



## IFES Quarterly Report: April 1 – June 30, 2005

### **Indonesia: Effective Electoral Processes and Peaceful Political Transitions**

**Associate Agreement Number: 497-A-00-03-0023-00**

**Under Leader Agreement DGC-A 00-01-0004-00**

**Project Period: April 1, 2003 – September 30, 2005 (modification #3)**

**Total Budget: \$6,105,000 Expenses Recorded to Date: \$5,536,310**

## RESULTS

IFES electoral support programs delivered significant inputs to the electoral framework during this quarter of the program period. Important results include:

### **Impartial and Effective Electoral Administration**

#### *Building Technical Capacity of Electoral Management Bodies*

- IFES expanded its advice and guidance on electoral issues to the provincial and district/town levels of KPUD by providing a job guide for Local Election Commissions (KPUD) on Head of Region (*Pilkada*) election management.
- IFES, in collaboration with USAID's Local Governance Strengthening Program (LGSP), supported the conduct of a series of workshops which brought together KPUD representatives to discuss and resolve issues of technical and legal concern in the conduct of the *Pilkada* elections.
- IFES, in collaboration with the International Republican Institute (IRI), provided technical assistance on legal drafting and policy analysis to the Independent Election Commission (Komite Independen untuk Pemilu, or KIP) of Aceh.

#### *Other Activities*

- IFES continued to maintain contacts and coordination with other donor agencies that support election and post election related programs.

## MAJOR ACTIVITIES THIS QUARTER

### **Impartial and Effective Electoral Administration**

#### *Production of a job guide for Pilkada commissioners*

IFES provided a sub award to a local NGO, the Centre for Electoral Reforms (CETRO), to produce a manual to assist the KPUDs in the preparations for *Pilkada* elections. The job guide

detailed critical aspects that the KPUD needed to consider in running these local elections. The job guide included aspects such as financial and human resource management, voter information, voter registration, candidate registration, campaign, poll worker training, logistics, voting and counting, disputes resolution, security, and a simple election planning timeline.

### Series of Workshops with KPUDs

As part of its sub award with CETRO, IFES supported a series of workshops for KPUDs on *Pilkada* management. Two types of workshops were conducted using the job guide as the foundation for discussion. The first was a national level review workshop during which the draft of the job guide was reviewed by, and deliberated with, provincial level KPUD representatives. This national workshop, held on May 30-31<sup>st</sup>, was attended by KPUDs from fifteen provinces. During the workshop, participating KPUDs had the opportunity to share information, concerns, and updates on one another's *Pilkada* administration strategic plans. In addition, the national level review workshop enabled CETRO to gather input from the KPUDs which would be valuable in refining the content of the job guide.

The second workshop was designed for district and town KPUDs which were to hold *Pilkada* elections beginning in the last week of June. During these "socialization" workshops, the revised job guide was shared with participating KPUD representatives. As in the case of the national level review workshop, these district and town KPUD events resulted in a valuable information and experience sharing opportunity for the participants.

### Technical Assistance to the Independent Election Commission (KIP)

IFES dispatched an Election Expert, Bob Dahl to Aceh, accompanied by the IFES Senior Program Coordinator, to evaluate the current situation in regards to the Independent Election Commission's ability and needs in conducting *Pilkada* elections, given the special condition in Aceh. Observations were gathered through meetings with concerned stakeholders, including the KIP, Aceh NGO Forum and other CSOs, the government agency regulating Aceh reconstruction and recovery program (Badan Pelaksana Badan Rehabilitasi dan Rekonstruksi Aceh and Nias, or Bapel), and other donors. Through this evaluation, IFES identified a number of areas in which the KIP required immediate assistance. Among them, IFES was informed of the KIP's pressing need for assistance in preparing a number of regulations on the implementation of the *Pilkada*.

In joint collaboration with IRI, IFES worked to rapidly mobilize an expert team to provide this technical assistance to the KIP. A team of two experts were contracted to provide immediate support to the KIP in drafting the *Pilkada* related regulations. IFES contracted Dr. Husni Jalil, a well respected lawyer and professor from the Syah Kuala University, while IRI provided the services of its Policy Analyst, Titi Anggraini. Together, the IFES/IRI team provided assistance to the KIP in drafting seventeen regulations, and in verifying that there were no areas within the newly drafted regulations which conflicted with existing policies. The major issues of concern were as follows:

- Conflicting instructions on the time frame for the *Pilkada* were present in the articles in two laws that formed the basis for the conduct of the *Pilkada*, i.e. Law #18/2004 on special autonomy for Aceh and Law #32/2004 on local government, which replaces Law #22/2002

on decentralization and local autonomy. Law #18 states that the local election can be held at the earliest in August 2006, while Law #32 states that local elections can be held after June 2005. Also, other articles in the two laws offer conflicting information on the number of members of local election committees. Law #18 allows for nine members, while Law 32 13 – and the local legislature – has inaugurated thirteen KIP members.

- The need to have a non-partisan candidacy which contradict Ministry of Home Affairs and Regional Autonomy views that independent candidacy is not necessary. NGOs talked about wanting to hold a convention to have one independent candidate.
- The NGO Forum and IRI Working Group are also in the process of preparing for a judicial review of Law #32/2004 and Law #18/2004 (on the said articles) to prepare the legal basis for the *Pilkada*, in order to prevent any party from contesting the election results and lodging a formal complaint on the grounds that the *Pilkada* are not valid due to its lack of a sound legal foundation.

## **OTHER ACTIVITIES**

### *Maintaining contacts and coordination with other donors*

IFES continued to maintain contacts and coordination with other donors by attending joint meetings of the election support working group. IFES extended its coordination with additional members of donor community, particularly in regard to support for the Aceh Governor and *Pilkada* elections.

## **ANTICIPATED MAJOR ACTIVITIES IN THE NEXT QUARTER**

- In coordination with other donors, in particular IRI, IFES will continue to provide the advice of Local Consultant Dr. Husni Jalil in producing an election administration job guide for the upcoming Aceh Governor and *Pilkada* elections.
- IFES will support the attendance of Local Consultant Dr. Husni Jalil at a public consultation workshop on the newly-drafted regulations organized by KIP from July 18<sup>th</sup>-20<sup>th</sup>.
- In collaboration with IRI, IFES will explore providing support for candidate debates and will coordinate with other donors on areas of additional support required by the KIP in the run-up to Governor and *Pilkada* elections in Aceh.
- IFES will dispatch an Election Administration Expert to support activities in the run-up to *Pilkada* and Governor elections in Aceh and to evaluate the need for additional support to the KIP.