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Elections in Indonesia

2018 Regional Head Elections

Frequently Asked Questions

Asia-Pacific

International Foundation for Electoral Systems

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Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Indonesian elections authorities as of June 26, 2018 to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When is Election Day?

Elections for governors, mayors and regents, also known as regional head elections, will take place on June 27, 2018.

Voting in 385,791 polling stations across 31 provinces will start at 7:00 a.m. and end at 1:00 p.m. local time and will be staffed by 2,700,537 poll workers.¹ Counting at polling stations will begin immediately after polling ends with the results tallied and announced at each polling station by the end of the day. After the results of a polling station have been announced, a copy of the results is posted at the station and another copy is sent to the village level where the first level of manual tabulation takes place. Manual tabulation continues at the sub-district, district and provincial levels until the final result is determined and announced by the General Election Commission.

Who are citizens voting for on Election Day?

This is the third and largest regional head elections since Indonesia began to gradually implement concurrent regional elections in 2015.² On Election Day, voters will elect 17 governors, 39 mayors and 115 regents across 171 regional jurisdictions in Indonesia. There are 519 candidates competing for these seats, including 55 in gubernatorial, 121 in mayoral and 343 in regent races. A total of 152,058,283 Indonesians (75,976,242 men and 76,082,041 women), or 70 percent of the national electorate, are registered to vote, including 10,628,883 first-time voters. Since several of Indonesia's most populous provinces will take part in these elections, such as West Java, Central Java, East Java and North Sumatra, many analysts view the 2018 elections as a testing ground for the upcoming 2019 general election.³ Political parties, for example, have used the 2018 electoral cycle to test methods for attracting voters and to seek out potential coalition partners for 2019.

Who can vote in these elections?

According to Law No. 10/2016 on regional head elections, a person is eligible to vote if they are:

- An Indonesian citizen;
- At least 17 years old on Election Day, though residents younger than 17 may vote if they are or have been married;⁴

¹ Regulations limit the number of voters allocated to each polling station at 800.

² Direct elections for local government executives have been held since 2005 and, though popular with the electorate, have had to be defended against political challenges aiming to rescind them in favor of indirect elections in which local parliaments would choose the heads of local government. In 2014, the House of Representatives passed a bill moving from direct to indirect local elections. Civil society was active in defending direct local elections, and, in a popular decision, then President Susilo Bambang Yudhoyono intervened to override the bill. This led to the decision to gradually implement concurrent regional head elections until 2024 when all regional head elections will be held simultaneously alongside presidential and legislative elections.

³ The provinces of West Java, Central Java, East Java and North Sumatra collectively constitute approximately 50 percent of the country's population.

⁴ Law 1/74 states that marriage is only allowed if the man is at least 19 and the woman is at least 16. Deviation from this requirement can be made where the parents of the bride or groom ask for a dispensation from the court (article 7 (1&2)).

- Enrolled in the voter registry;
- Considered of sound mind;
- A resident of a region holding elections, as verified by a national electronic ID card; and
- Not an active member of the military or police.

The requirement to prove eligibility using a national electronic ID card has been an issue of concern in the lead-up to Election Day. Many Indonesian citizens have not yet been recorded into the national ID system, while others have had trouble obtaining their cards from the government. Therefore, the General Election Commission is issuing polling notification letters (C6 Forms) to registered voters that they can use in place of IDs.

How will voters with disabilities cast their ballots?

The election law guarantees that voters with visual, physical and other disabilities have the right to be assisted when casting their ballots and requires that their votes be kept confidential. Voters with disabilities are thus allowed to bring a person of their choice, such as a family member or friend, to the polling station to help them in the voting process. They can also request the assistance of a poll worker. To guarantee the secrecy of the vote, any person serving as an assistant who intentionally informs another person of the voter's choice is subject to a fine or imprisonment. To enforce this rule, the General Election Commission requires that assistants sign a form indicating that they will keep the voter's choice a secret.

Is out-of-country voting allowed?

No, out-of-country voting is only allowed during presidential and legislative elections.

Which electoral system will be used in these elections?

In most instances, regional head elections use a first-past-the-post, or winner-take-all, system. Therefore, the candidate who receives the most votes in an election will be declared the winner even if they do not obtain a majority of the vote (i.e. less than 50% of valid votes). However, in Jakarta and in elections where only one candidate is running, an absolute majority system is employed. If the candidate in an uncontested election does not receive a majority of the votes, then the General Election Commission will have to organize a new election for the office in question.

Who is eligible to contest these elections?

To contest a regional head election, a candidate may run independently or under the nomination of a political party or a coalition of parties. In general, all candidates must meet the following criteria:

- Be an Indonesian citizen;
- Be at least 30 years old for gubernatorial races, or 25 years old for mayoral and regency elections;
- Be considered physically and mentally healthy based on a medical examination;
- Must not be currently imprisoned for a crime; and

- Must be running for a first or second term for the position in question, as the law prohibits people from holding a third term for a position even if it is in a different constituency.

In order to run as an independent candidate, one must demonstrate that they have the support of between 3 and 6.5 percent of eligible voters in the constituency by providing copies of the supporters' national electronic ID cards.⁵ Furthermore, parties or coalitions can only nominate candidates if they have at least 20 percent of the seats in the Regional House of Representatives or if they have received at least 25 percent of valid votes in the previous regional legislative election.

Are there any provisions to support the participation of women and minorities?

There are no quotas or other special provisions for women and minority candidates. Access to campaign finance has been one of the greatest hurdles for women and minorities running for office. The current regional head election law attempts to lower this access barrier by allowing some campaign activities to be funded directly through regional state budgets, such as television airtime for candidate debates, campaign advertisements and the production of campaign materials. Campaign spending caps, which are covered in more detail in a section below, are also implemented to try to provide a more equal playing field for women and minority candidates; however, the spending limits remain high.

What is the structure of the ballots?

All ballots will consist of boxes for each candidate that are organized by, and labeled with, unique candidate numbers that were randomly assigned to the candidates by the General Election Commission. In each candidate box, the voter will find the names and pictures of the candidate and their running mate. Voters will use a nail to puncture a hole within the box of the candidate of their choice. In elections where only one candidate is running, a second empty box will be provided for voters to express their objection to the candidate.

What is the term of office for regional heads?

The term of office for regional heads is five years. Therefore, the governors, mayors and regents elected in 2018 will hold office until 2023. Due to simultaneous national and regional elections being scheduled for 2024, regional heads elected in 2018 who plan to run for a second term must wait until 2024 before seeking re-election. In the interim, the central government will appoint acting regional heads to oversee the regional jurisdictions.

What are the election management bodies? What are their powers?

The General Election Commission (*Komisi Pemilihan Umum* – KPU) is the independent election management body responsible for the conduct of national and regional elections in Indonesia. The KPU consists of seven commissioners at the national level, including a chief election commissioner, who were

⁵ The exact percentage of support required depends on the region's population size and the voter list from the last national election.

identified through a rigid selection process and then inaugurated by the president for a five-year term in April 2017. The KPU Secretariat, led by the secretary-general, is the executive arm of the KPU. It is responsible for the administration of the organization at the national level. The KPU also has permanent offices in all provinces and regencies/municipalities. Depending on the size and population of the regional jurisdiction, these offices are led by five or seven commissioners at the provincial level and three or seven commissioners at the regency/municipality level who were identified through a selection process organized by the KPU Secretariat.⁶

In addition to the KPU, the Election Oversight Body (*Badan Pengawas Pemilihan Umum – Bawaslu*) oversees the implementation of elections. At the national level, Bawaslu consists of five commissioners who are selected for five-year terms in the same manner as KPU commissioners. Its regional counterparts are permanent institutions consisting of five or seven commissioners in each province and three or five commissioners in each regency/municipality. Below the regency/municipality level, Bawaslu membership is not permanent and consists of the three members at the sub-district level and one field supervisor at the ward/village level. Electoral disputes are first filed with Bawaslu where they are then classified and channeled to appropriate institutions. Bawaslu has adjudicatory power to solve disputes between the KPU and candidates as well as make rulings on administrative election violations. It also leads a task force on electoral crimes comprising police officials and state prosecutors.

What technology will be used?

The General Election Commission (KPU) uses a number of different applications in its management of elections, including a country-wide intranet, which connects the KPU's 549 offices. The KPU does not use any electronic voting or counting technologies. Votes are cast on paper ballots and counted by hand and tabulated manually. However, unofficial preliminary results along with scanned copies of results forms from polling stations are made available to the public through the KPU's results recapitulation system, SITUNG (*Sistem Informasi Penghitungan Suara – Vote Counting Information System*). Since the 2014 election cycle, the KPU has maintained the largest national computerized voter registration system in the world, called SIDALIH (*Sistem Informasi Data Pemilih - Voter Data Information System*). SIDALIH includes a number of features that help standardize and regulate voter list processes and has been used to produce voter lists for the 2018 regional head elections.

Who can observe during Election Day? How can they get accreditation?

International and national election observers can observe elections in Indonesia. The General Election Commission (KPU) will issue accreditations to observers who plan to monitor the 2018 regional head elections. Requirements for an international monitoring mission are relatively strict and involve obtaining recommendations from the Ministry of Foreign Affairs and the State Intelligence Agency, disclosing sources of funding, demonstrating past experience in election monitoring, and obtaining visas. To date, no international organizations have registered to observe the regional head elections.

⁶ The one exception to this is in Aceh Province where the selection process is led by the local Regional House of Representatives.

The requirements for national observers are less strict, as they are not required to obtain recommendations from government ministries or agencies and they are able to register through the KPU's regional offices. However, national observer groups must prove that their organization is independent and non-partisan.

When will official results be announced?

Voting starts at 7:00 a.m. and ends at 1:00 p.m. local time. Counting at polling stations will begin immediately after polling ends, with results at each polling station being tallied and announced usually before sunset. Results from different polling stations will then be aggregated through a recapitulation process which takes place at the sub-district, district and provincial levels.

The General Election Commission (KPU) will announce the official results of district-level elections (i.e. regents and mayors) by July 6, while the results of gubernatorial races will be announced by July 9. Despite a lengthy official manual recapitulation process, preliminary election results, made available through the KPU's results recapitulation system (SITUNG), are usually released within 48 hours. Additionally, registered pollsters normally publish the results of their quick counts by the end of Election Day.

How will election disputes be adjudicated?

Administrative disputes between the General Election Commission and election participants are adjudicated by the Election Oversight Body, Bawaslu, which will provide a final and binding decision. Candidate registration disputes are an exception to this – in these cases, the plaintiff can appeal the decision to the State Administrative Court. Disputes over election results must be brought to the Constitutional Court whose decision cannot be appealed. To challenge an election result, the percentage difference in votes between the winning candidate and the runner-up must not exceed 0.5 to 2 percent depending on the population of region where the election occurred. Such cases must also be filed within three days from the official announcement of the result.

What are the campaign expenditure and donation limits?

Candidates' campaign expenditures are limited by the General Election Commission (KPU) according to the region in which they are running for office. The KPU determines the limits based on a formula that considers a region's population, geographic size and market values for goods and services. Many have criticized this approach, as campaign spending remains high. For example, the spending limit for gubernatorial candidates in West Java is IDR 473 billion (or approximately USD 33.5 million).

With regard to campaign donations, the law permits individuals to donate up to IDR 75 million (or approximately USD 5,400) and for companies and other legal entities to donate up to IDR 750 million (or approximately USD 54,000).

Resources

- Indonesian electoral information website: <http://www.rumahpemilu.org>
- General Election Commission website: <http://www.kpu.go.id/>
- Election Oversight Body website: <http://www.bawaslu.go.id/>
- Constitutional Court website: <http://www.mahkamahkonstitusi.go.id>