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Elections in Indonesia

2014 Presidential Elections

Frequently Asked Questions

Asia

International Foundation for Electoral Systems

1850 K Street, NW | Fifth Floor | Washington, DC 20006 | www.IFES.org

July 2, 2014

Frequently Asked Questions

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Disclosure:

These FAQs reflect decisions made by the Indonesian electoral authorities as of July 2, 2014, to the best of our knowledge. This document does not represent any IFES policy or technical recommendations.

When is Election Day?

Presidential elections will be held on Wednesday, July 9, 2014.

Election Day is a national holiday in Indonesia. Polling stations open at 7:00 a.m. and voting ends at 1:00 p.m., after which counting starts at the polling station level and continues until all votes from the polling station are counted.

Who are citizens voting for on Election Day?

The July 9 vote will take place to select the next President and Vice President of Indonesia.

The President is the head of the executive branch and can be elected for a maximum of two five-year terms. The current President, Susilo Bambang Yudhoyono, was elected for his second and last term in the first round of the 2009 election with 60.8 percent of the vote.

The President and the Vice President are elected as a pair directly by the people. The candidates are determined by the results of the legislative elections. A political party or coalition of political parties that won 25 percent of the vote or won at least 20 percent of the seats in the House of Representatives (*Dewan Perwakilan Rakyat*, DPR) in the April 9 legislative elections can nominate candidates for President and Vice President. The presidential election is held shortly after legislative elections in order to establish which political parties or coalitions are eligible to nominate a presidential candidate.¹

For the 2014 cycle, the General Election Commission (*Komisi Pemilihan Umum*, KPU), has set July 9, 2014 as the date for the presidential election. On June 1, the KPU announced two pairs of candidates eligible to run in the election. On July 3, The Constitutional Court (MK) ruled that the candidate pair that wins an absolute majority in the July 9 vote will win the election, canceling the potential of a runoff vote.² The presidential inauguration is scheduled for October 20, 2014.

What is the structure of Government in Indonesia?

Indonesia is a representative republic, with the President serving as both the head of State and government. The amended 1945 Constitution of Indonesia is the foundation for the country's system of government and provides for a separation of legislative, executive and judicial powers. Members of the legislative bodies and the President and Vice President are elected by the people every five years.

There are two elected national legislative assemblies in Indonesia: the House of Representatives (*Dewan Perwakilan Rakyat*, DPR) and the Regional Representative Council (*Dewan Perwakilan Daerah*, DPD). The DPR can pass legislation, while the DPD – formed in 2004 by constitutional amendment in a move toward

¹ In January 2014, the Constitutional Court revoked this provision stating that it contradicts the Constitution and ruled that simultaneous legislative and presidential elections will start in 2019.

² Prior to this ruling from the MK, a candidate pair needed to fulfill two conditions to avoid a run-off vote: 1) Win an absolute majority of votes and 2) Win at least 20 percent of votes in more than half of all provinces.

bicameralism – has a more limited mandate.³ In joint session the two chambers are known as the People’s Consultative Assembly (*Majelis Permusyawaratan Rakyat*, MPR) and their mandate includes the final step in the presidential impeachment process. Members of both the DPR and DPD are elected for five-year terms.

The DPR is comprised of 560 representatives from 77 multi-member electoral districts. Each district has 3-10 seats based on district population. Representatives are elected from political party lists through an open-list proportional representation (PR) system. A legislative threshold – the minimum percentage of the vote needed to enter the House – of 3.5 percent applies only to the national-level DPR, not to sub-national legislatures.

Each voter receives one DPR ballot listing all political parties and candidates running in their electoral district. The voter then punches one or two holes to vote for one candidate or one political party or both. If a voter selects both, the political party chosen must be the party of the candidate chosen or the ballot is invalid.

The DPD is comprised of 132 representatives, four from each of the 33 provinces. Nonpartisan candidates from the provinces are elected through a single non-transferable vote system.

Each voter receives one DPD ballot listing all nonpartisan candidates running in their province. The voter punches only one hole to mark the candidate of his/her choice. The four candidates with the highest vote totals in each province are elected.

Additionally, voters elect members of the Province-level House of Representatives (*Dewan Perwakilan Rakyat Daerah Provinsi*, DPRD Province). Between 35 and 100 members are elected in each of the 33 provinces, depending on the population of the province. For the 2014 legislative elections, at the provincial level, there were 2,112 contested seats in 259 multi-member constituencies with three to 12 seats each, based on population.

Also elected are members of the 497⁴ Regency/Municipality-level House of Representatives (*Dewan Perwakilan Rakyat Daerah Kabupaten/Kota*, DPRD Regency/Municipality), each consisting of between 20-50 members, depending on population. For the 2014 legislative elections, at the Regency/Municipality level, there were 16,895 contested seats in 2,102 multi-member constituencies with each province electing three to 12 seats.

The representatives at national, provincial, and regency/municipality levels are elected for five-year terms on the same day through the same PR open-list system as described for DPR at the national level, albeit without a threshold. In practice, this means that each voter in Indonesia received four different

³ DPD law-making authority is limited to providing non-binding input to the DPR regarding regional autonomy; establishment of new regions; management of natural resources; and central and regional monetary policy.

⁴ This number excludes six regencies/municipalities in Jakarta which do not have DPRD and five regency/municipalities in the 34th province of North Kalimantan, where the DPRD will be elected in 2019.

ballots during the April 9, 2014 legislative election, one each for DPR, DPD, DPRD Province and DPRD Regency/Municipality.⁵

Who are the presidential candidates?

Only two pairs of candidates will compete in Indonesia's July 9, 2014 presidential election.

The first candidate pair, allocated contesting number one, is former Special Forces Commander General Prabowo Subianto from the Great Indonesia Movement Party (Partai Gerakan Indonesia Raya, Gerindra) and his running mate Hatta Rajasa from the National Mandate Party (Partai Amanat Nasional, PAN). This ticket is supported by five political parties – United Development Party (Partai Persatuan Pembangunan, PPP), Prosperous Justice Party (Partai Keadilan Sejahtera, PKS), Crescent Star Party (Partai Bulan Bintang, PBB), Functional Group Party (Partai Golongan Karya, Golkar) and the current ruling party Democrat Party (Partai Demokrat, PD). Together, they won more than half of the parliament with 53 seats or 59 percent in the April 9 national legislative elections, exceeding the presidential nomination requirement of 20 percent of the house.

The candidate pair with contesting number two is Jakarta Governor Joko Widodo, popularly known as "Jokowi," from the Indonesian Democratic Party of Struggle (Partai Demokrasi Indonesia, PDI-P) and his running mate former Vice President Jusuf Kalla of Partai Golkar. The coalition supporting Jokowi includes the National Democrat Party (Partai Nasional Demokrat, NasDem), the Nation Awakening Party (Partai Kebangkitan Bangsa, PKB) and the People's Conscience Party (Partai Hati Nurani Rakyat, Hanura). Combined they won 207 seats, or 37 percent, also exceeding the presidential nomination threshold.

What is the state of political parties in Indonesia?

Indonesia has a multi-party system. According to the Human Rights Ministry's records, there are 73 political parties formally registered as institutions. Law 8/2012 requires that each political party undergo an additional registration and verification process with the General Election Commission to run in a given election. All candidates for DPR and DPRD must be nominated by political parties. Nonpartisan candidates are only allowed to compete for the 132 Regional Representative Council seats and for positions of Governor, Regent, Mayor and Village Head.

In 2009, there were 38 national political parties that competed throughout Indonesia and an additional six Acehese political parties that competed only in Aceh province. Nine political parties won seats in the House of Representatives (*Dewan Perwakilan Rakyat*, DPR) at the national level. After the 2009 election, these nine political parties amended the electoral laws and set a much higher bar for registering, competing and winning elections. For example, a political party must have chapters and permanent offices in all 33 provinces, in at least 75 percent of the regencies/municipalities in each province, and in at least 50 percent of the sub-districts within each regency/municipality. These standards are high compared to international norms.

In the April 9, 2014 legislative election, 46 political parties pursued registration but only 12 national political parties and three local political parties (allowed to contest in Aceh only, in competition with

⁵ In the capital region (Jakarta) voters receive only three ballots as there is no DPRD Regency/Municipality.

national parties) succeeded and contested in the election. They are listed below in order of their contesting/registration number with information about votes gained in the April 9 elections.

1. **NasDem** - National Democrat Party (6.72 percent of votes/35 DPR seats)
2. **PKB** - National Awakening Party (9.04 percent of votes/37 DPR seats)
3. **PKS** - Prosperous Justice Party (6.79 percent of votes/40 DPR seats)
4. **PDI-P** - Indonesian Democracy Party of Struggle (18.95 percent of votes/109 DPR seats)
5. **Golkar** - Functional Group Party (14.75 percent of votes/91 DPR seats)
6. **Gerindra** - Great Indonesia Movement Party (11.81 percent of votes/73 DPR seats)
7. **PD** - Democratic Party, party of the current President (10.19 percent of votes/61 DPR seats)
8. **PAN** - National Mandate Party (7.59 percent votes/49 DPR seats)
9. **PPP** - United Development Party (6.53 percent votes/39 DPR seats)
10. **Hanura** - People's Conscience Party (5.26 percent votes/16 DPR seats)
11. **PDA** - Aceh Peace Party (new political party running in Aceh only, 3.03 percent of votes among political parties in Aceh province)
12. **PNA** - Aceh National Party (new political party running in Aceh only, 4.73 percent of votes among political parties in Aceh province)
13. **PA** - Aceh Party (running in Aceh only, 35.35 percent of votes among political parties in Aceh province)
14. **PBB** - Crescent Star Party (1.46 percent votes/no DPR seats)
15. **PKPI** - Indonesian Justice and Unity Party (0.91 percent votes/no DPR seats)

Who can vote in the country?

To participate in the 2014 elections a citizen must be at least 17 years old on Election Day. However, if a citizen is married and under 17, he/she can cast a ballot.⁶

How many registered voters are there?

On June 14, the General Election Commission (*Komisi Pemilihan Umum*, KPU) determined there are currently 188,268,423 domestic voters and 2,038,711 overseas voters for the July 9 presidential Election. This number may change as the KPU can amend the voter list up until seven days before Election Day.

For the April 9, 2014 legislative elections, there were 185,822,507 registered voters and 122 million votes cast. This represents a 75 percent turnout rate, which is a substantive increase from the 71 percent turnout in the 2009 elections.

⁶ 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]).

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

There are three election management bodies in Indonesia: the General Election Commission (*Komisi Pemilihan Umum*, KPU), the Election Oversight Body (*Badan Pengawas Pemilihan Umum*, Bawaslu), and the Honorary Council of Election Management Bodies (*Dewan Kehormatan Penyelenggara Pemilu*, DKPP).

The KPU is the independent election management body responsible for the conduct of national and regional elections, as mandated by the Constitution and Law 15/2011. The KPU consists of seven Commissioners at the national level (currently six men and one woman). These Commissioners were identified through a rigid selection process and then inaugurated by the President on April 12, 2012, for a five-year term.

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 Secretary-General is usually nominated by the KPU and then appointed for a five-year term by the President. The Commission and Secretariat structures are replicated regionally throughout the provinces and regencies/municipalities, where each have five Commissioners.⁷ The KPU has approximately 13,865 staff and 2,659 Commissioners in 531 offices across Indonesia.

The Bawaslu is the institution in charge of overseeing the implementation of elections. Provisions in Law 15/2011 establish the Bawaslu and the KPU as equal and separate institutions. Bawaslu Commissioners are selected for a five-year term in the same manner as KPU Commissioners by the same selection committee. Its regional counterpart, Provincial Bawaslu, is a permanent institution consisting of three Commissioners in each province. At levels below the Provincial Bawaslu, membership is not permanent and consists of the following: three members at the regency/municipal level, three at the sub-district level and one field supervisor at every ward/village level. Electoral disputes are first filed with Bawaslu, where they are then classified and channeled to appropriate institutions (DKPP, police or Constitutional Court). Bawaslu has adjudicatory power to solve disputes between the KPU and candidates.

The DKPP is a national-level ethics council established by Law 15/2011 to review and decide upon complaints and/or reports of alleged violations of the code of ethics committed by members of the KPU or Bawaslu. The DKPP is established within two months of the inauguration of the KPU and Bawaslu members and serves a five-year term. The council consists of one KPU Commissioner, one Bawaslu Commissioner and five community leaders.

The DKPP ensures that the work of the KPU and Bawaslu Commissioners meets the joint Code of Ethics of Election Management Bodies. DKPP rulings are final and binding, and it has the power to recommend dismissals of Commissioners.

What is the legal framework for elections?

The resignation of President Suharto in 1998 and the beginning of the reform (*Reformasi*) movement resulted in significant amendments to the Constitution, which impacted all three branches of

⁷ With the exception of Aceh Province, which has seven Commissioners.

government; added important human rights provisions; and, for the first time, inserted the concept of “elections” into the constitution.

The legislative framework governing democratic representation is complex and involves six laws:

- Law 15/2011 governing election management bodies
- Law 8/2012 governing legislative elections
- Law 42/2008 governing presidential elections
- Law 32/2004 governing regional administration (including local elections)⁸
- Law 2/2011 governing political parties
- Law 27/2009 governing the structure of national and sub-national legislatures⁹

How many polling places are set up on Election Day?

For the presidential election there will be 478,685 polling stations set-up across a country of 17,000 islands. This is fewer than the number of polling stations open for the legislative elections due to the regulation that allows for polling stations for presidential elections to accommodate up to 800 voters per station rather than up to 500 voters per station as is the case for the legislative elections.

Is out-of-country voting allowed?

Yes, voters abroad can cast their ballots in Indonesian embassies. Historically, out-of-country voter turnout has been low. Only about 23 percent of the total 2.2 million Indonesians who live abroad casted their votes during the 2009 election.

For the 2014 legislative and presidential elections, the General Election Commission (*Komisi Pemilihan Umum*, KPU) has introduced measures allowing overseas voters to vote via absentee ballot; arranged for early voting; and installed polling stations in popular places frequented by Indonesians. There will be 498 polling stations for registered out-of-country voters.

How will voters with disabilities cast their ballots?

In Indonesia, voters with disabilities will cast their ballots in person alongside their fellow citizens.

The General Election Commission (*Komisi Pemilihan Umum*, KPU) has prioritized selecting polling stations on the ground level of buildings to help facilitate access. For voters with visual disabilities, a braille template will be provided for the July 9 presidential ballot. Voters with any kind of disability can select an assistant to help them cast their vote. The assistant can be the poll worker or a person appointed by the voter, such as a family member or friend. Each assistant is required to sign a form if they cast the vote on behalf of a voter with a disability or if they are in the voting booth when the voter

⁸ A new bill on local elections is being debated in the House of Representatives (*Dewan Perwakilan Rakyat*, DPR) and is expected to be passed in 2014 before the current parliament is dismissed.

⁹ This law is being amended in the House of Representatives (*Dewan Perwakilan Rakyat*, DPR) and is scheduled to be passed before the newly-elected legislators are seated beginning in July 2014.

casts his/her vote. The form certifies that the assistant will maintain the secrecy of the voter's choice and that they will vote according to the voter's wishes.

What technology will be used?

The General Election Commission (*Komisi Pemilihan Umum*, KPU) uses a number of different applications in their management of the election, including a country-wide Intranet, which connects the KPU's 531 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.

For this election cycle, the KPU has compiled the previously decentralized voter registries into 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. For the first time, the Indonesian voter list is securely stored and shared in a single database that provides the KPU a nationwide perspective of the quality of the voter list. In addition, the new SIDALIH voter registration system gives the KPU the technical capacity to effectively cooperate with the Ministry of Home Affairs and capitalize on citizen list improvements made through their Electronic Identity Card (eKTP) program.

Where are vote counting and tabulation held?

Votes are counted at the polling station soon after polls close on Election Day at 1:00 p.m. Ballots are counted in daylight, generally in plain sight of the community.

After the result of the polling station has been announced, a copy of the result is posted at the station and another copy carried forward to the village level where the first level of manual tabulation takes place. Manual tabulation continues through four more administrative levels, ending at the national level where the tabulation is scheduled to take place from July 20-22.

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

International and national election observers are allowed to observe Indonesian elections. According to General Election Commission (*Komisi Pemilihan Umum*, KPU) Regulation No. 10/2012 on Election Observers, to obtain accreditation, foreign organizations or individuals have to complete registration forms available in the KPU office or Indonesian embassies abroad.

Apart from the administrative requirements of the KPU, applicants are vetted by representatives from the Ministry of Foreign Affairs, State Intelligence Agency, Military Intelligence Agency, Ministry of Communication and Information, immigration and police. A clearing house composed of these representatives will give recommendations on whether or not the KPU should issue accreditation for the observers.

To-date, no international organizations have registered to observe the national-presidential elections.

When will official results be announced?

Election results at the polling station level will be announced at the polling station on Election Day. Final results will be announced between August 22-24, after tabulations have been made at each level and any disputes are cleared.

At the next five levels, results are announced once tabulation ends. The tabulation period for each level is outlined below:

- Village/ward level: July 10-12
- Sub-district level: July 13-15
- District level: July 16-17
- Province level: July 18-19
- National level: July 20-22

Election results are scheduled to be announced on either July 21 or 22. The results can be challenged at the Constitutional Court. The period to file a case(s) is from July 23-25 and disputes will be heard from August 4-21. The Constitutional Court decision results will be announced between August 22-24 and the newly elected President for the 2014-2019 term will be inaugurated on October 20, 2014.

How will election disputes be adjudicated?

Depending on the nature of the dispute, cases are handled by either the Election Oversight Body (*Badan Pengawas Pemilihan Umum*, Bawaslu), the police, or the Administrative or Constitutional Court. Law 8/2012 classifies election related cases into three main types: violations, disputes, and criminal offenses. All cases must be filed with Bawaslu first to be classified and appropriately channeled as follows:

- Violations (*Pelanggaran*) against the Code of Ethics of Election Management Bodies are routed to and settled by the Honorary Council of Election Management Bodies (*Dewan Kehormatan Penyelenggara Pemilu*, DKPP);
 - Administrative violations are settled by the General Election Commission (*Komisi Pemilihan Umum*, KPU).
- Criminal offenses (*Tindak Pidana*) are routed to the police.
- Disputes (*Sengketa*) consisting of:
 - Electoral disputes between election contestants and the KPU are settled by Bawaslu. The ruling is final and binding except in cases related to political party and candidate registration processes, which can be appealed to Administrative Courts and the Supreme Court.
 - Election result disputes are settled by the Constitutional Court.

Currently the Constitutional Court is in the process of adjudicating the 902 results dispute cases filed by all 15 contesting political parties in the April 9 legislative elections. The Constitutional Court will announce the final and binding verdicts from June 28-30, 2014. In 2009, the Constitutional Court received and adjudicated 627 legislative election result cases and two presidential results cases, but only 10 percent of the verdicts on legislative election results were made in favor of the plaintiffs, and none for presidential results dispute cases.

Resources

For further information consider consulting the following resources:

- Indonesian Electoral Information website: <http://www.rumahpemilu.org>
- General Election Commission (*Komisi Pemilihan Umum*, KPU) website: <http://www.kpu.go.id/>
- Election Oversight Body (*Badan Pengawas Pemilihan Umum*, Bawaslu) website: <http://www.bawaslu.go.id/>
- Honorary Council of Election Management Bodies (*Dewan Kehormatan Penyelenggara Pemilu*, DKPP) website: <http://www.DKPP.go.id/>
- Portal for the Republic of Indonesia: <http://www.indonesia.go.id/en/>
- House of Representatives website: <http://dpr.go.id/>
- Regional Representative Council (*Dewan Perwakilan Daerah*, DPD) website: www.dpd.go.id
- Constitutional Court website: <http://www.mahkamahkonstitusi.go.id>
- ACE Electoral Knowledge Network: <http://www.aceproject.org/>