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# **ELECTIONS AND INEQUALITY IN INDONESIA TOWARDS 2019 ELECTIONS**

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# Election and Inequality in Indonesia

- Inequality is an ever-present problem in every aspect of Indonesia's elections. Inequality is present in the **election system, election management, election actors, and in the enforcement of electoral laws.**
- **The size and complexity of elections in Indonesia have also contributed** to the inequality in elections.
- The most prominent inequality in the 2019 Elections is related to the **assurance of voting rights and the rights to be elected.**

# The 2019 Elections

- For the first time ever in Indonesia's electoral history, **legislative election and presidential election will be held concurrently.**
- The 2019 elections will elect **5 different public officials: president and vice president, member of the People's House of Representatives (DPR), member of the Regional Representatives Council/Senate (DPD), member of the Regional People's House of Representatives in the Province (DPRD Provinsi), and member of the Regional People's House of Representatives in the Municipality/Regency (DPRD Kota/Kabupaten) on the same day, at the same time and polling center.**
- Each voter will be provided with **5 ballots**, except for the voters in Jakarta. The elections is also known as **the "Five Boxes" Concurrent Elections** because there will be five ballot boxes containing five different ballots.
- Polling day: **Wednesday, April 17th 2019.**

# Cont.

- The Concurrent Elections of 2019 is regulated under one **Omnibus Elections Law, Law No. 7 of 2017.**
- **There are 16 political parties** that will participate at the national level (**12 old parties and 4 new parties** – Partai Garuda (Indonesian Change Movement Party), Berkarya (Banyan Works Party), Perindo (Indonesia Unity Party), and PSI (Indonesia Solidarity Party); including **four local political parties in Aceh.**
- **Two pairs of Presidential candidates: Joko Widodo - Ma'ruf Amin** (candidate number 01) and **Prabowo Subianto and Sandiaga Salahuddin Uno** (candidate number 02).

# The biggest, **most complex, one-day** election in the world

- **187.109.973 voters** (data garnered per Sept 16<sup>th</sup> 2018).  
185.084.629 domestic voters and 2.025.344 voters abroad.
- **92.481.776 male voters and 92.602.853 female voters (domestic).**
- **805.062** polling centers.
- In total there are **20.538 seats to be contested.**
- **With a total of more than 300,000 candidates** competing in the Elections.

# Inequality to Access Information

- Voters are facing difficulty to get proper information regarding the elections, electoral regulations, candidates, and the consequence of not participating in the elections.
- Information regarding the profile and background of candidates is also limited. **Not all candidates are willing to publish their biography on the official website of KPU.**
- Voters must identify around **250 - 450 candidates** in each electoral district where they will vote. In such conditions, not easy for voters to cast their vote deliberately and rationally.

# Inequality to safeguard the rights to vote

- Law No. 7/2017 stipulates that voter is any eligible citizen who **has reached the age of 17 or has married and hold the electronic Resident Identification Card (e-KTP)**. Noted that only e-KTP holder could be registered into the electoral roll.
- This stipulation may resulted in the inequality in the rights to vote for citizens who have not received their e-KTP.
- In Papua, **less than 50% of eligible voters that have been registered for having their e-KTP with them**. More than 1.5 million eligible citizens do not bear e-KTP.
- Voters in **correctional institution, social homes, conflict area (agricultural land, mining sites, etc.), urban poor population that live in “illegal land”, people of ancient faiths**, are all facing the possibility of **voting rights violation** in the 2019 Elections due to the regulation that stipulates e-KTP as a voting requirement.
- A report published by **the Nusantara Indigenous Society Alliance or Aliansi Masyarakat Adat Nusantara (AMAN)** shows that around **1.6 million indigenous people may not be able to vote** in 2019 because they don't have e-KTP.
- This problem **may resulted in conflict and dispute over election result** in 2019.

# Background of Policy Making

- Electronic ID cards or **e-KTP** are used as a **requirement to be registered as voters and to vote** with the aim of **preventing manipulation in the use of voting rights** (multiple voters, ghost voters, etc.).
- The proposal was very strongly encouraged by the Government and major parties in parliament/DPR (**Partai Golkar, PDIP, and Demokrat**) during the discussion of the 2017 Election Law.
- The Government through the Ministry of Home Affairs assures Parliament that e-KTP will be completed by December 2018. This target continues to change, even during the SBY era, the e-KTP project was promised to be completed in December 2012. But the target continues to miss most likely caused by the mega scandal of corruption in the procurement of e-KTP which even involves the Chairman of DPR, Setya Novanto.
- The obligation to use e-KTP started during the DKI Jakarta Regional Election in 2017, in our view, was intended to further "complicated" Ahok (Basuki Tjahaja Purnama) nomination as an Independent candidate, because one of the conditions for supporting independent candidates is by providing the evidenced of photocopied e-KTP.

# Inequality in accessing the Right to be a Presidential Candidate

- Inequality is also experienced by political parties participating in the 2019 Presidential Elections (especially for political parties that did not participate in 2014 Elections) due to the provision of **minimum threshold requirement in nominating presidential candidate**, which stipulates that political party must have **minimum 20% of seats or 25% valid votes from the previous national parliament election (2014 legislative elections)**.
- Thus, only political party participated in the 2014 Elections are eligible to nominate their president and vice-president candidate in the 2019 Presidential Elections (provisions like this only exist in Indonesia).
- New political parties in the 2019 Elections (Partai Garuda, Berkarya, Perindo, and PSI) have no equal footing to nominate their president and vice-president candidate.
- New party can only participate as **supporting party, not as eligible party that nominating candidate**, and their party identity (party's logo) will not be displayed on the Presidential Election ballot paper. This applies despite the fact that political party is a part of the parties coalition that endorsed a president and vice-president candidate.

# Background of Policy Making

- Presidential nomination threshold requirement **consistently initiated by major parties in parliament/DPR since 2008 (for 2009 presidential election)**. Especially by PDIP and Partai Golkar.
- During the discussion of the 2017 Election Law, Minister of the Home Affairs Tjahjo Kumolo (senior PDIP politician) **said that the Government could negotiate all the substance of the Election Law, except those that set the threshold for presidential nomination**.
- The implementation of the presidential nomination threshold aims **to strengthen the Indonesian presidential system and to encourage the simplification of the party system**. Despite the anomaly, the source of support for the nomination of the 2019 presidential candidate came from the seats and votes of the 2014 election results.
- Those provision also followed by an increase of the parliamentary threshold, from 3.5% to 4% for the 2019 national parliamentary (DPR) election.
- The decision to impose the 2019 presidential nomination threshold was taken through a voting mechanism **supported by 6 of the 10 political parties in the DPR** (PDIP, Partai Golkar, PKB, PPP, Nasdem, Hanura). While **4 other political parties decided to walk out** during the voting process (July 2017).
- **Gerindra, Demokrat, PAN, and PKS** stand that in the simultaneous legislative and presidential elections, all political parties participating in the election may nominate presidential candidates.

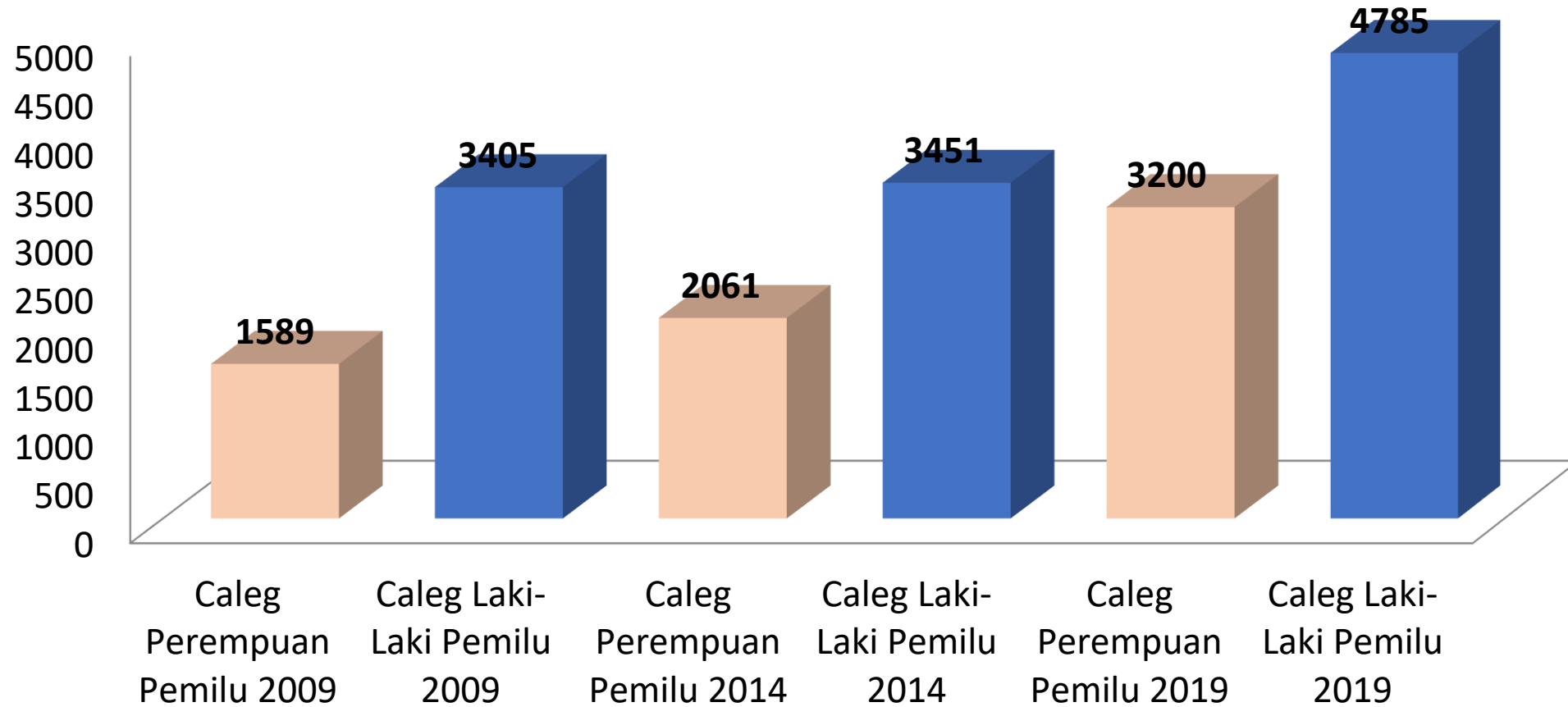
# The Impact of Inequality in Presidential Election Candidacy

- **Political recruitment has become more and more centralistic and elitist.** Recruitment is based more on pragmatic calculation to surpass the presidential threshold requirement.
- **Political race becomes further deviated from ideas and programmatic proposals.** Political pragmatism is getting rampant because all parties are pressured to fulfill the presidential threshold requirement to be able to put forward president and vice-president candidate.
- **Limited number of candidates will further divide and polarize the voters.** Hoaxes, fake news, and disinformation are threatening to deceive voters.
- **Young people and women have less and less opportunity to join in the presidential race because of the limited nomination channels accessible for them.**

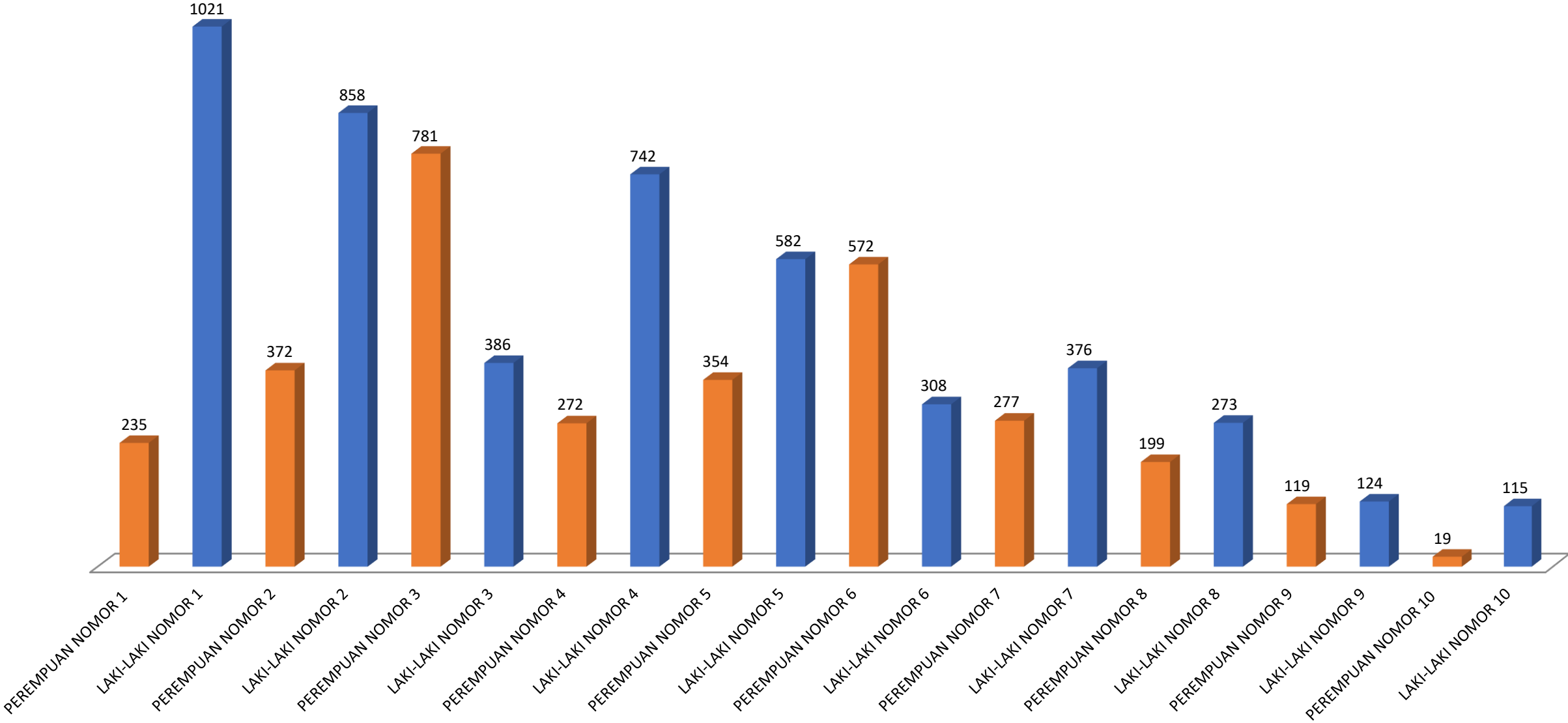
# Inequality on Women Candidate Nomination

- 40% of the total candidates are Female. However, **the majority of female candidates are nominated not based on the priority candidate number (not on the top list).**
- Despite the open-proportional election system used to elect members of the National Parliament (DPR) and Regional Parliament (DPRD), the majority of winners (80%) are candidate number 1 and 2.
- Currently, majority of female candidates are **nominated as candidate number 3, 5, and 6.**
- In the 2009 and 2014 elections, only **18% women candidate elected** as DPR members.

# Trend on Female Candidacy in the Legislative Election (for DPR)



# DISTRIBUTION OF CANDIDATE NUMBER IN THE 2019 NATIONAL PARLIAMETARY ELECTION (DPR)



# Other Inequalities Challenge

- **Money plays a dominant role in Indonesia's elections.** Law No. 7/2017 **drastically increases the upper limit for campaign donation.** The upper limit for individual donation from previously IDR 1 billion have now increased to IDR 2.5 billion. The upper limit for non-government legal body from previously IDR 7.5 billion has increased to IDR 25 billion. Campaign fund is far from accountable due to poor oversight and weak law enforcement, and there is no limitation to cash transaction.
- **Partisan and biased media** in covering the elections. Campaign advertisement in mass media is only allowed to be displayed during 21 days before silent period begins **(March 24 – April 13, 2019)**, making it hard for new political parties to gain access to reach voters optimally. Meanwhile, political party with media affiliation has the capability to skew news coverage for their own advantage.

# Recommendations

- **Electoral and political party reform through political regulation need to be sustained** (by formulating effective election laws).
- **Institutionalization of political party: increasing public funding** (increasing **state fund allocation for political party**). The fund need to be allocated at least 30% for recruitment of party women cadres.
- **Continue the election system reform**: repeal the presidential threshold requirement and lowering the parliamentary threshold.
- **Consolidate the regulation for political funding** in order to guarantee equal competition: formulating Law on Political Finance to regulate the limitation of cash transaction, campaign expenditure limit, state fund allocation/contribution to finance campaign advertisement in electronic media.
- **Continue the election management institution reform**: clarify the main tasks and functions of the elections management body, implement firmer law enforcement scheme.

