



**Acehnese go back to polls in Aceh Barat and Aceh Barat Daya
in a peaceful, transparent and well organized run-off
election to freely elect their district leaders**

STATEMENT OF PRELIMINARY CONCLUSIONS AND FINDINGS

Aceh, Indonesia, 6 March 2007

The second round elections in Aceh Barat and Aceh Barat Daya on 4 March 2007 were the completion in those districts of the 11 December 2006 historic elections. They confirmed the commitment of the people in Aceh to consolidate and strengthen the peace process. Election day was generally peaceful and orderly, and voters, particularly in rural areas, turned out in large numbers, with no reported problems in Aceh Barat Daya. In Aceh Barat, there was interference by elements of the military on election day and accusations of intimidation by both them and supporters of the Free Aceh Movement (GAM) in the run up to polling day. EU EOM observers were not allowed to observe the activities in some polling stations in four sub-districts in Aceh Barat in a violation of the agreements signed with the provincial electoral authorities. In both districts at this point in time the EU EOM believes the elections have integrity.

The European Union Election Observation Mission (EU EOM) has been in Aceh since 30 October 2006, following an invitation of the Government of Indonesia and the Independent Election Commission (KIP) of the province of Aceh. The Mission is led by Glyn Ford, Member of the European Parliament (MEP). The EU EOM has assessed the conduct of the election in compliance with the Declaration of Principles for International Election Observation, commemorated at the United Nations, in New York, in October 2005. After observing the first round provincial and district elections of 11 December 2006, the Mission returned to Aceh on 12 February 2007 to observe the second round elections of 4 March 2007 in the districts of Aceh Barat and Aceh Barat Daya, where the candidates for regent and vice-regent did not obtain the votes necessary to be elected in the first round. On election day, the Mission deployed 14 observers from EU Member States as well as from Canada, Norway and Switzerland, to the two districts and visited 67 polling stations in almost all sub districts (around 10 per cent). The EU EOM is currently observing the tabulation of results and will remain in Aceh until after the announcement of the results by KIP districts.



Preliminary Conclusions

- **The 4 March 2007 run-off district elections were in general well carried out, transparent, competitive and peaceful. Polling station staff worked in a way that posed no threat to the integrity of the elections, even if adherence to laid down procedures left something to be desired. Voters turned out in large numbers, mainly in the rural areas, in a calm and orderly manner, and were able to freely express their choices for regent and vice-regent of the two districts.**
- **Despite accusations of military and GAM intimidation of candidates and election officials in Aceh Barat, the 4 March election in both districts proceeded in a peaceful and orderly atmosphere, and voters were able to freely move and vote.**
- **Regrettably, however, the Mission observed military personnel interfering in the election process collecting electoral material after closing of polls in the sub district of Samatiga, Aceh Barat, in contradiction with the electoral regulations.**
- **The Mission also regrets that, despite agreements signed with the provincial elections officials, and reassurances made by district officials, guaranteeing its members freedom of movement and access to all polling stations, EU EOM observers were refused access into seven polling stations in Aceh Barat.**
- **The pre-election and campaign period was carried out in an open environment and in a positive tone, in which freedoms of expression, association and assembly were respected. Campaign was free albeit what might be considered an unduly restrictive format.**
- **The regulations established by KIP Aceh for the second round changed the requirement of age allowing citizens to vote if turning 17 years of age by the run-off day. Aceh Barat had 106,539 voters, 179 more, and Aceh Barat Daya jumped from 74,204 to 76,966 voters, an extra 2,762.**
- **The district's Independent Election Commission (KIPs) enjoyed high levels of public confidence, and organised the elections in what was seen as a transparent and unbiased manner, despite some funding and logistical shortcomings.**
- **The PANWASLIHs, responsible for settling election disputes and monitoring the conduct of elections, had different performances. In Aceh Barat, funds were released only three days before election and as result it barely functioned. In Aceh Barat Daya, however, PANWASLIH witnessed a quiet election and its agents were present in more than half of the polling stations visited by the EU EOM.**



- **The district media generally provided adequate and balanced coverage of the election process, which was modestly followed by the provincial media and almost ignored by the national media outlets.**
- **In contrast with the first round, there were no domestic observers in the polling stations in both districts. The absence was partly due to the lack of financial resources and interest to cover the 661 polling stations in the two districts.**
- **The limited involvement of women as polling station officials during the first round of elections remained the same in the run-off since there were few changes among its members. Although there were women among the polling station officials, none however was the chairperson in the places visited by the EU EOM. Women, however, exercised actively their right of vote.**
- **Voting procedures were generally well followed by polling station staff and the secrecy of the vote was well maintained. There were no actions observed that might compromise the impartiality of the polling station officials. Candidate agents (witnesses) were present in all polling stations visited by the observers.**
- **Counting procedures were also generally well followed in the polling stations observed, and candidate agents were present at all polling stations observed. However, in most of the polling stations visited copies of the results were not publicly posted in spite of electoral regulations.**
- **The EU EOM urges all candidates and political leaders to continue to abide by the terms of the Code of Conduct signed by the candidates and its commitments to maintain a peaceful and lawful electoral process. Any concerns about the process should initially be addressed through the complaints and appeals process outlined in the election legislation. The PANWASLIH and the electoral authorities should transparently investigate allegations of irregularities to ensure public confidence in the post-election period and the integrity of the election.**

The final assessment of the elections will partly depend on the evaluation of the post electoral process including the possible complaints and appeals. The EU EOM will remain in Aceh until 20 March 2007, and will issue a final report covering the two rounds of elections, containing detailed recommendations to further improve the electoral process.

The EU EOM wishes to express its appreciation to Vice President M. Jusuf Kalla, the Ministries of Foreign Affairs and Home Affairs, the Independent Election Commission (KIP), the KIPs and PANWASLIHs of Aceh Barat and Aceh Barat Daya, the Governor of Aceh and other Indonesian authorities, the media, the police and civil society organisations for the assistance received throughout the deployment of the Mission. The EU EOM expresses its sincere thanks to the people of Aceh, especially the citizens of Aceh Barat and Aceh Barat Daya, for their warmth and hospitality.



Preliminary Findings

Background

Acehnese went again to the polls on 4 March 2007 to elect their leaders. On 11 December 2006, voters for the first time directly elected the governor of the province and the mayors and regents of 19 of its 21 districts, and also for the first time could choose among independent candidates. Now, in Aceh Barat and Aceh Barat Daya, they returned to the ballot boxes to choose their regents and vice-regents after candidates could not reach the 25 per cent plus one vote to be elected in the first round. In fact, in another district that experienced the same situation, Aceh Tamiang, a run-off election is scheduled for 24 May 2007 due to current lack of conditions as consequence of the damage inflicted by floods to the infrastructure of the district.

The peaceful and orderly electoral process in the two districts reinforced the perception that Acehnese are determined to bring peace and democracy to this province, after almost 30 years of conflict that left thousands of victims, a devastating earthquake and a tsunami. The elections were a fundamental component in the process and the culmination of the peace agreement signed in 2005 between the Government and the Free Aceh Movement (*Gerakan Aceh Merdeka*-GAM). Two independent pair of candidates, one of them backed by the Free Aceh Movement (GAM), ran for the regency in Aceh Barat: GAM-supported Ramli MS and Fuadi S. in one ticket, and H. Iskandar and Chudri Yunus in the other. Voters in Aceh Barat Daya had to choose between two pairs of candidates supported by moderate Islamic parties: Akmal Ibrahim and Syamsurizal M. for the National Mandate Party (PAN) and Sulaiman Adami and Munir H. Ubit for the National Awakening Party (PKB) and the Freedom Party.

Yet, some developments during the pre-election period may have brought echoes of the old conflict. Elections officials and the candidates in Aceh Barat complained about military and GAM intimidation and interference during the pre-election and campaign activities. Election officials in Aceh Barat Daya expressed fears that candidates defeated in the first round would try to discourage people to vote in that district. In neither district, though, did the former candidates discourage voters to participate, with all of them opting to support one of the remaining pairs. On election day, no acts of intimidation or attempts to restrict the free movement or access of voters to the polling stations were observed or reported to the Mission. The 4 March election in both districts proceeded in a peaceful and orderly atmosphere. However, localized military interference and the decision of some polling station officials in four out of nine sub districts visited to not allow the



presence of the EU EOM observers marred what would otherwise have been an incident-free election day.

Constitutional and Legal Issues

The second round elections in Aceh Barat and Aceh Barat Daya were a continuation of the *Pilkada* (local elections) 2006, where the two most successful candidate pairs failed to obtain the '25 per cent plus one' votes to be elected as regent and vice regent. All legal provisions and regulations applicable for the 11 December 2006 elections were also valid for the second round of district elections. However, in early 2007, KIP Aceh adopted two sets of regulations modifying the campaign process and re-opening voter registration. The second round was to be held within 60 days after the election results of the first round had been announced. Polling in Aceh Barat and Aceh Barat Daya was then set for 4 March 2007. The candidate pair gaining the majority of valid votes is elected as Regent and Vice-Regent.

KIP Aceh also defined the campaign period to be of three days, followed by a three-day campaign silence prior to election day. In contrast with the first round, campaigning was allowed only "in the form of limited meetings in confined places," meaning that only indoor meetings were allowed. KIP Aceh also established the major requirements to qualify as an eligible voter and to obtain the right to be registered as such. Contrary to the regulation established for the first round which required that an eligible person must be "17 years of age by the last day of voter registration," the Decree No 2/2007 redefined the age criteria as "having reached the age of 17 prior to the polling day."

PANWASLIH, the supervisory body of the elections, did not receive any formal complaints before or during election day in Aceh Barat and Aceh Barat Daya.

Election administration

The KIPs in both districts, as well as at sub-district (PPK) and village (PPG) levels enjoyed public credibility and confidence, and at all levels efforts were made to assure an efficient and transparent electoral process, despite the uncertainty at first about the release of funds to run the elections in both districts. After mutual accusations of incompetence and inefficiency exchanged by members of the district PANWASLIH, the district assembly (DPRD) in Aceh Barat did not authorize funding until two days before the election. The delays in the release of funds to KIPs impacted negatively on their ability to provide adequate training for the polling staff. In Aceh Barat Daya training had to be shortened and electoral simulations cancelled; voter information could not be conducted in time. In Aceh Barat, change of procedures had an impact on the timely delivery of letters of invitation.

However, most deadlines of the electoral calendar were met and the distribution of non-sensitive electoral material was made in a timely manner. The cooperation between election officials and candidates remained in the second round and again it was



fundamental to maintain until polling day a high level of confidence in the election management bodies. An illustration of this was the signing by the candidates in Aceh Barat of a new code of conduct committing them to a peaceful and lawful election. In Aceh Barat Daya, election authorities and candidates met to reconfirm the commitment to abide by the code signed for the first round election.

Voter Registration

KIP Aceh adopted in early 2007 two decrees regulating the campaign process and the re-opening of voter registration for the run-off elections in Aceh Barat and Aceh Barat Daya. A surprisingly low number of additional citizens (179) were registered in Aceh Barat. In Aceh Barat Daya, nearly 3,000 new voters were added to the registry and 76,966 people were eligible to vote in the run-off election. The lack of voter education programmes for the second round was also a factor in the low number of new voters added to the registries.

Pre-Election Period and Campaign

The pre-election and campaign period was conducted in a generally open environment, in which freedoms of expression, association and assembly were largely respected. Public display of electoral material and candidates' posters in the cities was modest and almost non-existent in the villages. Candidates were limited to a three-day (26, 27 and 28 February), indoor only, campaign period in pre-assigned public places according to a calendar established by KIP. Despite some cases of "early campaigning" shrugged off by the election officials as "socialization," there were no formal complaints filed during the overall peaceful campaign period and no major incidents were observed by or reported to the Mission. KIP districts were not consulted about the new regulations.

The Mission noticed much lower campaign intensity in comparison to the 11 December elections as a possible result of the different nature of campaigning restricting public gatherings and door-to-door activities. The indoor events were held only in the major urban centres, and some candidates opted in some cases for visiting the rural areas rather than risk low attendance indoor meetings. The short days of campaigning seemed not to be enough to raise the enthusiasm of the voters, who attended the indoor meetings in lower numbers than expected by the candidate's campaign managers. However, the apparent voter's apathy did not impact on the turn out on election day, which was as high in the 11 December elections.

The Military and GAM

In contrast with the first round, the Mission was informed of interference by elements of the Armed Forces (TNI in its Indonesian acronym) and alleged intimidation by them and GAM activists. The Mission investigated an event on Monday, 26 February, in sub district Pante Ceureumen, where local military leaders had invited all heads of villages to



a meeting to advise “on how not to vote.” One head of village confirmed the meeting and its content to the EU EOM observers

Ramli and the NGO Asoh complained to the Mission about military movements and late night training exercises in sub district Meurebo near the village of Pasi Aceh where former GAM combatants reside, and of intimidation by military personnel in the village of Gunong Kleng. Supposedly, TNI officers asked several people to show their wallets and when a GAM logo or a GAM affiliated candidate picture was found, they were threatened.

Ramli’s opponent in the run-off, H. Iskandar, showed the Mission a cell phone message he and other people received on 28 February 2007, in which the drawing of an AK-47 automatic weapon was shown together with the warning “if you don’t vote for # 10 (Ramli’s number on the ballot paper) we will go back to war.” Iskandar, however, did not complain to PANWASLIH.

In addition, two *Seuramoe Aceh* (a weekly newspaper in Aceh Barat) journalists received phone threats, supposedly from GAM.

Domestic Election Observation and Civil Society

In contrast with the first round of governor and district elections, no NGO requested from the two KIP districts accreditation to observe the run-off elections. The major reason provided by the civil society for not accrediting domestic observers was the lack of funding. However, the domestic observer organisation JPPR claims to have deployed 120 observers in Aceh Barat and a smaller number of observers in Aceh Barat Daya. Banda Aceh-based NGO “e-Card,” which is also member of the NGO alliance ‘JURDIL’, conducted a quick-count in Aceh Barat, deploying 61 volunteers.

Media

The media monitored by the EU EOM for the second round elections in Aceh Barat and Aceh Barat Daya provided adequate information and debate about the elections in general and the candidates. Most of the coverage was conducted by local private radio stations, followed by the provincial dailies, and lastly by the local weekly press. Access by the candidates to the local media was remarkably balanced, with all contestants getting almost equal amounts of coverage. However, the candidates had virtually no access to the state-owned television and the national press. The local commercial radio stations complemented their news by airing special programmes such as debates, talk-shows and live, interactive events. There was no paid advertising by any of the four pairs of candidates in the two districts. The tone of editorial coverage was mostly neutral across the local and provincial print and broadcast media.

The statutory bodies established to regulate the media sector, the Indonesian Broadcasting Commission (Komisi Penyiaran Indonesia, or KPI) and the Press Council (Dewan Pers, or DP), played no significant role during the campaign period. However,



such situation should not be interpreted as an absence by the statutory bodies because the campaign period was extremely brief, lasting only three days.

The media in Aceh Barat and Aceh Barat Daya have operated in a high degree of freedom since the signing of the peace accords in 2005. Private local radio stations were the main source for information about the second round of elections in these two districts. In Aceh Barat, Dalka FM is the private station with the largest audience, and Fatali FM in Aceh Barat Daya. Fatali FM was set up with a grant from the French government which provided for sophisticated hardware and high-quality training of the station's journalists. There was no paid advertising by any of the four pairs of candidates in the two districts.

The local media monitored by the EU EOM provided adequate information and debate about the regent elections and the candidates. By contrast, there was only superficial coverage of the elections by the state-owned national television and by the national and provincial press. Dalka FM (Aceh Barat) was consistent in its coverage of the election. Likewise, Fatali FM (Aceh Barat Daya) was thorough in its coverage of the election and candidates. The local newspapers *Seuramoe Aceh* and *Guenta*, published in Aceh Barat, provided significant amounts of space to the two elections and the candidates. However, their small circulation and the fact that they are weekly publications reduced their overall impact as sources of information about the elections. Aceh's provincial dailies *Serambi* and *Rakyat Aceh* offered limited coverage of both elections but showed more interest in the Aceh Barat Daya elections than those in Aceh Barat. *Waspada* newspaper, published in the neighbouring province of North Sumatra, has a daily supplement on Aceh and gave less coverage of the Aceh Barat Daya and Aceh Barat elections than Aceh's provincial dailies.

Radio : Local commercial radio stations offered a thorough and professional reporting on the elections and the candidates. This was in sharp contrast to television and the regional and national press which largely ignored the elections. During the peak hours monitored by the EU EOM, the main commercial stations in Aceh Barat and Aceh Barat Daya (Dalka FM and Fatali FM) gave equal access to all pairs of candidates. Dalka FM gave exactly 50 per cent to each of the two contestant pairs in Aceh Barat. Likewise, Fatali FM gave 50 per cent to each of the two contestant pairs in Aceh Barat Daya. The tone of coverage remained neutral throughout the election.

Newspapers: Local weekly newspapers *Seuramoe Aceh* and *Guenta* gave a significant amount of space to the elections. *Guenta* was neutral in its coverage of the Aceh Barat elections, and did not cover Aceh Barat Daya. However, the access granted by *Seuramoe Aceh* to the candidates was very lopsided, giving Akmal and Saymsurizal in Aceh Barat Daya (who won the first round) approximately twice more coverage (71 per cent) than for their opponent Sulaiman Adam and Munir H. Ubit (29 per cent). *Seuramoe Aceh* also showed a clear bias in favour of candidates Akmal Ibrahim and Syamsurizal M..

The provincial newspapers gave limited access to the candidates in both elections but were very balanced in the space they granted to all contestants. Of all the coverage given



to the elections, *Serambi* gave most coverage (66 per cent), followed by *Waspada* (27 per cent) and finally by *Rakyat Aceh* (7 per cent). National newspapers *Kompas*, *Republika* and *Media Indonesia* virtually ignored the elections.

Television : State-owned television's coverage of the election was almost nonexistent. *Televisi Republik Indonesia* (TVRI) dedicated three minutes and thirty seconds of coverage about the election during the two-week period of monitoring until the eve of polling day.

Women's Participation

There were no women among the four pairs of candidates in the second round elections. Among polling station officials, the limited involvement of women in the elections during the first round of elections remained the same in the run-off as almost all were re-appointments. In none of the polling stations visited was the chairperson a woman. As in the first round the Mission did not notice any women-oriented election activity or campaign content.

Election Day

The mission deployed 14 international observers to the field, 10 from the EU member-states, 2 from Norway, 1 from Switzerland and 1 from Canada. They visited 67 polling stations, or 10 per cent of the polling stations in the two districts (8 per cent of the 461 in Aceh Barat, and 15 per cent of the 200 in Aceh Barat Daya) to observe the opening, voting, closing and counting in Aceh Barat and Aceh Barat Daya.

Regretfully, the Mission, although fully accredited by the Independent Election Commission of Aceh (KIP) and guaranteed full access to all polling, counting and aggregation activities through agreements signed with the election officials, was denied access to seven polling stations in the district of Aceh Barat. These incidents occurred at four polling stations in the sub-district Meurebo, and in one each in the sub districts of Samatiga, Kaway 16 and Bubon. The head of the polling station in Samatiga showed the Mission a letter issued by the sub-district election commission (PPK) issued on 2 March 2007, instructing the polling officials to deny election observers access to the polling stations.

Election Day in Aceh Barat and Aceh Barat Daya was calm and peaceful. Voters turned out in similar large numbers compared with the first round on 11 December 2006. The casting of ballots was well conducted in all polling stations visited. The EU EOM had no indications that the impartiality of the polling station officials might have been compromised. The general security was in general maintained adequately. However, in the sub district Samatiga, in Aceh Barat, military personnel were observed by the EU EOM receiving the polling station results and electoral material from all the 38 polling stations in that sub-district. The incident clearly jeopardizes the integrity of the election process in Samatiga sub district.



The EU observers evaluated the polling as mostly well and fairly conducted, although some individual problems with electoral material and voters' lists were reported in some of the polling stations visited. Except for three polling stations in Aceh Barat and eight in Aceh Barat Daya, where there were no final voters' lists, the electoral material was complete in all others. In one third of the polling stations visited by the EU observers polling started after 9:00 am despite the fact that they should have opened at 8:00 am. Polling procedures were generally well followed by polling station officials who conducted the process in a serious and dedicated manner. The secrecy of the vote was maintained in all polling stations visited. Except in one case, all voters presented their letters of invitation before casting their ballot. Representatives of PANWASLIH had a temporary presence either prior or during the Mission's visit in one third of polling stations visited during the day, although they had a high presence during counting, mainly in Aceh Barat Daya. According to the NGO E-Card, individuals reportedly voted more than once in 16 per cent of their observed polling stations. In Aceh Barat, the EU EOM observers reported that most voters were not checked for ink on their finger before voting, and also were not properly inked after they cast their vote. In Aceh Barat Daya, ink marks were also not checked but all voters were properly inked after the vote. The mission had no direct observation of multiple voting. However, the observers noted the repeated failure by polling officials in both districts to check the polling station chairman's signature on the back of the ballots before being placed into the ballot box. Our view is that these findings are rather evidence of sloppy procedures than intentional manipulation.

Counting procedures were also generally well followed and no major problems occurred at any polling station visited. Candidate agents (witnesses) were present at all polling stations observed and all of them received a copy of the results upon request. However, in Aceh Barat Daya, in most of the polling stations visited the results were not in full display for public view, replicating the situation in the first round. Also in most of polling stations visited in Aceh Barat and in Aceh Barat Daya the valid votes for each candidate pair were not properly packed, sealed and signed. In support of the positive Mission assessment of the opening, polling and counting procedures, the EU EOM noted that in no polling station visited any formal complaint had been filed.

The reception of election material and polling station results by the sub district election commissions was generally conducted in a timely, orderly and efficient manner; although in Aceh Barat aggregation was conducted as an interim measure at village level through the local election commissions (PPGs).

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