

Preliminary Report of the Electoral Observation Mission of the Organization of American States in Nicaragua

November 7, 2017

The Electoral Observation Mission of the Organization of American States (EOM/OAS) in Nicaragua, spearheaded by the Vice President of the Electoral Court of Uruguay, Wilfredo Penco, deployed a team of 60 observers, regional coordinators, and experts, who observed the elections held on Sunday in the country's 15 departments and two autonomous regions. On election day, observers visited 787 polling centers [*Juntas Receptoras de Votos*] (JRVs) in 393 voting centers.

The OAS Electoral Observation Mission in Nicaragua began its deployment on October 9, with a preliminary visit to ascertain first hand the progress made in organizing the municipal elections and to get the perspective of different actors regarding the electoral process. The Mission was installed on October 12 with the arrival of the three observers who comprised the mobile group. For two weeks this team toured Nicaragua's 15 departments and two autonomous regions to observe the on-the-ground preparations for the elections and meet with the different actors in the electoral process at the local level.

The team of specialists in electoral organization, voter registration, election-related technology, inclusion, political parties, election financing, and electoral justice arrived the week before the elections. The EOM/OAS team was completed with the arrival of the international observers and coordinators. While in Nicaragua, the Mission held meetings with government and election authorities, with representatives of the parties and alliances taking part in the race, and with various civil society representatives and organizations.

On election day, the members of the Mission observed the assembling and opening of the JRVs as well as the way the voting and vote tallying unfolded. They then accompanied the transfer of the poll records to the municipal tabulation centers, where they observed the arrival and filing of documents, the processing and arithmetic review thereof, and the transmission of the results. In Managua, the specialists in electoral organization and technology were present at the National Tabulation Center, where they watched as the national databases were reset and the results were tabulated.

The voting unfolded calmly, smoothly, peacefully, and without major incident. However, once the voting ended, a series of isolated incidents of violence occurred that resulted in the deaths of five people and several injured. The Mission regrets these events and calls on the authorities to conduct the appropriate investigations and punish the perpetrators of these crimes.

Each of the JRVs observed by members of the EOM/OAS were comprised of all their full members—70% with women at the helm. The presence of poll watchers from the different political parties was also observed, with the majority of the representatives being from the *Frente Sandinista de Liberación Nacional* [Sandinista National Liberation Front] (100%), the *Partido Liberal Constitucionalista* [Constitutionalist Liberal Party] (67%), and *Ciudadanos por la Libertad* [Citizens for Freedom] (58%), which generally ensured pluralistic supervision by the political parties. The Mission also took note that no electioneering was observed at either the voting centers or in the surrounding areas.

The observers reported that the JRVs they visited opened on average at 7:13 a.m. and had on hand all of the essential election materials for voting. The observers also reported that, at opening time, some parties received blank copies of the record of the opening because the carbon paper used only managed to print the information down two or three copies.

Throughout the day, citizens approached the OAS observers to report that upon arriving at their voting centers, they discovered that they did not appear on the voter list for the JRVs at that site, which is where they had customarily voted. Thirty-six complaints were received and will be forwarded to the Supreme Electoral Council [*Consejo Supremo Electoral*] (CSE), as the investigation and resolution thereof do not fall to the Mission.

The OAS observers confirmed that in some isolated cases, citizens who were neither on the voter registry nor the civil registry were permitted to vote. It warrants noting that these individuals were not part of the group that was allowed to vote at a JRV at which they were not registered (e.g., center coordinators, JRV members, logistical coordinators, election police, poll watchers, support staff, soldiers, and police).

The law stipulates that members of the military and police mobilized outside their JRV's district may vote at the nearest polling station, provided they present the proper certification. Despite this being provided for under the law, the Mission received complaints from citizens who were concerned because security forces had shown up as a group to vote, thereby significantly increasing the number of voters at a single JRV. In such context, just two cases of soldiers who voted without showing their certification letters were observed.

The Mission confirmed that the responsibilities of the electoral police and of the voting center coordinators are not stipulated in the current law, but rather in the training primer. The

EOM/OAS observed that in some cases, the actions of these CSE representatives overlapped with the functions that are the exclusive responsibility of the members of the JRVs.

The Mission identified an improvement in the election materials used for closing down the polling stations. The tally sheets contained a bar code that made it possible to better control and monitor the records. Nevertheless, as carbon paper had to be used to make copies, the same problems seen at the opening of the JRVs when the party poll watchers had trouble obtaining legible records were repeated.

When it came to counting the votes, the members of the JRVs faced difficulties in doing the tallies, in part, because choices for both elections (mayoral posts and municipal councils) were marked on the same ballots and because members of the JRVs were unfamiliar with the procedures.

It was past 11:00 p.m. when the Supreme Electoral Council announced the election results during a press conference. As of that time, the information on the results at the JRV level was posted on CSE website. In addition, political parties delegates were able to review the records from a dedicated terminal at the National Tabulation Center.

The OAS Electoral Observation Mission in Nicaragua has conducted a comprehensive analysis of the process. With the objective of contributing to the ongoing improvement of the electoral system in Nicaragua, the Mission hereby presents a series of preliminary observations and recommendations. It will shortly present a complete report to the OAS Permanent Council, which will be shared with the Supreme Electoral Council and distributed to the different actors in the electoral process.

ELECTORAL ORGANIZATION AND TECHNOLOGY

Training

The CSE has developed a training primer and workbook¹ that are used to train election officials. The CSE trains the members of the Departmental Electoral Councils [*Consejos Electorales Departamentales*] (CEDs), who then go on to train the members of the Municipal Electoral Councils [*Consejos Electorales Municipales*] (CEMs) and the JRVs. They also provide training to the party trainers so that they can then go on to instruct their poll watchers. Despite the existence of this system, the lack of human and material resources to offer more detailed and pedagogical training became apparent on election day at the JRVs insofar as some of their members and some of the party poll watchers had difficulties in discharging their functions.

¹ Training Primer and Training Primer Workbook. 2017 Municipal Elections.

The Mission recommends enhancing the training systems by providing them with instructional tools and in-person sessions that make it possible to ensure that officials taking part in the process become familiar with the procedures they will have to carry out on election day.

Use of technology in electoral logistics

In the week leading up to the election, the Mission visited the center where election packages were being prepared, as well as the storage and distribution centers of the CEMs. During these visits, the Mission observed that the assembly and delivery of election materials was being done manually and that there were no computerized mechanisms to verify that the packages were complete and properly distributed. Despite these limitations, the Mission verified that all of the polling stations observed had the necessary materials on hand to allow voting to proceed.

The EOM applauds the use of computer software to register and accredit the party poll watchers with the JRVs, which helps to improve and automate oversight of the personnel involved in the process. One of the issues identified previously by past missions deployed by the OAS was hereby addressed.

The Mission invites the CSE to continue implementing technological solutions that enable the procedures employed throughout the entire electoral process to be streamlined and simplified. The recommendation, therefore, is to install a computer platform or program that enables members of the CEMs to take all of the steps necessary to appoint and accredit JRV staff. The tool could contain a registration module for JRV members for the different political parties, as well as a review thereof, in order to facilitate their accreditation. This would, at the same time, make it possible to generate departmental or national statistics for different areas, political groups, ages, gender, etc.

Ballots

The Mission once again noted that the design of the ballot made the process of vote counting difficult. The Mission therefore reiterates the recommendation it made in 2012, which underscored the benefits of using different ballots for each election. The aim is to make vote tallying more nimble and facilitate the precise recording of results, thereby reducing the number of mathematical errors.

Copies of poll records

The Mission observed that the copies of the records that political parties receive are not legible starting with the third or fourth copy. The use of carbon paper does not meet the conditions necessary to ensure that all parties have a reliable record of each JRV's election results. The EOM/OAS recommends that implementation of a different system that ensures the legibility of the information be considered.

Dissemination of results

For these elections, the CSE posted the results, at the JRV level, on its website and allowed the parties to access images of the records from the tabulation center. The Mission salutes this advance, which helps make the process more transparent and is in line with the recommendation made by the OAS in 2012. For the next elections, It would be advisable to make the scanned images of the records available and accessible to the public in general as well, and not just to the political party poll watchers. To this end, the CSE needs adequate scanners and servers as well as security mechanisms to protect the integrity of the data.

Access to information

The Mission took note of the need to more widely publicize the regulations and procedures related to the electoral process underway. The CSE website could contain the applicable law as well as historical records of previous election processes, among other valuable data, both for the public and for political parties. In this regard, the Mission recommends making public all information of interest to the citizenry.

The CSE must have the necessary human and material resources to be able to address these aspects of electoral organization; only then would it be able to modernize and hone its processes.

VOTER REGISTRY

Nicaragua's voter registry is comprised of all citizens who have cast votes at least once in the previous two general elections or in other elections held in the interim. This definition stems from the need to ensure an ongoing update of the voter rolls. Nevertheless, the reform of provisional Article 196 *bis* of Election Law 331, published on September 1, 2017, gave

individuals who are registered citizens, but who are not in the voter registry, the ability to request to be added to the rolls on election day and exercise their right to vote.

Promoting citizen suffrage via reforms that enable the largest number of people possible to exercise their right to vote is a necessary part of every election process provided it is done with the proper advance notice, disclosure, and effective technical safeguards.

The need for this type of reform, however, stems from a structural limitation that is not exclusive to the voter registry, but rather applies to a series of processes. The integrity and quality of voter registry data are directly linked to the quality of the information in the identification records, which itself relies on the integrity of and access to information corresponding to birth registrations, which is managed by the Civil Registry.

In Nicaragua, municipalities are responsible for preparing birth certificates, death certificates, corrections, replacements, and all vital statistics on individuals. The records must be sent periodically to the CSE's Central Registry Office, which is the entity responsible for the centralized recording and archiving of civil registry records from the municipalities. In this regard, the CSE has developed an application that currently covers birth registrations and replacement birth and death certificates so that the municipalities are able to electronically generate the records, the records are digitized, and the data are updated online. There are currently 71 inter-connected municipalities and four hospitals in Managua. The application has made the work of the municipalities easier and streamlined their assistance to citizens.

For their part, the birth records coming from the municipalities are the basis upon which the CSE's Identification Office is able to process, verify information, and issue ID cards. An ongoing ID-issuing process has been established—with ID offices in 121 municipalities—which facilitates the issue of ID cards and eliminates the need for nearly all supplementary voting documentation.

The foregoing points mark progress in key areas for the development of a reliable voter registry. That notwithstanding, this essential component for exercise of the right to vote continues to be an aspect that requires specific measures to prevent the existence of a voter registry alongside a separate list of registered citizens, which, in practical terms, could lead to a lack of certainty. Having a single voter list would make it possible to precisely determine voter turnout.

Nicaragua would benefit from a comprehensive audit of its voter registry that includes several verification and control exercises. Registered citizens who have not voted in the last five elections must be identified and this information cross-checked with birth certificates, data uploaded from the registry system, death records pending upload, and ID information. Such an

exercise would further provide information on the different registration and identification processes for Nicaraguans.

In addition, the Mission recommends continuing implementation of the inter-connected civil registry system in the rest of the country's municipalities; this would include digitizing the hard copy birth and death certificates—particularly of those citizens who now have ID cards—contained in the municipalities' books so that they can be incorporated into the same system.

A campaign for the mass implementation of the ID card design in place since 2014 is also recommended. This requires a deadline for citizens to secure the new ID and offers an opportunity, as the ID is being renewed, to verify the information on the card against the individual's birth certificate and thereby update the voter registry. For the long term, implementation of a biometric ID system should be considered.

THE ELECTORAL BRANCH

In Nicaragua, the election authority is an independent branch ("electoral branch"), comprised of the Supreme Electoral Council and decentralized bodies (Departmental or Regional Electoral Councils, Municipal Electoral Councils, and polling stations (JRVs)).

The Mission heard both critiques of and support for the Supreme Electoral Council. Trust in institutions is key to all election processes. In an effort to achieve or consolidate trust, the Mission encourages Nicaragua to seek out mechanisms that enable it to strengthen and promote, to the extent possible, the active participation of representatives of political organizations in the activities of the electoral branch, as this would help to build greater levels of trust in the authority and create an institutional framework for the channels of dialogue.

Membership on the Departmental Electoral Councils (CEDs) or Regional Electoral Councils² (CERs), the Municipal Electoral Councils (CEMs), and at the polling stations (JRVs) is party-based and determined using three-person slates submitted by the political organizations. Appointments are made by the higher-level Electoral Councils.³ The Chair and ranking member of these bodies are assigned drawing from the political organizations that secured the highest number of votes in the previous general election. The second member must be taken from the three-member slates of the remaining political organizations.⁴

² They are called Regional Electoral Councils in the autonomous regions (North Caribbean Coast Autonomous Region and South Caribbean Coast Autonomous Region).

³ The Supreme Electoral Council elects the Departmental or Regional Electoral Councils; the Departmental or Regional Electoral Councils elect the Municipal Electoral Councils; and the Municipal Electoral Councils elect the members of the polling stations.

⁴ Law 331, Article 16.

Unlike the deadline for submission of the slates, which is regulated by law, the procedure and criteria for distribution of political organization representatives as members of the CEDs or CERs, CEMs, and JRVs is not regulated under existing legislation.

During this electoral process, political organizations had to present their three-person slates when a decision had not yet been made as to whether they would be participating individually or via alliances. According to the election calendar,⁵ the slates for the CEDs/CERs had to be submitted between May 10–25, and these were formed on June 1. In the meantime, the slates for the CEMs had to be submitted between June 5–10, and the CEMs were formed on June 15.⁶ Requests to form alliances could be presented between July 24–28 and alliances were registered between August 2–5. Thus, at least in the case of the CEDs/CERs and the CEMs, it was possible for the second member of these bodies to be proposed by a political organization that had ultimately decided to participate jointly with the first or second political force from the last general election.⁷

In these elections, there was a reduction (of 1,521 JRVs) and then a subsequent increase (of 137 JRVs) in the number of JRVs. The electoral calendar indicated that the preliminary voter registry and initial distribution of voting locales (“electoral mapping”) was published on August 7, 2017. However, citizen and political organization objections could be filed (through August 21) and new inclusions or address changes could be made (through October 6), which made it possible to have a final voter registry and definitive electoral map by October 16, 2017, that is, by the time the deadline had passed to designate slates for the JRVs (time period that began on September 29 and extended until that same day). The CSE authorized a new deadline for the formation of these new JRVs and to complete the slates originally submitted.

Amendment of the Election Law or adoption of a regulation that lays out the procedure for designating the members of the CEDs/CERs, CEMs, and JRVs is recommended in order to create a mechanism that ensures the participation of all or the majority of political organizations taking part in the electoral process. A further recommendation is to have slates submitted once the political organizations’ mode of participation (individual or alliances) has been decided so that none of them are over or under-represented in these bodies.

⁵ Adopted by the Supreme Electoral Council on May 9, 2017 and published in *La Gaceta*, the Official Journal, on May 10.

⁶ The three-person slates for the JRVs are presented between September 29 and October 13, though the CSE extended the deadline until October 16 (since most of the political organizations had not yet presented the total number of slates required).

⁷ According to the information furnished by the Supreme Electoral Council, each political organization has the following number of members:

- **CED / CER:** FSLN: 38; PLC: 34; CCN/PUC/AC/PRN (in alliance with the FSLN): 9; CxL: 5; APRE: 4; PRD: 4; PLI: 4; ALN: 2; PC: 2.
- **CEM:** FSLN: 306; PLC: 306; CCN/PUC/AC/PRN (in alliance with the FSLN): 121; CxL: 42; APRE: 25; PRD: 34; PLI: 14; ALN: 27; PC: 14; MYATAMARAN: 2; PAL: 1; PIM: 1; PLN: 20; YATAMA: 5.

In addition, it is key that there first be certainty about the universe of eligible voters (on the voter registry and even on the list of registered citizens who are not included on the voter registry) and only then should the number of JRVs be determined so that changes do not have to be made down the line, which leads to confusion or distrust among the public or political organizations.

ELECTION DISPUTE RESOLUTION SYSTEM

A system for challenges exists, which derives from the Election Law (Law 331 and its amendments);⁸ this system has not, however, been subject to any regulation. Thus, the existing procedures and their scope with respect to challenges are not regulated in detail.

Challenges regulated under this law⁹ are very limited in scope (and do not cover the total universe of matters that might affect the pre-election day phase, election day, and the post-election phase) and can only be filed by political organizations (not citizens).¹⁰

In this regard, many of the most relevant incidents that could affect the election process (from the time elections are called until the announcement of the results) lack clearly established legal and regulatory mechanisms for challenges thereto.¹¹

Political organizations and the public do not generally make use of challenges or existing dispute settlement mechanisms with the different competent public bodies (CSE, Office of the Attorney General of the Republic, Supreme Court of Justice), rather, this time around they have preferred to share information with the media or the EOM/OAS.

The political organizations involved are notified of the disputes settled by the CSE (25-30 resolutions¹²), but no mechanism for publicizing them has been created (via the website, etc.), that allows for broader dissemination for both political organizations and the public.¹³

⁸ According to the Clerk of the CSE (November 1 meeting), this was a decision made by the CSE.

⁹ Challenge of candidacies, appeal for annulment of a JRV, appeal to challenge a JRV, appeal for review (for numerical errors by a JRV, or in departmental or regional records), and national review (against the provisional results published by the CSE). In addition to election-related crimes, which are the purview of the Office of the Attorney General of the Republic, and more specifically, of the Office of the National Electoral Prosecutor.

¹⁰ With the only exception being election-related crimes.

¹¹ The report from the EU's Observation Mission indicates that restrictive and limited regulations of the grounds for challenging a JRV under the election law do not encompass a large number of incidents and irregularities that might have a relevant impact on the validity of the voting or vote tallying. The recommendation is to have the CSE adopt clear and detailed rules about the procedures to challenge any decision, act, or omission by the CSE. Regulations governing complaints should clearly specify timelines for filing and resolution, as well as possible types of legal remedies should the competent body admit them. See: Document "Implementation of recommendations in Nicaragua," prepared for the EOM/OAS Nicaragua 2017.

¹² Information from the Clerk (November 1 meeting).

In the context of these elections, the Mission has received, to date, 214 complaints that will be forwarded to the Supreme Electoral Council. The Mission appreciates the trust of the public who see it as a means to channel their complaints, and reiterates the importance of using the legal mechanisms established by law to peacefully settle disputes.

Regulation of dispute and challenge mechanisms applicable to the electoral process is recommended in order to address the main issues that could impact the validity of the vote and possibly the right to political participation. It is also important to provide clarity and predictability with respect to procedures (regulated, timelines, processing, remedies).

POLITICAL PARTIES

Election Law No. 331 regulates the creation, participation, and cancelation or suspension of the legal status of political parties. In order to create a political party or alliance, signatures from three percent of the citizens—per the total number that appeared in the voter registry in the previous national elections—must be collected.

Grounds for the loss of legal status are exhaustively spelled out in the law.¹⁴ Among them, non-participation in elections, and where they have taken part, failure to secure at least four percent of the total number of valid votes in national elections.

¹³ The specialist was only able to access resolutions provided by the EOM-OAS Coordination Office or those provided in hard copy by the CSE (November 4).

In this regard, access was available to the following resolutions:

- Resolution granting legal status to the political group, *Ciudadanos por la Libertad* (CSE)
- Resolution granting legal status to the political group, *Partido de Restauración Democrática* (PRD)
- Convening of municipal elections – 2017 (CSE, although first by EOM-OAS)
- Assignment of boxes to political groups, *Ciudadanos por la Libertad* and *Partido de Restauración Democrática* (CSE)
- Adoption of the electoral calendar (CSE, although first by EOM-OAS)
- Formation of the CED/CER (CSE, although first by EOM-OAS)
- Formation of municipal election alliances – 2017 (CSE)
- Amendment of the electoral calendar (regarding candidacies) – August 15, 2017 (CSE)
- Regulation on Electoral Ethics (CSE)
- Electoral campaign regulations (CSE)
- “Regulations for processing the customs duty fee – 2017 municipal elections” (CSE)
- “Procedural regulations for processing complaints, petitions, claims, and grievances in connection with the 2017 municipal elections” (CSE)
- Four resolutions on candidacies from different parties – September 13, 2017 (CSE)
- Cancelation of appointment to the San Dionisio CEM – October 29, 2017 (CSE)
- Supplementary procedure for JRVs – in connection with list of registered citizens who are not on the voter registry – October 19, 2017 (CSE)
- Copy no. 4 of the record for the political group, *Ciudadanos por la Libertad* – October 29, 2017 (CSE, although this had previously been accessed when it was forwarded by the political organization to the EOM-OAS)
- Possible rescheduling of training for JRV members due to rain – October 27, 2017 (CSE)

¹⁴Election Law 331 – Articles 73 and 74

Moreover, Article 82 stipulates that the parties have the duty to register candidates in all districts in the election in which they are participating, with the exception of municipal elections in which they must put up candidates in 80% of the municipalities. The Mission received complaints from political parties that reported having difficulties meeting this requirement.

In this context, the EOM/OAS received complaints from citizens who had been registered as candidates without having been previously consulted, meaning that in order to meet a requirement, the parties included a number of individuals on their slates who they had not consulted in an effort to prevent their legal status from being canceled.

The participation of new parties in the race denotes a pluralistic system and is testament to the facilities that exist to create parties. Nevertheless, the disintegration of political forces for different reasons reflects the difficulties they face if they want to remain on the scene.

The Mission believes that taking the measures necessary to enhance equity and strengthen the system of national political parties is key, with the understanding that these institutions are essential to the functioning of democracy. In this context, the Mission recommends drafting a law on political parties that includes a permanent financing mechanism and internal democracy rules.

ELECTORAL-POLITICAL FINANCING

Nicaraguan law provides for a mixed financing model for election campaigns, namely, spending on such activities is covered by donations and contributions from private sources and by public funds received by the parties in the form of reimbursements once the elections are over.

With respect to public financing, Article 99 of the law indicates that “[funds] will be granted to political parties that secure four percent of the valid vote.” It does not, however, specify in which election that vote threshold must be reached. The law also does not stipulate timelines for payment of the reimbursement and the electoral calendar did not set a deadline for making the payment.

Additionally, the current regulatory framework does not include limits or ceilings on the amounts parties can bring in to spend on campaigns. Article 103 of the law provides that “parties shall be able to receive donations from Nicaraguan citizens or foreigners, within the amounts, limits and in keeping with established requirements and conditions.” Nevertheless, neither the law nor the regulation on campaign-spending accountability make reference to this spending.

Regarding indirect public financing, Article 91 of the Election Law provides that parties or alliances have the right to use state radio and television stations to campaign. Party representatives and CSE members stated, however, that this is limited inasmuch as there is just one state radio station and no state television channels. Consequently, media access is a function of the private funds parties have.

As to sanctions, Article 104 of the existing law provides that penalties apply to those cases in which election authorities are able to confirm the existence of prohibited sources of income, such as anonymous contributions¹⁵ or contributions from autonomous or decentralized entities. The Office of the Comptroller General of the Republic is the institution in charge of reviewing political parties' cash inflow and outflow records, however the law does not establish any requirement, format, or specific regulation for doing so.

The law expressly prohibits the use of State goods for purposes of political advertising and makes using public offices for political campaign activities an election-related crime.¹⁶ The EOM/OAS received four complaints regarding the use of government resources during the election campaign, but discovered that the Office of the Prosecutor had only received one report of use of government resources in the election campaigns.¹⁷

The Mission recommends an analysis of the possibility of having public funds be provided to the parties in advance so that they can inform voters about their political platforms. Moreover, the Mission reiterates the recommendation made in 2012 regarding the need to clearly and precisely regulate the substantive and formal procedures political parties must complete when declaring income from private sources. The Mission also reiterates the need to have mechanisms in place to ensure the parties have equitable and transparent access to the media.

POLITICAL INCLUSION

Women's participation

In these elections, 21,953 of the 43,962 candidates for elected office in mayoralties and municipal councils were women, which is equivalent to 49.9 percent. The OAS recognizes the progress Nicaragua has made in narrowing the gender gap, as seen in the achievement of full parity, alternation, and proportionality in elected office within a guarantee-based regulatory framework, which serves as a model for the whole hemisphere.

¹⁵ With the exception of those that come from citizens.

¹⁶ Article 107, paragraph four: The use of State-owned goods is prohibited for purposes of political advertising. Public offices may not be used for political campaigning. Article 175(9): Whosoever engages in political campaigning in public offices...

¹⁷ Information communicated by the Attorney General of the Republic during a meeting with EOM/OAS specialists on November 3, 2017.

These 2012 constitutional achievements, which are present in the Election Law, must be underpinned by the creation of sanctions, at a regulatory level, for failure to comply with the principle of parity explicitly, and by reducing some of the gaps that still exist under the law. As proof thereof, in the 2012 municipal elections, the percentage of female candidates running for mayor was 49.1 percent, while in this race that number was 46.9 percent.

The Mission reiterates the need to ensure that efforts made to respect the spirit of the law are formalized in a regulation that will guarantee that the system functions just as well in the future. The EOM/OAS further reiterates the recommendation made in 2012 to promote women's leadership within political organizations.

Capacity-building for female party members and the strengthening of women's leadership, targeted public financing, and encouraging democracy within the parties remain challenges.

Civil society participation

The Mission recommends encouraging the broad and pluralistic participation of national election observation organizations, groups that help to provide transparency and build trust among those involved in the process. Observation of elections, it must be noted, is not a substitute for the oversight responsibilities that fall to the political parties, nor does it replace the functions of the election authorities. It is key that such groups have an effective legal framework, are non-partisan, and have the access they need to ensure they are able to work professionally, impartially, and objectively.

CONCLUSIONS

In this report, the Mission lays out its main observations and recommendations regarding the electoral process. Important advances were identified in different areas, as were weaknesses typical of all electoral processes. Such elements, added to the Mission's verified findings as well as the complaints it received make it possible to determine that there is space to strengthen the legal, technical, procedural, technological, and human aspects of electoral processes in Nicaragua.

Nicaragua's electoral system would benefit from a comprehensive electoral reform that addresses various topics. A permanent judicial and administrative framework that gives more confidence and security to political forces and citizens is necessary.

The EOM/OAS acknowledges that the different recommendations made in this report require financial, material, and human resources for implementation.

The Supreme Electoral Council provided the Mission with all the help it needed to discharge its work and there was smooth and direct communication with this electoral body throughout. The Mission is especially grateful for the assistance and cooperation it received from the President, Vice President, magistrates, and staff of the CSE. In addition, it thanks the government authorities, especially the Ministry of Foreign Affairs, political parties, civil society organizations, national and international media, security forces, and the public for all the support and cooperation they provided so that the Mission could conduct its work.

The Mission wishes to thank Argentina, Bolivia, Chile, the Dominican Republic, Germany, Honduras, Korea, Luxembourg, Spain, and Switzerland for their financial contributions, which made our deployment in Nicaragua possible.

The Electoral Observation Mission also expresses its thanks for the essential support of the members of the conversation and constructive exchange group established between the OAS General Secretariat and the Government of Nicaragua. We hope this document serves as a technical input for the work that will continue in the coming years.

Sunday's voting resulted in the election of 153 mayors and vice-mayors as well as the respective municipal council members and governments. While some of the findings of this report are targets of recommendations for elimination or improvement, they did not substantially affect the popular will expressed through the vote.

The Mission reiterates its profound concern regarding the acts of violence that occurred after the election, expresses its solidarity with the families of the victims and the people of Nicaragua, and calls on society as a whole to resolve its differences through peaceful means.