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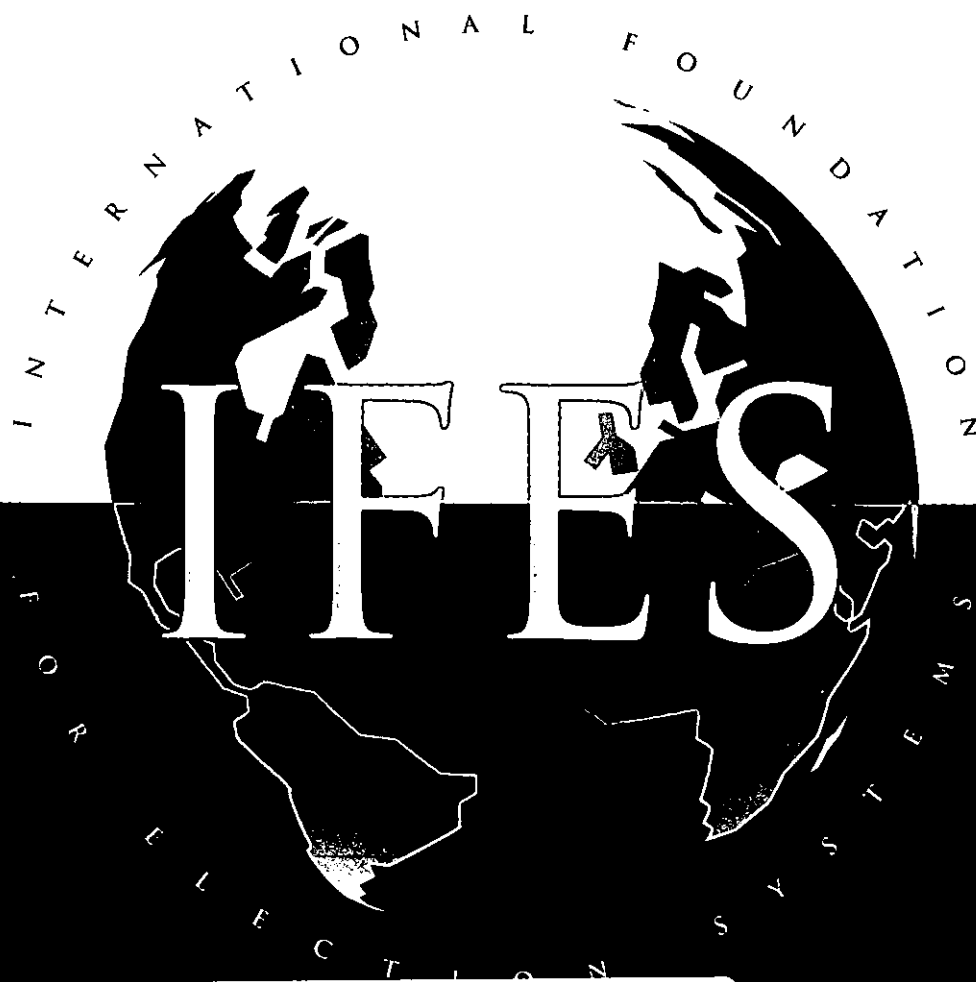
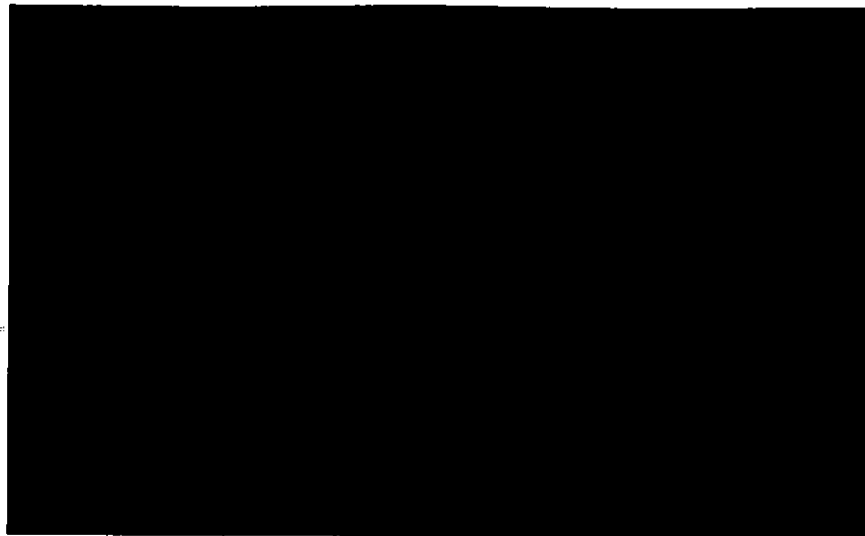
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ELECTION OBSERVATION MISSION
NOVEMBER 1996
KINGDOM OF THAILAND

Released February 1997
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Election Administration Consultant



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International Foundation for Election Systems
Election Observation Mission
Kingdom of Thailand

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Executive Summary

Election highlights. The November 17, 1996 parliamentary election in Thailand was the closest and most expensive in Thai history. Thirteen political parties competed for 393 seats and spent an estimated one billion baht (\$400 million USD) on the election. The New Aspiration Party, led by Chavalit Yongchaiyudh, captured 125 seats; the opposition Democrats elected 123 members to the Parliament. A switch of 300 votes would have caused the top two parties to have an equal number of seats in the Parliament. The election was marred by over 4,000 allegations of election law violations including vote buying and vote rigging. It was reported that at least a dozen people were killed or injured in election-related violence. Turnout was a moderate 62% of those eligible.

On election day, IFES Election Administration Consultant Paul DeGregorio visited 17 polling stations at sites in and to the south of Bangkok. In addition, the Consultant was afforded the opportunity to observe the counting process at Bangkok City Hall and at the Ministry of the Interior. International observation of this election was minimal except for several Cambodian officials and the IFES consultant, who concluded that there was strong evidence of a need for electoral reform. Both the press and the public appear to support such efforts to reform the system. Indeed, press reports indicate that failure to improve the system could lead to violence.

Discussions/meetings. Several discussions were held before and after the election with key Thai election officials and also with U.S. Embassy officials. They included leaders of Pollwatch, the important Thai election monitoring group; key administrative personnel involved in the elections from the Ministry of the Interior; and Asia foundation staff.

Addressing Electoral Reform. Under the Thai constitution (Section 115) an election commission had to be established by an act of Parliament by February 9, 1997. Several attempts were made in 1996 to pass a new election law. All were unsuccessful. In December 1996 the formal process began to appoint a 99-member Constitutional Reform Commission charged with the responsibility of proposing constitutional changes--including electoral reforms--to the Parliament. The committee, which must complete its work in eight months, has administrative support from the Ministry of Interior. The new Prime Minister, Chavalit Yongchaiyudh, made a pledge before the election that if he won political reforms would be instituted within two years and elections held again perhaps as early as 1998.

Pollwatch. In 1992, an organization was formed with the express purpose of ending the Thai system of corruption. This group was called Pollwatch. Initially a non-government organization, Pollwatch grew to become a government-funded entity which utilized tens of thousands of volunteers in each election to help draw attention to election irregularities, particularly the practice of exchanging money for votes, so as to discourage such practices. Today, Pollwatch is a very visible organization which is heavily involved in the movement to reform the electoral system. It reported nearly 4,260 cases of irregularities for the November 17 election period.

Technical recommendations. Even though there were several charges of vote-rigging in a few areas, it appeared that overall, the Thai election was administered fairly. At the 17 polling stations which were observed, officials had adequate training and the counting process went smoothly. However, the following are a few recommendations for improvement:

- ◆ the polls should be opened longer (7 hours is too short);
- ◆ there are accessibility problems for the sick and elderly (there is no provision for early voting or voting at homes/hospitals);
- ◆ voter registration is a problem for people who come from the countryside to the large cities to work (particularly young voters);
- ◆ unused ballots should be kept more secure; training manuals should be given to everyone (not just the supervisors of polling stations);
- ◆ international and domestic observers should be written into the law.

Prospects for Future assistance by IFES. The recent IFES mission generated strong support for a future role in providing technical assistance to Thai officials as they formulate proposals for electoral reform. Clearly the U.S. Embassy and Pollwatch officials would strongly support such assistance. The Director-General of Elections also expressed an interest in IFES assistance but also indicated that higher officials at the Ministry of Interior would have to be consulted. Many of the higher-level civil servants of the Interior Ministry appear supportive of international advice and assistance.

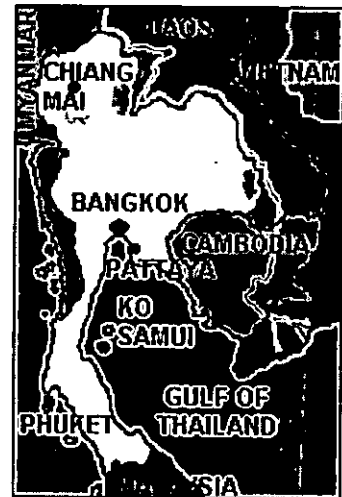
Technical Assistance. IFES could provide an on-site technical advisor who could work with the Constitutional Reform Commission. Such an advisor could provide legal suggestions and comparative analysis, and could act as an information resource. IFES could also provide support to officials from the Ministry of Interior who will be providing administrative support to the commission.

Civic Education. IFES could work with the Director of Elections for local administration and/or the Director of Political Party development to address the issue of vote-buying from a long-term perspective. IFES could suggest a plan to educate Thai citizens and political parties regarding the negative impact of vote-buying so that its use may be discouraged.

Attendance at the Manila Symposium. During discussions with officials, the Election Administration Consultant distributed information regarding the IFES-sponsored *Symposium on Asian Elections in the Twenty-First Century* which was held in Manila from January 26-29, 1997. Election officials from Pollwatch and the Ministry of Interior expressed a strong interest in attending the conference to gain a broader understanding of the democratic election process throughout the region. IFES and the Asia Foundation funded the participation of three participants engaged in the Constitutional Reform process.

I. Background on Thai elections

Thailand is a constitutional monarchy and is ruled by King Phumiphon Adunyadet who was crowned in 1946. Under the constitution the king is Thailand's head of state and commander in chief of the armed forces. A cabinet is headed by a prime minister, who is the country's chief executive official. Legislative power is vested in a 393 member House of Representatives and a 263 member Senate. Representatives are elected to four-year terms; senators, appointed by the King, also serve four-year terms. The House can be dissolved by the Prime Minister and/or by a vote of the Parliament at any time.



From 1932-1988 Thailand was essentially ruled by the military. In 1988, Chatichai Coonavan, leader of the Chat Thai Party, became the first democratically elected Prime Minister. In 1991, a bloodless coup by the military ended his term. After demonstrations against military rule were violently suppressed, elections were finally held in May and then again in September of 1992. That government, led by Chuan Leekpai, leader of the Democratic Party, held office until 1995. Elections were held in July 1995 and Banharn Silpa-archa of Chart Thai formed a coalition government and was named Prime Minister. In 1996, after a power struggle within his coalition, Barnharn dissolved the Parliament in late September and announced elections for November 17.

Since 1990 Thailand has had three nationwide votes: two parliamentary elections in 1992; and a parliamentary vote in 1995. In each parliamentary election no party elected a clear majority in the Parliament necessitating the formation of coalitions. All of these elections were marred by charges of vote buying and vote rigging. Pollwatch was established in 1992 in an attempt to expose and prevent election irregularities.

The November 17, 1996 parliamentary election in Thailand election was remarkable in several ways:

- ▶ It was the most intense and expensive election in Thai history; some reports indicate that nearly \$1 billion USD was spent by the candidates/parties in a 45 day period.
- ▶ Results were the closest in history with the New Aspiration Party electing 125 MPs while the Democratic Party was a very close second electing 123 MPs. A change of 300 votes would have resulted in a tie between the top two parties. A change of 1,000 would have given the Democrats the edge.
- ▶ The election watchdog group Pollwatch reported nearly 4,280 complaints of election law violations including vote buying and vote rigging.

- ▶ It was reported that at least a dozen people were killed or injured in election-related violence.
- ▶ There were 63,378 polling stations with nearly 700,000 officials involved in the process of serving the voters, a record.
- ▶ Turnout was a moderate 62% of the 38 million eligible.
- ▶ Thirteen political parties fielded candidates for the election to elect 393 members of Parliament.

A late October survey of voters found that most were very cynical of the Thai political system. Every one of the 2,038 people interviewed believed that vote buying existed. The view that political reform in Thailand needed to begin immediately was held by 94% of the respondents. Two-thirds indicated that they had lost faith in politicians of all levels.

II. The Administration of Elections in Thailand

Thailand has a parliamentary system of government with direct election of Members. The country is divided into 155 constituencies. Some of the constituencies elect up to three members for a total of 393 nationwide. Voting is relatively simple. Voters, using paper ballots, are required to mark Xs in boxes next to the name of the candidate(s) for whom they wish to vote. For a complete description of the election system please see appendix B: Election System in Thailand written by the Thai Ministry of Interior (in English).

A. Administrative structure

The Ministry of Interior administers all the elections in the Kingdom of Thailand. A civil servant, the Director-General of elections, oversees the election process at all levels. The Director has a staff of about 42 people who assist in conducting the elections and a budget of 633 million baht (\$ 25.3 million USD). The Director reports to the deputy Secretary for local administration.

Thailand is divided into 76 provinces called *Changwats* which are administered by governors. All governors are appointed by the Interior Ministry except in Bangkok metropolis, where the Governor is elected. The governors supervise the election process in their jurisdictions. District (*amphur*) chief officers, who report to the governors, appoint the officials who run the local polling stations. In larger towns the district officials are elected and hold power at the local level.

B. The registration of the political parties

There is an office of Political Party registry in Thailand which is within the Ministry of Interior but does not report to the Director-General of elections. Mr. Siwa Sirisoawaluk is the Director of the Office of Political Party Register. All political parties in Thailand must register and be certified by this office. All candidates must be members of a political party. There is no provision in the law for independent candidacies. At the present time there are 15 official parties. All but two nominated candidates for the November 17th election. There are an estimated two million Thai citizens who are active members of a political party (6% of the eligible voters).

In order to be certified as an official party, the organizing group must meet certain qualifications. The process entails at least 15 Thai citizens petitioning this office to begin the process of forming a new party. Once they receive certification to continue, the group has one year to obtain 5,000 members, which must be proportional in each of the 76 provinces. An advisory committee is set up by the Interior Ministry to review documents submitted by the group wanting a new party. This committee recommends whether or not a party should be officially certified.

A party can be decertified by the Thai Supreme Court if it fails to nominate any candidates for an election or fails to nominate candidates in at least 25% or 99 of the constituency districts.

This department has a budget of 5 million baht per year (\$200,000 USD) and employs 30 people. During the time when a parliamentary election is called, the office plays a minor supporting role by lending personnel to the office of local administration.

Their duties include:

- ◆ Promoting the development of political parties.
- ◆ Educating the parties regarding electoral law regulations, including prohibitions against vote buying.
- ◆ Providing assistance to the parties during the legislative session.
- ◆ Serving as a liaison between the political parties and the local administration.
- ◆ Receiving the names of the candidates nominated by the parties for the election.

According to Mr. Siwa, his department is developing a pilot project to send party leaders overseas to study political parties in other countries. His goal is to help develop more respect for the political parties so that democracy can be promoted in Thailand.

C. Polling Station staffing

There are 38,562,992 million voters in Thailand. Each of the 63,378 polling stations in Thailand serves no less than 50 voters and no more than 1100 (an average of 600). Each is staffed with 10-12 people in the following manner:

- ✓ A supervisor who is a civil servant appointed by the local government;
- ✓ A counting official who is also a civil servant appointed by the local government;
- ✓ Two police officers who are to be present to enforce the law, prevent crime/fraud and escort voted ballots to the local government center;
- ✓ A committee of seven people, nominated by the political parties, who operate the polling station. In reality, most parties do not have the manpower to be present at the polls because most of their people are campaigning. Therefore only 1-3 parties are usually represented. Local district officers or head of village must find people to work at the polls;
- ✓ One Pollwatch volunteer may be present (Pollwatch officials do not conduct a parallel count for the election--they are just there to watch and report fraud).

Nationwide, nearly 700,000 people were involved in the Thai election process.

D. Voter Registration

Upon turning 18 years of age, Thai citizens are automatically added to the voter rolls by the local governments. Voter lists are to be posted by the local government at least 30 days before the election so that they can be viewed by the general public. Any changes to the list must be made prior to the 7th day before the election. Typically there is 1-3% error on the list. Pollwatch has complained that the lists are not checked and compared. They cited examples of people who were on several lists in different jurisdictions. Voters with whom the IFES Election Administration Consultant spoke said that they could not get on the Bangkok list because they did not live in a "household" and therefore did not qualify. Some individuals could not return to their home district to cast a ballot on election day due to job commitments.

E. Notification of polling place location

About one week before voting, each voter is to be notified by mail of their polling station.

F. Absentee/early voting

There is no provision in the Thai election code for absentee/early voting. Citizens who are unable to get to their polling station on election day cannot vote. This includes Thai citizens overseas who work in the foreign service, people in hospitals, and people who work at jobs that prevent them from going to the polls between the hours of 8.00-15.00.

III. Observing the election

On election day, the IFES Election Administration Consultant had the opportunity to visit 17 polling stations in areas in and to the south of Bangkok. Districts and cities which IFES visited includes: Bungkum: Sapansung; Min Buri; Chon Buri: Bang Pra Soi, Hoey Kapi; Samut Prakarn: Pak Nam;

Tatejak: Ladyow. Some of these areas had allegations of vote buying prior to the election. At each polling station, the activity was filmed and still pictures were taken, some of which can be found in appendix E. A copy of the video tape is available at the IFES Resource Center. Only one of the polling stations that was visited asked for credentials and indicated that filming was not allowed without written permission from the local governor.

A. Speaking to voters

At every polling place which was visited, voters were asked to discuss various election issues. One 78 year old woman in the Chon Buri district said she had heard of allegations of vote buying in her home area but no that one approached her to offer money. Most voters said that vote buying was not good and that it should be stopped. Voters decided it was important for them to vote so that the best people could be elected. Some voters indicated that they voted for the best party to win while others said they voted for the best person even though they may not like the party the candidate represented.

B. Administrative structure of the polling station

Voting seemed organized in most polling stations. The majority of polling locations had more than one polling station. The most stations counted at any one location was seven (with about 4,000 total voters eligible to vote at that location). Over half the polling stations IFES visited were set up under a large tent. Others were in schools and other public buildings. Most were handicapped accessible but some made no such provisions. There were several voters who had to be literally carried up large flights of stairs (some in wheelchairs) to the polling station.

Typically, there was one person clearly in charge of a polling station. This person wore a beige uniform, indicative of a government employee. All of the polling stations which the group observed had a woman holding this position. Most polling station workers were relatively young (20-40). They each had their duties and appeared to have a good understanding of their individual assignments. Guide and law books produced by the Ministry of Interior were evident at most of the polling stations. Every polling station worker the Election Administration Consultant spoke with indicated that they had been to a training session from 4 days to 7 days prior to the election at the local administrative center. The training sessions were conducted by a local district officer and were 2-4 hours in duration. Most workers indicated that they had worked in previous elections so they knew what was required of them. None had received a training manual to read prior to the elections or to have with them on election day. It should be noted that the training manual makes no mention of vote buying as an election offense.

C. Polling place set up

Each polling place had at least two large blackboards used to tally the votes. The back side was used to display a listing (with biography and picture) of the candidates running for election in that polling

station. On another blackboard was a list of the voters eligible to cast ballots at that polling station. Also, election posters were displayed which gave voters a pictorial and written description of how the process works. Voting materials were delivered to each site inside a locked ballot box. Each ballot box had a large "window" on the front so anyone could see what was inside. Unused ballots were kept in large plastic bags. Ballots were numbered sequentially so each polling station could keep track of how many were delivered. Provisions call for each polling station to receive 5% more ballots than there are voters on the register (to account for people who may spoil their ballot). It did not appear that the officials counted the ballots they received from the administrative center before the voting began. Appendix E contains photographs of these documents and procedures and of actual voting on November 17 in Thailand.

D. The act of voting

Polls in Thailand opened at 8.00 and closed at 15.00. It should be noted that at 8:00 there was nobody waiting in line to vote at the polling station. At 15.00, people rushed into polling stations in order to vote. Some voters were turned away because they arrived at the polling station after the polls had closed.

Voters came in to the polling area and went first to look at the registration lists to determine if they were in the right polling station. Since there were typically several stations at one site, voters frequently had to go from one station to another to find their name. Once having found the correct station, the voter went to the table to be processed. The voters announced their name and presented an identification card (with picture). Then the workers found the voters name on the typed registration list and had the voter make a mark next to their name. The voter was then given a ballot, told how many candidates they could vote for, and proceeded to the voting booth to cast their vote. Voters took just a few seconds to make their choice, then proceeded to the ballot box station. There, they handed their voted ballot to the official at the box. The official took the ballot, announced "voted ballot," and then deposited the ballot into the ballot box.

E. Counting the Votes/Ballot Security

The counting process which was observed housed six individual polling stations under large tents. This location was just outside the wall of a state prison which housed nearly 5,000 people who had been convicted of crimes relating to illegal drugs.

After voting closed at 15.00 unused ballots were placed back into a plastic bag (there was not any noticeable counting taking place). The ballot box was opened in the presence of the election officials and the public. Ballots were taken out one at a time and counted. One person would look at the ballot, announce whether it was valid (if it was an overvote or not marked at all it was not considered a valid ballot), and then announce the vote for each candidate and hold the ballot up for all to see. Another polling station worker tallied the vote on the blackboard. It took from one to three hours to count the ballots. After all ballots were counted, the results were tallied on the board and copied

on the protocols. Election workers then hand-counted the ballots to determine how many people had voted. They counted the invalid ballots and made note of them on the protocol. Voted ballots (including the invalid ones) were placed into a plastic bag and then put into the ballot box along with the signed protocols. The polling place workers reviewed the checklist provided on the top of the ballot box to make sure they had included everything in the box. With the assistance of the two police officers who were present, the ballot box was locked and then sealed with a wax-like substance. The supervisor of the polling station placed the ballot box, unused ballots and other election materials in her car and, with a police escort, proceeded to the local administrative center. The tent and other materials were taken down the next day by workers for the local government.

F. Other observers of the counting process

There were a number of people present watching the ballots being counted. Several had cellular telephones and would call the results in as they were being tallied. IFES spoke to several observers and found that most were doing "exit" polling for one of the television stations or were calling results into a bank which was tabulating the results for a media outlet. A few people were associated with a candidate or political party and were also calling in results.

G. Counting the ballots at City Hall and Ministry of Interior

At Bangkok City Hall, ballot boxes were checked in, opened, protocols reviewed and then results added to district totals. Results from the 37 districts within the city were posted outside for everyone to see. At the Ministry of Interior, officials established their election night operation in a large conference room. By 20:00 final results were in from only seven of the 393 districts. However, by 22:30 more than half of the districts had reported their final returns.

Within the conference room, 35 fax machines were set up to receive results from the various provinces. A team of 50 employees were present to receive the results. Typically, a call was received from a province to inform the ministry that the results were finalized. They were then sent by fax. The protocol was reviewed to determine if all the pertinent information was present (vote totals for each candidate, number of registered voters and turnout, undervoted and overvoted ballot totals). If complete, copies were made of the protocol (using the fax machine) and then brought to the front of the room. They were then delivered to an adjacent room which contained personnel who entered the results into a computer on a master ledger. Another copy was taken outside the building where results from all 393 districts were publicly posted on a huge board.

During the counting process, the permanent Deputy Secretary of the Interior and other high-level officials came by to check on progress. Interest seemed to be very high because the television networks had projected a very close race. Protocols were checked very carefully before they were released. The last province reported their results shortly after 3.00 in the morning.

IV. POLLWATCH

A. Discussion with Dr. Gotham Arya, Secretary-General of Pollwatch and others

In the days just before and after the election, the Election Administration Consultant had the opportunity to have wide-ranging discussions with officials from Pollwatch to inquire about the many allegations of election irregularities associated with the November 17th vote. They included Dr. Gotham Arya, the Secretary-General, Mr. Sayut Koetphon, the Chairman, Sanguan Nittayanpong (M.D.), Director of Research and Analysis, and a few staff members.

Dr. Gotham is a professor of electrical engineering at Chulalongkorn University in Bangkok who has been involved with Pollwatch since it was established in 1992. Dr. Gotham became involved in human rights and non-violence activities in Thailand during the 1980s. Gotham believes he was chosen to run Pollwatch by the Prime Minister (at that time) because he presided over the *Campaign for Popular Democracy*--a group which fought military rule and had a reputation for independence and integrity.

During his years with Pollwatch, Gotham has fought hard against corruption in the election process. He has received unprecedented publicity from the media and general editorial support from the independent press. However, several members of Parliament and officials from the Ministry of the Interior have questioned Gotham's allegations, suggesting that claims have been exaggerated. Gotham has served on electoral reform committees which have developed various proposals for electoral reform.

But his efforts to reform the process have not been without cost. The day after the November 17th election, for example, several bullets were fired onto the roof and in a bedroom of Dr. Gotham's home. Fortunately, no one was injured. Gotham had to spend most of the day with the police after the election. The police interviewed people at the Pollwatch office about the incident and spoke with Dr. Gotham at his home that evening. He sounded shaken and said that threatening calls had been made to his home before the election, urging him to drop his investigations of vote buying. Dr. Gotham said he would not be intimidated and would continue his efforts to reform the electoral process.

B. History/Mission of Pollwatch

Pollwatch is an organization that was first established in 1992 by a group of people who were concerned about an increase in improper activity in the Thai electoral process. Its purpose was to be an independent watchdog over election activity in Thailand with the goal of ridding the political system of corruption. Initially, Pollwatch was created for the March 22, 1992 parliamentary election in response to serious allegations of vote buying.

Pollwatch began as an all-volunteer non-governmental organization. However, due to continuing funding problems over time, it became officially established as a quasi-government agency by an official decree of the Prime Minister and received funds from the Thai government.

Since its creation Pollwatch has concentrated in three major areas: monitoring pre-election campaign activities; observing the polls on election day; and receiving complaints. The organization has developed a cadre of trained coordinators who supervise and help focus the volunteers in areas of greatest need. They have established a ratio of one coordinator per twenty volunteers.

Pollwatch is one of the few independent internal election-watch organizations which is funded almost exclusively by the government. It serves a role similar to that of many non-government organizations of other countries such as the Romanian "*Association for Democracy*" and the American "*League of Women Voters*".

Pollwatch receives no direct international assistance in its work. However, it has exchanged information with such organizations as NDI (USA), NAMFREL (Phillippines), FEMA (Bangladesh), and KIPP (Indonesia) in an effort learn new techniques to promote its mission.

C. Types of Election Fraud Pollwatch seeks to prevent

Vote Buying: Where a sum of money is offered by a party, candidate, or canvasser in exchange for one's vote on election day.

Intimidation: Where officials of the government pressure people into voting a particular way or else face retribution in the form of lost funds to a jurisdiction or lost jobs.

Vote Counting: Where officials at the polling station conspire to add or change ballots in order to produce more votes for their candidate (or less for others).

D. Legal Status

Pollwatch was initially established as a volunteer organization with very little public funding. However, in recent years the Thai Prime Minister has issued an official executive order creating the independent organization for a period of approximately two months before an election and five months after. Pollwatch has no prosecutorial or real investigatory powers. It must rely on the support of the Royal police to pursue and prosecute allegations of illegal activity.

E. Budget

Pollwatch is funded primarily by the Thai government. Initially the government proposed that the agency receive approximately 80 million baht (\$3.2 million USD) for the 1996 parliamentary

election. However, the organization was told that funding was to be less due to unanticipated expenditures related to severe flooding in October, one month prior to the election. Private businesses donate funds to Pollwatch for some of the printing and promotional materials used. The companies' participation is acknowledged by allowing private logos to appear on PollWatch material. There is no official reporting of how much is donated by private businesses to Pollwatch.

Each Pollwatch coordinator is paid 3,000 baht (\$118 USD) for four weeks of work; volunteers are paid a stipend (for travel expenses) of 300 baht (\$16 USD). Five million baht (\$200,000 USD) is paid to the police to help support investigations of wrong-doing. There is a considerable amount of printed materials produced--such as posters and brochures--which are distributed throughout the country.

F. Media support

Pollwatch receives excellent coverage of its activities from the mass media, especially the Bangkok press. In the weeks leading up to the election there were stories involving Pollwatch almost daily in all of the major newspapers. Television and radio stations broadcast news reports and also aired public service spots produced by the organization.

G. Police support

In the 1992 election, the Thai police provided Pollwatch with strong support in investigating allegations of wrong-doing. However, in recent elections that support has waned as the number of complaints and public interest has decreased.

H. Previous election activity

- | | |
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| 1992 | In the March 22, 1992 election, nearly 3,000 complaints were received by approximately 20,000 volunteers who served the organization at that time. Several months later, Parliament was again dissolved and new elections were held on September 22. At that time, Pollwatch grew to a force of 60,000 people. Complaints rose to 10,000 for that election and 50 cases of illegal activity were eventually brought to prosecution. |
| 1993-94 | From 1993 until early 1995 Pollwatch had little public activity except during several by-elections held during that period. |
| 1995 | Pollwatch became active again for the July 2, 1995 parliamentary election. However, the Pollwatch role was more limited than in past elections as the government in power was perceived as less corrupt. Less than 5,000 complaints were received which resulted in only 20 arrests. |

1996 (local) In 1996, Pollwatch was very involved in trying to prevent vote buying in the local elections which were held on June 2. Over 186 cases of election law violations were reported in the governor's race in Bangkok province.

I. Involvement in the November 17, 1996 Parliamentary election

1. Staff and strategy

Nearly 40,000 volunteers and 3,600 coordinators were recruited for the November 17, 1996 parliamentary election. Approximately 4,000 police personnel were assigned to work with Pollwatch. The organization made an effort to decentralize for this election and adopted four basic strategies:

- Take on politicians and canvassers as their target group.
- Keep track of the flow of money.
- Encourage a united front to mobilize all sectors of society.
- Draw attention to the political party platforms and their policies in an attempt to steer people away from individual politicians -- and the money they hand out.

2. Monitoring of Bank withdrawals

In early October, Prime Minister Barnharn, at the request of Pollwatch, asked the central bank to give Pollwatch reports of any monetary withdrawals over 50,000 baht (\$2000 USD) in an attempt to determine whether such large cash withdrawals were being used to buy votes. It is not clear whether or not many banks complied with this request. However, at one bank it was alleged that 12 million baht (\$500,000 USD) was withdrawn in small denominations with the express purpose of buying votes.

3. Allegations of illegal activity

According to the organization, there were 4,260 reported cases of various types of fraud that took place in this election including 1,970 cases of vote buying, 339 cases of gift giving, and 325 cases of parties which were thrown to influence voters with food and drink. Other types of fraud alleged by Pollwatch included vote rigging, violence against people and voter intimidation. The number of cases showed an increase of 20% from the last parliamentary election. Pollwatch indicated that in Bathum Tani people were seen voting more than once. In Phisanuloke it was alleged that the voter registration list was altered to allow people to vote who did not live in the area.

J. Pollwatch involvement in electoral reforms

Since 1992 Pollwatch has supported the establishment of an independent and permanent central election commission. They believe that the ministers who are responsible for enforcing the election laws are politicians who have a vested interest in the election results. Dr. Gotham and other leaders of Pollwatch have served on various reform committees which have drafted new laws to make changes in the Thai electoral system. Most of the focus of the Pollwatch proposed reforms have centered around the issues of vote-buying and the establishment of an independent election commission which would have the authority to investigate and prosecute any type of vote fraud.

The Thai constitution states that by February 9, 1997, there must be a law adopted which establishes an election commission to supervise the elections. The only apprehension Pollwatch may have regarding such a commission is that it may not be truly independent. Further, it could diminish current Pollwatch role in the electoral process. The last draft of the election law changes which were considered by Parliament made reference to creating an organization similar to Pollwatch but did not specifically mention Pollwatch.

Pollwatch has made numerous recommendations for a draft election law. In fact, Dr. Gotham was on the committee which issued the first draft of a new law. However, the draft law was subsequently diluted by a parliamentary committee which weakened many of the prosecutorial aspects of the law. The second draft also diluted the right of the election commission to appeal its budget.

Pollwatch believes that the main problem with the Thai constitution is that its Bill of Rights is not specific enough and relies too heavily on existing law. They suggest an election system whereby only one MP is elected per constituency district.

K. Thailand "ripe for technical assistance"

Dr. Gotham of Pollwatch believes that Thailand is "ripe for technical assistance" due to the many problems that have been encountered throughout the course of the past few election cycles. In addition, he believes that this is the time for such assistance, since the constitution and election laws are being rewritten.

It is not clear what role Pollwatch will play in the development of the electoral reform proposals. The decree establishing Pollwatch will expire in March, 1997. Dr. Gotham indicated that he will continue to press for reform. While generally supportive of the establishment of a permanent Central Election Commission, Gotham did not know if Pollwatch would continue nor whether it would play a role in a new CEC.

Because of the intense coverage given by the media of charges of vote-buying and other election irregularities alleged in this election, it is likely that the impetus for real electoral reform will continue. Indeed, press reports indicate that failure to improve the system could lead to violence.

V. Electoral Reform

A. Parliamentary inaction in 1996

The constitution of Thailand adopted in 1991 mandates that an electoral commission must be established by law no later than February 9, 1997. This deadline has helped to focus the debate and discussion of reforming the Thai electoral system. Unfortunately, all recent attempts to reform the system have been unsuccessful.

In 1996, there were several proposals debated before the Parliament which dealt with some form of electoral reform. A Political Reform Committee, chaired by Chumpol Silpa-archa, brother of the Prime Minister, was established early in the year to develop an election reform proposal. Several prominent reformers, including Gotham Arya of Pollwatch, were on the original committee. The committee came up with several suggestions for reform which included an overhaul of the electoral system. However, after the final draft was submitted to the cabinet of outgoing Prime Minister Barnharn Silpa-archa, many objections were raised by the Ministry of Interior since many of their electoral duties were taken away. The government bowed to the pressures of the Interior Ministry and made substantial changes to the draft.

Throughout 1996, leaders from Pollwatch urged the Parliament to establish a permanent electoral commission prior to the next parliamentary election. The lower house tentatively approved a bill in early September to establish an election commission. The bill would have established a nine-member commission appointed by the parliamentary president, prime minister, and opposition leader with approval from two-thirds of the lower House of Parliament. Such a commission would have a six year term and would be empowered with prosecuting fraud, drawing up electoral constituencies and overseeing but not organizing elections at all levels. However, strong opposition to the legislation developed because the proposal left the power to organize the election with the Interior Ministry. Many claimed that this was contrary to the constitutional provision calling for an independent electoral body to organize all elections. In addition, several members of Parliament and Pollwatch believed that the new commission lacked real power to investigate and prosecute fraud. Even though a 27-member body was appointed to review the legislation before final passage, the bill died when the Parliament was dissolved in late September.

B. The Constitutional Reform Commission

In December 1996 the formal process began with the appointment of a 99-member Constitutional Reform Commission charged with the responsibility of proposing constitutional changes --including electoral reforms -- to the Parliament. Seventy-six citizens -- one from each province--have been chosen together with 23 academics experienced in law, political science or public administration. Applications were received from December 9-13 in each province. The list was narrowed to 10 from each province and then sent to the Parliament on December 18 to select one representative from each

province. Additionally, universities were allowed to submit a list of 45 from which Parliament chose 23.

The committee, which has eight months to complete its work, has administrative support from the Ministry of Interior. If the Parliament fails to ratify the constitutional changes the King has the authority to submit it to a public referendum. The new Prime Minister, Chavalit Yongchaiyudh, made a pledge before the election that if he won, political reforms would be instituted within two years and elections held again as early as 1998.

C. Guidelines and Models for Election Commissions

Several proposals have been made in Thailand to establish a full-time permanent body which would manage the election. A permanent body would provide greater stability in the election system and promote public confidence; it would allow for a more professional approach to the administration of elections (at the present time, most election officials are frequently re-assigned), and have greater independence to investigate allegations of fraud thereby bringing violators to justice.

1. Any such commission should include these basic components:

- ☐ Independence from the ruling government or any political party.
- ☐ Financial security with adequate funds provided to complete its work.
- ☐ The ability to implement and enforce all aspects of the electoral law.
- ☐ The administrative staff of the commission should be professional, non-partisan and independent of any political party or movement.
- ☐ The authority to appoint election commissions at the provincial level who would then appoint a full-time election administrator for the province.
- ☐ Oversee all voter registration.
- ☐ Register the political parties.
- ☐ Accept the nominations of candidates.
- ☐ Investigatory and prosecutorial powers to insure compliance with election laws.
- ☐ Voter education.
- ☐ Monitoring the political campaigns.
- ☐ Supervise the selection of polling station workers.
- ☐ Supervise all training of election officials and develop professional training materials.
- ☐ Supervise the designation of polling stations.
- ☐ Supervise and account for all voting materials including ballots, ballot boxes, protocols and related documents.
- ☐ Supervise the counting process at all levels.

- ☐ Insure accessibility to the voting process by the elderly and handicapped.
- ☐ Recruit independent volunteers to observe the election process and report fraud.
- ☐ Accredite domestic and international observers.

2. Models for election commissions include:

- a) *A commission appointed by the King.* This commission could be made up of an equal mix of judges, prosecutors, and Pollwatch representatives of no more than 9 persons. Commissioners would select a Chair from among themselves. A person could serve as Chair for no more than two years. Each political party would be allowed to select a person to serve on the commission in a non-voting role. Civil servant commissioners would be permanent and serve full-time in a three year staggered term. Political party representatives would only serve for a period of 45 days prior to an election and 40 days after its completion. The commission would hire its own administrative staff through established civil servant guidelines. The commission would hire a permanent staff by a two-thirds vote and establish policy by majority vote.
- b) *Commission appointed by the Parliament.* Any party with at least 100 members in the Parliament would appoint two members to the election commission. Others with less than 100 members would appoint one member. Pollwatch or a similar independent non-partisan election watchdog group would appoint up to five members to the commission. Members would serve a four-year term. The chair would be a civil servant designated by the political party with the most members in the Parliament. The vice-chair would be designated by the party with the second highest number of members in the Parliament. A chair could only serve a two-year term at which time the vice-chairman becomes chair. The chair would serve full-time and can have no other position. The commission would hire its own full-time non-partisan administrative staff through established civil servant guidelines and by a two-thirds vote of the full commission. The commission should have the power to establish policy but would not have the power to interfere with the staff. Administrative staff could be dismissed and overruled only by a two-thirds vote of the commission.

VI Technical recommendations

Even though there were several charges of vote-rigging in a few areas, it appeared that overall, the Thai election was administered fairly. Polling station officials seemed to have adequate training and the counting process went fairly smoothly. However, the following are a few recommendations for improvement:

- ☒ The polls should be opened longer (7 hours is too short); People who have to go to the countryside to vote in their home constituencies as well as people who may have to work on election day may find it difficult to cast their ballots using the present narrow window of voting times.
- ☒ There are accessibility problems for the sick and elderly (there is no provision for early voting or voting at homes/hospitals);
- ☒ Voter registration is a problem for people who come to Bangkok to work (particularly young voters).
- ☒ A method should be developed which would eliminate duplicated names on voter lists;
- ☒ Unused ballots should be kept more secure. Because many of the contests are very close and because of allegations of vote rigging, it would be appropriate to keep the ballots secure to establish a chain of custody; count the unused ballots at each polling station and view each one to make sure they were not pre-marked;
- ☒ Training manuals should be given to everyone (not just the supervisor of the polling station). This would allow all polling station workers the ability to have a better understanding of the laws and procedures so that they may challenge them if not being followed by the supervisor or others.
- ☒ Monetary incentives such as prizes given to entice people to go to the polls and vote should not be allowed.
- ☒ There should be a provision in the law allowing for domestic and international observers.

VII. Recommendations and prospects for future assistance by IFES

The International Foundation for Election Systems has the capability to provide much of the assistance and expert advice that is needed to help the Kingdom of Thailand develop and implement electoral reforms.

The 99-member Constitutional Reform Commission has just eight months to complete its work. The new Prime Minister, Chavalit Yongchaiyudh, has made a pledge to call for new Parliamentary

elections in 1998. Therefore, significant electoral activity will transpire in Thailand in the next 24 months. IFES can play a role in providing technical long-term assistance to the Constitutional Reform Commission, to the Parliament, and to the new election commission. In addition, voter education could be a key element of any assistance given so that the electorate can be fully informed of the changes made by the various entities and, most importantly, can be encouraged to avoid any vote buying schemes.

There appears to be support for an IFES role in providing technical assistance to Thai officials as they formulate proposals for electoral reform. Clearly the U.S. Embassy notably Barbara Tobias, the political officer, and Pollwatch officials such as Dr. Gotham would strongly support such assistance. The Director-General of Elections, Mr. Veravit, also expressed an interest in IFES assistance but also indicated that higher officials at the Ministry of Interior would have to be consulted. Many of the higher-level civil servants of the Interior Ministry seem supportive of international advice and assistance.

- A. *Technical Assistance.* IFES could provide an on-site technical advisor who could work with the Constitutional Reform Commission. Such an advisor could provide legal suggestions, comparative analysis and be an information resource. IFES could also provide support to officials from the Ministry of Interior who will be providing administrative support to the commission.
- B. *Civic Education.* IFES could work with the Director of Elections for local administration and/or the Director of Political Party development to address the issue of vote-buying from a long-term perspective. IFES could suggest a plan to educate Thai citizens and political parties regarding the negative impact of vote-buying to discourage its use.

VIII. Suggestions for IFES Scope of Work

IFES proposes to provide hands-on technical advice to the government, Parliament, and constitutional reform commission in the development and enactment of the new laws on local and national elections. In addition, IFES can disseminate the draft laws to political parties, NGOs and other interest groups to insure public comment and debate.

- A. *Governmental and legislative assistance.* Using international election law experts, technical advisors, and information from the IFES election resource center, IFES could work with the Thai government, Parliament, and constitutional reform commission in the development and enactment of new election laws. Such assistance would provide crucial information which would:
 - ✓ determine if the proposal meets the goals of the commission/parliament;

- ✓ determine if the proposal meets international standards, and, if it does not, point out the deficiencies and make recommendations for improvements;
- ✓ ascertain whether conflicting language exists;
- ✓ provide suggestions on how to clarify confusing elements of the proposal; and
- ✓ make available language and alternatives from election laws of other democracies.

IX. Attendance at the Manila Symposium

During discussions with Thai officials, information was distributed regarding the IFES-sponsored *Symposium on Asian Elections in the Twenty-First Century* in Manila in January, 1997. Officials involved in elections from Pollwatch and the Ministry of Interior expressed a strong interest in attending the conference. Most had not been to a conference where regional election officials were present. The Asia Foundation assisted in facilitating the exchange of regional information by sponsoring the attendance of two individuals involved in the Constitutional Reform process.

Due to scheduling conflicts, officials from the Ministry of Interior were unable to attend, but the following individuals did participate in the event:

- 1) Ms. Laddawan Tantivitayapitak, Assistant Secretary General, Pollwatch. In addition to her role with Pollwatch, Ms. Laddawan is a Member of the Subcommittee on Public Hearing and Public Relations of the Constitution Drafting Assembly.
- 2) Mr. Charas Ngasaman, Member of the Constitution Drafting Assembly.
- 3) Ms. Supatra Masdit, President of the Creative Media Foundation; Member of the House of Representatives; and former convener of the 4th World Conference on Women. Ms. Masdit is a working committee member of the National Election Commission legislation.

The Symposium offered the forum for the exchange of information and ideas about election administration among regional officials. Participants from around the region included election officials and specialists, academics and domestic monitors, from Mongolia, Cambodia, Sri Lanka, Nepal, Thailand, Indonesia, Hong Kong, Taiwan, India, Macau, Indonesia, Japan, Malaysia, Bangladesh, Australia, Kazakstan, and Russia. The program included discussions about campaign finance reform, election equipment modernization, conducting non-partisan civic education campaigns, electoral and Constitutional reform, using national surveys to gauge the electorate's attitudes as well as many other topics.

On the final day of the conference, participants unanimously passed a set of resolutions expressing the invaluable opportunity the event provided in exchanging information and fellowship with colleagues who work in the field of democratic elections. In addition, recognizing the proposed *Association of Asian Election Officials* would provide a unique opportunity for the continued exchange of information and ideas about election administration, participants resolved that a regional association be formed and that IFES form a working group to prepare a plan to charter such an organization. The working group was asked to report their recommendations to all participants within ninety days of the conclusion of the conference.

*International Foundation for Election Systems
Election Observation Mission
November, 1996*

APPENDIX A

Sources of information for this report

*International Foundation for Election Systems
Election Observation Mission
November, 1996*

Sources of information for this report

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Sources for this report: Page two

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Publications/documents

The Constitution and Laws of the Kingdom of Thailand

The Bangkok Post newspaper

Encarta '96 encyclopedia

Bangkok MATICHON newspaper

Asiaweek publication

Far Eastern Economic Review

*International Foundation for Election Systems
Election Observation Mission
November, 1996*

APPENDIX B

Description of the Thai election process



ELECTION SYSTEM IN THAILAND

DIVISION OF ELECTION

DEPARTMENT OF LOCAL ADMINISTRATION

Part I - Thailand's election system.

The election of MPs is a direct form of election using secret ballots. Under an article 109 of the constitution, all qualified Thai citizens with a Thai national being 18 years old as of January 1st of the election year and being listed in the House Registration of any constituency are eligible to vote.

The election is carried out by voting method which the voter marks an x in the space provided corresponding to the number of the candidate the voter wishes to choose in the ballot. The number of x mark can be as many as the number of MPs allowed for that constituency.

The voting in Thailand is carried out by voting for listed individual candidates in divided constituencies basis. The concept of "divided constituencies" derived from Article 106 of the Constitution which stipulates that any province having MPs not more than 3, that province is considered as one constituency. However, if the number of MPs exceeds 3, divided constituencies rule is applied. But if the number of MPs is 4 it would have to be divided into two constituencies having 2 MPs for each constituency. In the last election, there are altogether 155 constituencies in 76 provinces with 25 provinces having not more than 3 MPs.

As for the "listed individual candidates" it means that the voters can select the candidate either individually or as a team but not more than the allowed number of MPs for that constituency.

Other election procedures shall be as stipulated in the Election Act but for the last two election, the government has approved a setting up of an independent organization called the PollWatch Commission to observe and ensure fairness. This is considered as the first time ever in the election history since the year 1993.

The average of people turnout for the poll.

In the 1988 election there were about 26 million eligible Voters with the voter turnout of about 63 per cent which was considered to be quite high when compared to the previous election.

For the last election (July 2, 1995), there were about 37 million eligible voters. However, the Ministry of Interior did not emphasize on high voter turnout as in the past election since such emphasis would encourage the district authority to move the names of migratory workers from the list of eligible voters to a central domicile to achieve high voter turnout. We instead emphasized on invalid ballot of not more than 3 per cent which indicate the quality of election administration of authorities at all levels. Although we did not emphasize on high voter turnout, we had taken steps to attract more people to cast their votes.

The first step was to extend the number of election units from about fifty nine thousand (59,018) to sixty-one thousand (61,373) nationwide. This in effect, mean the rural people could come to the polling unit at a nearer location.

The other step was public relation campaign which had been launched through all kinds of mass media nationwide to get the message across.

problem concerning election administration

The problems are as follows:

1. It is low voter turn out since eligible voters migrates from their native villages to work elsewhere.
2. In some area eligible voters are ethnic minority such as hilltribe people in the north. These minority groups can not understand the Thai language which reduce an efficiency of communication and public relation.
3. Communication equipment is insufficient which cause the delay in reporting the result of ballot counting from polling units to district election center.

Part 2 - Key features of the Thai Constitution and election law.

- The current total number of members of parliament (MPs) is definitely set for 391

Determining Constituency

1. Province with no more than 3 MPs in considered as 1 constituency
2. Province with more than 3 MPs is to be drawn into different constituencies, in each of which the number of MPs must be between 2 - 3 persons.

Voting Procedures.

1. The voting at the election shall be by direct and secret ballot.
2. Voter can cast a ballot for MPs as high as the numbers available in his constituency.

Qualifications of Voter

1. Thai nationality, for those who are naturalized citizen must hold Thai nationality for no less than 10 years.
2. Must be of or over the age of 18 years on January 1st of the election year.
3. Must be listed in the census registration document in the constituency.

Qualifications to be forbidden for candidacy

1. Drug addicts
2. Bankruptcy
3. Disqualified persons for voting
4. Deaf and dumb persons
5. Having been sentenced for imprisonment or imprisoned by court decision

Qualification barred from being candidates

- 1) Drug addicts
- 2) Bankrupt

- 3) Categories of persons barred from voting
- 4) Deaf and dumb
- 5) Serving a prison sentence of being imprisoned by court order
- 6) Serves a prison sentence of two (or more) years within the last 5 years (except the case of unintended falsification)
- 7) Been terminated from employment of gov't or public enterprise
- 8) Being sentenced by court for unusual rich and assets being seized
- 9) Being government officials, employees of public enterprise or local government
- 10) Being discharged from the house of Representative or senate membership
- 11) Being discharged from the house of representative membership by order of constitutional tribune, due to vote-buying allegation

Characteristics barred from voting

1. unsound mind (mental sickness)
2. buddhist monk
3. being imprisoned
4. barred from voting by a court of law

Qualifications for candidates

1. at least 25 years old on the election day
2. Thai Nationality by birth
3. if naturalized, must possess qualifications prescribed by election act (education background)
4. members of political party fielding at least 120 candidates and fielding full team in that constituency and
5. Having one of the following qualifications:
 - a). listed in the house registration of that constituency before election day

b) ever served as member of provincial or municipal assembly of that province

c) born in that province

d) study in that province for at least 2 consecutive years

Authority of the Governor

1. Declare electoral district of each district
2. Registration of candidates
3. Announce the election results
4. Issue certificate for successful candidates
5. Receive declaration of expenses by candidates.
6. Enforcing the electoral law

Duties of Ministry of Interior

1. Declare number of MPs, constituencies and boundary of a constituency
2. Supervising and assisting provincial authorities to organize the election efficiently and fairly
3. Provision of budget and equipment

Authority of District Officer

1. Declare polling unit
2. Declare list of eligible voters
3. Appoint officials in charge of polling unit
4. Enforce electoral law
5. submit report to province and Moi

Prohibitions on campaign

1. Campaign fund should not exceed 1 million bath.
2. Cannot campaign on illegal issue.

General Prohibitions

1. Campaign for candidate from 6 PM. the day before election day
end of election day
2. Selling or distributing of alcohol from 6 Pm of the day before
election
3. Provision of vehicle to and from polling unit for the benefit
any candidate
4. Accept money or property in exchange for voting or refrain
m voting any one

POLLWATCH 3

AN INTRODUCTION

June 1995

1) Rationale

To make an election fair and honest, there should be a movement of volunteers consisting of democracy-concerned people who work independently and neutrally with financial supports and various cooperation from the government.

2) Background

The Prime Minister Office issued an order appointing a committee to monitor each of the general election on 22 March and 13 September 1992. The two committee were called POLLWATCH 1 and POLLWATCH 2 respectively.

When there was a Royal Decree to dissolve the parliament in May 1995, the Prime Minister Office again issued an order 74/1995 to appoint another election monitoring committee on 27 May 1995.

3) Objectives

1. To promote and monitor the general election, making it fair and honest.
2. To encourage the people to protect the democratic system.

4) Pollwatch Committee

Pollwatch Committee consists of 41 members with Prof.Dr.Kasem Suwannakul as the Chairperson, General Saiyud Kerdphol, Khunying Ambhon Meesuk, Mr. Anek Sitthiprasart and Mr.sak Korsaengrueng as Vice Chairperson. It also has 12 representatives from the regions and experts from various professionals as the members.

5) Organisational Structure

Poolwatch divides its structure into two main parts according to their function: The central and regional committee which act as supporting units, and the provincial, election zone and district committee which act as operational units.

At regional level, there are 12 committee, including one for Bangkok.

There are 155 operational units under responsibility of the provincial and election zone Pollwatch committee.

Pollwatch staff consist of full-time office staff, 3,500 volunteer coordinators and 50,000 Pollwatch volunteers.

6) Slogan

THE PEOPLE HAVE RIGHTS, VOICES AND PARTICIPATION.

AND POLLWATCH HAS A DUTY TO HELP MAKE IT

CONVENIENT FOR THE PEOPLE TO USE THEIR RIGHTS

FAIR FOR THE PEOPLE TO EXPRESS THEIR VOICES

AND HELP THE PEOPLE PARTICIPATE IN THE PROCESS TO CREATE HONESTY AND DEMOCRACY.

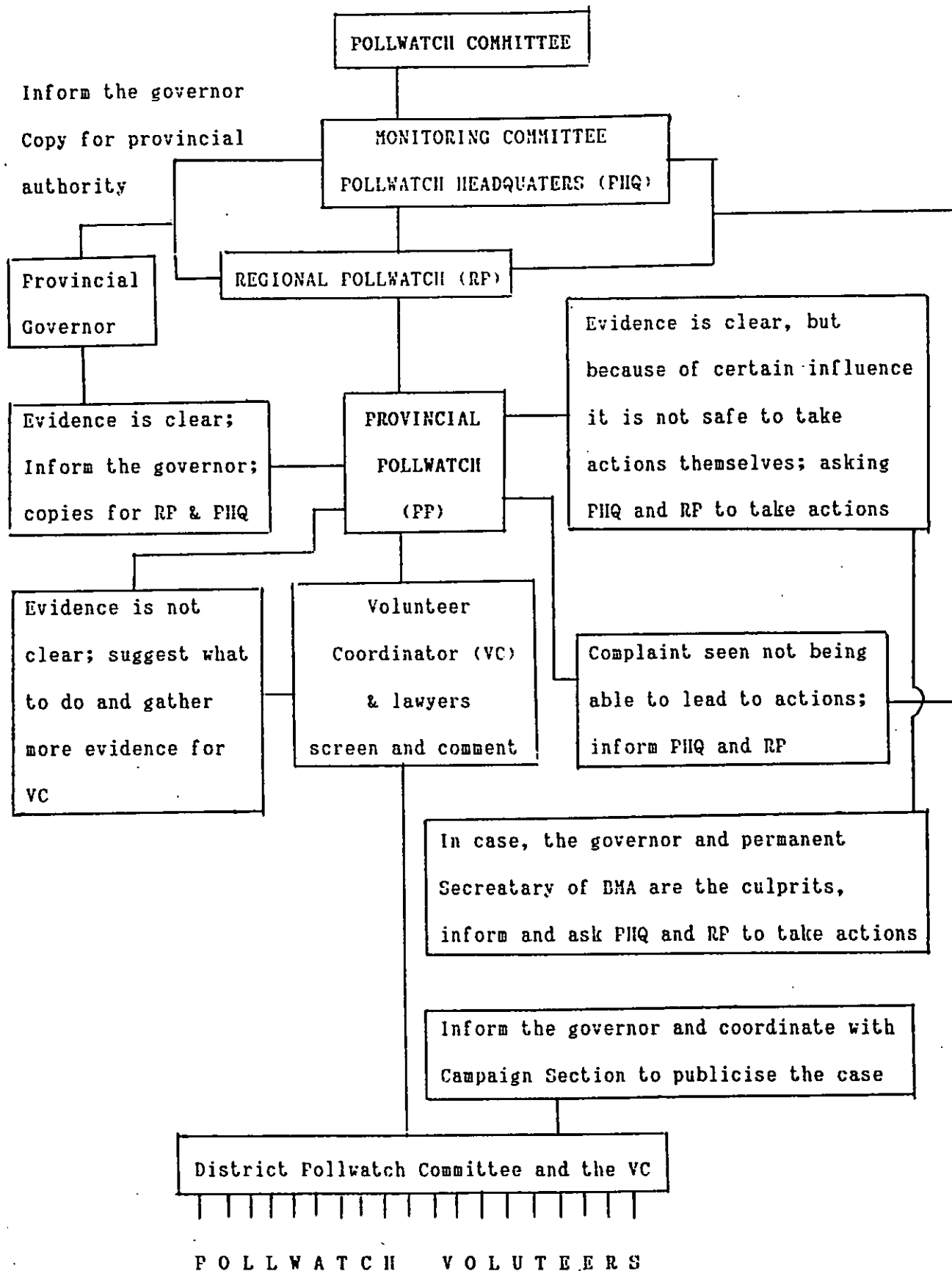
7) Goals

1. People help in democracy education by asking the candidates to make speech during their rally and the people participate in expressing their views through democratic forum in all districts and may be also at sub-district level.

2. People help observe voting behaviours according to instruction in the leaflet, "The Ten Commandments", of which 1,000,000 copies are printed. The people can report results of their observation by filling questionnaire in the leaflet, tearing it out and sending it back to Pollwatch.

3. People help report misconducts in the election by making personal report, maling, telephone call/fax or using service of the mobile complaint receiving units of which about 5,000 units are set up.

Complaint Receiving Procedure Chart



Monitor and receive complaint from others or face the misconduct themselves

16. How much do you think Pollwatch help
prevent violation of election law in
this election ?

☐ Very much

☐ Moderately

☐ Little

17. Are the allowances you receive for
your work is appropriate ?

☐ Very much

☐ Just appropriate

☐ Too little

18. How much do you feel that you perform
the task of volunteer as you wished ?

☐ More than you wish

☐ As much as you wish

☐ Less than you wish

19. Will you join Pollwatch again in the
next election ?

☐ Yes

☐ Not sure

☐ No

POLLWATCH WOULD LIKE TO EXPRESS OUR GRATITUDE TO ALL VOLUNTEERS.

4. People help inform election behaviours by responding to interviews by the volunteers according to a questionnaire of which 1,000,000 copies are printed.

5. People help protect their rights by checking whether or not their names are on the list of eligible voters before 24 June 1995 and at least 65 per cent of the people who were born before 3 January 1977 go to vote.

8) Activities

Campaign and Dissemination

1. Produce media (posters, leaflets, banners, cut-out, audio cassettes)
2. Organise mobile public relations units.
3. Organise democracy forum in all districts and some sub-districts.
4. Organise other activities as seen appropriate, such as walks in public places.
5. Seek cooperation from various agencies/organisations, such as women development network, primary health care network, private business organisations, and non-governmental organisations (NGOs), for example, to help campaign on the election.
6. Other activities.

Educational Promotion

1. Provide services to check the lists of eligible voters:
40 household per 1 Pollwatch volunteer.
2. Interview the eligible voters, using the questionnaire, to collect information about election behaviours: 20 people per 1 Pollwatch volunteer.
3. Pollwatch volunteers persuade the people who were born before 3 January 1977 to use their rights casting the vote.

Complaint Reception

1. Receive complaints at the provincial and election zone Pollwatch offices.

2. Organise mobile complaint receiving units together with the police consisting of 3-4 police officers and 1-2 Pollwatch personnels in a unit. There are two units in a district which would be in operation 5-7 days before the election.

Monitoring

1. Observe election campaign and report situations related to the election (using Pollwatch Volunteer Form No.1).
2. Observe the election in the polling stations on 2 uly 1995 and report this observation (using Pollwatch Volunteer Form No.2).

9) Important Schedule

| <u>Activity</u> | <u>Before</u> |
|---|---------------|
| 1. Recruit and train volunteer coordinators | 10-06-95 |
| 2. Recruit and train volunteers | 18-06-95 |
| 3. Volunteer coordinators request the lists of eligible voters from the district offices | 15-06-95 |
| 4. Volunteer coordinators submit names of the volunteers to the district chiefs, asking permission for the volunteers to enter polling stations | 26-06-95 |
| 5. Volunteer coordinators receive permits from the district chiefs and distribute them to the volunteers | 28-06-95 |

The volunteer coordinators function from the day they are trained until the day after the election, totalling 4 weeks.

The volunteers function in each area from the day they are trained for the first time, totalling 4 days.

10) Contact Address

Dan Manangkasila. Larnluang Road

Tel: 218-0396, 01-356-3987; Tel/Fax: 218-0622, 280-5385-6

POLLWATCH VOLUNTEER FORM NO.1

FORM FOR REPORTING ELECTION SITUATION

Province.....

No. S

No.

Date

Keying person

Type of Incidence

Evidence

1. Report from () volunteer () volunteer coordinator Name

2. Place of Incidence House number or place name

Village name Village No. Sub-district

District..... Election zone No. Province

3. Date and time of the incidence Date Month Time

I wish to report the following situation concerning the election to Pollwatch.

(Please use one form per one incidence.)

4. Details about persons or organisations:

() Political party Name

() Candidate 1. Name 2. Name

() Canvasser 1. Name 2. Name

() Civil servant 1. Title Name

2. Title Name

() Pollwatch staff Name

District Province

() Other persons

5. Details of the incidence

6. Details of evidence, materials, documents, leaflets, posters or photo

Date of reporting .. Month 19.. Reporter signature.....

(For volunteer coordinator only) From the above report of election
situation, I have taken the following actions:

- () in the stage of investigating for additional factual information
- () informing government official Title
- Name Date ... Month 19...
- () informing the Provincial Pollwatch Date ... Month 19...

Records of follow-up

1. Date / / 2. Date / / 3. Date / /
Name.....Title..... Name.....Title..... Name.....Title.....

POLLWATCH VOLUNTEER FORM NO.2

FORM FOR REPORTING OBSERVATION MADE ON THE ELECTION DAY

1. Name of the Reporter Surname

() Volunteer () Volunteer Coordinator Polling Station No.

Village No. Sub-District District

Election Zone No. Province

2. Before voting Yes No Unknown

2.1 Polling station has no posters in favour or against
any candidates. () () ()

2.2 The amount of ballots is checked before voting is
allowed. () () ()

2.3 The ballot box is checked that it is empty. () () ()

2.4 The vote counting committee sign to approve that
everything is alright. () () ()

2.5 Some other interesting details or incidents:
.....

3. During voting

3.1 Each voter's identity card is checked. () ()times

3.2 The committee read name and address of each voter
out loudly. () ()times

3.3 Having representatives of political parties as
members of the vote counting committee. () ()

3.4 Rally takes place near to the polling station. ()times

3.5 Canvassers try to win voters in front of the
polling station. ()times

3.6 Voters are disturbed, intimidated or threatened. ()times

3.7 People are taken, brought to vote. ()times

3.8 Someone raise the point that a voter has no name ()times
in the list of eligible voters.

3.9 Problems of the committee of this polling station are

3.10 Other interesting details or incidents:
.....

4. After voting

4.1 Ballot box is closed at 15.00 pm. exactly. () ()

4.2 Time spent for counting the votes is normal. () ()

4.3 Vote counting is transparent in front of the voters. () ()

4.4 The committee read, check and count the votes () ()
correctly

4.5 Decision made to consider a ballot as void is done () ()
fairly and honestly.

4.6 The ballot box is turned up-side-down when all () ()
ballots are taken out from the ballot box.

4.7 Vote counting shows sign of fraud:
.....

POLLWATCH VOLUNTEER FORM NO.4

FORM FOR REPORTING RESULTS OF VOTE COUNTING

Number of eligible voters persons

Number of people casting their vote persons

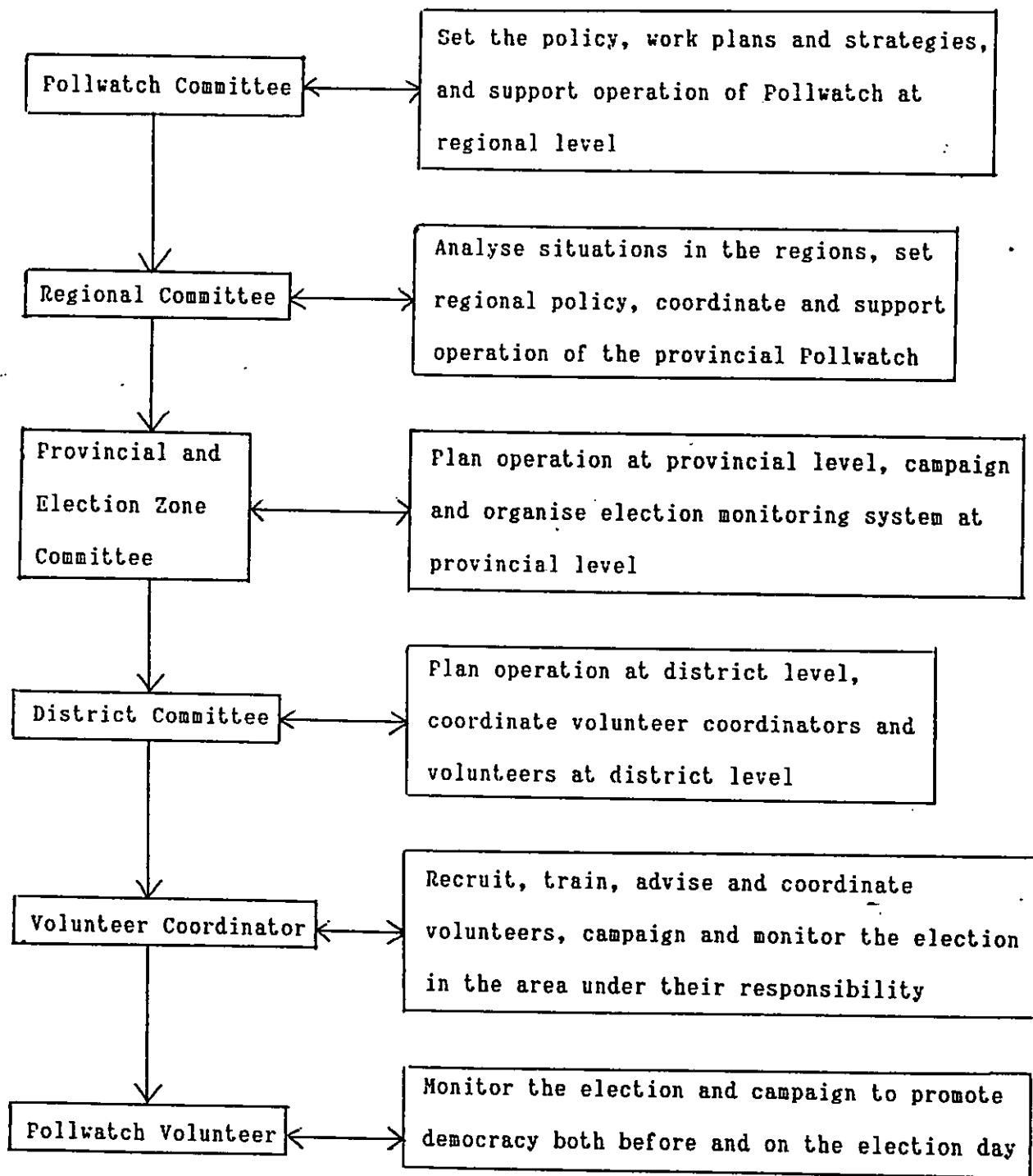
Good ballots Bad ballots Abstain ballots

| No. | Name of Candidate | Party | Votes |
|-----|-------------------|-------|-------|
| 1. | | | |
| 2. | | | |
| 3. | | | |

Signature of volunteer

Signature of volunteer coordinator.....

POLLWATCH OPERATIONAL CHART



FORM FOR SUMMARY OF THE QUESTIONNAIRE TO STUDY ELECTION BEHAVIOURS

POLLWATCH

Each volunteer is asked to sum up numbers of answers given by about :
20 eligible voters for each question.

Election Zone No. Province

Number of questionnaire used to make this summary questionnaire

| | Number | | Number |
|---|--------|--|--------|
| 1. Sex | | 4. Do you know election day? | |
| <input type="checkbox"/> Male | | <input type="checkbox"/> Yes | |
| <input type="checkbox"/> Female | | <input type="checkbox"/> No | |
| 2. Education | | 5. Do you know where is your polling station? | |
| <input type="checkbox"/> Without formal education or lower than primary education | | <input type="checkbox"/> Yes | |
| <input type="checkbox"/> Primary | | <input type="checkbox"/> No | |
| <input type="checkbox"/> Secondary/vocational education | | 6. Will you elect party or candidate? | |
| <input type="checkbox"/> Diploma / higher certificate | | <input type="checkbox"/> Party | |
| <input type="checkbox"/> Bachelor degree | | <input type="checkbox"/> Candidate | |
| <input type="checkbox"/> Postgraduate | | <input type="checkbox"/> Both | |
| 3. Occupation | | 7. What do you think about performance of MPs in your constituency in the past two years ? | |
| <input type="checkbox"/> Farmer | | <input type="checkbox"/> Satisfactory | |
| <input type="checkbox"/> Civil servant / state enterprise employee | | <input type="checkbox"/> Dissatisfactory | |
| <input type="checkbox"/> Private firm employee | | <input type="checkbox"/> Don not know | |
| <input type="checkbox"/> Private business | | | |
| <input type="checkbox"/> Workers / hire labourer | | | |
| <input type="checkbox"/> Other | | | |

- | | Number | | Number |
|--|--------|---|--------|
| 8. Candidates in your constituency in this election are: | | 12. Who show themselves as the canvassers in your village/ area (you can give more than one answer)? | |
| () Look good with quality | | () Teacher | |
| () Look bad, no quality | | () Village chief / Sub-district chief | |
| () Do not know | | () Village volunteer | |
| 9. Is there a woman candidate in your constituency? | | () Local administrative officials | |
| () Yes | | () No one / do not know | |
| () No | | 13. Are government officials, such as district chief, sub-district chief or village chief, non-partisan in this election? | |
| 10. Do you think that women can be better MPs than men? | | () Neutral | |
| () Better | | () Partisan | |
| () Not as good as men | | () Not sure / not know | |
| () Not sure | | 14. Did you see this incidence in the past month? | |
| 11. What are the roles of canvassers in your constituency (you can give more than one answer)? | | - Money distribution | |
| () Give advices and answer question about election | | () Yes () No | |
| () Distribute money/buy vote | | () Do not know | |
| () Use influence to prevent other people/parties to enter the area | | - Promise to give benefits | |
| () Introduce candidates and their policies | | () Yes () No | |
| () Do not know / no canvassers in the area | | () Do not know | |
| | | - Organise dinner party | |
| | | () Yes () No | |
| | | () Do not know | |

- | | Number | | Number |
|--|--------|----------------------------------|--------|
| - Use influence to intimidate | | 18. The reason you use to elect | |
| () Yes () No | | a candidate in this election | |
| () Do not know | | is (you can give more than | |
| - Rally of the candidates | | one answer): | |
| () Yes () No | | () know the candidate | |
| () Do not know | | () admiration after listening | |
| 15. If there is vote buying/selling in | | to his/her speech | |
| the area, what is the payment? | | () your relatives told | |
| () 20 Baht or lower | | you to do so | |
| () 21-50 Baht | | () sub-district chief/ | |
| () 51-100 Baht | | village chief tell | |
| () 101-150 Baht | | you to do so | |
| () 151-200 Baht | | () canvassers tell you | |
| () More than 200 | | to do so | |
| 16. You see that vote buying/selling and | | () canvassers tell you | |
| distribution of things during the | | to do so and also give | |
| election is | | you money | |
| () normal | | 19. How much useful is Pollwatch | |
| () illegal | | in your opinion? | |
| 17. If a candidate or his/her canvassers | | () Very much | |
| come to distribute money to buy votes, | | () Moderately | |
| would you elect him/her? | | () Very little | |
| () Yes | | () Useless | |
| () No | | () No comment | |
| () Yes, if you like him/her | | | |

Note: Please fill the number summarised from all questionnaire in

POLLWATCH WOULD LIKE TO EXPRESS ITS GRATITUDE TO ALL POLLWATCH VOLUNTEERS FOR THEIR COOPERATION.

41

The Ten Commandment People's Manual for Election

2 JULY 1995

POLLWATCH

Duties

1. Form political groups to promote democracy, preventing coup d'etat.
2. Follow the election campaign, think and vote independently by yourself.
3. Check the list of eligible voters; if there are "ghosts" (someone else whom you do not know) in your house or some names are missing, you have make an objection (to the authority) at least 7 days before the election day.
4. Set up a group of people to keep watching the polling station, especially during vote counting.

Before the Election Day, Keep Watching to See Whether

5. Candidates - canvassers distribute money.
6. Candidates - canvassers organise dinner party or distribute things.
7. Government officials are bias in favour of, give assistances to or are canvassers for the candidates.

On the Election Day, Keep Watching to See Whether

8. Candidates - canvassers use vehicle to bring people to vote.
9. Someone vote more than once, using other people's identity cards - yellow cards (temporary identity cards) for voting.
10. The polling station committee is bias in favour of some candidates, incorrectly counting the votes or identifying invalid ballots.

ELECT GOOD PEOPLE TO THE PARLIAMENT, WHAT HAPPENED IN THE PAST IS A LESSON

*International Foundation for Election Systems
Election Observation Mission
November, 1996*

APPENDIX C

Constitutional Reform Commission process

CHART OF CONSTITUTION DRAFTING ASSEMBLY MEMBERS ELECTION PROCESS

I Section 211(6), Paragraph 2

Royal Decree setting application days
(Dec 9-13)

Submit application to Governor of
the province where the applicant:

- is a registered resident
- was born

- o If there are more than 10 applicants in any province, each applicant shall elect three among the applicants themselves by secret vote.
- o In case of a draw wherein the total number of applicants still exceeds 10, another voting shall be made only by those with equal votes.

II Sect. 211(6), Parag. 3

Within 5 days
(Dec 18)

The provincial governor forwards the
list of not more than 10 applicants
to the President of Parliament

III Sect. 211(6), Parag. 5,6

Within 10 days (Dec 28)

The President of Parliament shall

- (1) prepare lists of applicants by province,
- (2) put the names of applicants in alphabetical order,
- (3) schedule parliamentary meetings.

IV Sect. 211(8), Parag. 2

Parliament convenes and votes
by secret means

- (1) to elect one applicant per province,
- (2) to elect 23 persons from variety councils in compliance with Section 211(2)

- o In case of a draw, another voting shall be made only by those with equal votes.
- o In case of another draw, lots drawing shall be used.

V Sect. 211(8), last paragraph

The President of Parliament announces names
[of the elected persons] in the Government
Gazette.

VI

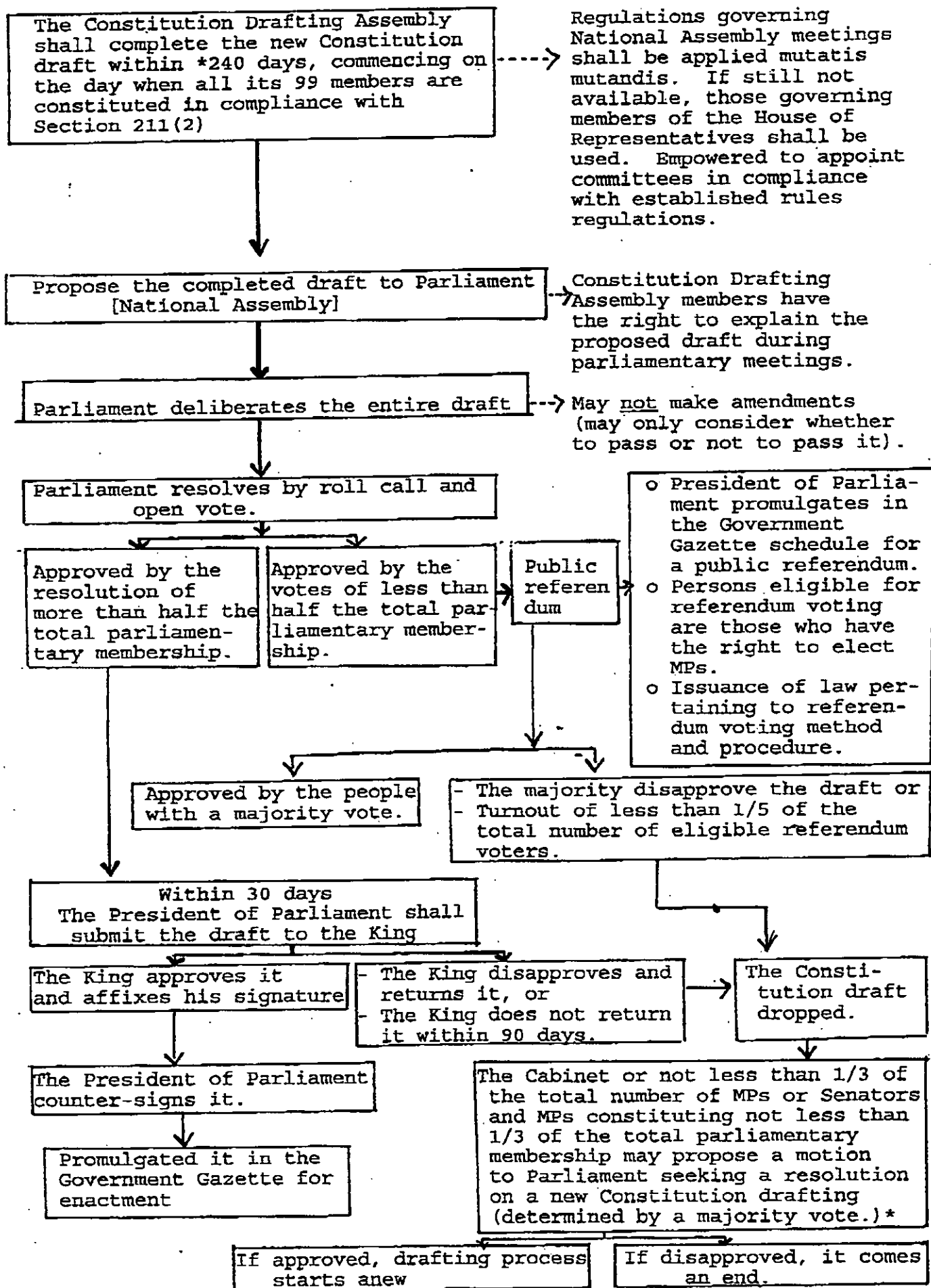
Constitution Drafting Assembly members elect
their Chairman and 1-2 Vice Chairmen from
assembly members for royal appointment to be
counter-signed by the President of Parliament.

Translated by Paisan/POL
11/14/96

look forward to continuing contact with you
Post-It brand fax transmittal memo 7671 # of pages 1

To Paul DeGregoria From Barbara Tobias
Co. Co.

NEW CONSTITUTION DRAFTING PROCESS



* Only one proposal is allowed unless there is a

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November, 1996*

APPENDIX D

List of documents sent with this report

*International Foundation for Election Systems
Election Observation Mission
Kingdom of Thailand
November 17, 1996*

List of some of the Documents Included with this report

- Instructions for Supervisors and Polling Stations Officials for the Nov. 17, 1996 Election
- Instructions for Candidates for the November 17, 1996 election
- Political Parties of Thailand: November 17, 1996 election
- Instructions for establishing and Registering a Political Party
- Instructions for Pollwatch Volunteers
- Instructions for Pollwatch Coordinators
- Voting Instructions for the 17 November Election
- Information, Statistics, and Results of the Election of Representatives 17 November 1996
- Report of the Pollwatch findings of the 22 March, 1992 election
- Report of the election results of the 22 March, 1992 election (Pollwatch) -
- Report of the 13 September 1992 election (Pollwatch)
- Report of the 2 July 1995 election (Pollwatch)

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Kingdom of Thailand
November 17, 1996*

Organizational Chart for the Division of Election of the Ministry of Interior

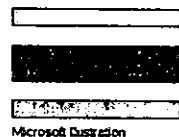
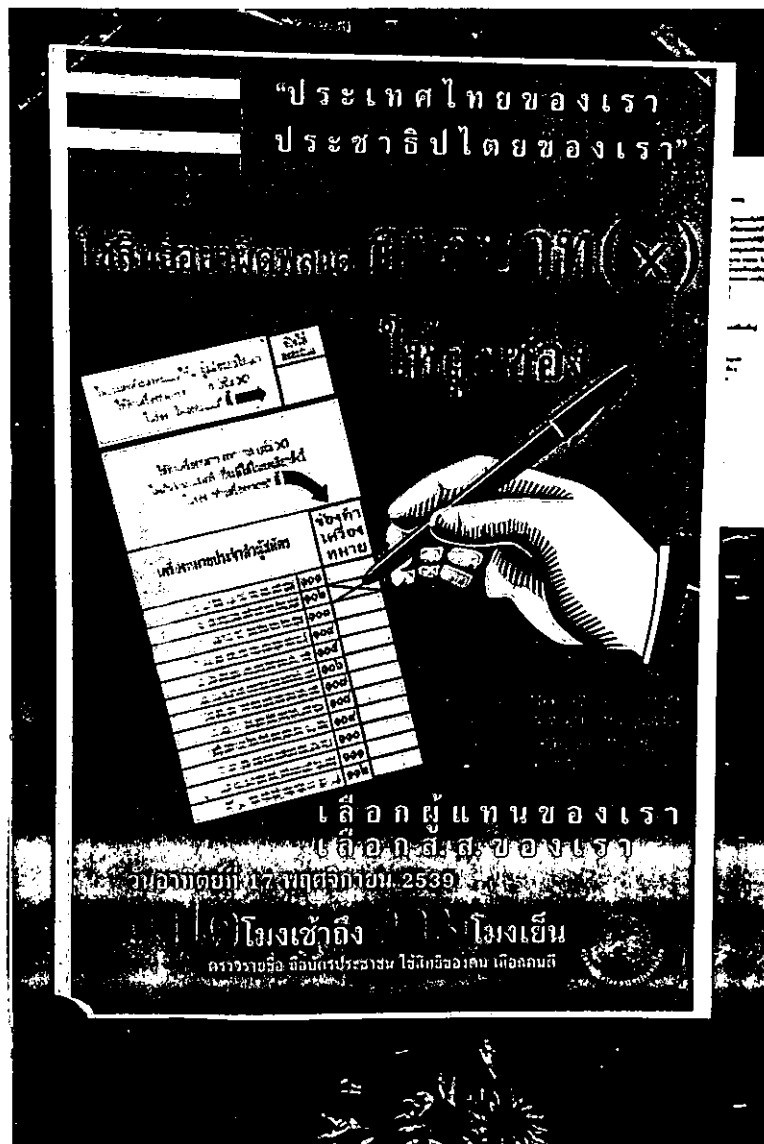
| | |
|------------------------------------|--|
| กองการเลือกตั้ง | Division of Election |
| ฝ่ายพัฒนาการเมืองการปกครอง | Subdivision of Politics and Government Development |
| งานส่งเสริมการเลือกตั้ง | Election Promotion Section |
| งานสถิติและรายงาน | Statistics and Reports Section |
| ฝ่ายอำนวยการเลือกตั้ง | Subdivision of Election Administration |
| งานอำนวยการเลือกตั้ง | Election Administration Section |
| ฝ่ายวิเคราะห์และรายงานการเลือกตั้ง | Subdivision of Election Analysis and Reports |
| งานวิเคราะห์และรายงานการเลือกตั้ง | Election Analysis and Reports Section |
| งานบริหารทั่วไป | General Administration Section |

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November, 1996*

APPENDIX E

Pictures of the voting process
in Thailand at the Parliamentary Election -
November 17, 1996

International Foundation for Election Systems
Election Observation Mission
Kingdom of Thailand
November 17, 1996



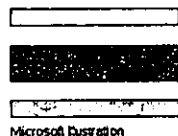
**"Our Thailand
Our Democracy"**

**When voting, make sure that
you mark "X" at the right number**

**Check the voter list, bring your I.D.
Use your own Rights, Vote for good people,**

**Election for New Representatives
Sunday, November 17, 1996**

International Foundation for Election Systems
Election Observation Mission
Kingdom of Thailand
November 17, 1996



**"Our Thailand
Our Democracy"**

**STOP BUYING AND
SELLING YOUR RIGHTS**

**Election for New Representatives
Voting for our New Parliament
Sunday, November 17, 1996
8.00-15.00**

International Foundation for Election Systems
Election Observation Mission
Kingdom of Thailand
November 17, 1996

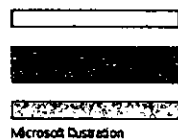
“ประเทศไทยของเรา
ประชาธิปไตยของเรา”



ผู้มีสิทธิเลือกตั้งในครั้งนี คือผู้ที่เกิดก่อนวันที่ 3 มกราคม 2521

วันอาทิตย์ที่ 17 พฤศจิกายน 2539 เวลา 08.00-15.00

หนึ่งเสียงของท่านใช้สิทธิ ช่วยสร้างชีวิตให้ประชาธิปไตยยืนยาว



**“Our Thailand
Our Democracy”**

Are you 18 years old?

Why don't we go vote together?

**The eligible to vote are those persons
born before January 3, 1978**

**Election for New Representatives
Sunday, November 17, 1996**

8.00-15.00

**One right, one vote
helps our democracy live longer**

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Kingdom of Thailand
November 17, 1996*



Banner shown outside the offices of "Pollwatch" in Bangkok

Selling your voting Rights is Selling your Nation and losing your Thai

November 17, 1996 Choosing good people to be our good government

☒ Central Organization, KumPhang Phet, City

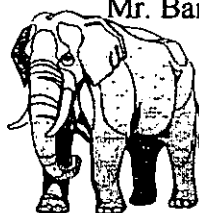
International Foundation for Election Systems
 Election Observation Mission
 Kingdom of Thailand
 November 17, 1996



"Elephant" Poster found throughout Bangkok before the election

November 17, 1996

Mr. Bangkok



Important Day
Important People

Vote for Good People



Instructions for Voting poster placed at every Polling Station in Thailand

Election Day for Representatives

Sunday, November 17, 1996

8.00-15.00

Directions for Voting

1. Check your name from the list posted at the nearest polling station. Then, check the name, look at the picture and remember the number of the candidates for whom you would like to vote.
2. Show your I.D. to the election official.
3. After receiving your ballot, go to the voting booth.
4. Mark the "X" next to the right number of candidates for whom you would like to vote.
5. Take the ballot back to the official to put in the election box.

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Kingdom of Thailand
November 17, 1996

เลือกตั้ง

คณะกรรมการเลือกตั้งจังหวัดพังงา

ด่วนที่สุด วันที่ 17 พฤศจิกายน 2539

ที่ พ ๐๐๑/๙๕

ถึง นายกรัฐมนตรี

1. ผู้ได้รับเลือกตั้งเป็นสมาชิกสภาผู้แทนราษฎร จังหวัดพังงา เขตเลือกตั้งที่ 1

จำนวน 1 คน คือ

นาย จูรินทร์ ลักษณวิศิษฐ์ ได้คะแนน 69,624 คะแนน

พรรค ประชาธิปัตย์

2. ผู้มีสิทธิเลือกตั้งจังหวัด 142,349 คน จำนวนใน

- ชาย 71,611 คน

- หญิง 70,738 คน

3. ผู้มาใช้สิทธิเลือกตั้งจังหวัด 81,470 คน คิดเป็นร้อยละ 57.23 จำนวนใน

- ชาย 40,382 คน

- หญิง 41,088 คน

4. ผู้มาใช้สิทธิไม่ประสงค์ลงคะแนนในเขตเลือกตั้ง 1,557 คน

5. บัตรเสีย 1,422 บัตร คิดเป็นร้อยละ 1.75

(นายจิรศักดิ์ พงษ์ชนะ)

ผู้ว่าราชการจังหวัดพังงา

Protocol from Phangna Province faxed to the Ministry of Interior on election night
Report Form of the Result of Elections

URGENT!

November 17, 1996

To: Permanent Secretary
Ministry of Interior

1. The person who is elected to be the representatives of Phangna city within the first district is Mr. Jurin Luckvisit from the Democratic Party. Total Votes 69,624.
2. The number of people who are eligible to vote in the city are 142,349 persons and can be divided into
Male : 71,611
Female: 70,738
1. Number of people who voted are 81,470 persons or 57.23% and can be divided into
Male : 40,382
Female : 41,088
1. Number of people who voted but did not vote for any representatives are 1,557 person.
2. Uncountable Voting tickets are 1,422 tickets or 1.75%

(signed)
Governor of Phangna City

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Kingdom of Thailand
November 17, 1996*



Posted background information of candidates for Parliament



Voters checking to see if their name appears on the registration list

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November 17, 1996*



Several polling stations set up under tents



Voter in wheelchair shows his identification to election officials

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November 17, 1996*



Set up of typical polling station

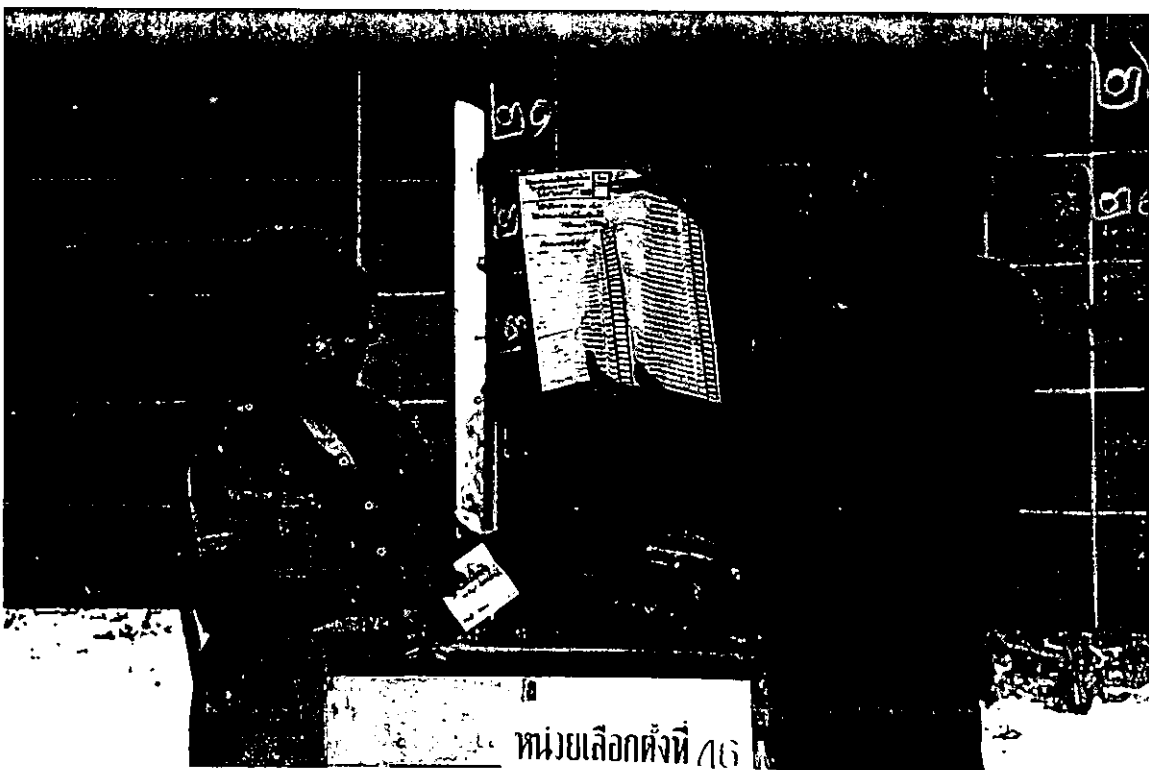


The last ballot of the day is placed in the ballot box

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November 17, 1996*

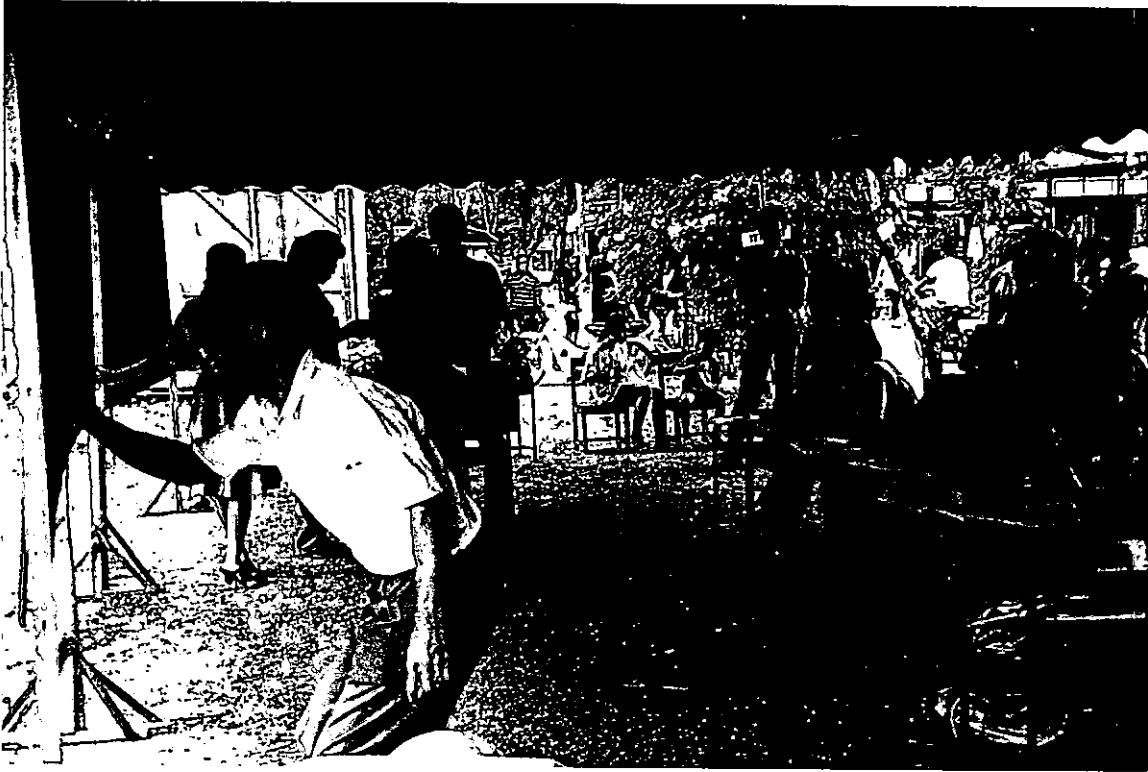


Unused ballots are stored in a plastic bag

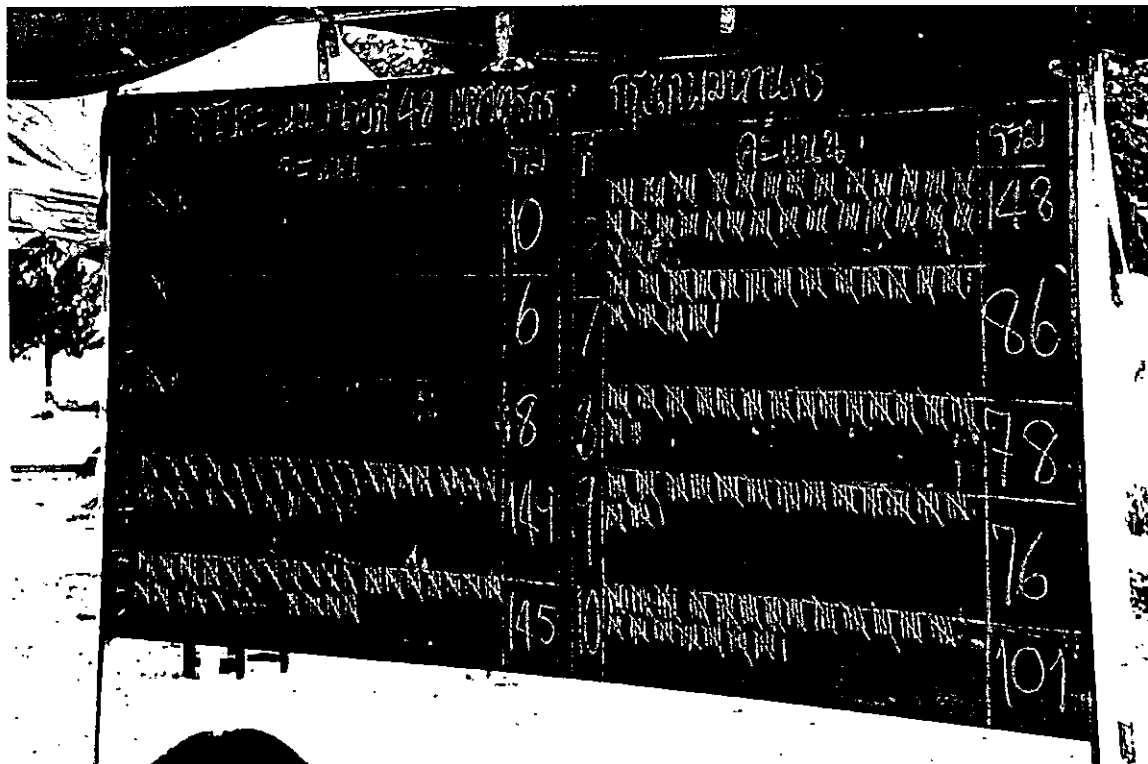


Polling station worker reads and announces a vote

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 Kingdom of Thailand
 November 17, 1996



Votes being tallied on board by election official



A look at the tally board from a polling place

ကျေးဇူးတင်အပ်မည်

ពាក្យប្រកាសនេះ ធ្វើឡើង ក្នុង ថ្ងៃ ពុធ ១៩ ខែ កញ្ញា ឆ្នាំ ២០០២
 ក្នុង ទីកន្លែង ភ្នំពេញ ។
 ព្រះរាជាណាចក្រកម្ពុជា ជាដើម ។

The image shows a document with a large grid table. The text is heavily distorted and appears to be in a non-Latin script, possibly Thai. A dark, irregular object, possibly a piece of clothing or a bag, is visible in the foreground, partially obscuring the bottom left corner of the document.

| English | Latin word | Number | Number |
|-------------------------|------------|------------|--------|
| university of Cambridge | 1 | university | 1000 |
| university of Oxford | 2 | university | 1000 |
| university of London | 3 | university | 1000 |
| university of York | 4 | university | 1000 |
| university of Glasgow | 5 | university | 1000 |
| university of Edinburgh | 6 | university | 1000 |
| university of Aberdeen | 7 | university | 1000 |
| university of Dundee | 8 | university | 1000 |
| university of Perth | 9 | university | 1000 |
| university of Stirling | 10 | university | 1000 |
| university of Glasgow | 11 | university | 1000 |
| university of Edinburgh | 12 | university | 1000 |
| university of Aberdeen | 13 | university | 1000 |
| university of Dundee | 14 | university | 1000 |
| university of Perth | 15 | university | 1000 |
| university of Stirling | 16 | university | 1000 |
| university of Glasgow | 17 | university | 1000 |
| university of Edinburgh | 18 | university | 1000 |
| university of Aberdeen | 19 | university | 1000 |
| university of Dundee | 20 | university | 1000 |

Left: Protocol from a polling station being readied
Right: Protocol being checked before being placed in ballot box

*International Foundation for Election Systems
Election Observation Mission
Kingdom of Thailand
November 17, 1996*



**Top: officials place materials in ballot box; Right: box is sealed
Left: vote ballots are counted and placed in plastic bag**

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Kingdom of Thailand
November 17, 1996*



Workers at Bangkok City Hall tally the results

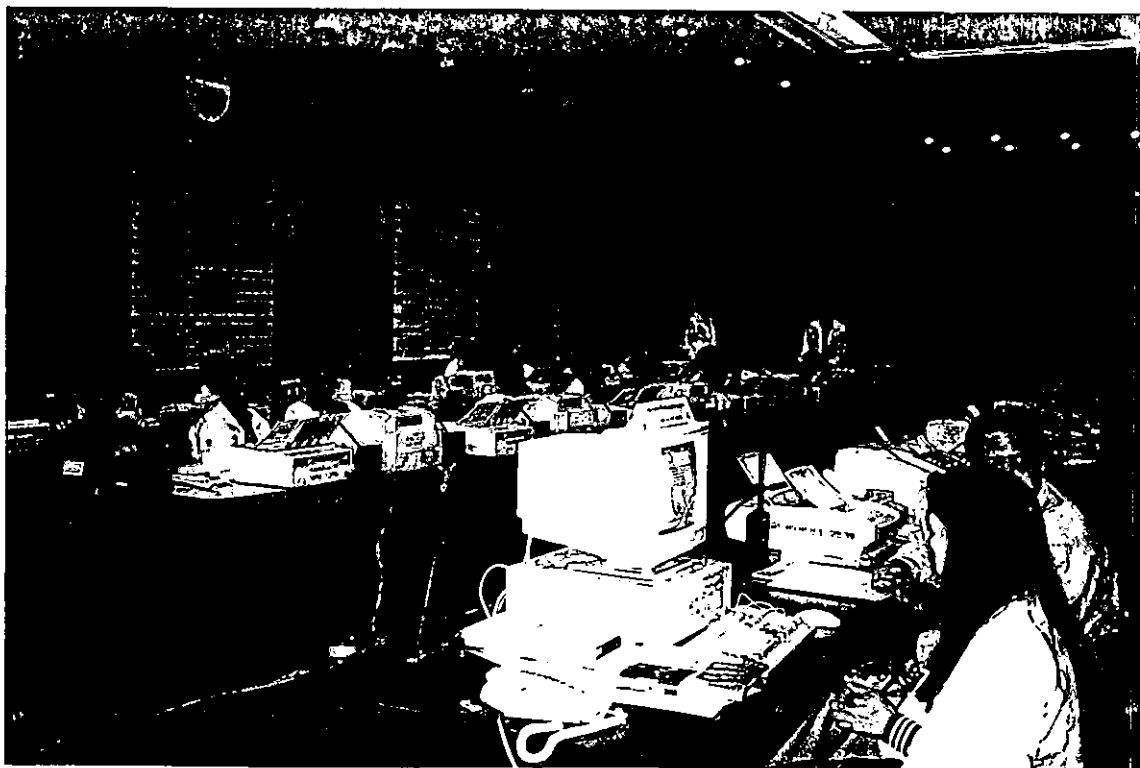


Bangkok citizens look at the results posted outside of city hall

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Kingdom of Thailand
November 17, 1996*



Thai citizens huddle around a television set to watch the results



Workers at the Ministry of Interior receive results from the provinces

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November 17, 1996*



A future Thai voter waits while her mother watches results being posted

International Foundation for Election Systems
Election Observation Mission
November, 1996

APPENDIX F

Newspaper Articles

International Foundation for Election Systems
Election Observation Mission
November, 1996

On the following pages are a few of the newspaper/magazine articles which appeared during the election period that may be of special interest to those reading this report. Other articles have been sent with this report but are not copied in this section.



Cleaning Up the Muck

Real political reform is a long way off

CHAVALIT OR CHUAN. WOULD it have made one iota of difference where political reform is concerned? Probably not. Money politics is as much a part of Thai society as smiling at your political foes. Few politicians would be crazy enough to derail the gravy train.

That hasn't stopped pols of all persuasions from calling for reform. Chavalit looked serious when he vowed to clean up the muck. Maybe Thaksin Shinawatra can make a difference. The billionaire quit his Palang Dharma party when it was at an all-time low so he could get serious about reform. Call it a cynical career move if you like.

Thaksin intends to stand for a seat in the Constitution Drafting Assembly in December. What will he do then? Perhaps it is better not to ask because, like most other politicians, Thaksin is short on details.

"Parties don't want political reform," says a scathing Weng Tojirakarn of the Confederation for Democracy. "They know power will drop from their hands into the hands of the people."

At the moment, the election commission is the best bet to ensure polls are free and fair. Trouble is, when it is finished watching polling stations, it reports to the PM's office and the Interior Ministry, not exactly bastions of impartiality.

Former PM Anand Panyarachun says reform should focus not just on vote-buying but on corruption because it can curb economic development. Anand pointed to the trial of former South Korean president Chun Doo Hwan as an example of what can be achieved with checks and balances.

Cynics say that only time will fix the problem. But there are ways to speed up the process. The election commission could be vested with the independence of the judiciary. Campaigns could be shortened to give pols less time to buy votes. Government contracts could be opened to public scrutiny. These take political will and for now that is in short supply.

-- Reported by Julian Gearing

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BANGKOK POST ONLINE

election 96**SPECIAL
SUPPLEMENT**Part of the Bangkok Post Internet
Edition**POLITICAL REFORM**

Toward a new constitution

Window-dressing looks better than what's on sale

By Supawadee Susanpoolthong

It has become fashionable for every political party to include political reform among its campaign promises. With the public demanding that politicians clean up their act, reform of the political system has never had as much across-the-board support as it has now.

But just how sincere and committed to reform are each of the parties contesting Sunday's election?

To answer that question, one has to go back and look at the path the issue has taken in the recent past.

The first sparks for political reform were ignited by a group of social critics and lawyers -- Dr Prawes Wasi, Chai-Anan Samudavanija, Amorn Chantarasomboon and Bavornsak Uwanno among them -- who were worried about where Thai politics was leading the country.

They called for reform of political institutions in order to bring capable and honest people into the system, since all the country had seen in the preceding decade was a succession of elected governments that were brought down by corruption allegations. The vicious circle of large-scale vote-buying and corrupt ministers who recoup their investment while in office even led to something most Thais thought would never return -- a military coup in 1991.

That ended in an even worse disaster with the bloodshed of Black May the following year. The sight of troops mowing down dozens of pro-democracy protesters showed democracy was a far lesser evil than military dictatorship. But people also knew that the existing Thai-style democracy, with its roots in money politics, would also bring the country down again, one way or another.

The cause of reform drew further impetus from political maverick Chalard Vorachat, who staged another hunger strike that forced the Chuan Leekpai government, through House Speaker Marut Bunnag, to set up a Democracy Development Committee chaired by Dr Prawes in Parliament.

That committee drafted a new charter and direction for political reform that was proposed to all political parties, including Mr Chuan's Democrats. But no parties paid any attention to it, and the proposal was shelved.

When the Democrat government was brought down because of the Sor Por Kor 4-01

land-reform scandal, political reform again became an election issue because of public demand.

Chart Thai leader Banharn Silpa-archa, who had campaigned on political reform, appointed his brother, Chumpol, to head the government's Political Reform Council after he became prime minister last year. But his proposals differed fundamentally from those of Dr Prawes.

It took a lot more prodding from academics, particularly Dr Chai-Anan who became chairman of the scrutiny committee, for Parliament to finally pass an amendment to Article 211, which calls for a charter-drafting committee without the participation of politicians. Days later, the House was dissolved and the politicians hit the campaign trail again.

Now that all parties are paying lip-service to political reform, what exactly are they proposing to do about it?

The Democrats have come around to backing the drafting of a new constitution, with an overhaul of the electoral system that would feature both direct election of MPs and proportional representation.

The party also wants an effective law to prevent vote-buying; open financing of political parties; indirect election of senators; and organisations to develop politics in the long run. These include an election commission, ombudsman, administrative court, a budget inspection body and one to scrutinise MPs and senators. These organisations would be independent agencies.

However, the Democrats' position is still unclear. They have not come up with a wholesale reform package, arguing that they need to wait for the charter-drafters to do its job first.

The New Aspiration Party assigned its executive, Pokin Polakul, to draft its political-reform policy, which was distributed to all candidates to sell during the campaign.

It wants a "one man, one vote" system, a single MP for each constituency, as well as proportional representation based on the ratio of votes each political party receives. It also wants an effective system to check holders of political posts. This would include asset declaration, an overhaul of the way national budget allocations are scrutinised, the appointment of an administrative court and a parliamentary ombudsman.

High on the NAP list is reform of local administrative bodies. The party promises to complete a master plan within three months of taking office, to strengthen tambon councils and give them their own revenue sources to run local affairs.

It also wants provincial administrations to coordinate with provincial governors, but the party has long been against direct election of governors.

NAP leader Gen Chavalit Yongchaiyudh has pledged that if he became prime minister, he would dissolve the House after 18 months so that the country could have fresh elections under the newly reformed constitution, which is supposed to be finished by then.

Chart Thai, which has suffered massive defections of MPs, has adopted political reform as its key policy. It stresses the passage of the Article 211 amendment as the main achievement of the party, but does not mention that the version that was passed was fundamentally different from the version it had proposed.

The party promises more distribution of power to the provinces, popular participation by the people, administrative and constitutional courts, an ombudsman to scrutinise politicians, and a reform of the country's political culture.

It also promises an election commission that is neutral and free from the influence of the Interior Ministry. This commission would take over all electoral matters, such as determining constituency boundaries. It would also be empowered to decide cases in which electoral dishonesty was alleged, without resorting to the court of law.

Chart Thai also agrees with proportional representation to allow capable people to serve in the cabinet without having to stand in an election. However, it does not agree with a total separation of the administrative and legislative branches. It still wants MPs to be eligible to serve as cabinet ministers.

As for Chart Pattana, which could emerge as the kingmaker after Sunday, its political-reform stand is vague at best. It argues that it has not discussed the issue because it does not know who will be drafting the new constitution and what they would recommend.

Thammasat University social science lecturer Thirayuth Boonmee, a keen political observer, summed up the situation this way:

The Democrats did not agree with political reform from the beginning, and were only able to satisfy public demand to a certain extent with the formation of the Democracy Development Committee under Dr Prawes. The Democrats believe that political reform must be led by politicians because they understand the problems facing the people better than academics, he said.

"If the Democrats form the government then they will undertake a 'soft' reform of the political system. It's like the situation after October 14, 1973, when society leaned toward socialism. The Democrats were also 'soft' socialists.

"As for New Aspiration whose leader is a sweet military strategist who likes to please other people, if it forms the government then it would be a superficial reform. The aim will be mainly to expand its support base in the tambon councils and among the village headmen, kamnans and local businesspeople."

Given the records of all the parties on the issue of political reform, Mr Thirayuth's predictions may prove, sadly, to be true.

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November 24, 1996



POLITICS

NAP stands by pledge to dissolve Parliament

Joint policy to be ready by Thursday

Amornrat Mahitirook

The New Aspiration Party will live by its promise to dissolve the House of Representatives after the new charter is introduced, says party adviser Pokin Polakul.

Even though coalition partner Chart Pattana says it never agreed to the plan, Mr Pokin stated that NAP will stand by its pledge.

During the election campaign NAP said it supported political reform and would not hold up the process, which should follow the introduction of Thailand's new constitution.

NAP leader Chavalit Yongchaiyudh promised if he was made prime minister to dissolve parliament to make way for another election held under rules set by the new charter, which should eliminate vote-buying and clean up electioneering.

It is thought that the drafting of the constitution and associated activities should take no more than two years.

A House dissolution means Gen Chavalit will not complete his four-year term as prime minister.

However, Mr Pokin said the six coalition parties would not detail exactly how the national administration would support the political reform process. Neither would they set the timeframe for its completion.

The policy would only state the general intention to push for political reform.

Mr Pokin said the six parties should be able to finalise a joint policy by Thursday, November 28. The draft would then be submitted to the coalition party leaders for consideration on November 30.

After this it would be distributed to all MPs to look at on December 7 before a government statement of intent was made on December 11.

Mr Pokin said representatives from each party had already made suggestions for the drafting of the constitution in eight main areas.

These were: politics and administration, the economy, national security, social affairs, education, science and the environment, the sharing of wealth with regional and rural areas, and the development of Bangkok and surrounding areas.

Chart Pattana deputy leader Prachuab Chaiyasarn said it was too early to discuss what the new government would do following the introduction of the new charter.

A coalition source said the Chavalit-led cabinet would be sworn in on December 1 and would consider the political reform policy at its first meeting on December 3.

>> News Perspective <<

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November 22, 1996



POLITICS

Chuan blames poll fraud for defeat

Backs call for setting up an election panel

The Democrat Party would have come out election victors if it had not been for extensive election fraud, party leader Chuan Leekpai claimed yesterday.

The 123-seat Democrats lost by a two-seat margin to New Aspiration, relegating the party to a second term in opposition.

Mr Chuan said election law violators should be punished, particularly those who had murdered canvassers and harassed candidates, to deter future poll corruption. He would not be seeking to overturn the election result.

The former premier said he did not blame the party's northeast election campaign manager Suthas Ngermuen for failing to seize more seats in New Aspiration's Northeast stronghold.

Mr Chuan also praised PollWatch for its election-monitoring efforts, although he was disheartened by the failure to bring poll law violators to justice.

But he said PollWatch only had the power to alert the authorities to wrongdoing. In turn the authorities often failed to act fearing a political backlash. Mr Chuan said it was up to the government to ensure clean elections.

As a result he supported calls for the establishment of an election committee to assist the Interior Ministry in overseeing election-related matters.

In looking at opposition colleagues Chart Thai, he said he could see little reason why the parties could not work

together. However, he acknowledged there were doubts about whether both parties could put past political animosity behind them to work together to monitor the expected New Aspiration-led government.

Mr Chuan said the opposition parties did not have to share a common stand on issues and each party had the right to remain neutral neither siding with the government nor the opposition.

The Democrats were meeting today to select which members were going to sit on the various House committees. The party would also nominate a House Speaker to contest New Aspiration's Wan Muhamad Nor Matha's nomination.



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BANGKOK POST

15 November 1996

Watchdog to spy on officials

Anchalee Kongrut

PollWatch plans to install video cameras at polling booths in 24 undisclosed provinces to record the activities of suspected officials on election day.

Deputy PollWatch chairman Sak Korsangrueng said the recordings will be used as evidence to press charges — with police or the Interior Ministry — against officials suspected of taking sides or whose conduct raises questions.

There have been reports of illegal lottery operators offering bids to buy votes in Lop Buri and PollWatch is watching for similar activities elsewhere, he said.

In Kamphaeng Phet province, brand-new 100-baht banknotes have been found stamped with the logo of a company, which Mr Sak said, is a major supporter of a political party.

Reports coming in from the province said voters possessing these banknotes stamped with the logo could cash them after the election for three times their value.

PollWatch has requested the Bank of Thailand to check the serial numbers of these bills.

He appealed to the public to help keep an eye on vote-buying or any election fraud and inform PollWatch at (02) 280-3960-4.

Mr Sak also warned voters to be aware of duplication of their registration papers.

Meanwhile, PollWatch announced yesterday 2,437 cases of suspected election law violations have been reported since October 22.



A herd of elephants in Umphang, Tak are to join a campaign to encourage people to vote.

Suthas to deal with election violations

Minister to face the law if Democrats win

Wut Nontarit
Ammat Charoen

Democrat Party deputy leader Suthas Ngermuen has vowed to take legal action against Education Minister Sukavich Rangsitpol and his deputy Chingchai Mongkholtham if his party leads the new government.

The Democrats' campaign director for the Northeast says New Aspiration Party members have violated electoral law in the run-up to Sunday's election.

"The rival party is using state power, influence and a lot of money," he said. "I learned that an unidentified group of 100 people entered Ubon Ratchathani province three days ago for some activities."

He said he would take legal action if he was assigned to oversee security and law enforcement under the Democrat-led government.

Mr Suthas said heavy vote-buying and the mobilising of many canvassers in the Northeast could be expected during three days running up to election day. He indicated key members of

NAP would be behind the move.

"A caretaker minister of the rival party has adopted a must-win attitude and has violated electoral law to win this election," Mr Suthas said, referring to NAP leader Chavalit Yongchaiyudh.

Despite such actions he believes the Democrats will form the core of a new government coalition. He estimates the party will win 135 seats: 50 in the South, 25 in Bangkok, and 60 in the North, Northeast and Central regions.

Mr Suthas hopes to form a coalition with former opposition parties. Talks with Chart Pattana Party deputy leader Prachuab Chaikasarn had been held.

He believes NAP will not win more than 60 seats in the Northeast and so would be unlikely to form the next administration. It would also fail to win one seat in Bangkok and was only likely to win one in the South.

"I believe the election will be like one 20 years ago when northeasterners voted for good candidates instead of hoping to make money out of voting," he said here yesterday.

As a result he estimates the Democrats will win at least 25 seats in the Northeast.

Reform failure 'could lead to violence'

Real political reform cannot be achieved just by amending Article 211 of the Constitution to pave the way for the writing of a new charter, the PollWatch chairman said yesterday.

Gen Saiyud Kerdphol said the failure to reform might make people come out in full force with an eruption of violence, and this could be followed by intervention by a certain force to put down the unrest.

Gen Saiyud said that although the amendment bill would allow public participation in the writing of a new charter, it would also open the way for political parties to participate in the task by sending their people to join the constitution drafting assembly.

Because the final decision to screen candidates to sit in the assembly rests with Parliament, he said, in the end there might not be any real people's representatives in the assembly.

He said another drawback to the amendment bill was that it tended to deprive the public of the right to take part in endorsing the new charter.

The Parliament, he said, had the authority to submit the new charter draft to His Majesty the King for his signature without the need to ask for approval in a referendum.

A referendum is held only when the Parliament is divided on the new charter in its entirety or parts of it, he said.

The PollWatch chairman called for speedy deliberation of a bill to set up an Election Commission, pointing out that the Government might not last long or Parliament might be dissolved before its term expires.

With the Election Commission in place, Gen Saiyud said he expected the next general election to be fairer with less vote-buying, which would result in better people getting elected.

Bangkok Post June 3, 1996

» Bangkok Post «



Prizes lure Bangkokians to exercise voting right

INCENTIVE prizes such as a Mercedes Benz 180C, diamond rings and watches encouraged a record number of Bangkokians to exercise their democratic right in the city governor election yesterday.

Some 43.53 percent of the 3,625,528-strong electorate cast their ballots in the city polls, surpassing the voter turnout in the 1991 city gubernatorial elections.

City Clerk Prasert Samalabha said he would like to thank all the Bangkok people, the media, and the government agencies concerned which helped make this election such a smooth and successful operation.

Mr Prasert, speaking at the crowded City Hall election centre, said the Bangkok Metropolitan Administration (BMA) was successful with its campaign to encourage a higher voter turnout.

Those who voted yesterday have a chance to win several awards such as a Mercedes Benz 180C, diamond rings, and watches from private agencies which supported the election promotion campaign.

The city clerk had himself walked to many places in Bangkok to meet the people and encourage them to vote.

He said yesterday he had also phoned the Jor Sor 100 traffic news radio station to ask motorists and Highways Department officials to clear travel routes for those returning from the long weekend outside Bangkok so they could vote in time.

Mr Prasert said the election was clean and fair, saying PollWatch, the Metropolitan Police Bureau, the Telephone Organisation of Thailand (TOT), and the Metropolitan Electricity Authority (MEA) had all played a role in increasing voter turnout.

He said the new Bangkok governor will meet high-ranking city officials today at City Hall to acknowledge the work of the BMA and exchange ideas over several important pending projects.

The city clerk said the first priority of the new governor is to prepare for the grand event on June 9 to celebrate the 50th anniversary of His Majesty the King's ascension to the throne.

Apart from the June 9 event, the new governor will also have to complete the royally-initiated Rama VIII Bridge project across the Chao Phraya River and the long-term flood-prevention project, said Mr Prasert.

He added that the Rama VIII Bridge project is in the bidding process and it needs the governor's decision.

Mr Prasert said the new governor would have to learn about the minor work of the BMA such as the

September 5, 1996



New electoral body legislation endorsed

- *Opposition protests, says bill lacks bite*

Supawadee Susanpulthong

The Lower House yesterday approved a bill seeking to appoint a new body to oversee elections despite opposition protest that it would be meaningless since it would still leave the power to organise elections with the Interior Ministry.

The bill provides for the parliament president, the prime minister and the opposition leader to appoint a nine-member election commission with approval from two-thirds of members of the Lower House.

The commission will have a term of six years. Its duty will be to draw up electoral constituencies and oversee elections at all levels.

It will also act as a plaintiff in filing lawsuits against violators and state officials who break the election law.

But key opposition members such as Nakhon Si Thammarat MP Chamni Sakdiset, Khon Kaen MP Somsak Khun-ngern and Bangkok MP Thawil Praisong disagreed with provisions of the bill, arguing the election commission will still be powerless and will not be any different from PollWatch.

Mr Thawil said the Constitution calls for an election commission with the power to oversee and organise elections in place of the Interior Ministry.

But the bill which was approved in its first reading yesterday still leaves the power to organise elections with the Interior Ministry, he said.

Mr Thawil said apart from drawing up electoral constituencies, the election commission must also have the power to draw up the eligible voters' list, appoint officials to organise elections, investigate officials who violate the election law, and invalidate results if dishonest practices were involved.

The commission must also have the power to accept complaints about wrongdoings and punish wrongdoers, he said.

The Interior Ministry's Election Division has failed to efficiently carry out its work; therefore its job should be taken over by the election commission which is more independent, he reasoned.

"The bill will be a waste if it is passed into law without improvements," Mr Chamni said.

The Lower House, in passing the bill yesterday, agreed to appoint a 27-man extraordinary committee to scrutinise the legislation before returning it to the Lower House for the second and third readings.

Mr Thawil, Mr Chamni, Prime Minister's Office Minister Pokin Polakul and Local Administration Department chief Chuwong Chayabutr were among those appointed to the committee.



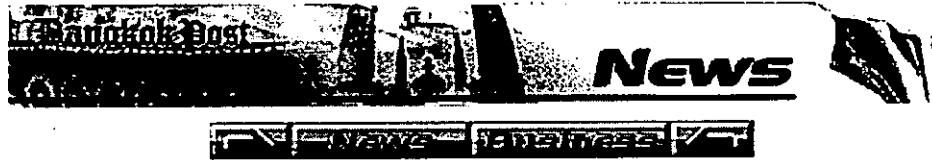
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August 3, 1996



COMMENTARY

Elections must be made fairer

MARUT BUNNAG

On April 13 this year, I commented on the commission to ensure fair elections as specified in Article 115 of the Constitution. The Cabinet on Tuesday July 16 approved the Bill, which is in line with the Interior Ministry's concept, in principle. Since the Bill to be deliberated in Parliament differs from the original proposed by the Political Reform Committee headed by Chumphol Silpa-archa, I feel the need to make further comment.

The original bill called for the setting up of an election commission independent of government bureaucracy or political parties. The commission was to have a term of six years and would be responsible for overseeing elections at all levels. Its duties would have included setting election dates, designating electoral zones and the number of representatives to be elected in each zone, approving the list of eligible voters and promoting democratic elections.

The commission would be empowered to supervise the operations of all election officials and to decide on the qualifications of candidates or political parties. It would also receive complaints involving election officials, control and check the election spending of political parties, candidates and other individuals, approve the election results and watch for violations of election laws.

The Interior Ministry would be required to propose the electoral zones to an advisory committee made up of representatives from relevant government agencies and political parties as well as academics. The final say would rest with the election commission.

However, the Interior Ministry objected to various points of the Bill, claiming it had the sole right to organise elections.

It also argued that the election watchdog should not get involved in local elections.

Following the objections, the Bill was returned to a Council of State panel which, coincidentally, included several senior interior officials. Sweeping changes were made.

The revised bill authorises the election commission to only oversee general elections. Its proposed other duties, such as setting the election dates and zones, preparing lists of eligible voters and announcing the election results, will remain with the Interior Ministry. In other words, the Council of State revised the Bill to suit the Interior Ministry.

I don't believe this revised bill will bring about free and fair elections. All the mistakes and fraud which have characterised other elections will be repeated.

I doubt whether the Interior Ministry and provincial governors can exercise fairness. There have been numerous complaints of unfair electoral zoning in the past. In some cases, areas known to be the political bases of candidates were divided and incorporated into other electoral zones, thus limiting the chances of candidates being elected.

The lists of eligible voters are always riddled with flaws due to negligence or direct fraud on the part of the officials preparing them. For instance, a small house able to accommodate four-five occupants at most is suddenly crammed with over 100 people. Or temporary ID cards are issued enabling ineligible people to cast ballots. With vote buying, entire election committees have been bought and some officials act as canvassers for candidates and parties.

We must ask ourselves why governors and other Interior Ministry staff have been unable to ensure fair elections. And the only answer is that they want to advance their careers and will not do anything that could offend a potential minister or MP.

Several good politicians are worried that there will never be fair elections while interior officials continue to supervise elections. The only solution is to place elections under the supervision of an independent election commission.



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Bangkok Post June 17, 1996

» Bangkok Post «

NEWS NEWS

Charter plan criticised by seminar

THE idea of having an elected assembly to draft a new constitution came under heavy criticism at a seminar held yesterday.

Chumphol Silpa-archa, president of the Political Reform Committee, said the idea, initiated by the Constitutional Amendments Extraordinary Committee headed by Chai-Anan Samudvanija, constituted a big step backward.

He said only a country which was just liberated and never had a constitution before would opt for an assembly to draw up the charter. Mr Chumphol accused the Chai-Anan committee of treating the country as if it was just liberated and was jubilant with the new-found freedom.

The role of the politicians in drafting the charter should not be overlooked, he said, adding that the Government's original draft charter allowed the speakers of the House and the Senate, the prime minister and the Opposition leader and one representative from each political party to sit on the constitution drafting committee.

Regarding the elected charter-drafting assembly, the Chart Thai MP said there was no guarantee that politicians who failed in the election would get elected into the assembly through vote buying. In such a case, he said the assemblymen would be no different from the MPs.

"In fact, we want a reform to get rid of politicians who made their way into the Parliament through vote buying. But the Constitutional Amendments Extraordinary Committee opted for these politicians," he noted.

Mr Chumphol complained that the Political Reform Committee had spent three months collecting data and gauging views from people with the hope that all parties are allowed to take part in the drafting of the charter.

He accused the Opposition of collaborating with some senators to torpedo the charter proposed by his committee.

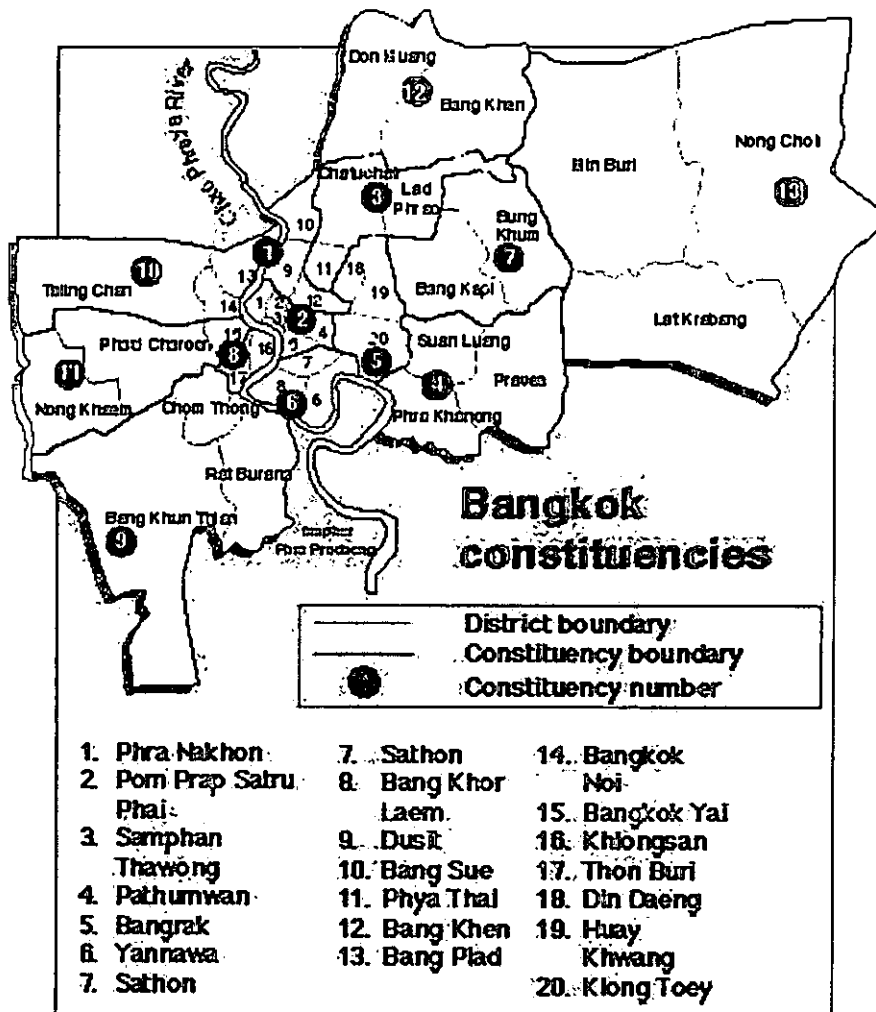


NEWS NEWS



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Election Observation Mission
November, 1996*

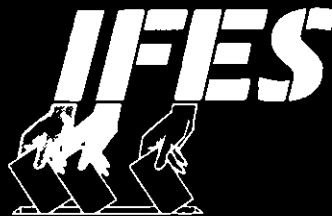
APPENDIX G

Video of pre-election preparations
and election day activity in Thailand

November, 1996

*International Foundation for Election Systems
Election Observation Mission
Kingdom of Thailand
November 17, 1996*

**The two-hour video can be found in the F. Clifton White Resource Center
IFES
Washington, D.C.**



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