

September 2000

MAKING DEMOCRACY WORK

## AAEA : HARNESSING THE POWER OF THE INTERNET

The Association of Asian Election Authorities (AAEA), in cooperation with its interim secretariat, IFES, has created an electronic compendium of election laws from across Asia. The Asian Election Law Compendium is accessible via the new AAEA website at <http://www.ifes.org/AsiaAssocSite/compendium.htm>.

The Compendium is a collection of the most current national election laws in the region. It offers a range of election law information and allows easy access for election officials, lawmakers, NGOs, analysts, and voters across Asia and around the world. Visitors to the site can research and compare laws, track new procedures, and understand common practices in Asia. Countries included in the compendium are Australia, Bangladesh, Burma, Cambodia, China, Hong Kong, India, Indonesia, Japan, Kazakhstan, South Korea, Kyrgyz Republic, Malaysia, Mongolia, Nepal, New Zealand, Pakistan, Papua New Guinea, Philippines, Singapore, Sri Lanka,



AAEA Asian Election Law Compendium website

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Taiwan, Tajikistan, Thailand, Uzbekistan and Vietnam. The AAEA secretariat will continue collecting and updating laws to maintain the accuracy of the Compendium. The secretariat will also produce a print version in the coming months.

The attractive new AAEA website (<http://www.ifes.org/AsiaAssocSite/index.htm>) also contains summaries of AAEA activities since planning for the association began in 1997. The site includes background on the AAEA, the AAEA charter, project and activity reports, and press releases. It's arranged in a user-friendly style by year and topic. AAEA looks forward to promoting transparent and fair elections and democratic development through an ongoing exchange of information and ideas via the AAEA website.

### AAEA Chairman Visits IFES

The Honourable Mr. Bishu Pratap Shah, Chief Election Commissioner of Nepal and Chairperson of AAEA, met with IFES staff members Helen Chauncey and Solveig Arge-seanu in Washington to discuss future AAEA activities, including possible sites for the secretariat and planning for the next Executive Board meeting. Commissioner Shah was part of an election study tour to the United States sponsored by the US Department of State.

While waiting for a permanent host site in Asia, AAEA's interim secretariat has been housed at IFES in Washington. Over the past fifteen months, Senior Program Assistant Solveig Argeseanu has managed the secretariat. Ms. Argeseanu recently left IFES to begin graduate studies at the London School of Economics. Ms. Lisa Moy, Program Assistant for Asia, will take up the secretariat's duties.

## **BANGLADESH**

### ***IFES Conducts Electoral Assessment***

IFES conducted an on-site pre-election technical assessment (PETA) for Bangladesh in anticipation of the country's general elections in 2001. The goal of the PETA was to identify strategies to support free and fair national elections in Bangladesh, and highlight the strengths and weaknesses of the electoral system. IFES fielded two consultants to assess the overall activities of key players in the election process such as the Election Commission, political parties, NGOs, and the media to determine the prospects for free and credible elections. The consultants were Linda Edgeworth, election administration specialist, and Daniel Finn, legal specialist.

The IFES PETA team arrived in Dhaka on August 6<sup>th</sup> and met with a wide range of people in Bangladeshi society, including the Chairman of the Election Commission and representatives of the government, civil society, and the press. The team also met with regional government officials and election officers, and members of domestic election monitoring groups to evaluate the political environment from a regional perspective.

The IFES consultants provided recommendations to strengthen the electoral system and provide a transparent and credible election process. They recommended measures that could be implemented through technical and

procedural means, thus bypassing legislative action that is sometimes highly politicized. The recommendations include coordinating long-term electoral observation within Bangladesh, increasing transparency of the Election Commission, and promoting public confidence in the neutrality and independence of the Commission. The consultants also highlighted issues surrounding the election of women to Parliament and the need to reduce by-elections, which tend to overburden the system and exacerbate political tensions. For the long term, the IFES team recommended strengthening the independence and organization of the Election Commission, regulating political parties, and reforming the dispute resolution procedures.

The PETA consultants and IFES staff are currently preparing the final report of the assessment mission.

### ***IFES Plans Opinion Survey***

IFES has begun to plan a public opinion survey of attitudes toward politics and the economy in Bangladesh. The project will measure opinion on the political environment, social issues, confidence in various institutions, and economic development in Bangladesh as the country prepares for the 2001 parliamentary election. IFES expects to finalize the survey questionnaire in September, and conduct the fieldwork through a local survey firm in October.

## **INDONESIA**

### ***"Money Politics" in Indonesia***

On July 11, IFES sponsored a seminar entitled "Controlling the Illegal Influence of Money Politics and Regulating Political Finance" in Jakarta. Over 80 attendees participated in the seminar. Participants included members of the People's Representative Assembly (DPR), former members of the Election Supervisory Commission (Panwas), staff

of the National Election Commission (KPU), representatives of political parties, journalists, academics, and representatives of Indonesian and international non-governmental organizations. The program was conducted in conjunction with another seminar held the next day for political party representatives regarding political fundraising strategies and practices.

The seminar focused on practical aspects of efforts to control both illegal and legal influences of money in the electoral process, and included perspectives of both Indonesian and international experts. Speakers and panelists included Election Commissioner Teresita Flores and former House member Emigdio Tanjuatco, Jr. of the Philippines, Dr. Hong Chi Chang, a member of Legislative Yuan of Taiwan, and Sunee Chaiyarose, a member of the Executive Board of the Thairakthai Party of Thailand.

The morning session began with a keynote address by a staff expert to Indonesia's Attorney General, followed by an afternoon session with a keynote address by an Indonesian accountant involved in conducting audits of political parties during the June 1999 general elections. The program concluded with an address by a noted Indonesian journalist about the role of news media and coverage of money politics issues. The speeches stimulated vigorous discussions and questions from the seminar participants.

The seminar succeeded in identifying particular problems in controlling "money politics," such as difficulties of proof and witness participation in prosecuting vote-buying cases, and the absence of proper accounting standards for documenting political party finances. The panel suggested pragmatic approaches to solving these problems. IFES' program also served to acknowledge the universal predicament of democracies in control-



Meet the IFES/Indonesia field office staff and consultants!

ling the influence of money in elections and to reinforce the importance of these issues for electoral reform initiatives in Indonesia.

### ***The Development of Public Television***

In July, IFES began to prepare for its program of assessing and providing technical assistance to *Televisi Republik Indonesia* (TVRI), the Indonesian government's television broadcaster, in its transition to a public broadcasting network. A presidential decree prompted the change in TVRI's status resulting in an exciting opportunity to enhance the performance of this television network, which has the widest geographic coverage in Indonesia. Over the coming year, IFES will assess and provide assistance in a number of key technical areas to facilitate the transition efforts by TVRI, including the areas of operations management, production, human resources management, training, financial planning and control, engineering, and marketing.

IFES is coordinating this technical assistance program in conjunction with *Yayasan Sains, Estetika dan Teknologi* (SET), a local non-governmental organization (NGO) focusing on media and technology issues. SET is conducting a parallel program to develop public advocacy for an effective public broadcasting system in Indonesia.

IFES participated in a consultative tour of public broadcasting activities in the United

States, attended by members of SET and representatives of TVRI. The study tour provided the group with briefings on management, programming, operations, marketing, and funding of various elements of the American public broadcasting industry. Participants visited radio and television public broadcasting facilities, the Voice of America, and the commercial television network ABC. They also visited with staff members of the U.S. House of Representatives and U.S. Senate congressional committees that oversee public broadcasting functions.

### ***Election Management Reform***

In July, IFES released an evaluation of the existing electoral management structure in Indonesia. The report analyzed the results of focus groups and in-depth interviews on the experiences of election committees at the provincial, regency/municipality, and village level during the 1999 general election. The report was based on research into the election management issues raised in the selection and training of election committees, the assignment of election committee duties, the supply of election materials, financial administration, vote reconciliation processes, and the particular problems encountered during the election period.

The release of IFES' evaluation and recommendations provides a solid foundation for advice on the imminent reform of legal, procedural, and administrative frameworks for election management.

In order to successfully reform the Indonesian election structure, the report proposes the following actions:

- ? establishing national and subsidiary level election commissions and supporting secretariats that are independent, non-partisan, and accountable for their actions;

- ? revising election laws, regulations, and procedures so that they are more comprehensive, transparent, and precise;
- ? developing a more professional, better-trained, and more responsive election management structure;
- ? clarifying the roles of election committees and their secretariats; and
- ? providing an independent mechanism for funding election management.

### ***Public Opinion before the MPR Session***

In July, IFES provided funding for a local consortium of non-governmental organizations, the Consortium for Public Polling, for the development and implementation of a national opinion survey. Implemented in conjunction with the Research Bureau of the People's National Assembly (DPR) and the Secretariat of the People's Consultative Assembly (MPR), the survey focused on a number of constitutional issues and other topics that were addressed at the MPR's annual session in August. In addition, the poll gauged the public perception of the DPR's operations and equivalent regional representative bodies, regional autonomy, government progress on important economic and social matters, the proposed draft State Emergency Law, and attitudes towards political leaders.

The Consortium made the results of the survey available to members of the Parliament during the August MPR session and, on August 10, presented a summary of the results at a press conference hosted by the Secretariat of the MPR. The national print and television media publicized some of the key findings of the survey, such as the levels of popularity of major political leaders – the president, the vice president, and the speakers of the DPR and MPR. The national media also highlighted the survey findings on the relatively low levels of public knowledge of the opera-

tions of the DPR, the lack of public knowledge on how to contact representatives in the legislature, and the significant levels of public dissatisfaction with how the DPR is representing the interests of the people.

Following the release of these results, the MPR, in its response on August 14 to the DPR's annual report on its activities, directed that the Public Relations Bureau of the DPR Secretariat take measures to increase the flow of information to the public about the operations and activities of the DPR.

This survey marked a significant advance in collaborative efforts between the Secretariats of the MPR and DPR and Indonesian civil society organizations. The commitment of the parliamentary Secretariats to cooperation and the open flow of information was emphasized by the MPR's hosting of the official release of the survey results, many of which were critical of the performance of the government and the legislature.

### ***SWARA Furthers Commitment to Transparency in Governance***

In August, IFES negotiated with the Secretariat of the DPR for the long-term continuation of SWARA, the IFES-facilitated live televised broadcast of national parliamentary proceedings, and its institutionalization within the operations of the national legislature. The DPR Secretariat has indicated strong support for the long-term continuation of SWARA broadcasting. Both negotiating parties agreed to set up an advisory board to oversee the future operations of SWARA. Other issues under consideration include the extension of SWARA coverage to include broadcasting of the sessions of selected provincial Regional People's Representative Councils. It is expected that these negotiations will be finalized later this year.

During August, SWARA provided complete coverage of the annual MPR session. This coverage was also used by a number of radio stations and private terrestrial and cable television organizations for their MPR session broadcasts. SWARA coverage also featured a separate audio channel providing a simultaneous English language translation of all MPR plenary and committee deliberations.

In addition to these efforts to broadcast the MPR sessions on various media, IFES also contributed to increasing public awareness of the sessions and the issues to be addressed by producing two new public service announcements (PSAs) that were broadcast widely on television to coincide with the convening of the annual session of the MPR. The concepts for the PSAs were developed in conjunction with the Secretariat of the MPR and built on the themes and characters developed in earlier IFES civic education broadcast material. They focused on notions of accountability at the MPR Annual Session and the need to consider different viewpoints in democratic decision-making.

### ***MPR Issues Discussed on Indonesia Baru***

In August, *Indonesia Baru* (New Indonesia) focused largely on the August session of the MPR and the issues that the MPR planned to



The Minister of National Education of Indonesia, Yahya Muhaimin (second from right), appears on an Indonesian morning talk show to promote the Educational Television Project that will take place in September.

address. *Indonesia Baru* is the weekly, thirty-minute television program facilitated by IFES and broadcast live on all private stations on Tuesday nights. The August episodes provided a forum to discuss the effects of the recent changes made in the ministerial team responsible for economic and finance issues, the expectations for the MPR session, the proposals to the MPR for constitutional reform to provide for a bicameral legislature, the MPR responses to the annual report of DPR activities, and the August cabinet reshuffling ordered by President Abdurrahman Wahid. The speakers of both the MPR and the DPR participated in live discussion of expectations for the session, and various representatives from Parliament, academia, the legal field, and local community groups contributed to the televised episodes.

July program topics also provided stimulating discussion of issues of primary interest to the public. Guests addressed the future of Indonesia, national reconciliation, the questioning of the president before the DPR, and the proposed constitutional amendments to provide for direct presidential elections.

#### ***IFES Signs MOU with DPR***

On August 1, IFES and the Secretary-General of the DPR signed a Memorandum of Understanding covering assistance for official communications, media, and public relations; modernization and computerization; research and public opinion surveys; and other areas of agreed mutual benefit. This agreement strives to facilitate the progress of the DPR in developing sustainable democratic and transparent processes and to continue IFES' support in this endeavor. The first coordination meeting under the Memorandum, in relation to the continuation of SWARA broadcasts, was held at the end of August.

In addition to this agreement, IFES will continue its advisory role to Ad Hoc Committee

1 of the MPR, which is considering amendments to the constitution when it resumes its discussions in November 2000. The August session of the MPR was not able to address all of the constitutional amendments proposed by this committee. The remaining issues, which include amendments to the structure of the legislature, the method of electing the president, and the addition of a chapter on the general framework for elections, will be re-examined and discussed by the MPR over the next two years. IFES will consider ways in which it may assist the Committee to publicize and explain the additions and amendments to the constitution and will continue to develop these for the annual MPR session in 2001.

#### ***Advice on Regional Council Appointments***

IFES commenced its assistance to joint teams set up by the Ministry of Home Affairs and the KPU Secretariat to implement the appointment of members of Regional People's Representative Councils (DPRD) in 32 new *kabupaten* (regencies or municipalities) and one new province created in late 1999. The Ministry and KPU expect to complete the appointments in most areas by the end of 2000.

In June, the DPR determined that new elections would not be held for DPRDs in these newly established regions. Instead, members would be appointed based on results of 1999 elections in the relevant areas, assigning those elected in 1999 to either the existing regional parliament or to the newly created one. The seats that remain in each respective DPRD would then be allocated to political parties based on their total percentage of the local vote in last year's elections. IFES provided the national coordinating teams with an analysis of the decrees that govern this process and with advice on procedures for implementation. The teams also requested that IFES assist in publicizing the appointment efforts at the regional and national levels.

### ***Seminar on the Draft Broadcasting Law***

On August 30 and 31, IFES sponsored a seminar for members of the broadcasting industry and civil society groups to discuss the draft broadcasting law being examined by the DPR when it meets in early September. The seminar served as part of IFES' program of technical assistance to the Indonesian government broadcaster TVRI, collecting the views of representatives of private broadcasting, civil society organizations, international non-governmental organizations, and regional and national managers from TVRI. Over 125 participants attended the two-day seminar, capitalizing on the first opportunity for private and public sector broadcasters and civil society groups to discuss their views on the law.

At the end of the seminar, there were still significant differences of opinion between private and public sector participants on the required content for the framework of broadcasting in Indonesia. However, all were grateful to IFES for providing this opportunity to explore each other's attitudes and opinions, and to reach agreement on at least some of the crucial issues.

## **INDONESIA CSSP**

### ***CSSP to Channel NGO Efforts***

As a funding agent for civil society projects and activities in Indonesia, the Civil Society Support and Strengthening Project (CSSP) has a mandate to empower local Indonesian civil society organizations (CSO) to confront, resolve, and advocate for important issues, and to strengthen their capacity to participate effectively in the political process. In pursuit of this endeavor, CSSP receives proposals from CSOs seeking funding for activities in a vast range of geographic and thematic areas.

In order to focus its efforts and funding most effectively, CSSP, along with its funder USAID, instituted priorities for future CSSP

subgrants. The grants will focus on land, farmer, fisher, labor and children's advocacy groups, with geographic priorities in the provinces of Aceh, West and East Java, East Kalimantan, North Maluku, and Papua. This does not exclude proposals from other provinces or ones that focus on issues other than those specified here; CSSP can opt to work on proposals that deal with very critical or nationally important issues.

As word of CSSP's inception spread to civil society organizations throughout Indonesia, it began to receive large numbers of proposals from local CSOs for activities that would seek to strengthen civil society and address critical issues in their areas of expertise. CSSP team members from IFES, Grants Manager Yoke Octarina and Civil Society Advocacy Specialist Yoenarsih Nazar, assessed the activity plans and advocacy capacity of groups currently applying for CSSP grants from throughout Indonesia. These organizations work in such diverse areas as the empowerment of rural women, popular participation in local governance, children's rights advocacy, support of regional autonomy, and anti-corruption efforts. They are based across the archipelago in East Kalimantan, South Sulawesi, and East Java.

### ***The East Java Initiative***

In an effort to support the move towards regional autonomy in Indonesia's provinces, CSSP has also looked at CSO programs to empower their constituents and to prepare for participation in the implementation of regional autonomy. The East Java Initiative is one such program that attempts to form a network of CSOs in the province of East Java. CSSP staff met with representatives of CSOs, local legislative bodies, and academia there. The group plans to work together to draft a proposal for a program to promote popular participation in the implementation of regional autonomy in East Java.

### ***Civil Society Organization Seminar***

In early August, more than 100 civil society organizations from all over the country participated in a weeklong seminar, co-funded by CSSP and PACT International, to discuss their advocacy programs and to focus on issues such as the culture of militarism in Indonesia, decentralization, justice, and human rights. The seminar provided an opportunity for the organizations to share their experiences and to discuss their perspectives on their role in future democratization efforts.

The seminar also prompted the NGOs to evaluate their own advocacy, to examine how to improve it and achieve objectives, and to anticipate the challenges or opportunities to achieving program goals. CSSP anticipates providing various kinds of support to these organizations, from technical assistance in running the organization to training the organizations in conducting successful advocacy programs.

## **NEPAL**

### ***IFES Completes Post-Election Assessment***

In August, IFES completed a comprehensive post-election assessment of Nepal's May 1999 elections and the electoral process in general. IFES began the assessment in December 1999 by sending Senior Advisor for Election Administration Joe Baxter to Nepal. Mr. Baxter, in coordination with the Election Commission of Nepal, assessed the election administration, voter registration and voter identification card system, and electoral code of conduct. Mr. Baxter shared his evaluation with USAID and the US Embassy staff in Kathmandu and recommended expert assistance in several key areas, including administration of the recently opened district electoral offices. In addition, he suggested promoting a sustained dialogue between election officials, party representatives and relevant civil society organizations. Mr. Baxter also

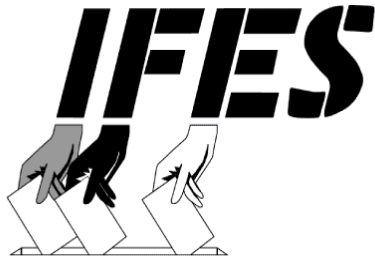
recommended a concerted review of the Election Code of Conduct.

In response to these recommendations, in July 2000 IFES sent Mr. Vic Butler, an election administration specialist, to Nepal. In July and August, Mr. Butler worked with the Election Commission, in consultation with USAID and the Danish International Development Agency, which also provides technical assistance to the Election Commission. Mr. Butler focused his work on three activities: progress in establishing the District Election Offices, voter registration and the development of a sustainable system for the voter identity cards currently being issued, and the effectiveness of the Code of Conduct, including possible revisions to the Code.

During a six-week period in Nepal, Mr. Butler conducted extensive interviews, within Kathmandu and at the district level, including Terai and Pokhara. In addition to meeting with election supervisors, Mr. Butler also held discussions with the Law Reform Subcommittee of the national Parliament. The Committee members' discussion covered a range of subjects, including public relations, alternative systems of representation and party list elections, and the appointment of a neutral or caretaker government during the election period (as in Bangladesh or India).

In his work on the Code of Conduct, Mr. Butler met with senior people from each of the three main political parties. It is clear that all subscribe in principal to the Code of Conduct. However, it is commonly breached in practice. Mr. Butler explored options for assisting the Election Commission with enforcement of the Code. The concluding activity was a workshop where the Code and relevant issues were considered and discussed by 40 local participants, representatives from NGOs, USAID staff, and Election Commission personnel.





## MAKING DEMOCRACY WORK

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IFES provides technical assistance in the promotion of democracy worldwide and serves as a clearinghouse for information about democratic development and elections. Since its inception in 1987, the Foundation has pursued democratic initiatives in more than 120 countries. IFES activities are made possible, in part, by the United States Agency for International Development.

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