To enhance and sustain the capacity of civil society organizations to ensure an environment conducive for the conduct of free elections as well as for the realization of people's aspiration for democracy.
4. To strengthen the civil societal activity among participating nations. This can be achieved in training and promotions of democratization values among members of the observation mission.
5. To support and strengthen local networks of elections observation bodies in organizing, information gathering and data exchanging activities during the mission which will enhance the results of the mission for both local and international participants of election observation missions. ANFREL will also organize a special training program to locals in Aceh, comprising young and active civil society leaders. This program is catered to train and expose the participants to election observation programs while at the same time, share ANFREL's past experiences with them. Through this effort, ANFREL will also strengthen its networking in another Asian country and share the common goal for greater democracy in the region.
6. To publish a report upon completion of the mission. The report will underline the outcome of the observation mission of the Local Elections Observation team, together with recommendations for the electoral process. This report will in the end act as a mission report, which will be distributed to participating bodies and agencies.

12.3 Methodologies and Strategies

Methodologies

ANFREL activities on election observation program are rooted in the Framework for Future Efforts at Enhancing the Effectiveness of the Principle of Periodic and Genuine Elections adopted by the United Nations Commission on Human Rights in 1989. This principle provides a

universal and equal suffrage, as well as setting up an impartial administration to ensure the reliability of the electoral process. Apart from independent administration and supervision of electoral process by related agencies, there have to be appropriate voter registration methods, reliable balloting procedures and effective measures for preventing frauds and resolving disputes.

Election observers will play an important role in the pursuit of democratic elections that should have the following minimal conditions:

- franchise is genuinely universal;
- political parties and individual candidates are able to enjoy their legitimate rights to take part in the election;
- there is freedom of expression allowing possible criticism of the incumbent government;
- there is the right to free movement and assembly;
- all contesting parties and candidates have reasonable access to the media;
- And freedom of choice for voters to cast ballots.

As a rule, ANFREL observation missions never operate against the will of the host country. Since its formation in 1997, all the government in its place of mission, civil society organisations, and the general public has welcomed ANFREL. It must, nevertheless, be noted that the mandate of ANFREL observation missions rules out any kind of interference.¹¹⁹ The mission has no authority to change, improve, or correct any shortcomings during the election process by any means but in a form of recommendations to the proper authorities. ANFREL only has the

¹¹⁹ There is a clear distinction in the mandate of a supervisory mission, a monitoring mission and an observation mission. A supervisory mission is in control of electoral process and has administrative and executive power, while monitoring gives a mission the mandate to interfere in case electoral process derails. Contrary to that, the mandate of an observation mission rules out any kind of interference. The mission has no authority to change, improve or correct any shortcomings in electoral process during the election period. The observation mission only has the mandate to collect and verify information concerning election-related issues, to analyse the observations and to publish its observations including assessing the findings against international standards for free and fair democratic elections and make recommendations.

mandate to collect, verify and analyse information concerning election-related issues. After the conclusion of observation activities, preliminary and final reports will be produced and disseminated. These reports will include an assessment of electoral process based on international standards for free and fair democratic elections as well as recommendations.

Election observers observe the entire electoral process as it takes place to make an informed and accurate assessment on both the conduct of elections and the surrounding environment. ANFREL believes that the use of election observers can provide an effective means of verifying the integrity and fairness of electoral process and its outcomes. In addition, the presence of observers will create an atmosphere that decreases the likelihood of intimidation, violence, or fraud. Well-planned observation missions can significantly instil confidence in voters and increase not only their willingness to seriously participate in electoral process but also their ability to freely express political wills at the polls without fears of reprisal.

It is therefore essential that election observers come from non-partisan organizations with proven records and reputations for professional and ethical qualifications in areas related to the technicality of electoral process and the promotion of democracy.

Balloting and vote counting process will form the focal point of election observation activities of ANFREL. Apart from that, election observers are also active in examining other aspects of electoral process such as

- the appointment of electoral officers,
- the registration of political parties and voters,
- the verification and designation of candidates,
- the demarcation of constituencies,
- the enforcement of election campaign regulations,
- And the conduct of voting and vote counting as well as the review of complaints and the installation of election winners.

The authority and the media deserve special scrutiny given their

potential for improperly using their status to manipulate electoral process and influence election outcomes. At the end of the polls and after preliminary results are released, election observers examine the way in which complaints about cheating and irregularities are handled by related agencies.

12.4 Strategies

The complexity of politics in Aceh and its importance for regional political stability is the main consideration in tailoring the strategies of ANFREL observation mission. ANFREL believes it is essential that a form of training is conducted for local civil societies in Aceh. This will enable a greater understanding of the importance of civil society movement and democratization efforts in addition to having an election observation delegation. Understanding these demands, ANFREL will divide its mission into two (2) different teams, tackling three (3) different objectives. The division and objectives of these teams is elaborated below.

A. The Assessment Team

Before conducting planned activities, especially in a country after war and conflict, it is necessary for ANFREL to enter the country to assess its social, political and cultural situation and at the same time build networks with local and international organizations. During this mission, a group of two ANFREL assessment team members will also introduce ANFREL to official election institutions and among other things, learn the application process of accreditation for international observers.

The assessment team will also research security, logistics, deployment observers, accommodation, transportation, and media. The team will take this opportunity to decide and plan for the training workshop, namely trainees, curriculum, methodology, and other specific strategies for the observation mission. Hiring interpreters, booking accommodation and transportation will be done strategically during this mission. The mission members will also identify medical and financial centers to facilitate the observation mission. Decisions about the coordination and deployment of the observers to the provinces have to be made and identified during this mission. For the Aceh Mission, ANFREL sent the

assessment team twice: first in August 24 – 31, 2006 and to finalize everything ANFREL sent a local team in October. The team visited the far north coast area and ten districts in Aceh (Banda Aceh, Aceh Besar, Pidie, Biureun, Lhokseumawe city, Aceh timur, Langsa city, Bener Meriah, Takengon, Aceh Tamiang)

Objectives of the Assessment Mission

The electoral process is one of the basic needs of citizens of a country to enjoy their freedom to exercise political rights in choosing representatives and to organize and contributed to the country's democratic political system. ANFREL believes that the electoral system of a country must be co-ordinated and monitored carefully to assure the sovereignty of the processes, which is necessary to produce autonomous results.

Having been involved in many election observation programs, ANFREL is determined to again play a role in the coming Aceh Local Election in 2006. Given the complexity of the society, ANFREL anticipates that Aceh's electoral experience would be a fertile ground to enhance regional political study. Having said this, ANFREL anticipates that its participation in this coming election is not only value adding to the Aceh society in general, but also promises a healthy spillover effect to the development of civil societies dealing with democratization issues in Asia.

With these expectations, ANFREL is eager to organize an assessment mission to Aceh and to discuss with local NGOs in Aceh on the possibilities of cooperation and involvement for the coming election.

In detail, the ANFREL assessment mission takes on these objectives:

1. To explore the possibilities of getting involved in the coming parliamentary election of 2006 with the cooperation of a local election monitoring group in Aceh; which indicates two possibilities:
 - To organize an International Observation Mission to observe the Aceh Local Election, 2006 –focusing on the potential gaps left by other observer groups such as certain niche geographical or ethnic segments or women's participation.

- To organize a training module and deployment of trainers for the local election monitoring organization/s. If this is chosen, ANFREL further suggests that the training given to local election monitoring group/s will be on Election observation, electoral processes (polling and counting procedures), and voter education.
- 2. To study the current security situation and make an assessment of the viability of ANFREL organizing a project in Aceh
- 3. To discuss with civil society in Aceh planning and building ANFREL's network to gain a better understanding of the areas where ANFREL will be able to fit in and offer its services
- 4. To discuss with local election monitoring groups other forms of support that will be extended to ANFREL when it organizes a project in Aceh
- 5. To discuss with the Government of Indonesia the forms of support that it will extend to ANFREL mission
- 6. To survey related logistical needs to enable ANFREL to organize a mission in Aceh
- 7. To report to ANFREL secretariat on all of the above before making a concrete proposal to be submitted to donors on its participation for the coming election in Aceh

One person from ANFREL secretariat will be sent to Aceh, Indonesia. The person will join with a local contact from KIPP Jakarta and in Medan (North Sumatra) a day before landing in Aceh. The person then performs a study for ANFREL and will discuss with local election monitoring groups regarding the possibilities of participating in the forthcoming election in Aceh. The person is expected to stay in Aceh for a week and a few days traveling in Medan and Aceh.

After achieving all its objectives (within a week stay in Aceh), the assessment mission team will travel back to Malaysia to form a Project Management Team. And the local contact will remain working in Jakarta to handle the Accreditation and mission permit from Ministry of Foreign Affair in Jakarta. ANFREL's Secretariat in Bangkok will assist in

identifying the members of the project management team which will at least consists of all the members of the assessment mission team. The formation of the Project management team will depend on the type of project ANFREL will organize, however it will perform the following objectives:

B. Project Management Team

The primary task of the project management team is to prepare and work for the actual implementation of the project. In general, the team consists of

- One Project Coordinator
- One Finance Officer
- One Logistics and local coordinator in the field
- One Communications and Public Relations Officer/Media Officer

Together with ANFREL Secretariat, the project coordinator will manage and organize the whole mission. The coordinator will work with ANFREL NIEI Secretariat in identifying the participants of this project. The coordinator will be the main contact point between the project team and other parties. The coordinator is responsible in making all decisions during the duration of the project and periodically reports to ANFREL Secretariat in Bangkok on all matters pertaining to the project. The coordinator is also responsible for all security related matters.

The finance officer will manage finances of the project in which the person will submit a financial report at the end of the activity and a financial statement duly audited by a reliable external auditor will be submitted thereafter. The officer reports to the project coordinator and ANFREL coordinator in ANFREL Secretariat in Bangkok.

The logistics manager / local coordinator is responsible for liaising with the security consultant/s on preparations of communication needs for the project participants, medical needs and repatriation plans and responsible for purchasing and maintaining all items bought for the needs of the projects. At the end of the project, all items purchased will be returned to ANFREL under the management of the manager. The

manager will also be responsible for organizing the accommodation for the participants of the project. The manager is also responsible for organizing all traveling needs for the participants of the project.

The Communication and Public Relations manager mainly prepares periodic reports on the project activities which will be submitted to ANFREL Secretariat in Bangkok and donor/s. The manager is also responsible for preparing statements for the project and distributes them after getting clearance from the Coordinator.

The manager is responsible for preparing, printing and distributing all materials to be used during the project. The manager will also prepare a final report that will be submitted to the donor/s, to the Election Commission, to the participating members and groups and to the public to keep them informed of the recommendations of the project.

After the formation of the project management team, the team will then travel to Aceh to make all necessary arrangements before the arrival of the participants of the project.

C. General Elections Observation Mission Team

Among many representatives of civil society organizations in Aceh, ANFREL will work with one or two local partners that will be the centre points for ANFREL to conduct missions to observe, investigate, assess, and document the situation and conditions that affect the political conditions necessary for the conduct of free elections in Aceh. Moreover, ANFREL will also cooperate with the United Nations and other observation missions present in observing, investigating and documenting human violations that may affect the integrity and fairness of the 2006 Local Election such as killing, armed attack, arbitrary arrest, abduction and detention.

Such extensive cooperation with both Aceh civil society organizations and international agencies will allow ANFREL to observe and assess, with accuracy and on a continuous basis, the extent to which freedoms of association, assembly, expression and the right to freely participate in political exercises via electoral process will be truly respected.

ANFREL will have long term and short term election observation teams

to conduct the actual observation activities of ANFREL for the 2006 Local Election in Aceh.

Long Term Observation

A team of 10 long term observers (LTOs) are in the country for 31 days to observe the electoral process and to visit the local networks and institutions as well as political parties. Two observers in one team are observing the assigned areas, which will be decided in cooperation and through discussions with local organizations and international organizations. The teams are mobile in observing the campaigning, pre-election, polling, and counting days. LTOs are required to write reports for the center office in Banda Aceh and at the same time prepare all the necessary requirements for the short-term observers in their respected provinces. Training and briefing for the LTOs will be provided in Banda Aceh before their deployment to the provinces. LTOs will interview candidates for interpreters in the provinces and choosing their interpreters. ANFREL is considering the possibility of getting the interpreters from Banda Aceh and sending them out to the provinces together with LTOs. This consideration will only be made if there would be serious difficulties in getting an interpreter from the provinces. The downside of having an interpreter from outside their province of residence is that they might not be well informed about the province, unlike a local.

Head of Mission

A vice chairperson of ANFREL Mr. Damaso Magbual (Phillipines) will join with the mission on December 6 and remain until December 14 2006, acting as a head of the mission. The Vice Chairman will work to finalize ANFREL's findings, meet with the leaders of political parties, candidates and representatives of the Indonesian Government as well.

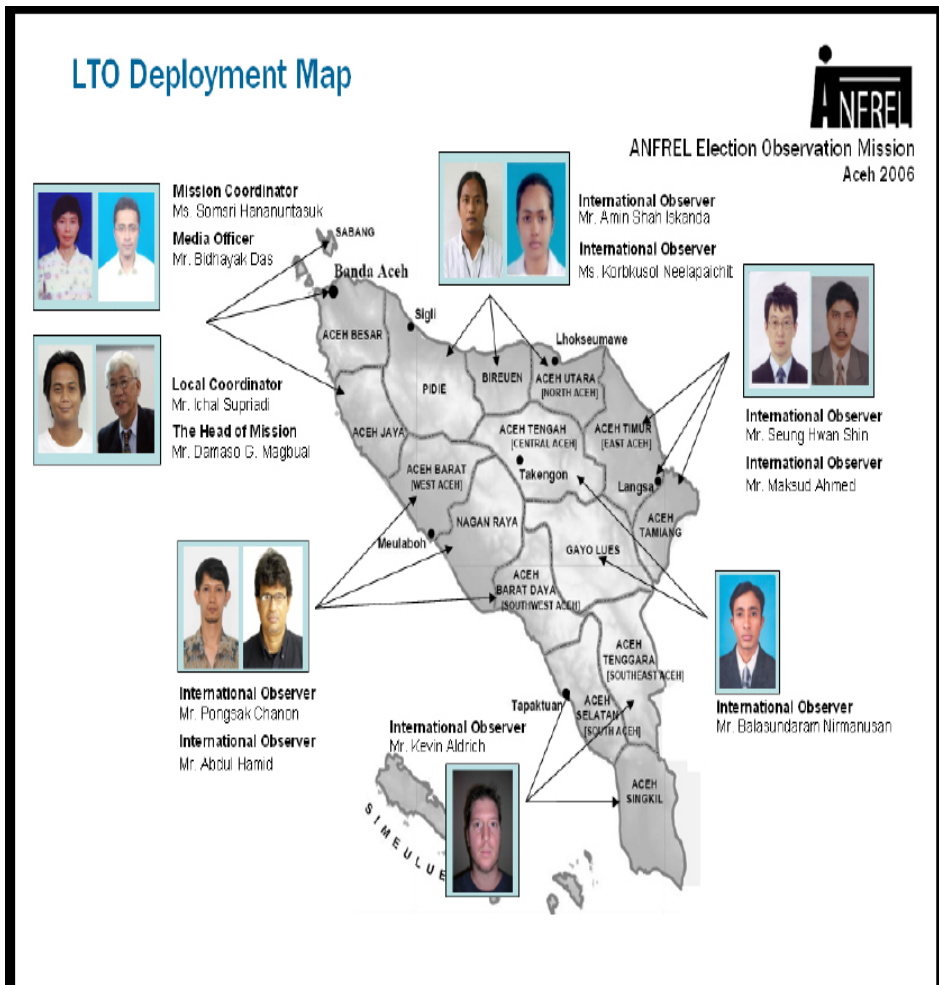
Media Officer

ANFREL had one Media Officer who prepared all the media related work regarding the Observation Mission for ANFREL. The media officer worked closely with the LTOs and STOs to collect all the information

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from the provinces regarding the election. The Media Officer also worked in close coordination with Media Center of KIP NAD and also builds contacts with the local and international media to disseminate information on ANFREL's findings during the mission.

D. Observers Name and Deployment List



E. Mission Schedule

Date	Activities
15 th Nov.	All Long Term Observers (LTOs) arrive Banda Aceh, check in Medan hotel and join dinner for introduction and register. Review Agenda for briefing and for the whole 30 days Distribute accreditation cards, medicine, insurance card, jacket, etc.
16-18 th Nov.	3 days briefing and training
19 th Nov.	Deployment by car or plane
25 th Nov.	Sending 1st report and issue to public
2 th Dec.	Sending 2 nd report and issue to public
4-5 th Dec.	Return to Banda Aceh for half term evaluation and de-briefing
10 th Dec.	Sending 3rd report
11 th Dec.	ELECTION DAY
12 th Dec.	Sending 4th report and issue to public
13 th Dec.	Return to Banda Aceh for final debriefing
14 th Dec.	PRESS CONFERENCE
15 th Dec.	Send all recommendation to KIP, EU, UN and the media Departure

F. Observers List

No	Observers	Position	Country
1	Mr. Damaso Magbual	Head of Mission	Philippine
2	Ms.Somsri Hananuntasuk	Mission Coordinator	Thailand
3	Mr. Bidhayak Das	Media Officer	India
4	Mr. Pongsak Chanon	LTO	Thailand
5	Mr. Amin Iskandar	LTO	Malaysia
6	Mr. Nirmanusan Balasundaram	LTO	Srilanka
7	Mr. Maksud Ahmed	LTO	Bangladesh
8	Mr. Abdul Hamid	LTO	Pakistan
9	Mr. Kevin Aldrich	LTO	USA
10	Ms. Korbkusol Neelapaichit	LTO	Thailand
11	Mr. Shin Seung Hwan	LTO	South Korea

13. ANFREL Observation and Reporting Guidelines

13.1 Pre-Election Day Observation

In the weeks before Election Day, observers should establish a clear presence of their activities in their designated area of deployment. They are advised to complete the following task during their observation mission:

Election Observers should become familiar with the geographical area, the local electoral climate, and the election documents.

Observers should:

- Become familiar with key elements of election laws, regulations and the procedures governing the electoral process.
- Review ANFREL Code of Conduct and the Code of Conduct for observers in that country
- Review polling manual, counting manual and other publications of the electoral bodies
- Become familiar with the geographical area and the local constituencies, location of the security forces, and location of polling stations to be observed.

People to meet

- Meet with election officials, including security officials, representatives of monitoring organizations and human rights organizations in deployment areas to discuss the electoral environment, the preparations for the electoral process and problems that have been encountered and anticipated.
- Meet with representatives of political parties
- Talk to people in restaurants, on the street, students and women. Ensure people of the confidentiality of their information.

Information to gather

- Collect information to examine and verify background of candidates whether they have held previous political positions as well if there are

any reasonable grounds for suspected violations of laws, regulations and procedures governing electoral process.

- Collect information to examine and verify whether there are any reasonable grounds for the misuse of power by the authorities, particularly those in charge of electoral process, in favor or against certain candidates directly and indirectly. This investigation should also include information regarding activities of the media, whether they have been involved in political campaigns, in soliciting political support or in canvassing for certain candidates.
- Review how the polling stations will be set up, and how secure storage and transport of election materials will take place.
- Carefully coordinate with other observers, both local and international, to avoid duplication of monitoring efforts in the deployment area during the same time periods, especially on Election Day, transportation day, and counting.
- Observe voter education activities in the deployment area if time permits.
- Observe political rallies and other political events
- During the cooling off period just prior to Election Day observe if campaigning or if election-related activities or intimidation occurs.

13.2 Election Day Observation

Prior to the opening of polling stations

Election observers should use the Checklist for Election Day to record observations while visiting multiple polling stations. Observation Election observers should arrive at their first polling station no later than 30 minutes before polls are scheduled to open to observe the preparations for the opening of voting process. Where appropriate they should wear observer uniforms and wear accreditation cards at all times. The first task of election observers in every polling station is to introduce themselves to polling station officers, security officers, accredited observers, and party agents. It is advisable for election observers to spend 15-30 minutes in each polling station, taking into consideration

the travel time between polling stations. The guiding principle is in the quality of election observation rather than the number of visits to polling stations.

Prior to the opening of the voting process at the polling station, election observers should take note whether:

- All required electoral officers, including security officers, are present and fully aware of their duties. They must follow all procedures for the setting up and opening of the polling station.
- All party agents are present and fully aware of their duties.
- Other national or international election observers are present.
- All documents have been carefully verified and signed in accordance with laws, regulations, and procedures governing electoral process.
- Election materials, particularly voter lists, ballot papers, ballot boxes and seals, have been carefully secured. Serial numbers on ballot paper stubs are recorded. Seals are checked.
- Ballot boxes are shown to be empty before being locked and sealed in accordance with laws, regulations, and procedures governing electoral process.
- Adequate security for the polling station has been provided.
- Queues of voters waiting for the opening of the polling station are orderly.
- The polling station opens on time.

At the polling station during voting hours

The first task of election observers in every polling station is to introduce themselves to polling station officers, security officers, accredited observers, and party agents. Election observers must ensure that their activities do not interfere with the voting process in any way when they visit each polling station.

Election observers should note the presence of campaign materials and efforts to solicit votes as well as any inappropriate instruction for voting in or near the official perimeter of the polling station. Election observers

must note whether the organization and progress of voting has been in accordance with the laws, regulations, and procedures governing electoral process.

Election observers should also note any sign of tension or dissent. They should note how polling station officers deal with voters whose names do not appear on voter lists and whether the handling of these incidents occurs in accordance with the laws, regulations and procedures governing electoral process. Without creating a distraction, conversation with electoral officers, local observers and party agents should be made to get their views on voting process.

Election observers should determine whether there is any reasonable ground for cheating and irregularities in the voting process, such as:

- Infringement of privacy
- Possession of weapons inside and around a polling center
- Disturbance and obstruction of the voting process
- Influence, intimidation or bribery of voters
- Influence or bribery of electoral officers
- Impersonation or voting with false identity
- Multiple voting and rotating of ballots for vote casting
- Incitement of violence

Election observers may also find it useful to determine the average time it takes a voter to enter and leave the polling station. If election observers find out the number of voters who have already voted and the number of voters waiting to vote, it may be possible to determine whether all eligible voters will be able to vote before the official closing of the polling station.

The closing of the polling station

Election observers should determine, ahead of time, the polling station where they will observe the closing procedures. When arriving at the final polling station, they should look to see if there is a queue of voters waiting to vote at the official ending time of the voting. They should also

note any sign of tension or dissent.

Election observers must record whether the polling station is closed at the official closing time for the polling station. If the polling station is not closed at the official closing time, they should determine whether there is a late opening of the polling station or there is a suspension in voting during voting hours or voting hours are extended to allow voters in the queue to vote.

Election observers must note whether the closing of the polling station has occurred in accordance with the laws, regulations, and procedures governing electoral process. Ballot boxes must be sealed and secured. Election observers should check whether the handling of all election materials, including unused ballot papers, has been in accordance with laws, regulations, and procedures governing electoral process. If possible all sensitive materials must be delivered to the counting center before dark on the Election Day.

13.3 Post-Election Day Observation

Election observers should determine whether the majority of eligible voters have exercised their rights. Official preliminary election results may not be available until several days after the election. Because of the length of time between the counting and the official announcement of preliminary election results, accusations and suspicions of manipulation and frauds can prevail. Election observers should determine the credibility given to the announcement of results - whether it has been accepted by the public as well as by campaigning political parties and candidates. They should look to see whether there is any complaint or objection regarding election results by campaigning political parties and candidates. They should also assess how quickly and thoroughly complaints and investigations have been handled by related agencies.

13.4 Sources

Information sources need to be named and substantiated. Since we work on such short timelines we don't usually have time to respond to observers with questions about their sources. So, even if an issue or problem seems or looks important, but it appears too speculative or not

based on substantiated information the information will not be included in an ANFREL report in order to protect everyone.

Please list each type of source explicitly, e.g. "one election monitoring organization, one party agent for _____ (name of party)". Then the ANFREL Secretariat, when writing the summary, can know how to weigh the observation and to compare the findings to other provinces as well. We need to know who says what, so that we can assess the trends around the country and compare with other reports from other provinces. You may want to "protect" sources, but you should still report who says what. Each observer team presents one piece of the picture of what is happening around the country. What we do is look for the trends or highlight aberrations that try to give context for the national scene.

Generally, when we analyze the reports and look for concepts/quotes to highlight we are looking for evidence that comes from at least two different kinds of sources. For example use evidence from: an opposition party source (preferably with the position named) and an NGO/Election Monitoring Organization or if you yourself have witnessed an event. We would most likely never highlight a concern/complaint/concept that is only from one party.

13.5 Writing Style and Conclusions

Present your observations in as factual a manner as possible. Base your reporting on what you see and hear yourself or hear from your sources and don't worry about writing style and editorial comments.

Also, try to give context and facts such as how many people, how many times, how many districts in which something happened. Is your observation a one-off problem or everywhere?

You do not need to spend your time and energy analyzing or making recommendations about what should be followed up in the national report. The ANFREL Secretariat will pick up on trends identified from other observers. (But you should keep your own file notes about what you will follow up on an ongoing basis.) Present the facts as you hear them from your informants or from your own direct observations. State the function of the informant and then the ANFREL report summaries will

use the collective nouns such as "some" or "many" to summarize.

Please use caution about stating what you may think or assume. Report observations from a wide variety of sources and leave others to make their own conclusions.

14. ANNEXES

14.1 Helsinki Agreement

MEMORANDUM OF UNDERSTANDING

MEMORANDUM OF UNDERSTANDING BETWEEN THE GOVERNMENTS OF THE REPUBLIC OF INDONESIA AND THE FREE ACEH MOVEMENT

The Government of Indonesia (Gol) and the Free Aceh Movement (GAM) confirm their commitment to a peaceful, comprehensive, and sustainable solution to the conflict in Aceh with dignity for all. The parties commit themselves to creating conditions within which the government of the Acehnese people can be manifested through a fair and democratic process within the unitary state and constitution of the Republic of Indonesia.

The parties are deeply convinced that only the peaceful settlement of the conflict will enable the rebuilding of Aceh after the tsunami disaster on 26 December 2004 to progress and succeed. The parties to the conflict commit themselves to building mutual confidence and trust. This Memorandum of Understanding (MoU) details the agreement and the principles that will guide the transformation process.

To this end the Gol and GAM have agreed on the following:

1 GOVERNING OF ACEH

1.1 Law on the Governing of Aceh

- 1.1.1.** *A new Law on the Governing of Aceh will be promulgated and will enter into force as soon as possible and not later than 31 March 2006.*
- 1.1.2.** *The new Law on the Governing of Aceh will be based on the following principles:*
 - a. Aceh will exercise authority within all sectors of public affairs, which will be administered in conjunction with its civil and judicial administration, except in the fields of foreign affairs, external defence, national security, monetary and fiscal matters, justice and freedom of religion, the policies of which belong to the Government of the Republic of Indonesia in conformity with the Constitution.
 - b. International agreements entered into by the Government of Indonesia which relate to matters of special interest to Aceh will be entered into in consultation with and with the consent of the legislature of Aceh.

- c. Decisions with regard to Aceh by the legislature of the Republic of Indonesia will be taken in consultation with and with the consent of the legislature of Aceh.
- d. Administrative measures undertaken by the Government of Indonesia with regard to Aceh will be implemented in consultation with and with the consent of the head of the Aceh administration.

- 1.1.3. *The name of Aceh and the titles of senior elected officials will be determined by the legislature of Aceh after the next elections.*
- 1.1.4. *The borders of Aceh correspond to the borders as of 1 July 1956.*
- 1.1.5. *Aceh has the right to use regional symbols including a flag, a crest and a hymn.*
- 1.1.6. *Qanun Aceh will be re-established for Aceh respecting the historical traditions and customs of the people of Aceh and reflecting contemporary legal requirements of Aceh.*
- 1.1.7. *The institution of Wali Nanggroe with all its ceremonial attributes and entitlements will be established.*

1.2 Political Participation

- 1.2.1 As soon as possible and not later than one year from the signing of this MoU, Gol agrees to and will facilitate the establishment of Aceh-based political parties that meet national criteria. Understanding the aspirations of Acehnese people for local political parties, Gol will create, within one year or at the latest 18 months from the signing of this MoU, the political and legal conditions for the establishment of local political parties in Aceh in consultation with Parliament. The timely implementation of this MoU will contribute positively to this end.
- 1.2.2 Upon the signature of this MoU, the people of Aceh will have the right to nominate candidates for the positions of all elected officials to contest the elections in Aceh in April 2006 and thereafter.
- 1.2.3 Free and fair local elections will be organized under the new Law on the Governing of Aceh to elect the head of the Aceh administration and other elected officials in April 2006 as well as the legislature of Aceh in 2009.
- 1.2.4 Until 2009 the legislature of Aceh will not be entitled to enact any laws without the consent of the head of the Aceh administration.
- 1.2.5 All Acehnese residents will be issued new conventional identity cards prior to the elections of April 2006.
- 1.2.6 Full participation of all Acehnese people in local and national elections will be guaranteed in accordance with the Constitution of the Republic of Indonesia.
- 1.2.7 Outside monitors will be invited to monitor the elections in Aceh. Local elections may be undertaken with outside technical assistance.
- 1.2.8 There will be full transparency in campaign funds.

1.3 Economy

- 1.3.1 Aceh has the right to raise funds with external loans. Aceh has the right to set interest rates beyond that set by the Central Bank of the Republic of Indonesia.
- 1.3.2 Aceh has the right to set and raise taxes to fund official internal activities. Aceh has the right to conduct trade and business internally and internationally and to seek foreign direct investment and tourism to Aceh.
- 1.3.3 Aceh will have jurisdiction over living natural resources in the territorial sea surrounding Aceh.
- 1.3.4 Aceh is entitled to retain seventy (70) per cent of the revenues from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh as well as in the

territorial sea surrounding Aceh.

- 1.3.5 Aceh conducts the development and administration of all seaports and airports within the territory of Aceh.
- 1.3.6 Aceh will enjoy free trade with all other parts of the Republic of Indonesia unhindered by taxes, tariffs or other restrictions.
- 1.3.7 Aceh will enjoy direct and unhindered access to foreign countries, by sea and air.
- 1.3.8 Gol commits to the transparency of the collection and allocation of revenues between the Central Government and Aceh by agreeing to outside auditors to verify this activity and to communicate the results to the head of the Aceh administration.
- 1.3.9 GAM will nominate representatives to participate fully at all levels in the commission established to conduct the post-tsunami reconstruction (BRR).

1.4 Rule of law

- 1.4.1 The separation of powers between the legislature, the executive and the judiciary will be recognised.
- 1.4.2 The legislature of Aceh will redraft the legal code for Aceh on the basis of the universal principles of human rights as provided for in the United Nations International Covenants on Civil and Political Rights and on Economic, Social, and Cultural Rights.
- 1.4.3 An independent and impartial court system, including a court of appeals, will be established for Aceh within the judicial system of the Republic of Indonesia.
- 1.4.4 The appointment of the Chief of the organic police forces and the prosecutors shall be approved by the head of the Aceh administration. The recruitment and training of organic police forces and prosecutors will take place in consultation with and with the consent of the head of the Aceh administration in compliance with the applicable national standards.
- 1.4.5 All civilian crimes committed by military personnel in Aceh will be tried in civil courts in Aceh.

2 HUMAN RIGHTS

- 2.1 Gol will adhere to the United Nations International Covenants on Civil and Political Rights and on Economic, Social, and Cultural Rights.
- 2.2 A Human Rights Court will be established for Aceh.
- 2.3 A Commission for Truth and Reconciliation will be established for Aceh by the Indonesian Commission of Truth and Reconciliation with the task of formulating and determining reconciliation measures.

3 AMNESTY AND REINTEGRATION INTO SOCIETY

3.1 Amnesty

- 3.1.1 Gol will, in accordance with constitutional procedures, grant amnesty to all persons who have participated in GAM activities as soon as possible and not later than within 15 days of the signature of this MoU.
- 3.1.2 Political prisoners and detainees held due to the conflict will be released unconditionally as soon as possible and not later than within 15 days of the signature of this MoU.
- 3.1.3 The Head of the Monitoring Mission will decide on disputed cases based on advice from the legal advisor of the Monitoring Mission.
- 3.1.4 Use of weapons by GAM personnel after the signature of this MoU will be regarded as a violation of the MoU and will disqualify the person from amnesty.

3.1 Reintegration into society

- 3.2.1 As citizens of the Republic of Indonesia, all persons having been granted amnesty or released from prison or detention will have all political, economic, and social rights as well as the right to participate freely in the political process both in Aceh and on the national level.
- 3.2.2 Persons who during the conflict have renounced their citizenship of the Republic of Indonesia will have the right to regain it.
- 3.2.3 Gol and the authorities of Aceh will take measures to assist persons who have participated in GAM activities to facilitate their reintegration into the civil society. These measures include economic facilitation to former combatants, pardoned political prisoners and affected civilians. A Reintegration Fund under the administration of the authorities of Aceh will be established.
- 3.2.4 Gol will allocate funds for the rehabilitation of public and private property destroyed or damaged as a consequence of the conflict to be administered by the authorities of Aceh.
- 3.2.5 Gol will allocate suitable farming land as well as funds to the authorities of Aceh for the purpose of facilitating the reintegration to society of the former combatants and the compensation for political prisoners and affected civilians. The authorities of Aceh will use the land and funds as follows:
 - a. All former combatants will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
 - b. All pardoned political prisoners will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
 - c. All civilians who have suffered a demonstrable loss due to the conflict will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
- 3.2.6 The authorities of Aceh and Gol will establish a joint Claims Settlement Commission to deal with unmet claims.
- 3.2.7 GAM combatants will have the right to seek employment in the organic police and organic military forces in Aceh without discrimination and in conformity with national standards

4 SECURITY ARRANGEMENTS

- 4.1 All acts of violence between the parties will end latest at the time of the signing of this MoU.
- 4.2 GAM undertakes to demobilize all of its 3000 military troops. GAM members will not wear uniforms or display military insignia or symbols after the signing of this MoU.
- 4.3 GAM undertakes the decommissioning of all arms, ammunition, and explosives held by the participants in GAM activities with the assistance of the Aceh Monitoring Mission (AMM). GAM commits to hand over 840 arms.
- 4.4 The decommissioning of GAM armaments will begin on 15 September 2005 and will be executed in four stages and concluded by 31 December 2005.
- 4.5 Gol will withdraw all elements of non-organic military and non-organic police forces from Aceh.
- 4.6 The relocation of non-organic military and non-organic police forces will begin on 15 September 2005 and will be executed in four stages in parallel with the GAM decommissioning immediately after each stage has been verified by the AMM, and concluded by 31 December 2005.
- 4.7 The number of organic military forces to remain in Aceh after the relocation is 14700. The number of organic police forces to remain in Aceh after the relocation is 9100.
- 4.8 There will be no major movements of military forces after the signing of this MoU. All movements

- more than a platoon size will require prior notification to the Head of the Monitoring Mission.
- 4.9 Gol undertakes the decommissioning of all illegal arms, ammunition, and explosives held by any possible illegal groups and parties.
 - 4.10 Organic police forces will be responsible for upholding internal law and order in Aceh.
 - 4.11 Military forces will be responsible for upholding external defense of Aceh. In normal peacetime circumstances, only organic military forces will be present in Aceh.
 - 4.12 Members of the Aceh organic police force will receive special training in Aceh and overseas with emphasis on respect for human rights.

5 ESTABLISHMENT OF THE ACEH MONITORING MISSION

- 5.1 An Aceh Monitoring Mission (AMM) will be established by the European Union and ASEAN contributing countries with the mandate to monitor the implementation of the commitments taken by the parties in this Memorandum of Understanding.
- 5.2 The tasks of the AMM are to:
 - a) Monitor the demobilizations of GAM and decommissioning of its armaments,
 - b) Monitor the relocation of non-organic military forces and non-organic police troops,
 - c) Monitor the reintegration of active GAM members,
 - d) Monitor the human rights situation and provide assistance in this field,
 - e) Monitor the process of legislation change,
 - f) Rule on disputed amnesty cases,
 - g) Investigate and rule on complaints and alleged violations of the MoU,
 - h) Establish and maintain liaison and good cooperation with the parties.
- 5.3 A Status of Mission Agreement (SoMA) between Gol and the European Union will be signed after this MoU has been signed. The SoMA defines the status, privileges, and immunities of the AMM and its members. ASEAN contributing countries which have been invited by Gol will confirm in writing their acceptance of and compliance with the SoMA
- 5.4 Gol will give all its support for the carrying out of the mandate of the AMM. To this end, Gol will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.
- 5.5 GAM will give all its support for the carrying out of the mandate of the AMM. To this end, GAM will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.
- 5.6 The parties commit themselves to provide AMM with secure, safe, and stable working conditions and pledge their full cooperation with the AMM.
- 5.7 Monitors will have unrestricted freedom of movement in Aceh. Only those tasks which are within the provisions of the MoU will be accepted by the AMM. Parties do not have a veto over the actions or control of the AMM operations.
- 5.8 Gol is responsible for the security of all AMM personnel in Indonesia. The mission personnel do not carry arms. The Head of Monitoring Mission may however decide on an exceptional basis that a patrol will not be escorted by Gol security forces. In that case, Gol will be informed and the Gol will not assume responsibility for the security of this patrol.
- 5.9 Gol will provide weapons collection points and support mobile weapons collection teams in collaboration with GAM.
- 5.10 Immediate destruction will be carried out after the collection of weapons and ammunitions. This process will be fully documented and publicized as appropriate.
- 5.11 AMM reports to the Head of Monitoring Mission who will provide regular reports to the parties

and to others as required, as well as to a designated person or office in the European Union and ASEAN contributing countries.

- 5.12 Upon signature of this MoU each party will appoint a senior representative to deal with all matters related to the implementation of this MoU with the Head of Monitoring Mission.
- 5.13 The parties commit themselves to a notification responsibility procedure to the AMM, including military and reconstruction issues.
- 5.14 Gol will authorize appropriate measures regarding emergency medical service and hospitalization for AMM personnel.
- 5.15 In order to facilitate transparency, Gol will allow full access for the representatives of national and international media to Aceh.

6 DISPUTE SETTLEMENT

In the event of disputes regarding the implementation of this MoU, these will be resolved promptly as follows:

- a. As a rule, eventual disputes concerning the implementation of this MoU will be resolved by the Head of Monitoring Mission, in dialogue with the parties, with all parties providing required information immediately. The Head of Monitoring Mission will make a ruling which will be binding on the parties.
- b. If the Head of Monitoring Mission concludes that a dispute cannot be resolved by the means described above, the dispute will be discussed together by the Head of Monitoring Mission with the senior representative of each party. Following this, the Head of Monitoring Mission will make a ruling which will be binding on the parties.
- c. In cases where disputes cannot be resolved by either of the means described above, the Head of Monitoring Mission will report directly to the Coordinating Minister for Political, Law and Security Affairs of the Republic of Indonesia, the political leadership of GAM and the Chairman of the Board of Directors of the Crisis Management Initiative, with the EU Political and Security Committee informed. After consultation with the parties, the Chairman of the Board of Directors of the Crisis Management Initiative will make a ruling which will be binding on the parties. Gol and GAM will not undertake any action inconsistent with the letter or spirit of this Memorandum of Understanding.

Signed in triplicate in Helsinki, Finland on the 15 of August in the year 2005,

On behalf of the Government of the Republic of Indonesia,

On behalf of the Free Aceh Movement,

Hamid Awaludin
Minister of Law and Human Rights of Republic
Indonesia

Malik Mahmud
GAM Leadership

As witnessed by

Martti Ahtisaari

Former President of Finland
Chairman of the Board of Directors of the Crisis Management Initiative
Facilitator of the negotiation process

14.2 Qanun No 7/2006 (*local regulation about the Election*)

Qanun Number 7, 2006

Regarding

the second change to qanun no.2, 2004

regarding

Election of Governor/Deputy Governor, Bupati/deputy bupati and walikota/deputy walikota

in the province of nanggroe aceh darussalam

as changed with the qanun no.3, 2005

IN THE NAME OF GOD

with the mercy of allah, the great power

the governor of aceh,

Considering:

That the ratification of the Law on Governance for Aceh, means that several stipulations in the Qanun No.2, 2004 regarding the Election of Governor/ Deputy Governor, Bupati/ Deputy Bupati and Walikota/ Deputy Walikota in the Province of Nanggroe Aceh Darussalam, as also affected by changes in the Qanun No.3, 2005, need to be revised in order to accord with Law No.11, 2006 on Governance for Aceh, and with the dynamics of development of society in Aceh;

That based on consideration of what is meant by letter a, there is a need to finalize the Second Change to Qanun No.2, 2004 regarding the Election of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in the Province of Nanggroe Aceh Darussalam with an Aceh Qanun.

Remembering:

Article 18, paragraph (4) and Article 18B, paragraph (1) of the Constitution of the State of the Republic of Indonesia, 1945;

Law No.24, 1956 regarding the Formation of the Autonomous Region of the Province of Aceh and Changes to the Regulations regarding the Formation of the Province of North Sumatera (State Gazette 1956, No.64, State Gazette Supplement No.1103)

Law No.28, 1999 regarding the Coordination of Governance which is clean and free of corruption, collusion and nepotism (State Gazette, 1999 No.75, State Gazette Supplement No.3851);

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Law No.44, 1999 regarding the Coordination of Special Provincial Regulation for the Special Region of Aceh (State Gazette 1999, No.172, State Gazette Supplement 3893);

Law No.2, 2002 regarding the Policing of State of the Republic of Indonesia (State Gazette, 2002, No.2, State Gazette Supplement No.4168);

Law No.31, 2002 regarding Political Parties (State Gazette, 2002, No.138, State Gazette Supplement No.4251);

Law No.12, 2003 regarding General Elections of Members of the People's Representative Assembly, Regional Representative Assembly, and Regional People's Representative Assembly (State Gazette 2003, no.37, State Gazette Supplement No.4277);

Law No.17 2003 regarding State Finance (State Gazette, 2003, No.475, State Gazette Supplement No. 4286);

Law No.22, 2003 regarding Regulation and Status of the People's Consultative Council, the People's Representative Assembly, and the Regional People's Representative Assembly (State Gazette, 2003, No.92, State Gazette Supplement No.4310);

Law No.1, 2004 regarding the State Treasury (State Gazette, 2004, No.5, State Gazette Supplement No.4355)

Law No. 10, 2004 regarding Formation of Legislative Regulation (State Gazette 2004, No.53, State Gazette Supplement No.4839)

Law No.15 2004 regarding the Checking of Management and Responsibility of State Finance (State Gazette, 2004, No.66, State Gazette Supplement No.4400)

Law No. 32, 2004 regarding Regional Governance (State Gazette Indonesia, 2004, No.125, State Gazette Supplement No.4437) as changed with Law No.8, 2005 regarding the Determination of Regulation for Changing Governments, and Law No.3, 2005 regarding Changes to Law No.32 Regarding Regional Governance (State Gazette 2005, No.108, State Gazette Supplement No.4548);

Law No.33, 2004, regarding Balance Funding between Central Government and Regional Government (State Gazette, 2004, No.126, State Gazette Supplement 4438);

Law No.34, 2004 regarding Indonesian National Army (TNI) (State Gazette 2004, No.127, State Gazette Supplement 4439);

Law No.11, 2006 regarding Governance in Aceh (State Gazette, 2006, No.62, State Gazette Supplement No.4633);

Government Regulation No.6 2005, regarding Election, Ratification, Appointment and Dismissal of Regional Heads and Deputy Regional Heads (State Gazette 2005, No.22, State Gazette Supplement No.4480), as changed with Government Regulation No.17, 2005 regarding Changes to Government Regulation No.6, 2005 regarding Election, Ratification, Appointment and Dismissal of Regional Heads Deputy Regional Heads (State Gazette 2005, No.39, State Gazette Supplement No.4494);

Qanun for the Province of Aceh Darussalam No.2 2004 regarding the Election of Governor/ Deputy Governor, Bupati/ Deputy Bupati and Walikota/ Deputy Walikota in the Province of Nanggroe Aceh Darussalam (Regional Gazette 2004 No.7 series 'd', No.4, Regional Gazette Supplement No.31), as

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changed with Qanun No.3, 2005 regarding Changes to the Provincial Qanun for Nanggroe Aceh Darussalam No.2, 2004 regarding the Election of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in the Province of Nanggroe Aceh Darussalam (State Gazette 2005, No.13, Regional Gazette Supplement Nanggroe Aceh Darussalam 03).

In mutual agreement the

People's Representative Assembly of Aceh

And

Governor of Aceh

HEREBY DECIDE TO:

Determine: THE ACEH QANUN REGARDING THE SECOND CHANGE TO THE QANUN NO.2, 2004 REGARDING THE ELECTION OF GOVERNOR/DEPUTY GOVERNOR, BUPATI/DEPUTI BUPATI AND WALIKOTA/DEPUTY WALIKOTA IN THE PROVINCE OF ACEH DARUSSALAM

Article 1

Several stipulations in the Qanun for the Province of Nanggroe Aceh Darussalam No.2, 2004 (Regional Gazette Province of Nanggroe Aceh Darussalam 2004, No.7, Seri D, No.4, NAD Regional Gazette Supplement 31) as changed by NAD Qanun No.3, 2005 regarding Changes to the NAD Qanun No.2, 2004 regarding Election of Governor/ Deputy Governor, Bupati/ Deputy Bupati and Walikota/ Deputy Walikota in the Province of NAD (Regional Gazette, 2005, No.13, Supplement to Regional Gazette 03) have been changed as follows:

Stipulations in Article 1, numerals 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 13, 14, 20, 21, 24, 28, 29, 30, 31, 32, 33, 35, 36 and 37, have been changed, between numeral 1 and numeral 2 have been inserted 2 (two) numerals, that is 1a and 1b, between numeral 7 and numeral 8 have been added 2 (two) numerals, that is numerals 7a and 7b, between numeral 8 and numeral 9 have been inserted 4 (four) numerals, that is 8a, 8b, 8c and 8d, numeral 9 and numeral 15 have been deleted, and after numeral 37 has been added 1 (one) numeral, that is numeral 38, so that the complete Article 1 now reads as follows:

Article 2

Aceh is a provincial region that constitutes a social legal unit with a special quality and has been given the authority to regulate and manage itself, in matters or governance and for the interests of society within its area, in accordance with the legislative regulations within the system and principles of the Unitary State of the Republic of Indonesia, based on the Constitution of the Indonesian Republic 1945, led by a Governor.

1a. Governance in Aceh is Regional Governance for the Province of Nanggroe Aceh Darussalam which henceforth shall be referred to as Aceh Governance, which is situated within the system of the Unitary State of the Republic of Indonesia based on the Constitution of the State of the Republic of Indonesia 1945, and which coordinates matters of governance which are implemented by the Aceh Regional Government and the Aceh Regional People's Representative Assembly in accordance with their respective functions and authority.

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1b. Kabupaten/Kota Governance is the coordination of matters of governance as implemented by the Kabupaten/Kota and the People's Representative Assembly for Kabupaten/Kota in accordance with their respective functions and authority.

Kabupaten/Kota are parts of Aceh which forms one legal/social unit which has been given the special authority to regulate and manage itself in matters of governance and in the interest of society within its territory, in accordance with the legislative regulations derived from the system and principles of the Unitary State of the Republic of Indonesia based on the Constitution of the Republic of Indonesia 1945, and which is led by a Bupati/Walikota.

The Governor is the head of Government in Aceh, assisted by the Deputy Governor who is chosen through a democratic process which is based on the principle of direct public participation in free, secret, honest and fair elections.

Bupati/Walikota are the heads of government at the Kabupaten/Kota level, assisted by the Deputy Bupati/Walikota, and are chosen through a democratic process which is based on the principle of direct public participation in free, secret, honest and fair elections.

The Regional People's Representative Assembly of Aceh, which henceforth shall be referred to as the People's Representative Assembly of Aceh (DPRA), is the coordinating element of Aceh Regional Governance whose members are chosen through general election.

The Kabupaten/Kota Regional People's Representative Assembly, which henceforth shall be referred to as the People's Representative Assembly Kabupaten/Kota (DPRK), is the coordinating element of regional governance for kabupaten/kota and its members are chosen through general elections.

The elections for Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota which henceforth shall be referred to as elections, refers to all electoral activities, including the electoral preparation phases, the registration of voters, the finalization of the electoral roll, nominations, campaign, implementation of the elections, finalization and ratification of the results of the election and appointment of the Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota.

7a. Qanun Aceh is the Qanun of the Province of Nanggroë Aceh Darussalam which henceforth shall be referred to as Qanun Aceh, and is the legislative regulation that has the same status as a Provincial Regional regulation in regulating the coordination of Governance and life of Acehese society.

7b. Qanun Kabupaten/Kota is the legislative regulation that has the same status as a Regional Kabupaten/Kota regulation, which regulates the coordination of Governance and life of society within the Kabupaten/Kota in Aceh.

The Independent Election Commission which henceforth shall be referred to by the abbreviation KIP, comprises KIP Aceh and KIP Kabupaten/Kota, which comprise part of the General Election Commission (KPU) which has been given the authority by law to coordinate the election of President/Deputy President, Members of the People's Representative Assembly, Members of the Regional People's Representative Assembly, Members of the DPRA/DPRK, Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota.

8a. Kecamatan is the working area of a camat as the appointee of the Kabupaten/Kota for the

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coordination of governance within the Kecamatan.

8b. Mukim is the social/legal unit below the kecamatan that is established based on a collection of villages (gampong) that have a certain territorial boundary and are led by an imum mukim, whether by this or other name, who holds a position directly below the Camat.

8c. The Imum mukim, whether by this or other name, is the head of Mukim Governance.

8d. Gampong, whether by this or other name, is the social legal unit beneath the mukim and is led by the Keuchik, whether by this or other name, who has the right to manage the affairs of the kampung.

9. Deleted.

The Kecamatan Electoral Committee, which henceforth shall be referred to as PPK, is part of KIP Kabupaten/Kota, as the implementer of elections in the territories of Kecamatan and which are formed by the KIP Kabupaten/Kota.

The Gampong Electoral Committees, which henceforth shall be known as PPG, are formed by the PPK and are part of the PPK as the implementer of elections in the territory of Gampong/Kelurahan.

The Aceh Election Oversight Committee, which henceforth shall be referred to as the Aceh Oversight Committee, is the institution that carries out oversight of implementation of elections by KIP Aceh.

The Election Oversight Committee Kabupaten/Kota, which henceforth will be referred to as the Oversight Committee Kabupaten/Kota, will conduct oversight of the running of elections within the Kabupaten/Kota territories.

The Electoral Oversight Committees for Kecamatan, which henceforth will be referred to as PPK, implement oversight towards the running of elections in the territories of Kecamatans and form part of the Electoral Oversight Committee Kabupaten/Kota.

Deleted.

Voter Registration Officers are an implementing apparatus for elections and carry out the registration of voters who will participate in elections.

Logistics refers to all expenses incurred and equipment required for staging of elections.

Election equipment consists of all the materials needed for the implementation of proper elections.

Witnesses are people who represent the participants in the elections (candidates) to witness the implementation of the phases of the election.

Voters are all citizens of Indonesia who reside in Aceh and who have the right to vote and have been registered on the electoral roll.

The registration of voters is an activity to register the citizens who reside in Aceh and possess the right to vote, and is implemented by voter registration officers.

The electoral roll is a list created by KIP containing the names of voters who have been registered by a voter registration officer.

Ballot papers are papers that contain the names, photos, and numbers of the candidates, which have

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been prepared by KIP as the medium for casting of votes by voters.

The Coordinating Group for the Casting of Votes, which henceforth shall be referred to as the KPPS is a group of officers formed by the PPK based on the recommendation of PPG which has the task of facilitating casting and counting of votes at the polling stations (Tempat Pemungutan Suara – TPS)

Casting of votes is the activity of a voter placing his/her vote in the voting booth at the polling station by means of the voter punching a hole in one of the four-sided boxes containing the photos of the candidate pairing on the ballot paper.

At the polling station, which henceforth shall be referred to as TPS, there will be a designated place, to be determined by the Kecamatan Electoral Committee, where the activities of casting and counting the votes will be carried out.

Vote counting is an activity to count the votes according to holes punched in ballot papers received at the TPS, and is carried out in phases from the TPS to the Kecamatan, the Kabupaten and the Province.

Candidates are candidate pairings for Governor/Deputy Governor that are determined by KIP Aceh, or candidate pairings for Bupati/Deputy Bupati and Walikota/Deputy Walikota who are determined by KIP Kabupaten/Kota.

The voting region for the election of the Governor/Deputy Governor is the territory of Aceh, whilst the voting region for the election of Bupati/Deputy Bupati or Walikota/Deputy Walikota is the territory of the Kabupaten/Kota.

The election campaign, which henceforth shall be referred to as the campaign, is an activity whereby candidates attempt to persuade all voters by offering their vision and mission.

The Campaign Implementation Team, which henceforth shall be referred to as the Campaign Team is a team formed by the candidate pairings along with a political party, a coalition of political parties, local political parties or a coalition of local political parties or individual candidates who have the task and authority of assisting with the coordination of the campaign along with taking responsibility for the technical implementation of campaign coordination.

The Campaign Director can be one member of the candidate pairing or a person who is registered with a candidate pairing's Campaign Team, who have the task of convincing prospective voters to vote for their candidate.

The level of the campaign refers to the territorial level of governance and administration where the Campaign Director has been given permission to campaign.

Campaign funds are the budget for necessary expenditures directed toward the implementation of campaign activities.

Political parties are political organizations formed by a group of citizens of the Republic of Indonesia in a voluntary manner based on a common desire and aspirations to advance the interests of members, society, the nation and state through general elections.

Party cadre includes all people who become organizers or members of a political party or local political party, and who can prove this with a membership card or a written statement from a political party or local political party.

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Individual candidate pairings are candidate pairings who are outside political parties or coalitions of political parties, local political parties or coalitions of local political parties, or coalitions of political parties with local political parties and who are not cadre of parties, and who have fulfilled the preconditions of candidature as independent candidate pairings.

Local political parties are organizations which are formed by a group of Indonesian citizens who reside in Aceh and in a voluntary manner, based on a common desire and aspirations to advance the interests of members, society, nation and state, through the election of members of DPRA/DPRK, Governor/Deputy Governor, Bupati/Deputy Bupati, and Walikota/Deputy Walikota.

Stipulations in Article 4, paragraph (1), paragraph (2) and paragraph (3) have been changed, after paragraph (3) have been added 5 (five) paragraphs, that is paragraph (4), paragraph (5), paragraph (6), paragraph (7) and paragraph (8) so that Article 4 now reads as follows:

Article 4

KIP Aceh constitutes the coordinator of elections for Governor/Deputy Governor.

KIP Kabupaten/Kota constitutes the coordinator for elections of Bupati/Deputy Bupati and Walikota/Deputy Walikota.

In the election of Governor/Deputy Governor as meant in paragraph (1), KIP Kabupaten/Kota constitutes a part of the coordinating structure for of elections for Governor/Deputy Governor.

Apart from coordinating elections as meant in paragraph (1) and paragraph (2), KIP Aceh and KIP Kabupaten/Kota can also be tasked with coordinating General Elections for President/Deputy President, the People's Representative Assembly of Indonesia, the Regional People's Representative Assembly, the DPRA and DPRK.

Members of KIP Aceh are first proposed by DPRA, then determined by KPU and formally appointed by the Governor.

Members of KIP Kabupaten/Kota are first proposed by DPRK, then determined by KPU and formally appointed by the Bupati/Walikota.

In implementing the stipulation as meant in paragraph (4) and (5), DPRA/DPRK will establish an independent ad-hoc team to carry out screening of prospective members of KIP.

The regulations and phases of the election of Bupati/Deputy Bupati, Walikota/Deputy Walikota refer to the stipulations as regulated in this Qanun.

In stipulation Article 5, paragraph (1), letter m has been changed, after letter n has been added the letter o and letter p, paragraph (2) has been deleted, paragraph (3) and paragraph (4) have been changed, so that Article 5 reads as follows:

Article 5

Prospective members of KIP as meant in Article 4, paragraphs (1) and (2) must fulfill the following conditions:

Healthy of mind and body, and free from narcotics as based on the results of an examination by a

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government doctor;

Have the right to vote;

Be of at least 21 (twenty-one) years of age;

Have completed education to the level of at least senior high school or equivalent degree;

Have a strong commitment to justice and democracy;

Have never been sentenced to prison for six months or longer because of any criminal act, and/or, corruption and/or crime against humanity.

Possess strong integrity, and an honest and fair character;

Possess a clear vision and sound knowledge regarding politics, party, elections, and his/her own leadership capability;

Not be a member of a political party or a local political party;

Not be an active member of the TNI/Polri;

Not be currently occupying a position as Director/Commissioner BUMD or BUMN;

Not be currently being nominated in an election;

Not currently occupying a political position;

Residing in Aceh for prospective members of KIP Aceh, and residing in the Kabupaten/Kota concerned for prospective members of KIP Kabupaten/Kota;

Prepared to work fulltime;

Not possessing the status of a Civil Service Employee.

Deleted.

The selection process for prospective members of KIP based on conditions of membership as stated in paragraph (1) is a transparent, honest and objective testing mechanism carried out by an independent ad-hoc team established by the DPRA/DPRK.

Regulation of the formation, working mechanism and working period of the independent team as meant in paragraph (3) is regulated by Qanun Aceh.

The stipulation contained in Article 6, paragraph (1) and paragraph (3) has been changed, so that Article 6 now reads as follows:

Article 6

KIP Aceh will comprise 7 (seven) members and KIP Kabupaten/Kota 5 (five) members, drawn from society.

Membership of KIP will include at least 2 (two) women.

KIP's term in office will be 5 (five) years from the date of appointment.

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The stipulation contained in Article 8, paragraph (1) has been deleted, paragraph (2) and paragraph (4) have been changed, so that Article 8 now reads as follows:

Deleted.

Membership of KIP ceases when a member:

dies;

is convicted or sentenced because he/she is suspected of having committed a criminal offence which carries a punishment of at least 6 months;

resides outside Aceh;

resigns;

suffers a permanent impediment;

no longer can fulfill the stipulation in Article 5, paragraph (1);

Violates the KIP Code of Ethics.

Further stipulations regarding the KIP Code of Ethics as meant in letter f, are determined by KIP and created by KIP no more than 3 (three) months after KIP is established.

Wherever the Chair/Deputy Chair or members of KIP Aceh or KIP Kabupaten/Kota dies, resigns, suffers a permanent impediment or is dismissed prior to the cessation of their term in office, DPRA/DPRK immediately processes the replacement with the reserve member as regulated by Article 5.

The term in office of the replacement KIP member as meant in paragraph (4) ceases in conformity with the term in office of the member who has been replaced.

In stipulation Article 9, paragraphs (1), (2) and (3) have been changed so that Article 9 now reads as follows:

Article 9

The tasks and authority of KIP are as follows:

plan and coordinate elections;

determine the regulations for implementation of elections;

coordinate and guide all phases of election implementation;

finalize the date and implementation of the election;

accept nominations, research and determine the candidate pairings as participants in the election;

research the candidate pairings for Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota in respect of the conditions for nomination;

determine whether the candidate pairings have fulfilled the conditions of nomination;

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receive the registration of campaign teams and publicize them;

conduct an audit and publicize a report of all campaign fund donations;

determine the results of the collation of vote counting and publicize the results of the election;

conduct an evaluation of the implementation of the election and provide a report of same to the DPRA/DPRK;

Carry out other tasks and duties as regulated in the legislative regulations.

In coordination of the election, KIP Kabupaten/Kota is a part of the coordinating structure of elections as determined by KIP Aceh.

Implementation of some of the tasks and authority of KIP Aceh as meant in paragraph (1) can be delegated to KIP Kabupaten/Kota, PPK and/or PPG in accordance with the level.

Between Articles 9 and 10 has been inserted one Article, that is Article 9A, so that it now reads as follows:

Article 9A

KIP is obliged to:

Treat all candidate pairings fairly and equally;

Determine standardization and requirements of materials related to the holding of elections based on the legislative regulations;

Provide a report on every phase of election implementation to the DPRA for KIP Aceh and the DPRK for KIP Kabupaten/Kota and provide information about their activities to society;

Maintain archives and election documents and manage inventory of KIP materials based on the legislative regulations;

On behalf of the Governor or Bupati/Walikota, take responsibility for the use of the budget based on the legislative regulations;

Implement all phases of the election at the appropriate times.

In stipulation Article 11 paragraph (7) has been changed, so that Article 11 now reads as follows:

Article 11

Membership of KIP Kabupaten/Kota, which is to be formed by Provincial KIP and the DPRD Kabupaten/Kota, will number five people and be made up of the Chair and members of KPUD Kabupaten/Kota.

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Deleted.

Deleted.

Deleted.

KIP Kabupaten/Kota has the task of implementing elections at the level of the Kabupaten/Kota.

KIP Kabupaten/Kota reports to Provincial KIP Aceh.

KIP Kabupaten/Kota is to be formed at the latest 6 (six) months prior to the casting of votes.

Elections for the Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota can be held at the same time.

The working method and relationship between KIP Kabupaten/Kota and Provincial KIP is regulated by Provincial KIP.

In stipulation Article 12, paragraph (3) and paragraph (4) have been deleted so that Paragraph 12 now reads as follows:

Article 12

Deleted.

Membership of KIP Kabupaten/Kota ceases when a member:

Dies;

Is accused or convicted or sentenced in relation to a criminal offence that carries a punishment of at least 6 (six) months imprisonment;

Resigns;

Can no longer meet the stipulation in Article 5, paragraph (1);

Suffers a permanent impediment;

Resides outside the Kabupaten/Kota concerned; or

Violates the code of ethics.

Deleted.

Deleted.

Stipulation Article 13 has been changed so that it now reads as follows:

Article 13

In staging elections, KIP Kabupaten/Kota will establish the PPK, PPG and KPPS.

The formation of the PPK, PPG and KPPS as meant by paragraph (1) will happen at the latest 21 (twenty-one) days after notification from the DPRA/DPRK.

KIP Kabupaten/Kota, as a part of the implementer of election phases for election of Governor/Deputy Governor, has the mandate and authority to:

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plan the implementation of elections for Governor/Deputy Governor in the Kabupaten/Kota

implement the election for Governor/Deputy Governor in the Kabupaten/Kota;

finalize the collation of results from the vote-counts from all PPK in their working area, create an official report and certificate of the results of the vote-count;

form the PPK, PPG and KPPS in their working area;

coordinate the activities of the implementing committee for election of Governor/Deputy Governor in their working area;

receive the registration for and publicize the campaign teams of all candidate pairings in the Kabupaten/Kota; and

Implement other tasks as assigned by KIP Aceh.

In stipulation Article 16, paragraph (1) has been changed so that Article 16 now reads as follows:

Article 16

The working period of PPK will cease 1 (one) month after the casting of votes has been conducted.

PPK has the mandate to:

implement the tasks given to it by KIP Kabupaten/Kota;

coordinate the implementation of tasks and authority of the PPG;

report the results of the implementation of its tasks to KIP Kabupaten/Kota;

form the PPG;

form the KPPS on the recommendation of the PPG;

PPK is responsible to KIP Kabupaten/Kota.

Regulation of implementation of the tasks and authority of PPK is determined by KIP Kabupaten/Kota.

Chapter IV has been changed, so that it now reads as follows:

Chapter IV

Electoral oversight committee

Stipulation Article 20 has been changed, so that it now reads as follows:

Article 20

The Oversight Committee for Aceh and Kabupaten/Kota are formed by the national Oversight Committee and are ad-hoc in character.

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In implementing its tasks the Oversight Committee for Aceh will be supported by the Oversight Committee for Kabupaten/Kota and the Sub-district Oversight Committee.

Membership of the Aceh Oversight Committee will be drawn from:

Police;

Chief public prosecutor;

Academic;

Press; and

Independent members of society

The working period of the Oversight Committee will finish 3 (three) months after the appointment of Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota.

The Oversight Committee comprises a chairperson, a deputy chairperson and three members, who are chosen and confirmed in a plenary meeting of the Oversight Committee to be led by the oldest and youngest members of the committee.

In the implementation of its tasks, the Oversight Committee is assisted by KIP Secretariat.

Deleted.

In the implementation of its tasks the Oversight Committee is responsible to the national Oversight Committee.

The working arrangements of the Oversight Committee will be regulated by decisions of the Oversight Committee of Aceh.

Stipulation Article 21 has been changed so that it now reads as follows:

Article 21

The mandate and authority of the Oversight Committee is:

overseeing the implementation of elections;

Implementing other tasks and authority as regulated in the legislative regulations.

Implementation of the mandate as meant in paragraph (1) is to be in accordance with the legislative regulations.

The tasks and authority of the Oversight Committee as meant in paragraph (1) are carried out through:

oversight of all phases of election coordination;

resolution of disputes which arise during the election;

maintaining findings and reports on those disputes which can not be resolved at the time by the

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appropriate authority;

Organization of a coordinating relationship between the oversight committees at all levels.

Stipulation Article 22 has been changed so that it now reads as follows:

Article 22

At the Kabupaten/Kota level the Oversight Committee for Kabupaten/Kota will be formed by the national Oversight Committee and proposed by the DPRK through the Aceh Oversight Committee, and its formation and conditions will observe the applicable stipulations for the formation of KIP Kabupaten/Kota as regulated in Articles 11 and 12.

(1a) The Oversight Committee as meant in paragraph (1) will consist of 5 (five) people who are drawn from elements of:

Police

Public prosecutor

Academics

Press; and

Independent community figures.

The mandate of the Oversight Committee for Kabupaten/Kota is to:

implement the tasks delegated to it by the Aceh Oversight Committee;

Coordinate implementation of oversight tasks which are implemented by the PPK;

resolve disputes, disagreements, violations and or protests which are submitted in relation to election activities, as long as they are not connected to criminal activity, at the level of the Kabupaten/Kota, with its decision being final;

In the resolution of disputes, disagreements, violations, and/or protests/complaints as meant in letter c, all sides will be given the opportunity to explain their reasons and state their defence.

In the implementation of their tasks, the Oversight Committee Kabupaten/Kota is assisted by the KIP Sekretariat Kabupaten/Kota.

Stipulation Article 26 has been changed, so that it now reads as follows:

Article 26

Monitoring of the implementation of elections can be done by local, national and international monitors.

Election monitors as meant in paragraph (1) must:

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be independent;

Have a clear source of funding.

Foreign monitors as meant in paragraph (1) must fulfill the procedures that are determined by the legislative regulations.

Election monitors as meant in paragraph (2) and paragraph (3) must be registered with KIP in accordance with the legislative regulations.

Other stipulations regarding monitoring are further regulated by KIP Aceh.

In stipulation Article 27 has been changed, so that it now reads as follows:

Article 27

The phases and schedule for elections will be determined by KIP.

The process of elections will be carried out through preparation phases, nomination, implementation of election, as well as the ratification of the result and appointment.

The preparatory phases comprise:

the formation and ratification of KIP Aceh and KIP kabupaten/kota;

the DPRA informing KIP Aceh of the cessation of the term in office of the incumbent Governor/Deputy Governor;

the DPRA informing KIP Kabupaten/Kota of the cessation of the term in office of the incumbent Bupati/Deputy Bupati and Walikota/Deputy Walikota;

planning coordination, including determining the regulations and schedule for implementation of the election phases;

formation of the Oversight Committee, Sub-district Election Committee, Village Election Committee and Voting Coordination Group; and

announcement and registration of election monitors

The election phases as meant in paragraph (2) comprise:

voter registration and finalization of the electoral roll;

registration and finalization of candidate pairings;

campaign;

casting of votes;

counting of votes;

finalizing the ratification and appointment of the candidate pairing that is elected;

Registration and finalization as meant in paragraph (4) letter b, comprises:

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administrative check of the prospective candidates by KIP

presentation of the vision and mission of the prospective candidate pairing in a special plenary meeting of the DPRA/DPRK;

Finalization of the candidate pairing by KIP.

The regulation of implementation of election phases as meant in paragraph (2), paragraph (3), paragraph (4) and paragraph (5) is organized by KIP guided by the active legislative regulations.

In stipulation Article 28, paragraph (1) has been changed, so that Article 28 now reads as follows:

Article 28

The election process will be implemented at the latest 5 (five) months prior to the terms in office of the Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota expiring or immediately after the Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota resigns, is dismissed or suffers a permanent impediment.

Determination and publicizing, starting with election activities as meant in paragraph (1), is determined by KIP, which must publicize widely to society.

Determination and publicizing of the detailed schedule of electoral phases is carried out by KIP.

In stipulation Article 31, paragraph (2) and paragraph (4) has been changed, so that Article 31 now reads as follows:

Article 31

Registration of voters comprises the following activities:

registration of voters by voter registration officials;

creation of an electoral roll and allocation of this to every TPS by the Sub-district Electoral Committee; and

determination and publicizing of the number of voters at the level of the Province for election of Governor/Deputy Governor and level of the Kabupaten/Kota for the election of Bupati/Deputy Bupati, Walikota/Deputy Walikota.

Registration of voters by registration officials must be commenced at the latest 3 (three) months prior to the date of the casting of votes.

The publication of the number of voters and public release of the final electoral roll is to be carried out by KIP at the latest 1 (one) month prior to the date of voting.

Prospective voters who are still not registered may register themselves with an Election Registration Official up until 15 days prior to the public release of the final electoral roll.

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Every voter who is registered will be provided proof of registration.

Registration of voters who at the time of registration are in hospital, a detention center, correctional institution or other emergency location, will be done by KIP.

In stipulation Article 33 has been changed, so that it now reads as follows:

Article 33

Prospective candidate pairings are nominated by:

political parties or coalitions of political parties;

local political parties or coalitions of local political parties;

coalitions of political parties and local political parties; and/or

Independents.

(1a) Political parties, local political parties, coalitions of political parties, coalitions of local political parties or coalitions of political parties with local political parties or independents can only submit 1 (one) prospective candidate pairing.

(1b) Prospective candidates who have been nominated in 1 (one) prospective candidate pairing by a political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties or prospective independent candidates as meant in paragraph (1a), are not permitted to be nominated by another political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties or prospective independent candidate.

(1c) Members of political parties and local political parties are not permitted to nominate themselves as prospective independent candidates unless they have withdrawn themselves from party membership at least 3 (three) months prior to nomination of candidates.

(1d) Political parties, local political parties, coalitions of political parties, coalitions of local political parties, coalitions of local political parties with political parties or prospective independent candidates must nominate themselves as prospective candidates with KIP.

(1e) The registration of prospective candidate pairings as meant in paragraph (1d) will extend for no more than 15 (fifteen) days counting from the public announcement of opening of nominations for prospective candidate pairings.

(1f) Political parties, local political parties, coalitions of political parties, coalitions of local political parties, coalitions of local political parties with political parties or prospective independent candidates in nominating themselves as prospective candidates as meant in paragraph (1d), are required to provide a letter of nomination which has been signed by the leader of the political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties or the independent candidate concerned in the area of the election.

(1g) the letter of nomination as meant in paragraph (1f) must be accompanied by:

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A written agreement between the political parties that have joined to nominate the candidate pairing.

A written statement that the candidate will not withdraw the nomination of the prospective candidate pairing that has been nominated, signed by the leader of the political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties or prospective independent candidate.

A written statement from the candidate that he/she is willing to be nominated.

A written statement from the candidate that he/she will not withdraw him/herself as a candidate.

A written statement of readiness to resign from his/her position should the candidate be elected as Governor/Deputy Governor, Bupati/Deputy Bupati, Walikota/Deputy Walikota in accordance with the legislative arrangements.

A written statement of readiness to resign from his/her position as a state employee for candidates who come from the civil service, armed forces or police.

For leaders of DPRA/DPRK, a written statement that the candidate will become temporarily inactive in his/her position where a candidate nominates in the territory of his/her current position.

A letter to the assembly leadership for members of the DPR, DPD and DPRA/DPRK who nominate themselves as candidates.

Complete fulfillment of conditions of candidature as meant in Article 33, paragraph (2).

A written manuscript of the candidate pairing's vision and mission.

The decision by the political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties that regulates the mechanism for selecting candidates, complete with a report of the screening process used.

Prospective candidates must fulfill the following conditions:

be a citizen of the Republic of Indonesia;

observe the tenets of their religion and be able to read the Al-qur'an for adherents of Islam;

obey, submit and be faithful to Islamic law and the Constitution of the Republic of Indonesia, 1945;

have attained an education level of at least senior high school or equivalent;

be aged at least 30 (thirty) years;

be of sound body and mind, and free from narcotics as demonstrated by the results of an examination by a government doctor;

have never been sentenced to prison because of committing a crime which carries a prison sentence of 5 (five) years based on the decision of the court which has the ultimate legal power, except crimes of sedition or a political nature where the perpetrator has been granted an amnesty/rehabilitation;

have not had their right to vote revoked based on a decision of the court which retains the ultimate legal power;

have never committed a disgraceful or shameful act, never engaged in sexual relations outside of

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marriage, never have gambled, never have retreated from the world into solitude, are strong in faith, are pious, are of good character, are noble, are of high moral standard, be trustworthy, have never bribed and never received a bribe, have never committed corruption, collusion or nepotism, including engaging in money politics;

be familiar with his/her region and be well-known to the people in his/her region;

provide a list of personal wealth and be prepared to have it made public;

not currently hold the status of an appointed (as opposed to elected) Governor/Bupati/Walikota; and

not currently be burdened with a debt, either individually or through a legal entity, which has led to losses for state finances;

Husband/wife is not currently occupying a public and political position in the region concerned.

Between Article 33 and Article 34 has been inserted 1 (one) Article, that is Article 33A, so that it now reads as follows:

Article 33A

Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota will have 5 (five) year terms and can be re-elected for the same position only once during their term in office.

Stipulation Article 34 has been changed so that it now reads as follows:

Article 34

Registration of prospective candidates for Governor/Deputy Governor is carried out by KIP Aceh, whilst for Bupati/Deputy Bupati and Walikota/Deputy Walikota registration is carried out by KIP Kabupaten/Kota.

To be confirmed as a candidate, aside from fulfilling all the conditions as meant in Article 33, every political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties which nominates a prospective candidate pairing must obtain at least 15% (fifteen per cent) of the number of seats in the DPRA/DPRK or 15% (fifteen per cent) of the total valid vote in the relevant election for members of DPRA/DPRK.

To be confirmed as a candidate, aside from fulfilling all the conditions as meant in Article 33 paragraph (2), prospective independent candidates must obtain support of at least 3% (three per cent) of the total population across at least 50% (fifty per cent) of the total number of Kabupaten/Kota for the election of Governor/Deputy Governor, or 3% of the kabupaten population across 50% (fifty per cent) of the total number of sub-districts for the election of Bupati/Deputy Bupati or Walikota/Deputy Walikota.

Support for independent candidates as meant in paragraph (3) must be accompanied by valid proof of identity such as KTP, Indonesian passport, driving license, or other form of resident identification issued by an official who has the appropriate authority.

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Support as meant in paragraph (4) consists of a written statement, which is signed by the supporter, or bears the person's thumbprint, in the event that the person concerned cannot sign his/her name.

Every voter is permitted to give his/her support as meant in paragraphs (4) and (5) to only one candidate pairing.

Support that is given to more than one candidate will be deemed invalid and therefore not counted.

Caretaker or appointed Governors, Bupatis and Walikotas are not permitted to become candidates to be directly elected and are not permitted to resign from their office as Governor, Bupati or Walikota with the intention of becoming a candidate.

Stipulation Article 35 has been changed so that it now reads as follows:

Article 35

KIP determines at least 2 (two) candidate pairings after conducting an administrative check and examination of the conditions of candidature as meant in Article 33 paragraph (2);

Candidate pairings as meant in paragraph (1) convey their vision and mission in a special plenary meeting of the DPRA/DPRK which is held especially for that purpose and is declared open and public;

Whenever a candidate pairing as meant in paragraph (2) is elected to become Governor/Deputy Governor, Bupati/Deputy Bupati or Walikota/Deputy Walikota then their vision and mission become official regional documents.

Regulation of the presentation of vision and mission as meant in paragraph (2) is determined by KIP.

In stipulation Article 36, paragraphs (1), (2), (2b), and (4), have been changed and paragraph (2a) has been deleted so that Article 36 now reads as follows:

Article 36

Whenever a prospective candidate dies or suffers a permanent impediment, then the political party, local political party, coalition of political parties, coalition of local political parties, coalition of local political parties with political parties concerned can nominate a replacement no later than 7 (seven) days prior to official determination of candidate pairings by KIP, by following the stipulations as meant in Article 33 and Article 34.

Whenever one of the prospective candidates from an independent pairing dies or suffers a permanent impediment, then his/her running partner can nominate a replacement candidate by following the stipulations as meant in Article 33 and Article 34, at the latest 15 (fifteen) days prior to official determination of candidate pairings by KIP.

(2a) Deleted.

(2b) Political parties, local political parties, coalitions of political parties, coalitions of local political parties, coalitions of local political parties with political parties and independent candidates are prohibited from withdrawing their candidate or themselves, and/or the candidate partner, from the

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candidate pairing after the official determination of candidate pairings by KIP.

In the event that the day of voting is approaching and the number of candidate pairings is less than 2 (two), then the day of voting will be postponed and the process of nomination will be recommenced with the stipulations, and candidate pairings that have already been determined, still applicable.

In the event that the situation described in paragraph (3) occurs, then the election period will be extended for up to 90 (ninety) days, during which the government will appoint a caretaker Governor or Bupati or Walikota.

In stipulation Article 38 paragraph (1) and paragraph (5) have been changed, after paragraph (5) has been added 1 (one) paragraph, that is paragraph (6), so that Article 38 now reads as follows:

Every candidate pairing can implement its campaign with the purpose of persuading the people by offering their vision and mission.

For the election of Governor/Deputy Governor the campaign will be conducted all over Aceh and for election of Bupati/Deputy Bupati and Walikota/Deputy Walikota, the campaign area will comprise the total territory of the Kabupaten/Kota.

The campaign will be implemented by the candidate pairing or by the campaign director and will be organized by the campaign team of the candidate pairing.

Responsibility for the campaign lies with the campaign team in accordance with the level as meant by paragraph (2).

The campaign team, which is formed by the candidate pairing, must register their team with KIP in accordance with the level.

The schedule for implementation of the campaign is determined by KIP in accordance with the level whilst paying attention to recommendations from the candidate pairings.

In stipulation Article 39, paragraphs (4), (5), (6) and (7) have been changed, with the addition of 7 (seven) paragraphs, that is (8) until (14), so that Article 39 now reads as follows:

Article 39

Apart from the candidate pairing, the campaign director must be registered with the campaign team, and the candidate pairing and all followers must be registered with KIP Aceh, KIP Kabupaten/Kota or PPK in accordance with the regional level concerned for the campaign.

Every campaign director is permitted only to campaign for one candidate and in the territory that accords with the level of the campaign where he/she is registered.

Those eligible to become campaign directors are Indonesian citizens who have the right to vote.

Civil servants and active members of the TNI/Polri are prohibited from becoming campaign directors.

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During the campaign, candidate pairings and the campaign team are prohibited from involving in their campaign:

Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota;

Judges;

Officials of BUMN/BUMD;

Structural and functional officials;

Resident religious leaders or same by other name;

Village heads or same by other name.

This prohibition as meant in paragraphs (4) and (5) does not apply in the case that one of these officials becomes a candidate for Governor/Deputy Governor, Bupati/Deputy Bupati or Walikota/Deputy Walikota.

Officials as referred to in paragraph (5) are prohibited from making decisions and/or taking action that will advantage or disadvantage one of the candidate pairings during the campaign period.

State officials as meant in paragraphs (5) and (6), who become candidates, in implementing their campaigns are not permitted to use the facilities related to their position and must take leave.

Leave of state officials as meant in paragraph (8), for Governor/Deputy Governor is approved by the Minister for the Interior in the name of the President and for Bupati/Deputy Bupati and Walikota/Deputy Walikota it is approved by the Governor in the name of the Minister for Interior.

Permission to take leave as given in the manner meant in paragraph (8), must be communicated to KIP Aceh/KIP Kabupaten/Kota and the Oversight Committee.

Civil Servants who become candidates for Governor/Deputy Governor Bupati/Deputy Bupati and Walikota/Deputy Walikota follow the mechanism as regulated in the legislative regulations.

The candidate pairings in elections are prohibited from implementing their campaigns on the same day.

Candidate pairings are prohibited from involving employees of the civil service, members of the national defence forces and members of the national police as participants in the campaign and as campaign directors in elections.

Candidate pairings and/or campaign teams are prohibited from promising and/or giving money or other materials to influence voters.

Between Article 39 and Article 40 has been inserted 1 (one) Article, that is Article 39A, so that it reads as follows:

Article 39A

Violations of the prohibitive stipulations regarding implementation of the campaign as meant in Article 39 paragraph (4) will attract sanctions for violation of discipline in accordance with the legislative

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regulations.

Violations of prohibitive stipulations regarding implementation of the campaign as meant in Article 39 paragraphs (5), (23) and (13) will be sanctioned by KIP with the cessation of the right to campaign for the duration of the campaign period.

Violations of prohibitive stipulations relating to campaign implementation as meant in Article 39, paragraph (14), based on the decision of the courts which have the final legal authority, will attract the sanction of cancellation of status as a candidate pairing by KIP.

The regulation of sanctions towards violations of prohibitions regarding implementation of campaigns as meant in paragraph (2) will be determined by KIP.

In stipulation Article 40, paragraphs (1), (2a), (2b), (2c) and (4) have been changed, so that Article 40 now reads as follows:

Article 40

The campaign period is for no more than 14 (fourteen) days and will cease 3 (three) days prior to the day of casting of votes.

(1a) the three days prior to the casting of votes as meant in paragraph (1) constitutes a quiet period.

The campaign can be implemented every day, from 09.00 WIB until 18.00WIB, except through electronic media. On Fridays, the campaign may be implemented only from 14.30 until 18.00 WIB.

(2a) the first day of the campaign is conducted through a plenary meeting of the DPRA/DPRK with presentation of visions and missions from all candidate pairings in succession with equal allocation of time and without dialogue.

(2b) the form and format of the vision and mission as meant in paragraph (2a) must observe the regulations pertaining to design composition.

(2c) whenever a candidate pairing is elected to become Governor/Deputy Governor, Bupati/Deputy Bupati and Walikota/Deputy Walikota, the vision and mission, as meant in paragraph (2a) becomes an official regional document.

Campaign activities must cease at the moment that the call to prayer is heard and can only be recommenced after prayer has finished.

Whenever there is a violation towards the stipulations as meant in paragraphs (1), (1a), (2) and (3), KIP can order the campaign activities to cease.

Stipulation Article 41 paragraph (3) has been changed, so that Article 41 now reads as follows:

Article 41

The campaign is implemented in places that can be freely attended by the community.

The campaign cannot be held in places of worship, education, government offices, and places that

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can cause disturbances to public order and the flow of traffic.

Whenever two campaigns are implementing activities at the same time, both candidates must maintain a distance of at least 2 (two) kilometers between them.

Organization of the time and place of the campaign as meant in paragraph (3) is determined by KIP Province, KIP Kabupaten/Kota or the Sub-district Election Committee in accordance with the regional level concerned for the campaign.

In stipulation Article 51, paragraph (2) letter b has been changed and paragraph (3) has been deleted so that Article 51 now reads as follows:

Article 51

The Sub-district election Committee determines the number and location of TPS.

The number and location of TPS as meant in paragraph (1) are based on the following:

the number of voters at every TPS can not exceed 600 (six hundred) people;

location of TPS as meant in letter a are must be areas which are easy to reach, including for the disabled, pregnant women and elderly people in order to guarantee that every voter can cast their vote directly, freely and in secret;

The number, form, and regulation of the location of TPS are determined by KIP Kabupaten/Kota.

Deleted.

In stipulation Article 56, paragraph (2) has been changed, so that Article 56 now reads as follows:

Article 56

Ballot papers, which include the name, photo, and number of the candidate, will be provided by KIP and be at the KPPS at the latest three days prior to the casting of votes.

The number of ballot papers for every TPS will conform with the number of permanent voters registered at each TPS, with an additional supplement of no more than two-and-a-half per cent.

The stipulation contained in Article 58 paragraphs (1) to (3) has been changed, so that Article 58 now reads as follows:

Article 58

The chair of the KPPS opens the vote-casting activities by reading an address from the chair of KIP.

The chair of KPPS opens the ballot paper box and shows it to the people, to convince people that the box is really empty, then it is re-locked, all witnessed by voters and witnesses.

Prior to the casting of votes commencing, witnessed by the voters and witnesses, the chair of the

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KPPS counts and signs as many ballot papers as there are voters registered at that TPS with a ballpoint pen, and the remainder are stored in a place to be determined.

In stipulation Article 66 paragraphs (1), (3) and (4) have been changed, so that Article 66 now reads as follows:

Article 66

No later than three days after the casting of votes, the PPK will conduct a collation and count of all votes at the sub-district level, based on the formal report of the counting of votes from all TPS in the territory of each sub-district, in a meeting of the PPK which is attended by overseers and witnesses at the level of the sub-district.

The results of the vote-count as meant in paragraph (1) are included in the formal report of the vote-count at the sub-district level and signed by the PPK, the Sub-district Oversight Committee and witnesses.

Witnesses who have complaints against the results of the vote-count as meant in paragraph (2), may submit a protest through overseers who will immediately hold a meeting and take a decision toward the witness' complaint.

Whenever the witness' protest is accepted, then the counting of the vote as meant in paragraph (1) is repeated and whenever the witness' protest is rejected, then an account of the issue is included in the official report and the results of the vote-count are declared valid.

The report of the vote-count as meant in paragraph (1), along with the ballot boxes and ballot papers as meant in Article 70 paragraph (1), are sent to KIP Kabupaten/Kota at the latest two days after the counting of votes at the sub-district level.

A copy of the official report as meant in paragraph (2) and paragraph (4) is provided to overseers and witnesses.

Between Article 66 and Article 67 has been inserted 1 (one) part, that is Part Three, so that it now reads as follows:

Part Three

Right to Submit Protests

And Resolution of Disputes over Election Results

Between Article 66 and Article 67 has been inserted 1 (one) article, that is Article 66A, so that it now reads as follows:

Article 66A

Participants in the election have the right to submit protests against the results of the election as determined by KIP.

Protests as meant in paragraph (1) may only be submitted by candidate pairings to the Supreme Court

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no later than three (3) working days after the results of the election are determined.

Protests as meant in paragraph (1) can only be made against the results of a vote-count where it would influence the candidate pairing elected.

The Supreme Court will resolve disputes over the results of the vote-count as meant in paragraphs (1), (2) and (3) no later than 14 (fourteen) days after the protest is received.

The Supreme Court delivers its decision on disputes over the results of the vote-count as meant in paragraph (4) to:

KIP;

The candidate pairing;

The DPRA/DPRK;

Governor/Bupati/Walikota; and

Political party or coalition of political parties, local political party or coalition of local political parties or coalitions political parties with local political parties who nominate candidates.

The decision of the Supreme Court as meant in paragraph (4) and paragraph (5) is final and binding.

The stipulation contained in paragraphs (1) and (1b) has been changed, paragraph (1a) and paragraph (1c) have been deleted, between paragraph (1d) and (1e) has been added one paragraph, that is a new paragraph (1e), so that the previous paragraph (1e) becomes the new paragraph (1f) so that Article 69 now reads as follows:

Article 69

The candidate pairing for Governor/Deputy Governor that receives more than 50% (fifty per cent) of the total valid vote, will be declared the elected Governor/Deputy Governor.

(1a) Deleted.

(1b) In the event that the threshold of 50 per cent as meant in paragraph is not reached, the candidate pairing that receives more than 25% (twenty-five per cent) from the total valid vote, and obtains the most votes of any candidate pairing, will be declared the elected Governor/Deputy Governor.

(1c) Deleted.

(1d) whenever the stipulation as meant in paragraph (1b) cannot be fulfilled or there is no candidate that obtains 25% (twenty-five per cent) of the valid vote, a second round election will be held involving only the candidate pairings who received the greatest and second greatest number of votes.

(1e) Implementation of the second round election as meant in numeral (1d) will be carried out at the latest 60 days after the results of the vote count in the first round are determined.

(1f) In the event that two candidate pairings for Governor/Deputy Governor as meant in

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paragraph (1d) obtain the same number of votes, determination of the elected candidate pairing will be based on which candidate pairing obtains its votes across the wider territory, as determined by which candidate has obtained the greater number of votes in the greater number of kabupaten/kota.

(1g) In the event that the voting results as meant in paragraph (1e) show that a number of candidate pairings have obtained the same share of votes, then a second round election will be held.

(1h) whenever no candidate pairing obtains a majority of votes as meant in paragraph (1f), then the candidate pairing who receive the most and the second most votes will contest a second round election.

The candidate pairing for Governor/Deputy Governor that obtains the most votes in the second round election as meant in paragraph (1g) will be declared the elected Governor/Deputy Governor.

In stipulation Article 70 paragraph (1) until paragraph (4) have been changed, so that Article 70 now reads as follows:

Article 70

The collation of the vote-count results for the election of Governor/Deputy Governor is determined by KIP Aceh through a plenary meeting.

KIP Aceh will provide the DPRA with an Official Report of the collation of vote-count results.

The DPRA will forward the results of the election along with the administrative documents and recommendation for the ratification of the appointment of the elected candidate pairing to the President through the Minister for the Interior.

The forwarding of the results of the election as meant in paragraph (3) above is implemented no more than 3 (three) days after the results of the election and the administrative documents are received from KIP Aceh as meant in paragraph (2).

Deleted.

In stipulation Article 71, paragraph (1) and paragraph (1a) have been deleted, paragraph (1b) has been changed, paragraph (1c) has been deleted, between paragraph (1d) and paragraph (1e) has been added one paragraph, that is a new paragraph (1e), the previous paragraph (1e) becomes the new paragraph (f), so that Article 71 now reads as follows:

Article 71

The candidate pairing for Bupati/Deputy Bupati and Walikota/Deputy Walikota who obtain more than 50% (fifty per cent) of the vote from the total valid vote, will be declared as the elected Bupati/Deputy Bupati and Walikota/Deputy Walikota.

(1a) Deleted.

(1b) In the even that the conditions for a result as meant in paragraph (1) have not been met, the candidate pairing which obtains more than 25% (twenty-five per cent) of the valid vote, and obtains

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the greatest share of the vote will be declared the elected Bupati/Deputy Bupati or Walikota/Deputy Walikota.

(1c) Deleted.

(1d) whenever the stipulation as meant by paragraph (1b) cannot be fulfilled because no candidate obtains 25% of the valid vote, a second round election will be held to be contested by the candidates who received the greatest and second greatest number of votes.

(1e) Implementation of the second round election as meant in numeral (1d) will be carried out at the latest 60 days after the results of the vote count in the first round are determined.

(1f) In the event that two candidate pairings for Bupati/Deputy Bupati or Walikota/Deputy Walikota as meant in paragraph (1d) obtain the same number of votes, determination of the elected candidate pairing will be based on which candidate pairing obtains its votes across the wider territory, as determined by which candidate has obtained the greater number of votes in the greater number of sub-districts.

(1g) In the event that the result of the vote as meant in paragraph (1e) is that a number of candidate pairings have obtained the same number of votes, then a second round election will be held.

(1h) whenever no candidate pairing obtains a result as meant in paragraph (1f), then the candidate pairing who receive the greatest and the second greatest number of votes will contest a second round election.

The candidate pairing for Bupati/Deputy Bupati or Walikota/Deputy Walikota that obtains the most votes in the second round election as meant in paragraph (1g) will be declared the elected Bupati/Deputy Bupati and Walikota/Deputy Walikota.

In stipulation Article 72, paragraph (1) until paragraph (4) have been changed, so that Article 72 now reads as follows:

Article 72

The collation of the vote-count results for the election of Bupati/Deputy Bupati and Walikota/Deputy Walikota is determined by KIP Kabupaten/Kota through a plenary meeting.

KIP Kabupaten/Kota will provide the DPRK with an Official Report of the collation of vote count results.

The DPRK will forward the results of the election along with the administrative documents and recommendation for the ratification of the appointment of the elected candidate pairing to the Minister for the Interior through the Governor.

The forwarding of the results of the election as meant in paragraph (3) above is implemented no more than 3 (three) days after the results of the election and the administrative documents are received from KIP Kabupaten/Kota as meant in paragraph (2).

Deleted.

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In stipulation Article 75, paragraph (1) until paragraph (5) have been changed and after paragraph (2) has been inserted a new paragraph (3), and the previous paragraph (3) and paragraph (4) have become the new paragraph (4) and (5), and a new paragraph (6) has been added, whilst the old paragraph (6) has become the new paragraph (7), so that Article 75 now reads as follows:

Article 75

The costing budget for elections includes all costs that are incurred in the course of implementing elections and will be managed by KIP.

The budget for election of Governor/Deputy Governor is provided by APBA, whilst the budget for election of Bupati/Deputy Bupati or Walikota/Deputy Walikota is met by APBK and APBA.

The funding of election activities that are implemented for the first time since the Law on Governance for Aceh was passed is met by APBN, APBA and APBK.

The election budget as meant in paragraph (1) is submitted by KIP Aceh to the Governor to be budgeted in the RAPBA and the budget for election of Bupati/Deputy Bupati and Walikota/Deputy Walikota is submitted by KIP Kabupaten/Kota to the Bupati/Walikota to be budgeted in RAPBK.

The KIP Secretariat Aceh and the KIP Secretariat Kabupaten/Kota manage the election budget in accordance with the program and directives of KIP Aceh or KIP Kabupaten.

Determination of the size of expenditure, services and operational costs for the coordinator of elections is regulated with legislative regulations.

The management of the election budget is done in accordance with the active stipulations for management of state/regional budgets according to legislative regulations.

Between the stipulations Article 75 and Article 76 has been added one Article, that is Article 75A which reads as follows:

Article 75A

In elections for Governor/Deputy Governor that are carried out at the same time as elections for Bupati/Deputy Bupati and Walikota/Deputy Walikota the funding will be provided by APBA and APBK.

The funding stipulation as meant in paragraph (1) will be regulated further by Gubernatorial Regulations.

In stipulation Article 85, paragraphs (1) and (1a) have been changed, paragraph (1b) and paragraph (3) have been deleted, so that Article 85 now reads as follows:

Article 85

The staging of elections for Bupati/Deputy Bupati and Walikota/Deputy Walikota whose terms in office cease between August 2006 and January 2007, will be implemented at the same time as the election for Governor/Deputy Governor.

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(1a) In the event that one electoral region suffers a natural disaster, riot, security disturbance or other kind of disturbance which prevents the implementation of elections in all or some of the territory of the electoral region, the election will be postponed, with the following stipulation:

The postponement of all phases of the election for Governor/Deputy Governor will require a submission from the Governor to the President and copied to the Minister for Interior based on the recommendation of KIP Aceh through the leadership of the DPRA.

the postponement of part of the election phases for Governor/Deputy Governor, will require a submission from the Governor to the Minister for Interior based on the recommendation of KIP Aceh through the leadership of the DPRA;

Postponement of all or part of the phases of the election for Bupati/Deputy Bupati or Walikota/Deputy Walikota will require a submission from the Governor to the Minister for Interior copied to the Bupati/Walikota based on the recommendation of KIP Kabupaten/Kota through the leadership of DPRK.

(1b) Deleted.

Whenever the Governor/Deputy Governor, who is currently in office dies, resigns, suffers a permanent impediment, or is dismissed, then the election for the replacement Governor/Deputy Governor is implemented according to the stipulation in this Qanun.

Deleted.

Between Article 85 and Article 86 has been inserted 5 (five) articles, that is Article 85A, Article 85B, Article 85C, Article 85D and Article 85E, which read as follows:

Article 85A

The KIP that is in place at the moment that this Qanun passes into law will continue to carry out its tasks until the end of its term.

Article 85B

For the first instance, the formation of the Aceh Electoral Oversight Committee will be carried out by DPRA and Formation of the Kabupaten/Kota Electoral Oversight Committee will be carried out by the Aceh Electoral Oversight Committee.

For the Kabupaten/Kota Electoral Oversight Committees where the implementation of the elections is not concurrent with the election of Governor/Deputy Governor, the task of forming the Electoral Oversight Committee is delegated to the DPRK in the kabupaten/kota concerned.

Article 85C

The stipulations that regulate independent candidates in elections as meant in Article 33, are active and implemented only for the first election after this Qanun passes into law.

Article 85D

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All terms which appear in the Qanun No.2, 2004 as changed with Qanun No.3 2005, which have not been changed, conform to the their usage in this Qanun.

Article 85E

Issues that have not been regulated in this Qanun relating to the technical aspects of elections will be further regulated by KIP.

Article II

This Qanun becomes active on the date that it enters into law.

So that every person is informed of it, it is hereby ordered that this Qanun enactment is placed in the Aceh Regional Gazette.

Ratified in Banda Aceh
On 11 August, 2006
17 Rajab, 1427

PJ GUBERNOR ACEH,
(Signed)
MUSTAFA ABUBAKAR

Ratified in Banda Aceh
On 11 August, 2006
17 Rajab, 1427

REGIONAL SECRETARY ACEH
(Signed)
HUSNI BAHRI TOB

ACEH REGIONAL GAZETTE 2006, NO.7

14.3 Press Release of ANFREL 1st Statement



Asian Network for Free Elections

111 Soi Sithichon, Suthsamwinchai Road, Samson Nok, Huaykwang, Bangkok, 10320 Thailand
Tel: (662) 2773627 Fax: (662) 2762183
Email: anfreil@anfreil.org

Press Statement No. 1

ANFREL Observers Expect Peaceful Historical Election in Aceh

Asian Network for Free Elections (ANFREL) has sent 10 long term observers from 8 countries; India, Bangladesh, Pakistan, Sri Lanka, Malaysia, South Korea, Thailand and an observer from America to observe the first self organized election in Aceh. During the first week of the ANFREL mission in Banda Aceh most of the effort has gone onto encourage the KIP (Election Commission) and other related stakeholders before being their deployment to the 6 strategic districts of Aceh. The ANFREL observers are content to see a peaceful situation all over Aceh before the start of the campaign. Given the peaceful situation the endeavour of the ANFREL observers would be to encourage Acehnese to come out and vote during the historical local election on December 11 2006.

ANFREL expects to have a free, fair and a credible election as well as a high voter turnout. The team has already had several rounds of interactions and meetings with representatives from KIP, Media, Government agencies, NGOs, academicians, religious intellectuals, Panwas as well as with a cross section of the society and so on. From our interactions with the various individuals and groups, we are of the view that Voter list will be comprehensive one and it will contain the names of legitimate voters leaving no room for non-existent voters who are either dead or are missing. We expect that voter education will be one of the top priorities during the election, especially in remote and fur flung areas so as to make the whole exercise smooth and less difficult for voters. We are optimistic that the media, NGOs and also the Government machineries who are part and parcel of the whole exercise will extend their fullest cooperation and support to make for a successful election.

ANFREL is of the firm view that the election in Aceh will pave the way for democracy as it comes after a long period of struggle and unrest and most of the people are keenly waiting for the democratic process to unfold.

The Asian Network for Free Elections (ANFREL) was established in 1997, as Asia's first regional network of civil society organizations. It strives to promote and support democratization at national and regional levels in Asia.

ANFREL believes that the electoral system of a country must be co-ordinate and monitored carefully to assure the sovereignty of the processes, which shoulders its self-directed results.

Broadly ANFREL aims to enhance integrity of electoral processes as well as minimize election irregularities and election-related human rights violations; to provide accurate and impartial information and analysis on issues related to the General Elections in particular and prospects for democratic

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development in general.; to enhance and sustain the capacity of civil society organizations to ensure an environment conducive for the conduct of free elections as well as for the realization of people's aspiration for democracy. At the end of the mission ANFREL will publish a report to underline the outcome of the observation mission, together with recommendations for the electoral process. This report will in the end act as a mission report, which will be distributed to participating bodies and agencies.

For further information you are requested to contact:

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Email: anfrel@anfrel.org

Or

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14.4 ANFREL Final Statement



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 Panwaslih in many areas.

- Panwaslih 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 one polling station ghost voting was detected, which prevented a genuine voter from casting his 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 claimed had migrated to another 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 at 12: 40 pm. The same was experienced in Nagan Raya where a polling station closed at 12:30 pm.
- In Rutan Kls 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

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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.

14th December 2006

For further information please contact Ms. Somsri Hananuntasuk at phone: 081377477117 and email: anfrel@anfrel.org or Mr. Das Bidhayak at phone: 081377477118 and email:

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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.

14.5 Mayor and Bupati Election Results

1 SABANG CITY				
NO	THE CANDIDATES	Votes	%	Parties/Independent
1	T. Zahirsyah dan H.M Amin Nyak Neh	1,265		
2	Muhammad Nur, SH, M.Hum dan Rusli, SE,Msc	190		
3	H.Husaini dan Drs. H.Zulkifli, HS, MM	4,320		
4	H.M Nasir, SH dan Drs. Azhari	2,079		
5	H.Munawar Liza Zainal dan Islamuddin, ST	5,214	35,58	Independen (Ex-GAM)
6	Ir. H.Hirwan Jack, MM dan Drs.Muhammad Husin Ali	1,585		
Total Valid votes		14,653		
Total invalid votes		778		

2 BANDA ACEH CITY				
NO	THE CANDIDATES	Votes	%	Parties/Independent
1	Drs.Sulaiman Abda - drg.Saifuddin Ishak,M.Kes,PKK	10,220		
2	Ir.Mawardi Nurdin,M.EngSc - Hj.Illiza Sa'aduddin Djamal, SE	21,588	32,95	PPP,PBR,Demokrat
3	Ir.H.Teuku Alaidinsyah, M.Eng- Anas Bidin Nyak Syech	9,487		
4	Drs.H.Bachtiar Nitura, MM - Ir. Nasruddin Daud, M.Sc	3,101		
5	Drs. Sayid Fadhil,SH,M.Hum - Nursalis	3,103		
6	H.Raihan Iskandar, Lc - Teuku Surya Dharma, SE.Ak	13,774		
7	Muhammad Taufik Abda - Akhiruddin Mahjuddin	4,236		
Total valid votes		65,509		
Total invalid votes		3,110		

3 KABUPATEN ACEH BESAR				
NO	THE CANDIDATES	Votes	%	Parties/Independent
1	Ir Musa Bintang, MM - Drs. H. Munir Aziz, MPd	12,507		
2	DR.Tgk H Bukhari Daud, M.Ed - Anwar Ahmad, SE.Ak	37,810	25,58	PAN, PBR

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3	DR. H.Mustanir M.Sc - H. M. Ali Usman	24,310		
4	Drs. Sayuthi Is, MM dan T. Raden Sulaiman	11,430		
5	Drs. H Rusli Muhammad dan Drs. Muhammad Ali	22,849		
6	Irwansyah dan Tgk. Usman Muda	29,113		
7	Drs.H Zaini Zakaria Alwy - Mahdi SE	3,390		
8	Drs. Zaini Aziz,MM - H.Amiruddin Usman Daroy	6,390		
Total valid votes		147,799		
Total invalid votes		9,374		

4 KABUPATEN PIDIE

NO	THE CANDIDATES	Votes	%	Parties/Independent
1	Mirza Ismail, S.Sos - Nazir Adam, SE	134,459	56,04	Independen (Ex-GAM)
2	Drs. H.Jalaluddin Harun - Darul Irfan, S.Ag	24,202		
3	DR.TGK.H.Gunawan Adnan, MA - Drs.H.Abd.Salam Poroh	7,009		
4	H.T Khairul Basyar, S.Sos, M.SP - Drs.Abdullah Daud	43,980		
5	IR.Faisal Saifuddin - TGK.Yusri Puteh, SPd	5,809		
6	IR.H.Abdullah Yahya, MS - Drs.M.Yusuf Ishaq	19,908		
7	Drs.H.Bustami Usman, M.Pd - TGK.Anwar Yusuf, MA	4,557		
Total valid votes		239,924		
Total invalid votes		14,420		

5 KABUPATEN ACEH UTARA

NO	The Candidates	Votes	%	Parties/Independent
1	Tgk.Ilyas A Hamid - Syarifuddin, SE	163,540	67,35	Independen (Ex-GAM)
2	Drs.Azwir, M.Si - Tgk.H.Abdul Manaf	4,957		
3	Ir.H. Tarmizi A Karim, MSc-Tgk.H Amirullah M Diyah,Lc,M.Ag	50,512		
4	Drs.Tgk H. Ghazali Mohd.Syam - Terpiadi A Majid, S.Sos	23,794		
Total valid votes		242,803		
Total invalid votes		9,710		

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6 KABUPATEN GAYO LUWES

NO	The Candidates	Votes	%	Parties/Independent
1	H.Ibnu Hasim, S.Sos.MM - Firdaus Karim	23,857	58,13	PGK, PPP, PAN,PSI, PD
2	Drs.H.Ramli, S.MM - Irmawan, S.Sos, MM	15,825		
3	Drs.H.Abdul Gafar - Weri, SE,MA	1,357		
Total valid votes		41,039		
Total invalid votes		1,129		

7 KABUPATEN ACEH TIMUR

NO	The Candidates	Votes	%	Parties/Independent
1	Muslim Hasballah - Nasruddin Abu Bakar, S.pd.I	53,104	36,40	Independen
2	Ir.Bachtar Yusuf - Drs. Nurdin AR	15,212		
3	Ir. H.Zainal Abidin Bie,MM - H.Zubir Ali Basyah, SH	13,623		
4	Drs.H.Azwan Usmanuddin, MM - Heldianasyah Z Mard, SE,MAP	21,334		
5	DR.Ir.Amhar Abubakar, MSc - H.Syarifuddin Malem S.Pd I	20,491		
6	Sulaiman Ismail - Zulkarnaini H.Matsyah, SPd	22,102		
Total valid votes		145,866		
Total invalid votes		12,621		

8 LANGSA CITY

NO	The Candidates	Votes	%	Parties/Independent
1	Drs.Zulkifli Zainon,MM - Drs.Saifuddin Razali	23,203	40,95	P. Golkar
2	Drs.Ridwan Hanafiah, SH.,MA - Drs.H.Anwar Hasan	2,006		
3	Alibasyah Tanjung - Tgk.Syech Muhajir Usman, Sag,L.Lm	5,922		
4	H.M Jamil Hasan, SE - Rahmadi Yahya, SE	3,528		
5	Drs.Syahrir AKA, M.Si - Dr.H.syafriruddin, MM	6,297		
6	Drs.Abdullah Gade - Zainal Abidin	15,704		
Total valid votes		56,660		
Total invalid votes		3,041		

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9 KABUPATEN ACEH BARAT*

NO	The Candidates	Votes	%	Parties/Independent
1	Dr.Drs.Burhanuddin Yasin, M.Ed - Drs. Said Rasyidin Husein	5,551		
2	M.Daud Manaf, SH - Drs.Sofyan S.Sawang	13,698		
3	Zulkarnaini - Ir.Tgk.Babusallam Oemar	1,868		
4	Suwanto,NG,SE,MSc - Rosni Idham	2,478		
5	Drs.H.Nasruddin, M.Si - H.Syahbuddin, SE	9,557		
6	Ir.Ibnu Abbas - H.Amran Usman, S.Pdi	5,697		
7	Ir.H.Iskandar - H.Chudri Yunus, SH	14,801	18,0	Independent
8	H.Nyak Ali Umar, SH - Dra. Hj.Tjut Suwarni, M.Sc,Ed, MBA	7,371		
9	Burhanuddin Mustafa - Chairuddin FR	1,122		
10	Ramli MS - Fuadri, S.Si	20,257	24,6	Independent
Total valid votes		82,420		
Total invalid votes		2,624		

***No candidates got 25 % votes, so for two highest candidates will be run 2nd round of election**

10 KABUPATEN ACEH JAYA

NO	The Candidates	Votes	%	Parties/Independent
1	Drs.H.Azwar Thaib, Msi - T.Banta Syahrizal, ST	1,908		
2	A.Malik Musa, SH, M.Hum - Mustafa Ibrahim,S.Pd	4,304		
3	Ir.Azhar Abdurrahman - Zamzami A.Rani	21,883	63,43	Independent
4	Ir.Zulfian Ahmad - Marwan, Sp,SH	6,401		
Total valid votes		34,496		
Total invalid votes		1,193		

11 KABUPATEN ACEH BARAT DAYA*

NO	The Candidates	Votes	%	Parties/Independent
1	H.Musfiari Haridhi, SE,Ak,MBA - Drs.Ridwan Adami,MM	8,982		
2	H.T.B Herman, SE,MM - Tgk.Zulkifli Daiyan	2,434		

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3	Akmal Ibrahim,SH - Ir.Syamsurizal,M.Si	13,138	21,9	PAN
4	Drs.H.Tgk.Burhanuddin Sampe,MM - RS.Darmansyah,SE	4,218		
5	Muhammad Ansar, SH - Zulkifli	9,623		
6	Ir.M.Fakhruddin - Rajuddin,SPd,MM	9,039		
7	H.Sulaiman Adami,SP - H.Munir H.Ubit	12,550	20,9	PKB dan Partai Merdeka
Total valid votes		59,984		
Total invalid votes		3,117		

***No candidates got 25 % votes, so for
two highest candidates will be run
2nd round of election**

12 KABUPATEN NAGAN RAYA

NO	The Candidates	Votes	%	Parties/Independent
1	Moh.Alfatah,S.Ag- H.Evendi Ibrahim	8,876		
2	T.Asfan,SE - Ika Suhanas Adlim	2,157		
3	Drs.Asmadi Syam - Ramli	6,592		
4	Drs.T.Zulkarnaini - M.Kesem Ibrahim,BSc	22,596	31,42	P. Golkar, P Patriot, PBB
5	H.Bustami Usman,SE - T.Arsyad TRN,SP	4,231		
6	Said Mustafa Usab - Sayudin, ST	3,012		
7	Ir. H. Tripoli, MT - Ir. Fauzi	9,063		
8	Drs. Said Mahdi - Achmad Sachuri	6,832		
9	Dr. Ir. H. Azhar Muslem, MS - Drs. Syech Marhaban	8,545		
Total valid votes		71,904		
Total invalid votes		2,697		

13 KABUPATEN ACEH SINGKIL

NO	The Candidates	Votes	%	Parties/Independent
1	H. Makmur Syah Putra, SH, MM dan Drs. H. Khazali	24,607	37,21	P. Golkar
2	Drs. Salmaza dan Drs. H. Burhanuddin Berkat, SH	12,744		
3	H. Syafriadi, SH Alias Oyon dan Drs. Ramlan	20,049		
4	Drs. H. Aliamin Sambo, M. Si dan Ir.	2,477		

ACEH: Balloting for Peace and Democracy / Pilkada Nangroe Aceh Darussalam, 2006

	Amirtua Bancia			
5	Drs. Syahyuril - Harsoyo	6,245		
Total valid votes		66,122		
Total invalid votes		2,746		

14 KOTA LHKSEUMAWE

NO	The Candidates	Votes	%	Parties/Independent
1	Ir. H. T. Fachruddin -H. Armia Ibrahim, SH	3,989		
2	Drs. H. Marzuki M. Amin, MM - Drs. H. Marzuki M. Amin, MM	14,340		
3	Munir Usman - Suaidi Yahya	25,927	38,94	Independent
4	Ir. H. Kasbani Kasim - Dahlan A. Rahman, S. Ag, M. Si	4,426		
5	Ir. H. T. A. Khalid, MM - Drs. Tgk. Mursyid Yahya dan	12,245		
6	DR. Ir. M. Nasir, MP, SH - Nurdin M. Yasir, S. Ag	5,646		
Total valid votes		66,573		
Total invalid votes		3,993		

15 KABUPATEN ACEH TENGAH

NO	The Candidates	Votes	%	Parties/Independent
1	Ir. H. Nasaruddin, MM - Drs. Djauhar Ali	34,167	38,87	PBR, PAN, PKPI, Patriot
2	Mahreje Wahab - H. Ibrahim Idris Gayo	21,650		
3	H. Banta Cut, SE, MM - Drs. H. M. Amin. R	3,453		
4	Dr. H Darma Tapa Gayo, Sp.Rad - Ir. Tgk. Mursyid	4,066		
5	Drs. Abdul Mutholib Bantasyam - Drs. H. Moeawiyah Sabdin	2,217		
6	Ir. Syukur Kobath - Kurniadi Nurdin Sufie	8,648		
7	Tgk. Ligadinsyah - Tgk. H Mude Hasan, SH	9,456		
8	H. Mukhlis Gayo, SH - Drs. Soewarno, S. Msi	4,219		
Total valid votes		87,879		
Total invalid votes		3,534		

16 KABUPATEN ACEH TAMIANG

ACEH: Balloting for Peace and Democracy / Pilkada Nangroe Aceh Darussalam, 2006

NO	The Candidates	Votes	%	Parties/Independent
1	Drs. H. Abdul Latief - H. Awaluddin, SH, SpN, MH	18,512	19,35	PAN
2	H. T. Yusni - Drs. Armand Muis	15,125		
3	Drs. H. Mohd. Ilyas. WD - Drs. T. Basyir	7,154		
4	Ir.Rusman - M.Darsah	16,559		
5	H. Helmi Mahera Al-Mujahid - H. Noekman Darsono, SH	6,789		
6	H. Sofyan Efendi - Ir. Nurman Syah	8,660		
7	Syarifah Chadijah, ST - H. Abul Hayat, SKM, M. Kes	3,639		
8	H. Hamdan Sati, ST - H. Iskandar Zulkarnain	19,235	20,10	
Total valid votes		95,673		
Total invalid votes				

*No candidates got 25 % votes, so for two highest candidates will be run 2nd round of election

17 KABUPATEN ACEH TENGGARA

NO	The Candidates	Votes	%	Parties/Independent
1	H. Armen Desky - H. M. Salim Fakhry, SE, MM		<i>No result yet, still in dispute</i>	
2	H. Hasan Basri Selian - Drs. Tgk. Saribun Selian			
3	Tgk. Appan Husni, JS - Drs. H. Abdurrahim Sekedang			
4	Ir. H. Hasanuddin, B, MM - Drs. H. Syamsul Bahri			
5	Muhammad Rido - Supri Yunus, S. Pd			
6	Ir. Abustian, ME - Djalidun Keruas			
7	Gandhi Bangko - Rajadun Pagan, BBA			
8	Drs. H. Darmansyah, MM - Kasim Junaidi, SE			
Total valid votes				
Total invalid votes				

18 KABUPATEN SIMEULU

NO	The Candidates	Votes	%	Parties/Independent
1	H. M. Sidiq Fahmi, SH - H. Arya Udin	11,184		
2	Erly Hasyim, SH, S. Ag - Drs. Saifuddin	3,899		

ACEH: Balloting for Peace and Democracy / Pilkada Nanggroe Aceh Darussalam, 2006

	Samin			
3	Drs. Darmili - Drs. Ibnu Aban GT. Ulma	15,102	36,83	Parpol
4	Drs. Fachri Kasim - Drs.Fajrian Hasan	1,354		
5	Mohd. Daud Syah - Mohd. Daud Syah	1,855		
6	Ir. Mawardi, MM - Sayuti Abas, BA	7,616		
Total valid votes		41,010		
Total invalid votes		795		

19 KABUPATEN BENER MERIAH

NO	The Candidates	Votes	%	Parties/Independent
1	Drs. Aldar AB, MM - Drs. H. Ridwan Qari	15,153		
2	Ir. Tagore Abubakar - Sirwandi Laut Tawar Smik, S. Sos	20,566	33,63	P.Golkar
3	Fauzan Azima - Arhama	12,120		
4	Ir. Misriadi, MS - Ir. Sutrisno	13,302		
Total valid votes		61,141		
Total invalid votes				

14.6 Invitation letter from KIP NAD



**KOMISI INDEPENDEN PEMILIHAN
PROVINSI NANGGROE ACEH DARUSSALAM**

Nomor : 2504/KIP/X/2006
Lampiran : -
Sifat : Urgent
Perihal : Invitation For International
Observer Organization

Banda Aceh, 19 Oktober 2006

Kepada Yth :

**Ms. Somsri Hananuntasuk
The Coordinator of Anfrei
Asian Network for Free Election
109, Suthisanruwinichai Rd,
Samsenok, Huaykwang
Bangkok – Thailand
Di-**

Tempat

Dear, Ms. Hananuntasuk

I am writing to invite your organization to participate in Aceh's upcoming Local election as an observer's organization. Further to the aspiration of Aceh People for the first time in peace situation after the Helsinki agreement.

Herewith, on behalf of the election management body, KIP (Independent Election Committee) Nanggroe Aceh Darussalam, we already receive the Anfrei representative and also your accreditation proposal on October 18 and will proceed in very soon time the observers which mention in attached file.

However the responsibility of KIP will not include logistical support to observer. Therefore, accredited observer organization will be responsible for all logistic related to their activities.

We hope that you will be able to accompany us and the people of Nanggroe Aceh Darussalam on this momentous occasion of democracy. If we can be of further assistant, please don not hesitate to contact the KIP Accreditation section jikwanuss_sufa@yahoo.com, mobile: +62 852 6026 8545

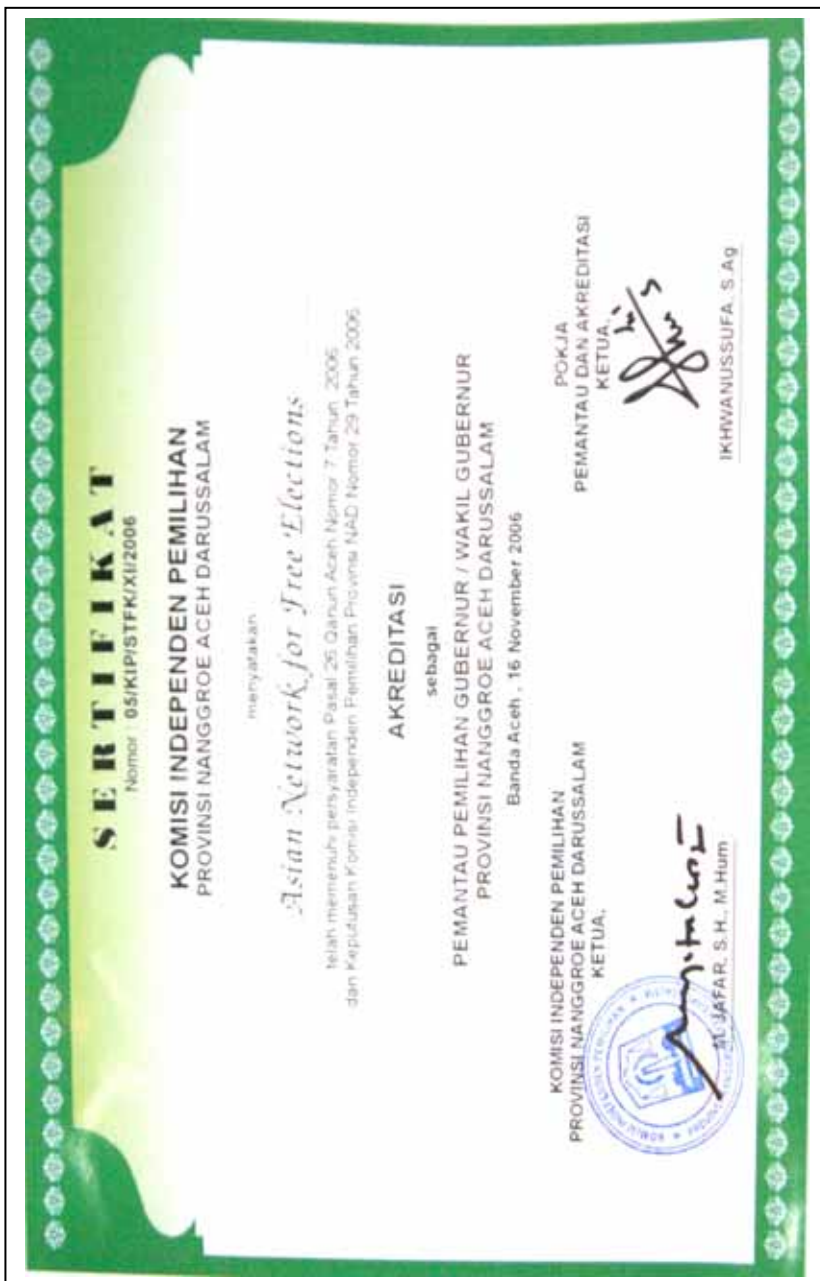
Yours sincerely, 



M. JAFAR S.H.M.HUM

The chairperson of Independent Election Committee

14.7 KIP Certificate



14.8 Endorsement letter from Department of Law and Human Rights NAD to observe in Prisons



DEPARTEMEN HUKUM DAN HAK ASASI MANUSIA RI
Kantor Wilayah Provinsi Nanggroe Aceh Darussalam
Jalan T. Nyak Arief No. 185 Banda Aceh
Telepon : 7553197 – 7553494 Fax : (0651) 7553494

Nomor : W1.PK.01.06 – 163
Lampiran : 1 (satu) lembar
Perihal : Kunjungan Asian Network for
Free Election

Banda Aceh, 30 Nopember 2006
Kepada Yth.

1. Kepala Lembaga Pemasyarakatan
 2. Kepala Rumah Tahanan Negara
 3. Kepala Cabang Rumah Tahanan Negara
- di-

Provinsi NAD

Sehubungan dengan surat dari Asian Network for Free Election (ANFREL) perihal kunjungan dan observasi PILKADA di NAD (copy surat terlampir), bersama ini kami minta agar Saudara memberikan bantuan seperlunya bagi petugas dari Lembaga tersebut dalam melaksanakan pemantauan PILKADA dimaksud pada tanggal 11 Desember 2006 yang akan datang.

Demikian, atas perhatian Saudara diucapkan terima kasih.


KEPA DA KANTOR WILAYAH,
DARWIN, SH
NIP. 040 017 270

Tembusan :

1. Direktur Jenderal Pemasyarakatan Departemen Hukum dan HAM RI di Jakarta.
2. Pimpinan Asian Network for Free Election di tempat

14.9 Press article: Aceh – Two Foreign groups to Monitor Polls

Aceh: Two Foreign Groups to Monitor Poll

2006-11-21

Written by Nani Afrida, and published by The Jakarta Post:

Two foreign observers have been accredited by Aceh's Independent Election Commission (KIP) to monitor the upcoming Aceh vote. The two are the Asian Network for Free Election (ANFREL) and the European Union Election Observation Mission (EU EOM).

ANFREL is the first Asian Regional Election Network, Based in Thailand, ot work to promote the democratization process on national and regional levels in Asia. " W ehope the direct regional leadership election in Aceh will be successful and transparent in order to establish democracy for the people of Aceh, " said ANFREL Executive Director Somsri Hananuntasuk in Banda Aceh.

She added that ANFREL expected to learn about the voting process from the Acehness, as well as ways to overcome election flaws

ANFREL has sent a team of 11 people to Aceh, Including members from Bangladesh, India, Malaysia, Pakistan, South Korea, Sri Lanka, Thailand, and The United States. They will be divided into six team and spread across the province.

ANFREL will work with KIP, which has dispatched 120 poll workers to the voting stations. The EU EOM had earlier sent 30 monitors, who were assigned throughout the mayoralities and regencies in the province.

"The poll watchers will be divided into 15 teams, with each team consisting of two members," said EU EOM spokesperson Indraneel Datta. Each team will later monitor two areas until the end of voting. Besides the 30 long-term poll watchers, the European Union will also dispatch another 45 members for the short-term monitoring team a few days ahead of the elections. The European Union will send around people in total, from 22 countries. They will carry out their duties until Jan. 10, 2007.

KIP has classified the foreign election monitors into three groups -- regular foreign monitors, diplomatic foreign monitors and supporting foreign monitors, each of which are distinguished by the identity cards issued by KIP.

In addition to the foreign election monitors, the polls will be watched by local election watchdogs accredited by KIP. They include the People's Election Education Network, which will observe polling stations across the province through 3,400 volunteers; the Aceh NGO Forum, comprising 500 members; and the Aceh International Recovery Program, which will monitor elections in nine mayoralities and regencies with 300 poll watchers.

The Aceh direct regional elections and the gubernatorial election will be held simultaneously in 19 mayoralities and regencies on Dec. 1

14.10 Press article: Aceh elections short of monitors

Aceh elections short of monitors

Nani Afrida, the Jakarta Post, Banda Aceh

Aceh needs at least 10,000 election observers to help ensure just and democratic regional polls in Aceh on Dec. 11, Ikhwanussufa of the Independent Election Committee in Aceh (KIP Aceh) said Friday.

Ikhwanussufa said the number of observers was still far from sufficient, with only 800 registering so far. "The number of registered observers is still very small. We will wait until Nov. 22 because we need at least 10,000 observers to monitor each polling station," he said. Around 10,000 polling stations will open throughout the province on voting day.

Ikhwanussufa said four foreign monitoring institutions had registered at KIP Aceh -- the Republican Institute with 10 observers, European Union with eight people, the Asian Network for Free Election (ANFREL) 10 people, and the American consulate with six people. "They are still in the process of applying for visas," Ikhwanussufa said.

Local institutions registering include the People's Voters Education Network with 138 people, Forum of Aceh Non-governmental Organizations (441) and the Aceh Recovery Program (218).

The Aceh Strategy Assessment Center and the Center for the Independent Elections Monitoring Committee have not assigned volunteers yet. All the observers are set to monitor elections throughout Aceh. This is different from the earlier limited monitoring activities allowed when the province was under military rule.

However, KIP Aceh could prevent foreign humanitarian workers in Aceh from working as observers during the elections in line with joint decrees on foreign observers signed by the Minister of Home Affairs Muh. Ma'ruf and Minister of Foreign Affairs Hassan Wirayuda.

"The regulation is intended mainly to prevent foreign humanitarian workers from changing their professions, because Aceh is still in need of their assistance," Ikhwanussufa said. According to the decree, representatives of other countries are allowed to become observers in Aceh's elections as long as they join accredited observer institutions from their respective countries. Those from European Union countries must join the EU's Election Observation Mission while those from Asian countries will become part of the Asian Network for Free Elections. Non-nationals will also be required to obtain special cultural visas issued by the Foreign Ministry. "KIP will only be in charge of authorizing the foreign candidates in line with the ministry's ruling," Ikhwanussufa said.

14.11 Press article: Mob attacked H2O entourage

Aceh World

November 29 - December 5, 2006 • Vol. 01 No. 045 • Rp. 7.500,- 16 Pages

Mob attacked H2O entourage

A MOB of people attacked Governor candidate Humam Hamid's entourage at the Matang Glumpang Dua market, Bireun, Wednesday (11/22), 5:30 pm. A bus bearing the banner "Continue on with Peace! Vote Human-Hasbi (4)" was damaged. Hundreds of H2O stickers were also set on fire.

The incident occurred when the bus, registration number of BK 7091 DH, which carried the H2O entourage, was parked at the Slang Malam restaurant in Banda Aceh-Medan highway. The party of 15 people stopped for some satay at the restaurant.

Soon after the H2O party sat down, a group of people appeared. They approached the H2O party and a tense dialog took place.

"We didn't know how it started, but suddenly the H2O bus was vandalized," said a number of witnesses.

Because the situation grew more heated, the restaurant owner tried to keep Humam out of harms way. Meanwhile, outside the restaurant the mob attacked the H2O's bus even more viciously and hurled rocks at

the bus' windshield, and the left, and right windows.

Security officers led by the Bireun County Police Chief AKBP S Rubianto immediately controlled the situation. Police brought some of the H2O entourage to the Bireun Police Station by truck. The incident caused a traffic-jam in the Banda Aceh-Medan highway.

The Police Chief said that there were no loss of life or injuries in the incident.

Humam Hamid stated that he bore no grudge against the mob that pelted rocks at his bus. "Why should I bear a grudge, they are my little brothers. Brothers who may be misinformed, brothers who may not yet know about me. Brothers who might have been provoked, right? They are very young still, they may still be unaware. So I bear no grudges whatsoever," he said.

Purely criminal acts

Meanwhile the Head of the Aceh Independent Elections Commission (M. Jafar) on Saturday (11/25) concluded that the Bireun incident cannot be determined as an elections-related incident because it occurred prior to the



campaign period. "Just because the candidate and his entourage put up banners, stickers and posters on their vehicles did not mean that it is an official campaign procession," said Jafar.

Jafar also rejected the notion that his office has to settle the incident. "This is a matter for the police or the Elections Monitoring Agency to handle, not KIP," he confirmed.

The Head of the Elections Monitoring Agency (PANWAS), Inkandar Muda Hasibuan also rejected the notion that his

office has the authority to settle elections-related violence. "Elections-related violence is within the mandate of the police, not the PANWAS," he explained. According to him, under the LOGA and the local elections bylaw, the authority of PANWAS is only on settling elections-related disputes. He also revealed that the Humam Hamid-Hasbi Abdullah camp has not reported the incident to his office. "We have contacted pak Humam and the police. This is purely criminal act," he confirmed. *Humam/Hasbi/Aryon*

Rakyat Aceh

SABTU, 18 NOPEMBER 2006

KIP Sosialisasi Pilkada di Enam Kabupten

Anfrel Turunkan 11 Pemantau

BANDA ACEH—Komisi Independen Pemilihan (KIP) Aceh meluncurkan program Mobile Information Unit guna mensosialisasikan kegiatan pelaksanaan Pilkada di enam kabupaten. Selain menyebarkan material berupa informasi tentang Pilkada, petugas juga akan menggelar simulasi Pilkada di 126 titik.

Ketua KIP Aceh, M Jafar kepada wartawan kemarin mengatakan, kegiatan sosialisasi tersebut dimulai 17 Nopember sampai 8 Desember 2006 dengan fokus utama menyebarkan informasi tentang tahapan pelaksanaan Pilkada ke sejumlah kawasan terpencil di enam kabupaten tersebut.

Untuk awal dimulainya pogram tersebut, kata Jafar, kemarin secara resmi telah meluncurkan sejumlah mobil ke lapangan untuk menyebarkan berbagai bentuk material informasi tentang Pilkada di kawasan kota Banda Aceh.

Dijelaskan, untuk tahap berikutnya, tim sosialisasi Pilkada KIP lainnya juga akan menggelar kegiatan layar tancap tentang Pilkada di 80 titik di kabupaten/kota di Aceh.»

» Bersambung ke... Hal 10

"Target dari sosialisasi Pilkada ini lebih diprioritaskan kepada kawasan terpencil yang kurang mendapat akses informasi yang meliputi enam kabupaten. Yakni Aceh Utara, Aceh Tengah, Gayo Lues, Aceh Jaya, Nagan Raya dan Aceh Barat Daya," jelasnya.

"Kita harapkan dengan adanya kegiatan sosialisasi ini masyarakat akan semakin lebih tahu tentang tahapan-tahapan pelaksanaan Pilkada. Namun yang lebih penting lagi, kita berharap mereka dengan kesadaran sendiri terdorong untuk bisa ikut terlibat dalam hari pemilihan nanti," kata Jafar lebih lanjut.

Dia menyebutkan, tingkat partisipasi masyarakat dalam Pilkada dinilai amat menentukan karena keterlibatan masyarakat

mendorong terciptanya Pilkada yang demokratis. Kegiatan sosialisasi Pilkada ini melibatkan 12 unit mobil (6 mini bus dan 6 unit pick up) dan 30 orang petugas yang terbagi dalam 6 tim. Mereka akan menyebarkan brosur tentang Pilkada, buku panduan tanya jawab, stiker dan berbagai material lainnya.

Menurutnya, kegiatan sosialisasi melalui pogram Mobile Information Unit ini merupakan kerjasama antara United Nations Development Program (UNDP), Aceh Election Support Program (Ales) dengan Media Center KIP.

Anfrel

Lembaga Pemantau Asing, Asian Network for Free Elections (Anfrel), menurunkan 11 orang petugas untuk memantau pelaksanaan Pilkada di Aceh. Sepuluh

tau jangka panjang dan seorang lainnya berstatus pemantau jangka pendek.

"Kemungkinan besar kami akan berada di Aceh sampai 15 Desember. Ada enam area yang akan kami pantau dimana para petugas nantinya akan disebarkan," kata Somstri Hananuntasak kepada koran ini usai menerima sertifikat bukti akreditasi dari Komisi Independen Pemilihan (KIP) Aceh, kemarin.

Dia menyebutkan dalam waktu dekat ini petugas pemantau asing itu sudah mulai bertugas. Selain memantau proses pemungutan suara, Anfrel juga akan melakukan pemantauan selama kampanye berlangsung.

Somstri menyebutkan ada enam wilayah yang akan menjadi fokus pemantauan pihaknya yang didalamnya meliputi sekitar 18 kabupaten kota.

kita juga akan melakukan wawancara langsung dengan beberapa masyarakat yang terlibat dalam pemilihan," jelasnya. Kecuali itu, katanya, Anfrel juga menyebarkan kausen dengan data pemilih. Karena salah satu persoalannya adalah, Aceh merupakan yang dilanda tsunami yang menewaskan ratusan ribu orang.

"Kita ingin lihat sejauh mana keakuratan data pemilih ini. Bisa saja ada nama mereka yang sudah meninggal karena bencana juga mungkin ada yang tertera dalam daftar pemilih. Sementara data penduduk kita di sini tidak tersimpan dalam bentuk komputerisasi," ujar Somstri asal Thailand.

Dia menambahkan, ini kali pertama Anfrel memantau pemilihan kepala daerah secara langsung. Sebelumnya, lembaga pemantau asing ini hanya mem-

14.13 Press article: Voters on West Coast still don't know Governor Candidates

Aceh World

November 29 • December 6, 2006 • Vol. 41 No. 447 • Rp. 7,000 • 16 Pages

Voters on West Coast Still Don't Know Governor Candidates

EIGHT candidate pairs running for the local elections it turns out are less known by the general population on the west coast of Nanggroe Aceh Darussalam. Though voting takes place in less than 15 days, some members of the community claim they do not know the names of even one of the candidate pairs that are in the running.

Cruising between Aceh Singkil to South Aceh for some 200 kilometers, there is practically no impression that an election campaign is underway.

Voters in Tapak Tuan, the capital of South Aceh District as a rule know that an election is about to happen, both for district head and for governor. "But who the candidate governors are, I really do not know," said a citizen.

Some members of the community in Kandang, Bakongan and Truman, South Aceh have claimed that they don't even know an election is being enacted. Suhendra, a rice

vendor in Bakongan said that he is not aware of the names of the governor candidates. "We have no idea who they are, except for the GAM candidate," he said while pointing at a picture of a governor candidate stuck on the wall of his food stall.

Entering day four of the campaign, on the west coast of NAD between Aceh Singkil and Tapak Tuan, only two cloth posters can be seen with pictures of Humam Hamid and Hasbi Abdullah, with the tag-line H2O. The same poster can be seen flying in the corner of town in Tapak Tuan. Other posters include that of Azwar Abubakar and Nasir Djamil. Azwar who once served as NAD governor for a year to replace Abdullah Puteh it turns out is not that popular on the west coast.

According to Suhendar, for many years seldom has a high-ranking official from the provincial government stopped by in the area. "We understand the situation, though," he said. "Facilities here are minimal, and the distances are formidable."...

14.14 Press article: Irwandi still in lead, monitors issue report

Irwandi still in lead, monitors issue report

Nani Afrida and
Ridwan Max Sijabat
The Jakarta Post/Banda Aceh

Foreign monitors on Thursday reported to the local poll supervisory body (Panwaslih) a number of violations during Monday's landmark elections in Aceh.

Meanwhile, Irwandi Yusuf and running mate Muhammad Nazar continue to lead in the preliminary vote count for the gubernatorial election.

The European Union Election Observation Mission for Aceh reported cases of intimidation at 1.2 percent of 232 polling stations in Central Aceh, Pidie and Aceh Besar.

The Asian Network For Free Elections (Anfrel) announced similar cases in Aceh Tamiang, as well as technical violations during the voting and money politics during campaigning.

Anfrel mission head Dama-so Magbual said most voters who were targets of intimidation were reluctant to report

the matter to the election supervisory agency.

"Eligible voters were asked by unidentified people to hand over their voter cards, for unspecified reasons. However, they don't want their cases reported to the official election supervisory agency for further investigation," he said at a press conference here Thursday.

He said 11 Anfrel monitors deployed in 20 districts also found dozens of ballots in ballot boxes before voting began. He also said many ballots were declared invalid because people did not understand how to vote, while some polling station staff did not ensure ballots were correctly inserted in ballot boxes.

"There is a need for adequate voter education and civic education all over Aceh," Magbual said. Citing an example, he said many ballots for governor were inserted in ballot boxes meant for mayoral races.

He also called on the Aceh Independent Elections Committee (KIP Aceh) and the poll

supervisory body to look into these cases to avoid similar problems in a possible second round of voting.

Magbual said communication problems hampered Anfrel staff in performing their work, and asked the official supervisory agency to investigate all complaints thoroughly.

EU Election Observation Mission chairman Glyn Ford also called on the poll supervisory body to look into the reported complaints and election violations. However, he said the complaints would not influence the final results of the elections.

Ford said his mission also found the official election supervisory agency was sometimes ineffective and slow to respond to complaints during the voting.

"Panwaslih had trouble during the election day and they were found to be less than cooperative and proactive in handling violations during the balloting day," he said.

Ford said the supervisory

agency had received a total of 158 complaints, with 109 of them having been identified as administrative problems and 19 as election violations.

Meanwhile, as of Thursday evening the vote count by the Aceh Independent Elections Committee had former Free Aceh Movement (GAM) spokesman Irwandi and his running mate still in the lead in the governor's race.

The pair had 26.17 percent of the 984,758 votes counted by the KIP. They are followed by Humam Mamid and running mate Hasbi Abdullah with 18.60 percent of the counted votes, down from 20.35 percent on Wednesday.

Trailing close behind in third is Golkar Party candidate Malek Raden and running mate Sayed Fuad Zakaria with 18.11 percent.

The KIP has yet to receive ballot boxes from Sabang, North Aceh, Aceh Jaya, Bireuen, East Aceh and Langsa. GAM candidates are expected to do well in these areas.

14.15 Press article: GAM Reiterates Neutral Position

Aceh World

November 29 - December 5, 2006 • Vol. 01 No. 045 • Rp. 7,500,- 16 Pages

GAM Reiterates Neutral Position

THE ACEH Free Movement, GAM, this week announced their non-support of any candidate in the upcoming elections for provincial heads on December 11, and reiterated that they will remain neutral throughout the whole voting period. GAM is also pulling away their support of Humam Hamid and Haabi Abdullah who are riding on the Development Unity Party ticket.

The decision was read out by the chair of the Aceh Transition Commission, or KPA, Muzakkir Manal, in a press conference in Banda Aceh Monday (27/11). "The chair of KPA Central and KPA in the districts will remain neutral throughout the whole voting process," he said.

The press conference was attended by GAM spokesperson in Sweden, Bachtiar Abdullah, KPA spokesperson

Sofyan Dawood, GAM high rank official from Sweden Nur Djuli and other KPA from the districts and sub-districts.

Bachtiar Abdullah also stated that he is cancelling his support of Irwandi Yusuf and M. Nazar. "This also means I no longer vouch for Irwandi," he underscored.

Before the announcement, a difference of opinion had brewed in GAM circles in connection with the promotion of certain candidates. On Aug. 22, Muzakkir had announced that KPA was supporting the Humam Hamid-Haabi Abdullah candidacy. Meanwhile, a number of other GAM officials, such as Sofyan Dawood and Bachtiar Abdullah had stated that they personally supported Irwandi Yusuf and M. Nazar.

On the announcement,

Humam was decided to keep mum. "No comment," he told the press when asked what his reaction was to the announcement.

Sofyan Dawood said that the decision was in fact no new decision, but only reiterated a decision by the GAM Council attended by GAM Prime Minister Malik Mahmud and Zaini Abdullah in a meeting held at the Rajawali Hotel end of May this year. "The decision then was that GAM was not announcing its own candidacy as an organization, but GAM cadres who wished to move forward were given free rein," said Sofyan.

Sofyan said, the support of key GAM officials to certain candidates had created many problems. "And so we have decided to go neutral. Our position now is to give all the assistance and sup-

port to whomever wins in the upcoming local elections.

Sofyan is now requesting that no KPA head in the regencies and sub-districts become campaign manager of any candidate pair. "We hope that the voters of Aceh will be able to elect the leader that they like. This is for the future of Aceh in 2007 to 2009. GAM will only fight to create democracy in Aceh."

The candidate pair of Irwandi Yusuf-M. Nazar received with joy the decision of the Aceh Transition Commission for saying they are no longer supporting Humam Hamud and Haabi Abdullah. Irwandi claims that his spirit during the campaign period is now back on even keel after hearing this announcement. "Before the announcement, I had lost heart. Now I am back to normal again," he said with a twinkle in his eye.—

14.16 Press article in Bahasa

Solman Djali
Pilkada Aceh akan Damai
Pemantau Asing Mulai Bekerja

Pemantau Anfrel

Sementara itu tim pemantau dari *Asian Network for Free Elections (Anfrel)* yang berpusat di Thailand juga telah mengirim 10 personel untuk melakukan pemantauan pelaksanaan Pilkada NAD, 11 Desember 2006. Dalam melaksanakan tugas nantinya, tim Anfrel akan dibantu oleh 120 orang pemantau pembantu dari Komite Independen Pemantau Pemilu (KIPP) Indonesia.

Adapun hal-hal yang akan dipantau oleh Anfrel antara lain kampanye, kepatuhan kandidat dalam mengikuti aturan, kinerja

KIP, jumlah pemilih, minggu tenang, serta proses pemungutan dan penghitungan suara. Selain di Banda Aceh, Anfrel nantinya akan membentuk lima perwakilan di lima kabupaten/kota yang meliputi, Lhokseumawe, Langsa, Takengon, Tapaktuan, dan Meulaboh.

Anfrel berharap Pilkada di Aceh akan merupakan suatu pemilihan kepala daerah yang bebas, adil, kredibel, transparansi, dan damai dengan diikuti partisipasi yang besar dari para pemilih," kata Executive director Anfrel, Somsri Hananuntasuk dalam suatu konferensi pers di Media Center KIP NAD, kemarin.

Kecuali itu, kata Somsri, dirinya berkeyakinan bahwa Pilkada di Aceh akan menjadi dasar jalan demokrasi yang telah melewati perjuangan yang cukup lama. Sehingga akan mampu melahirkan proses demokrasi yang sebenarnya yang diharapkan oleh seluruh masyarakat Aceh.

Begitupun, menurutnya, ada beberapa kekurangan yang terjadi menjelang pelaksanaan Pilkada di Aceh, seperti kurangnya pendidikan kepada pemilih dan proses registrasi pemilih yang berlangsung kurang sempurna. Ia juga meminta pihak KIP -- baik KIP NAD maupun KIP kabupaten/kota -- untuk bekerja netral tanpa memihak, sehingga pelaksanaan Pilkada dapat berlangsung secara adil, jujur, dan transparan.

Pada kesempatan itu, Somsri juga mengucapkan terima kasih kepada Pemerintah Indonesia yang telah memberi kepercayaan kepada Anfrel untuk melakukan pemantauan Pilkada di Aceh. "Hasil dari apa yang kami lakukan akan baik jika semua pihak bisa mau bekerjasama dengan kami. Untuk itu, kami ucapkan terima kasih," katanya.

Selain Somsri, konferensi pers yang diikuti oleh sejumlah wartawan media massa itu juga dihadiri oleh Ketua Pokja Pemantauan KIP Provinsi NAD Ikhwannushshufah S Ag, anggota tim fasilitasi dari Departemen Luar Negeri Didi Duatmadji, Media officer Anfrel Das Bidhayak, Sekretaris eksekutif KIPP Muh Ali Yusni S, dan sejumlah personel Anfrel dan KIPP Indonesia. (ari/jal)