



ELECTORAL OBSERVATION MISSION REPORT

GENERAL ELECTIONS IN THE REPUBLIC OF NICARAGUA

NOVEMBER 5, 2006

Secretariat for Political Affairs (SPA)
Department for Electoral Cooperation and Observation (DECO)

Electoral Observation Missions (EOMs)
Organization of American States (OAS)



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November 5, 2006

**General Secretariat
Organization of American States**

José Miguel Insulza
Secretary General

Albert R. Ramdin
Assistant Secretary General

Dante Caputo
Secretary for Political Affairs

Pablo Gutiérrez
Director
Department for Electoral Cooperation and Observation

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ELECTORAL REPORT

CHAPTER I: NATURE AND SCOPE OF THE MISSION

A. NOTES ON INTERNATIONAL ELECTORAL OBSERVATION

1. Introduction

Once democracy had been restored in Latin America, following its prolonged gestation in the 1980s, the path to the voting booth took on new importance. The first half of the 1990s saw an increase in the number and a change in the quality of election observation missions sponsored by the United Nations (UN) and primarily by the Organization of American States (OAS). The Nicaragua elections in February 1990 were pivotal in terms of greater participation by the international community in national election processes.¹

With the evolution of history and politics, the international community's validation of election results over time came to be seen a necessary condition for their legitimacy. Thus, in the midst of a complex political situation—the result of the military confrontation between the government of Nicaragua and irregular forces—in November 1989 the OAS General Assembly recommended to the Secretary General, in Resolution 991, that “when a member state so requests in the exercise of its sovereignty, missions should be organized and sent to said state to monitor the development, if possible at all stages, of each of its electoral processes.” It added that the Secretary General should “issue public reports a result of the on-site monitoring of the electoral processes.” The central purpose of those election observation efforts was to verify that the entire electoral process developed in accordance with constitutional and legal national norms that were in effect.

The Inter-American Democratic Charter, adopted on September 11, 2001, in Lima, Peru, is explicit in affirming unequivocally, in its first paragraph, that “one of the purposes of the OAS is to promote and consolidate representative democracy, with due respect for the principle of non intervention.”

In Chapter V, the Democratic Charter says that “Member states are responsible for organizing, conducting, and ensuring free and fair electoral processes,” and that “in the exercise of their sovereignty, [they] may request that the Organization of American States provide advisory services or assistance for strengthening and developing their electoral institutions and processes, including sending preliminary missions for that purpose.”

In Articles 24 and 25, the Democratic Charter details the procedure to which these missions are subject, under the following terms:

“The electoral observation missions shall be carried out at the request of the member state concerned. To that end, the government of that state and the Secretary General shall enter into an agreement establishing the scope and coverage of the electoral observation mission in question. The member state shall guarantee

conditions of security, free access to information, and full cooperation with the electoral observation mission.

“Electoral observation missions shall be carried out in accordance with the principles and norms of the OAS. The Organization shall ensure that these missions are effective and independent and shall provide them with the necessary resources for that purpose. They shall be conducted in an objective, impartial, and transparent manner and with the appropriate technical expertise....

“The electoral observation missions shall advise the Permanent Council, through the General Secretariat, if the necessary conditions for free and fair elections do not exist.”

B. THE POLITICAL CONTEXT IN NICARAGUA

A few words about Nicaragua's political system will help set the scene in which the OAS Electoral Observation Mission (EOM) was operating in 2006.

1. Structural Characteristics of the Political System

In the past, Nicaragua's political culture was characterized by polarization and by the presence of caudillos—whose strength was imposed on partisan organizations and often state institutions—as well as by the factor of foreign intervention, which has had a nearly permanent influence on the nation's history. It began with the confrontation between the Liberals of León and the Conservatives of Granada in the earliest days of the Republic. Later, it was the

¹ In the agreement signed by the government of Nicaragua and the UN Secretary General on July 5, 1989, the following terms of reference were listed for the United Nations observation mission in Nicaragua (ONUVEN):

1. Verify that the political parties have an equitable representation in the Supreme Electoral Council and its subsidiary bodies.
2. Verify that the political parties enjoy complete freedom in their organization and mobilization, with no obstacles or intimidation on anyone's part.
3. Verify that all political parties have equitable access to state television and radio, in terms of both the schedule and duration of the broadcast.
4. Verify that the electoral registries are duly constituted.
5. To help improve the process, the mission may inform the CSE or its subsidiary bodies about charges that may be received or irregularities that may be observed during the election process, as well as any cases that may involve interference in the process. If applicable, the mission may also request information on any corrective measures taken in the case.
6. Submit reports to the Secretary General, who in turn will inform the CSE, if pertinent. The reports presented will be factual and objective, and will include observations or conclusions that reflect the mission's role in the verification of the election process.

The mission began its work on August 25, 1989 (the elections were held on February 25, 1990); this was carried out in three phases, covering the process of registration, the electoral campaign, and the elections themselves. On Election Day, ONUVEN had 237 observers, who visited 2,155 polling stations in 141 of Nicaragua's 143 communities.

struggle between pro-Somoza and anti-Somoza factions, during the long years of the dynasty that began with Anastasio Somoza García in 1936 and ended with the overthrow of Anastasio Somoza Debayle in 1979. This led to the confrontation between Sandinistas and anti-Sandinistas, which covered the revolutionary period and the war against the Contras.

Throughout much of this history, differences between the caudillos and the parties were settled with arms. Only recently, following the conflict of the 1980s, did the logic of dialogue and political accords prevail over the logic of armed confrontation. At no time during the 2006 election process was there even a hint of a non-democratic solution. There was consensus on recognizing the clearly institutional role of the armed forces and the national police. This is a substantive change that must be noted.

It is significant that nowadays, no matter how great the confrontation, in the end the possibility is always open for an agreement. As is typical in political debates, this often comes about through the apportionment of areas of control and influence, and not necessarily through concurrence on joint projects. The last concrete demonstration of this new political style was the conflict between the executive branch and the National Assembly, which paralyzed the country in 2004; this was temporarily overcome, with the help of the OAS, through the postponement of a controversial constitutional reform.

Progress has been made in the establishment of the democratic system. Of particular note were the 1990 elections, which were recognized nationally and internationally as faultless for being competitive and reasonably clean. But, as is the case in most Latin American countries, a serious deficit can be seen in terms of integral democracy, due to social, economic, and cultural limitations that impede the exercise of true citizenship by the majority of the population. While progress in political democracy has been significant, there are persistent social, economic, and cultural limitations to the exercise of complete citizenship. Poverty and inequality indexes for Nicaragua are among the lowest in Latin America. Its primary economy, based on various agricultural exports, is at once a cause and a result of an underdeveloped society that is extremely vulnerable to and dependent on the influence of external political and economic factors, most of all the influence of the United States. These circumstances gravely affect the respect for civil and social rights and the possibility of their real application. Nicaraguan democracy will not come to full fruition as long as those differences continue. In that regard, once again, the situation of Nicaragua is no different than that of the rest of Latin America. Nicaraguans are conscious of that reality, as demonstrated by various opinion polls in which respondents say poverty is the most important problem in their country; no problem is more urgent. However, they go on to say that the task of eradicating poverty cannot be undertaken until certain political and institutional obstacles that have dominated the agenda in recent years have been overcome. This will surely be one of the first priorities for the country and the government elected on November 5, 2006.

2. Structure of the Political System

Observers should resist the temptation to compare the legal and institutional system used in these elections against an ideal technical or legal paradigm; rather, the system should be assessed within its own historical context and measured from that perspective. Thus viewed, Nicaragua's electoral system—with all its imperfections, which will also be noted in this report—is the current, concrete manifestation of a sustained effort by all of society to build a democratic state. It is incomplete, without a doubt—as throughout Latin America—but is headed in the right direction.

Where Nicaragua has come from must not be forgotten. With a history of polarization, authoritarianism, armed confrontation, foreign intervention, and long periods of dictatorships, Nicaraguans resolved their differences through force, at a cost that goes beyond a simple calculation of the number of victims. More than 50,000 Nicaraguans died in the wars of the 1970s and 1980s. No Nicaraguan family was untouched by the anguish and pain of war, not to mention the enormous material cost involved. And domestic controversies took on greater weight due to the active presence of outside interests. With the historical memory of the armed occupation of its territory, Nicaragua was one of the key arenas of the Cold War.

Thus, when the war ended, the constitutional structure had to reflect those facts and build from there. The spiritual disarmament process took longer and was more complex than the physical disarmament. Arms were returned, but old grudges and distrust persisted.

The constitutional structure reflects the fear of reestablishing an authoritarian hegemony. It sets up a mechanism of power distribution with a system of checks and controls divided between contending political forces in the judiciary and the electoral authority.

Since 1996, the presence of two political forces with more than 37 but fewer than 56 votes in the National Assembly has established a polarized political system with cross-controls. The two main parties participate on equal terms in running the country's key institutions, as occurs with the Supreme Court of Justice (CSJ), the Supreme Electoral Council (CSE), and the Comptroller's or Attorney General's Office.

In this hybrid form of parliamentary and presidential system, the political parties retain a strong capacity for negotiation, since with those 37 votes they can block decisions that require a special majority. Thus the election of National Assembly deputies holds particular importance, not just the election of the president. In other words, Nicaraguan democracy—and in this sense it is no different than its sister countries of Latin America—is a democracy under construction.

The elections of 1990, 1996, 2001, and 2006 all saw progress in a democratic direction, at their own rhythm and in their own fashion. They must be judged from that perspective.

3. Political Parties

Many Nicaraguan citizens may not like the political parties' deal-making, but at the same time they fear the vacuum that their absence would produce in the structure of the state. Meanwhile, the so-called civil society organizations reproduce the same defects they denounce in the parties.

Coming out of the tradition of polarization, three voter blocs emerged in the 2006 elections: a) the Sandinista bloc, with Daniel Ortega, now President-elect of Nicaragua, and a splinter group, the Sandinista Renewal Movement (MRS); b) the Liberal bloc, divided between the Liberal Nicaraguan Alliance (ALN), with Eduardo Montealegre as its presidential candidate, and the PLC, led by Arnoldo Alemán, whose candidate was José Rizo; and c) the third bloc, the two dissident movements noted within each of the traditional blocs.

This new reality began to be evident in the composition of the National Assembly after the November 5 elections. The Sandinista bloc won 38 seats, the PLC 25, the ALN 24 (including the vote of Eduardo Montealegre, who won his own seat, and that of Enrique Bolaños, who has the right to a permanent seat as a former President of the Republic), and the MRS won 5.

The risk of party hegemony was thus reduced, but fragmentation increased. This situation can produce two different and contradictory scenarios. In one scenario, the democratic system is enriched due to the broadening of the agenda and the regular use of consensus and dialogue as a means of political management. The other option is deadlock and paralysis, if confrontation prevails, democratic conciliation gets left behind, and deal-making becomes more important than finding common objectives in the national interest.

These possibilities will be put to the test in the debate on the application of the 2004 framework law, which requires 60 percent of votes in the National Assembly (56 of the 92 deputies) to ratify the President of the Republic's appointments of government ministers and vice-ministers, the Attorney General of the Republic, heads of diplomatic missions, and presidents or directors of autonomous and governmental entities. This same majority is necessary to approve a partial reform of the constitution, to dismiss ministers of the executive branch, or to elect magistrates of the Supreme Court of Justice and the CSE, the General Superintendent of Banks, the Comptroller of the Republic, the members of the Supreme Council of the Comptroller's Office, the Public Prosecutor for the Defense of Human Rights, the Superintendent of Public Services and related officials, and the Director of the Institute of Urban and Rural Reformed Property (Article 138, paragraphs 4, 7, 8, 9, and 30 of the Political Constitution).

C. COMPOSITION AND OBJECTIVES OF THE 2006 NICARAGUA EOM

1. Invitation by the Government and Supreme Electoral Council

The OAS General Secretariat had been invited to observe every electoral process held in Nicaragua since 1990, for which its respective reports were presented to the Permanent Council.

On August 9, 2005, the government of Nicaragua and subsequently, on January 19, 2006, the Supreme Electoral Council invited the Organization of American States (OAS) to accompany the entire process for the election of regional councils on Nicaragua's Atlantic Coast (March 5) and the presidential and legislative elections (November 5).

2. Exploratory Mission

In this context, the OAS Secretary General entrusted then Deputy Secretary for Political Affairs, John Biehl, with heading an exploratory mission from January 24-27, 2006, in order to determine the mission's characteristics, objectives, and mandates.

The result of this exploratory effort was to call on the mission to carry out its activities within the framework of the principles established in the OAS Charter and the Inter-American Democratic Charter, and to make itself completely available to support efforts by the government, electoral authorities, political parties, and the people of Nicaragua to hold free, transparent, and just elections.

3. Terms of Reference

Those recommendations were the mission's terms of reference. Added to them were the suggestions offered by the Secretary General during a meeting on February 26, 2006, to plan the mission's activities.

It was agreed that the mission would pay special attention to the following:

- Adequate planning of all activities related to the electoral process.
- Application of contingency plans, through an appropriate distribution of financial resources.
- Automation of electoral activities.
- Training of polling station workers, monitors, and election personnel.
- Timely adoption of decisions that might affect the electoral process.
- Cleanup and update of the electoral registry.
- Launch of information campaigns to inform citizens about the importance of registering their vital information, processing and maintaining their identity documents, and declaring their current residence or change of residence.
- Preparation of information and statistics on changes of address stemming from the use of so-called "Actas de Promesa de Ley" (a type of affidavit used to certify address changes).

- The holding of results transmission trial runs at the national level.
- Familiarity ahead of time with providers of services such as the receipt of faxes, vote tabulation, and the publication of results.
- Revision and evaluation of mechanisms to install and open the polling stations.
- Examination of alternatives to substantially simplify the voting process.
- Timely selection of personnel in charge of the procedure for capturing data.

It was then noted that the mission “should insist, at the opportune moment, in the urgent need for a profound reform of the Electoral Law, which had already been proposed in 2002.” It would be ideal if this process of review and modification of the law could take place between April and June of 2006 so the changes could be applied for the November elections. (It will be seen below that events hampered this complete reform of the Electoral Law from taking place.)

The general lines of this reasoning can be summarized in the following terms:

- The experience of past elections, which has already begun to be seen as well in the process underway, has shown that the political and institutional composition of the electoral bodies in charge of Nicaragua’s two largest political forces becomes a matter of controversy. The issue is used by various sectors to foster distrust among the Nicaraguan citizenry and the international community about the integrity, transparency, and impartiality of the elections.
- Modifying the system, which is enshrined in constitutional law, is a task that corresponds solely to Nicaraguan citizens.

4. Key Criteria

The OAS Secretary General’s first instructions in the meeting of February 26, 2006, in which the terms of reference were defined for this effort, had to do with the independence and autonomy of the Electoral Observation Mission as an essential condition for its operation in Nicaragua. It should not or could not take sides with any of the political or social organizations operating in the country, or as the result of any other external factor.

Its function was to accompany and observe the process of presidential and legislative elections in the country—scheduled to take place in November of that year—at every phase, paying particular attention to the defects, shortcomings, and irregularities that had already been seen by past observation missions and those that were identified in the March 5 elections on the Atlantic Coast.

It was not the mission’s job to express opinions on the decisions of Nicaragua’s electoral and jurisdictional institutions, much less to call them into question.

But that did not mean it could not express its concern about possible deficiencies or irregularities that might be observed in the

electoral process. An example proffered at the meeting had to do with the consequences that might result from the paralysis in the functioning of the election bodies due to a lack of a quorum in the CSE—a situation about which the OAS had already expressed itself unequivocally in the 2002 elections and that was being repeated.

The mission would complete its task of electoral observation with rigor and determination, to help make it possible for a transparent, clean electoral process to take place, one that would respect Nicaragua’s legal and institutional order. It would not hesitate to identify irregularities that, in its judgment, might be committed. Along those lines, the mission’s key criteria were established: independence, respect for Nicaraguan sovereignty, and steadfastness in its observations.

In carrying out that task, it ran into difficulties from opposing sectors and for various motives and reasons.

On the one hand, the CSE authorities stated that they had “suspicions” about the true scope of the mission’s efforts. Meanwhile, in quarters close to the FSLN candidacy, doubts persisted about the mission’s real independence; these doubts were expressed in various ways, from the time of the team’s arrival in Managua. Top leaders of the FSLN raised questions publicly about the reasons for the presence of an electoral observation team that was so large and long-term. Others recalled the role of the OAS in the 1996 elections, in which it had suggested acceptance of the results—despite evidence of irregularities—as a contribution by Ortega to bringing about peace in Nicaragua. These doubts were voiced openly following the presentation, on August 1, 2006, of the Chief of Mission’s verbal report to the OAS Permanent Council, at the request of the Ambassador of Nicaragua; this was suspected of being an attempt to disqualify a victory of the FSLN candidate in the electoral process.

The mission issued a press release in which it stressed that the mission was not “part of the internal political debate” and thus would “not respond to public statements by the country’s political leaders or authorities.” It said it would confine itself to carrying out its role “with total objectivity, independence, and impartiality,” as long as its invitation remained in effect and its presence was required by Nicaraguan institutions and society.

The isolated incident was overcome. First, Deputy Secretary Dante Caputo and then Secretary General José Miguel Insulza visited Managua, accompanied by the Chief of Mission. The EOM continued meeting with all the parties, fronts, and alliances that participated in the Nicaraguan electoral process in a completely normal manner: the Sandinista National Liberation Front (FSLN); Nicaraguan Liberal Alliance (ALN) and Constitutional-liberal Party (PLC); the Sandinista Renewal Movement (MRS) and Alternative for Change (AC). At no time was the essentially cordial nature of the mission’s work with political actors altered. The attacks did not recur.

From another point of view, in circles close to the government, civil society organizations, various media outlets, and some diplomatic representatives, the mission was called on to participate directly in conducting the electoral process. The argument was that its presence was necessary to correct the irregularities that were being planned in the electoral system. It was asked that the CSE's administration be criticized more directly and publicly. The request for the report to the Permanent Council in August—which provoked the crisis with the FSLN—and another report for the beginning of October had the clear purpose of stepping up pressure on the CSE.

Despite these attempts to influence its conduct, the mission did not deviate from the principles of impartiality, objectivity, independence, and complete respect for Nicaragua's law and institutions. It always held that the work of the election observer was to observe and not to act as arbiter or judge. For the very reason that its opinion had an influence and could carry consequences, it had the duty to be prudent and recognize its own limits. It repeated, publicly and privately, that the observation mission was interested in the process, the transparent application of domestic laws, and the quality of the mechanism—not the choices the citizens of Nicaragua would make in the exercise of their exclusive and non-transferable authority.

The very composition of the mission's special group of advisers, the core group, and the group of observers was proof of the pluralistic vision with which the mission took on its observation tasks. Indeed, it was made up of individuals from around the region who came from different nationalities and ideological positions.

It was under these circumstances that the Electoral Observation Mission's function of political and diplomatic mediation was put to the test. As the Secretary General said during his visit to Managua, the task of the OAS was "to help control fires, not to start them." With that criterion, from the time of its first meeting with the CSE, on February 14, 2006, it was made clear that the mission would communicate its comments and perspectives to the electoral authorities directly, not by way of the media, and that its job was to cooperate with the authorities to conduct clean, transparent elections. The mission considered the presence of international observers to be essential to certify the legitimacy of the results of the electoral process and toward that end would maintain an attitude that was invariably positive and constructive.

Apart from its testimonial value, the OAS observation team's assistance in organizing and carrying out the elections was needed to foster an atmosphere of confidence among voters, political parties and party observers, election officials, and government authorities. It was understood that the presence of international observers should help create conditions for freedom of choice among voters. The mission's efforts had a clearly political content, since an electoral process is in essence a political process in which citizens exercise their basic rights and decide on how the powers of the state will be structured. It is not a technical matter, but without a solid technical foundation—as the one the mission had—the opinions of those who lead it can lack substantiation and err by being sub-

jective and imprecise. The appropriate combination and balance between political vision and technical foundation is one of the key elements the mission to Nicaragua sought to maintain.

5. Work Areas and Procedures

There are two types of electoral observation missions: long-term missions, which cover all phases of the electoral process, from voter registration and the registration of candidates to the casting of ballots, the vote tabulation, and the official declaration of results; and short-term missions, which have the purpose of observing the election itself and the final phase of the election campaign.

The Nicaragua mission is an example of the first type of observation. It began in February 2006, before the Atlantic Coast elections, and culminated its task at the end of November, when the entire process had been completed.

As was noted previously, the mission had this special nature because all the political parties and institutions that had participated in the dialogue held in October 2005 to resolve the country's serious institutional conflict had concluded that they should find a democratic solution to their differences. They agreed to promote "a broad international observation that would encompass the totality of the electoral process that will culminate with the November 2006 elections." They asked that the OAS fulfill a special role in this observation process.

The mission was long, complex, and extensive. It lasted ten months, observed three different processes—the Atlantic Coast elections, the verification of the electoral roll, and the general elections—and was present in various arenas for the process of technical, legal, and political preparation for the elections, as will be seen in the next chapter of this report.

The mission covered all phases and levels of observation:

- The organization and administration of the election process. It observed the composition and conduct of the election bodies and the establishment of the electoral registries.
- The election campaign. It observed conditions having to do with freedom to organize, party mobilization, and access to the media.
- The voting process. With its broad national coverage, the mission was present in nearly all of Nicaragua's municipalities.
- The vote count. The mission's core team stayed in the departmental and national computing centers, following the verification process.
- The post-election phase. It received and processed charges and complaints from the parties that participated in the election process.

With a specialized technical team that had experience in numerous elections in Latin America, the mission addressed a wide gamut of issues, from political and diplomatic administration to strictly technical electoral aspects related to the voter rolls; the registry and issuance of identity cards (*cédulas*) to citizens; the appli-

cation and regulation of the Electoral Law; the attention to political parties and civil society organizations; follow-up and monitoring of the media; logistical preparations for the voting; security conditions related to documentation and voting locations; the transmission and processing of data; the vote count; and the proclamation of election winners.

The mission covered the entire territory of Nicaragua, with sufficient time for preparation. The central office in Managua functioned on a full-time basis. Technicians from the core team worked in Nicaragua for an average of six months, the last three on a continual basis. The departmental and municipal coordinators paid their first visit to the field with the verification of the electoral roll in June and were installed on a permanent basis as of September. Particular attention was paid to their presence in rural municipalities that were less developed and more remote.

It has already been pointed out that the mission had to carry out its efforts in a political environment that began with many tensions, but that in the end was exceptionally peaceful, due to the exemplary conduct of the citizens of Nicaragua.

The mission attended to numerous complaints and charges, following established procedures in such cases. It received the complaints, transmitted them to the appropriate authorities, and conducted a careful follow-up of how the authorities treated such complaints.

The EOM maintained a cordial cooperative relationship with the CSE authorities and staff, who always facilitated the task of observation and allowed unrestricted access to the election system's offices and procedures. The mission's links to the government were always friendly, and its relations with the parties and alliances that participated in the electoral contest were always respectful. It worked closely with the observation missions of the European Union and the Carter Center when these arrived in the country, and held weekly coordination meetings with them.

Without the continual coordination and guidance from headquarters at every level—administrative, technical, and political—the task simply could not have been done. The way in which the work was coordinated could serve as valuable experience for future election observation missions.

6. Composition of the Mission

The Secretary General appointed as his personal representative and Chief of Mission Dr. Gustavo Fernández Saavedra, former Foreign Minister of the Republic of Bolivia. The mission was composed of Dr. Raúl Alconada, as political coordinator; Dr. Patricio Gajardo, as technical coordinator; and later, Mr. Juan Cristóbal Soruco, as press coordinator.

The mission was installed in Managua, Nicaragua, on February 13, 2006, and comprised the core group made up of nine highly qualified technicians who would participate in the process until its conclusion. These were specialists in the area of information sys-

tems, electoral administration and organization, identity cards, electoral rolls, logistics, cartography, political parties, the media, and civil society.

In June 2006, former Foreign Minister of Ecuador Dr. Nina Pacari; former Foreign Minister of Chile Dr. Ignacio Wálker; and Dr. Ana María Sanjuan, an academician from the Central University of Venezuela, accepted the OAS Secretary General's invitation to make up a group of special advisers; they were joined in November by Mr. Paul Durand, former Ambassador of Canada to the OAS. Dr. Raúl Alfonsín, former President of Argentina, accepted the special request of Mr. José Miguel Insulza and participated on Election Day, November 5, as his personal guest.

The staff hierarchy at the Organization's Secretariat for Political Affairs—Dante Caputo, Víctor Rico, Elizabeth Spehar, Pablo Gutiérrez, Ana Pérez Katz, Katalina Montaña, Martín Cácares, Esther Rodríguez, Sandra Guaqueta-Zuloaga, Clara Hoyos, Gerardo Munck, and Betilde Muñoz—supported and guided the work of the mission from headquarters.

In the field, 25 observers followed the regional Atlantic Coast elections; 35 covered the verification of the voter rolls; and 185 observers from 26 countries covered all of Nicaragua's departments and regions in the November 5 general elections. It should be emphasized that in the November general elections, a group of 70 young volunteers from different countries of the region joined the group; all were university students, chosen on their merits.

CHAPTER II: THE MISSION'S OBSERVATION ACTIVITIES

A. ATLANTIC COAST REGION ELECTIONS

The mission began its activities in Nicaragua by observing the 2006 Atlantic Coast regional elections, held to elect 90 members of the regional councils. The plan was to verify that election preparations were carried out in accordance with international norms and standards of legitimacy and transparency to ensure their integrity and reliability.

At that time, the mission's technical team was divided into two groups: one a core group and the other comprising observers in the field. The former was made up of six experts in legal issues, voter registration, information systems, training, logistics, and electoral organization; their task was to provide permanent support to CSE officials at different levels.

The second group was made up of 20 observers from 17 OAS member countries, who were deployed in the North Atlantic Autonomous Region (RAAN) and the South Atlantic Autonomous Region (RAAS) during the days leading up to the election. The group was charged with monitoring and follow-up in the regional and municipal election headquarters.

Both national and regional political parties participated in this electoral contest. In both regions, seven political organizations competed:

- 1) Constitutionalist Liberal Party (PLC)
- 2) Sandinista National Liberation Front (FSLN)
- 3) Nicaraguan Christian Path Party (CCN)
- 4) Yapti Tasba Masraka Nanih Asla Takanka (YATAMA)
- 5) Nicaraguan Liberal Alliance (ALN)
- 6) Alliance for the Republic (APRE) and
- 7) Sandinista Renewal Movement (MRS).

In addition, the Movement for Coastal Unity Party (PAMUC) participated in the RAAN elections.

In the pre-election phase, isolated confrontations arose between militants of different political parties during some rallies; the language was heated in tone on local radio stations that generally were aligned with a particular group of party. In addition, a series of alleged irregularities were denounced; these were made known to the electoral authorities and follow-up was given as to how they were addressed.

The observation teams were on the ground as of February 26. In the pre-election phase, according to the calendar approved by the CSE, the observers monitored the issuance of identity cards and the political parties' publicity and advertising campaigns. The observers also met with election authorities, political parties and

candidates, governmental and municipal authorities, the media, the armed forces—army and police—and national and international observers.

The observers met with members of the regional electoral councils (CERs) and municipal electoral councils (CEMs) to follow up on the receipt of election materials and the training of personnel assigned to the elections. These activities were carried out normally and within the established time frames.

March 5, the day of the elections on the Atlantic Coast, was predicted to be conflictive. The attempt to disqualify the CSE; the absence of three magistrates and the subsequent difficulty in functioning due to the lack of a quorum; the charges of fraud; claims about the application of Articles 41 and 116 of the Electoral Law; and the charge over the probable practice of the so-called “crazy mouse” ploy all combined to create an atmosphere of concern about what could transpire that day.

However, with the exceptions that might have been expected, the local polling stations (JRVs) were established at the expected time and concluded their activities within the allotted time frame, with a high participation rate of poll watchers from all the parties. Throughout the day, the mission's 20 observers visited 117 voting centers (27.5 percent of the total) and 248 polling stations (32.7 percent), regularly filing their reports with the mission's Managua-based communications center on the opening, development, and closing of the polling stations.

Aside from isolated cases, neither ballots nor electoral materials were in short supply. The Step by Step Manual provided instructions on the application of Articles 41 and 116 of the Electoral Law, which were followed effectively. Observers from the OAS and from other national and international organizations carried out their efforts without difficulties. The armed forces and the police fulfilled their duties with recognition from the public. But what was most noteworthy was the participation of citizens in an exemplary civic, democratic environment.

The OAS Electoral Observation Mission so indicated, on a provisional basis, at 10 a.m. on March 5 and in a press release on Monday, March 6. All the observers, domestic and international, concurred with that assessment.

The press release the mission issued about the elections affirmed that the CSE “organized and presided over the electoral process in a serious and professional manner, despite difficulties of a political nature that it faced in the period prior to the elections.” The press release also underscored “the willingness of Nicaraguan citizens, governmental institutions, and electoral authorities to conduct an electoral process in an atmosphere of dialogue, tranquility, and careful deliberation, with the purpose of respecting the

right of suffrage, the preservation of the rule of law, and the effective practice of democracy as a form of government.”

Beyond the procedural issues, the election results also brought surprises. The first results indicated that the FSLN candidates were ahead, but as the night wore on, the PLC’s victory was affirmed. Both sides recognized the professional role of the CSE, and in fact Eduardo Montealegre’s Nicaraguan Liberal Alliance and Herty Lewites’s Sandinista Renewal Movement stated that the process had been well-run. Obviously, in terms of the political sectors, not everyone was satisfied with the results: some analysts and political leaders indicated that the election had legitimized the FSLN’s control over the CSE and had strengthened the PLC option.

The international community accredited in Managua, all the candidates, and the leading media outlets agreed in highlighting the quiet but effective contribution of the OAS/EOM in applying the controversial Articles 41 and 116, facilitating the presence of observers, and reducing tensions in the election process. In this assessment, the mission’s presence was valuable and timely, although it should be noted that the CSE, and the FSLN as a party, held that the application of these articles was never in any doubt.

It can be concluded that the mission’s efforts contributed to the proper conduct of these elections, in which the autonomy of the Atlantic Region was put to the test. These elections also served as a general rehearsal for the role the electoral body would later fulfill in the presidential and legislative elections of November. To that end, certain actions were recommended in several areas related to legal issues, the system for issuing identity cards, the cleanup of the voter roll, election organization and logistics, electoral training, outreach campaigns, and information systems. Several of these were taken into account by electoral authorities.

B. REPORTS

The OAS/EOM presented three verbal reports to the Secretary General and the Permanent Council, noting the progress made in the Nicaraguan electoral process. The first of these, following the Atlantic Coast elections, was made on April 19, 2006; the second was made, at the request of the Nicaraguan government, on August 1, 2006, to examine the status of the ongoing electoral process; and the third, the verbal report on the November 5 elections, was made on November 22, 2006. The OAS/EOM also prepared two written reports: one on the Atlantic Coast elections and another on the massive-scale verification of the electoral roll.

C. POLITICAL ISSUES

1. Conflict between Powers

Throughout the election process, the confrontation among the executive, legislative, and electoral authorities was constant, leading to difficulties in the preparations for the general elections. This was particularly evident in the Atlantic Coast elections and in the verification of the electoral roll; it also made it impossible, due to

the lack of resources, to maintain permanent offices for voter registration and identification throughout the country.

The issue of confrontation was an element of permanent concern for the mission, which put in place a series of initiatives designed to overcome this lack of agreement, particularly between the government and the CSE. Thus it was a source of satisfaction that on August 31 an important meeting on election coordination took place at Nicaragua’s Office of the Presidency between the executive branch and the CSE. Participating were all the Council Magistrates and the Ministers of the Office of the Presidency, of Education, Treasury, Foreign Affairs, and the Interior, representing the government. The OAS Electoral Observation Mission was invited to the meeting.

At that time, the government informed the CSE that the Interior Minister, Dr. Francisco Fiallos Navarro, had been designated as coordinator to facilitate the executive branch’s support of the electoral process. In the course of this meeting, attention was brought to the spirit of cooperation on concrete matters such as the facilitation of schools for locations of polling stations; the availability of official vehicles and drivers; the designation of additional budgetary resources for the CSE’s operational costs; the accreditation of observers and diplomats; the internal and external security of the polling stations; internal order inside the polling stations, under the charge of the electoral police; the use of radios; security for the transfer of election materials; security for the presidential candidates; security at political parties’ public activities; deployment of voluntary police and officials; and availability of hospitals and health care centers.

Thus, one of the principal difficulties of the electoral process was overcome. The mission had worked toward this on a permanent basis and had spoken out clearly on this subject, as the media reported (for example, in the story headlined “OAS Concerned about Executive Branch-CSE Friction,” in *El Nuevo Diario* on June 13, 2006).

This confrontation between the powers of state was further amplified by the media, which highlighted every controversial statement or action within the framework of its own vision of political reality (“Bolaños ‘Blackballs’ the CSE,” *El Nuevo Diario*, June 12, 2006; “Roberto Rivas Discredits Accusations,” *El Nuevo Diario*, June 15, 2006).

By contrast, information about the coordination meeting between the executive branch and the CSE was limited; neither of the two newspapers highlighted it on the cover. *La Prensa* entitled a story inside the paper “Armistice between the Executive and the CSE,” while *El Nuevo Diario* conveyed the information in a photo caption: “President Bolaños met with the Supreme Electoral Council, the Police, and Unión FENOSA.”

2. Composition of the Election Bodies

Questions about the partisan makeup of the CSE and suggestions for its reform were permanent and came from various sectors—

particularly, though not exclusively, from civil society organizations and the communications media.

In the partisan arena, the MRS charged that it had been discriminated against in the composition of the polling stations, or *juntas receptoras de votos* (JRVs) in the selection of their “second members” for the Atlantic Coast elections, the verification of the electoral rolls, and the general elections. Its leaders also insisted, on various occasions, that “there is a lack of confidence in this CSE... due to the pact [between the FSLN and the PLC]” (*La Prensa*, June 18, 2006).

This had to do with statements made by the organization *Ética y Transparencia* (Ethics and Transparency) and by writer and former Vice President Sergio Ramírez—mention should also be made of the Foundation for the Nicaraguan Nation’s Vote, the Nicaraguan Institute for Development (INDE), and the American Chamber of Commerce of Nicaragua (AMCHAM)—which proposed the creation of a “board of notables” made up of one member of each party and by other individuals of note, to serve as witness to the elections.

In the case of the media, the dominant presence of the two parties with the most votes in the CSE was probably the most common element used in seeking to de-legitimize the electoral authority, from different perspectives. Thus, while *La Prensa* used this hegemony as a basis to take away all confidence from the electoral authority, *El Nuevo Diario* persisted in its vision that despite this situation (which it also criticized) the CSE could, based on its tradition, conduct transparent and legitimate elections.

The common demand of these organizations and media outlets—not necessarily explicit, except in the case of *Ética y Transparencia*—was the reform of the electoral authority to guarantee its independence from political parties.

3. Quorum of the Supreme Electoral Council

Once it was installed in Nicaragua, the mission observed that in January 2006, due to a decision by magistrates linked to the PLC, it was not possible to form the quorum required by law for the CSE to function, a fact that presented a serious institutional and political problem.

Article 12 of the Electoral Law establishes that a quorum consists of five of its seven members, although for some decisions a favorable vote by four magistrates is sufficient. This problem had already arisen in the previous presidential elections. As is noted in the Report of the OAS Electoral Observation Mission dated December 27, 2002, three magistrates with close ties to the FSLN declined to participate in CSE meetings, citing discrepancies in the interpretation of the Electoral Law. This incident, which arose in June 2001, set back compliance with the election calendar and was resolved only with a formal commitment by all the magistrates, signed before the international community on September 4 of that year, to constitute a quorum.

In January 2006, in the preparatory phase for the Atlantic Coast elections, three magistrates—this time close to the PLC—decided not to form a quorum and to hamper the CSE’s operations. In a meeting with the mission, PLC leaders said that they had lost confidence in the CSE, that they wanted to verify on the ground its real intention of complying with the law, and that the magistrates close to their political camp would not rejoin that body until this conduct had been evaluated.

Various legal actions were attempted to resolve this controversy, which without a doubt was hampering the election body’s ability to carry out its functions. The Constitutional Division of the Supreme Court of Justice accepted a constitutional appeal and declared that it was within the authority of the CSE to incorporate alternate magistrates when it was not possible to form a quorum among the principal magistrates, invoking Article 6 of the Electoral Law. The Civil Division of the Supreme Court, meanwhile, issued a decision contrary to that of the Constitutional Division. The PLC presented a draft “authentic interpretation” to the National Assembly. The CSE issued regulations covering the incorporation of replacements.

In various ways, the mission communicated its concern about the consequences of a continuation of the conflict, which had already spilled over from the purely legal and administrative arena to become a serious political problem. This position was also reflected in the media (not always accurately), as shown in headlines such as this one: “OAS Concerned about Quorum in the Supreme Electoral Council” (*El Nuevo Diario*, April 4, 2006).

In May 2006, through a formal agreement, the CSE overcame the obstacle that had arisen due to the lack of a quorum. Beyond that, it resolved to meet in permanent session and agreed on a specified procedure to convene alternates if necessary. However, the distrust of some media outlets and on the part of government, the international community, and a portion of the Nicaraguan public about the CSE’s composition was a constant factor as the process developed.

In this context, it was important to closely observe the conduct of the election bodies during the process and to forward to the pertinent authorities any concrete reports of partiality that arose.

4. Disqualification of Candidates

One element noted by various actors is the so-called *judicialization* of politics, that is, the use of judicial or jurisdictional procedures as instruments to disqualify or control those opposed to the system. Many actors maintain that one party controls an important segment of judges in different procedural instances and that other judges depend on another party.

In this context, the possibility that candidates to the presidency, vice-presidency or National Assembly could have been disqualified due to decisions made by jurisdictional authorities or the comptroller’s office would have a serious impact not only on public opinion in Nicaragua but also in the international community,

as the mission perceived in its interviews with authorities, parties, and the media.

In response, on May 11 the CSE magistrates told the mission they were certain that there would be no disqualification of any candidates. When the time came to process various challenges to candidates for the National Assembly, they resolved to declare all the candidates eligible, rejecting the legal actions that had been presented for the magistrates' consideration.

However, the issue arose again from another direction in the middle of the election campaign. It stemmed from a series of accusations—which the media magnified in line with their own areas of focus, and which they failed to report on after that—made against Eduardo Montealegre, the ALN candidate, having to do with alleged irregular dealings in a crisis of Nicaragua's financial system. The candidate expressed his concern because there was an attempt to disqualify him, an extreme measure rejected by the CSE President, who reiterated the decision not to allow this type of action to prosper.

5. Foreign Interference

Throughout the election campaign, all the parties, civil society organizations, and communications media at various times denounced foreign interference—from different quarters and ideological leanings—in the Nicaraguan election process. Some denounced the Venezuelan government's support of the FSLN; others pointed to the interference of U.S. diplomats, key officials, and congressional representatives in the Nicaraguan election process.

The OAS had already taken this problem under consideration at the time of the General Assembly held in Santo Domingo, and asked that the mission closely follow this aspect and speak to the issue when it considered it appropriate to do so.

In accordance with this mandate, the mission urged all the OAS member countries to fulfill their obligation not to intervene in internal affairs of other states. It recalled that under the terms of the Inter-American Democratic Charter one of the principal responsibilities of the OAS is to promote and consolidate the democratic system.

Declarations by the OAS Secretary General and the Chief of Mission framed the issue on two fronts: the unacceptable interference in the internal affairs of other countries, and the effects of this type of interference.

However, when these principles were neglected, the mission considered it appropriate on two occasions to issue press releases along similar lines, in response to clear attempts to influence the election campaign in Nicaragua. The first, on September 25, 2006, stated that:

“The Electoral Observation Mission (EOM) of the Organization of American States (OAS) in Nicaragua laments that authorities and representatives of other countries are actively intervening in the Nicaraguan electoral debate.

“The future of this country's political institutions rests exclusively on the decision by the citizens of Nicaragua. The mission understands that the role of the international community is that of cooperating with Nicaraguan institutions and organizations so that this choice is expressed through free, clean, and transparent elections.”

Despite this call, and in light of a new spate of clearly interventionist comments, the following communiqué was issued on October 20:

“The Electoral Observation Mission of the Organization of American States (OAS) in Nicaragua issued a press statement last September 25, in which it lamented that ‘authorities and representatives of other countries are actively intervening in the Nicaraguan electoral debate.’” It underscored that “the future of this country's political institutions rests exclusively on the decision by the citizens of Nicaragua.”

“In light of the statements made separately by the U.S. Secretary of Commerce, Carlos Gutiérrez, and that country's ambassador to Nicaragua, Paul Trivelli, on the Nicaraguan elections and published today, the OAS mission feels duty-bound to reiterate the spirit and text of the aforementioned statement.”

Both documents received extensive coverage in Nicaragua and abroad. In Nicaragua, all the media published them, and in the case of the second document, *El Nuevo Diario* quoted it on Sunday's front page under a suggestive title: “OAS to Trivelli and Gutiérrez: Hands off the Elections in Nicaragua.” For its part, *La Prensa* published the story on inside pages with the headline “The OAS Laments Foreign Interference.” (See Annex V—The Media and Outside Interference.)

D. TECHNICAL ELECTORAL ISSUES

1. Voter Roll

The voter roll is prepared based on citizens with identification documents. It is a tool that includes the names and other data of those citizens who are eligible to vote. These lists facilitate the search for the voter at the polling stations and the organization and logistics of the election process. Due to the nature of the electoral roll, the authorities must ensure that each citizen is registered a single time, at the place the citizen has stated as his or her residence. Because the voter roll is a permanent instrument, under the law the election authority must carry out the necessary efforts to exclude double registrations and the registration of deceased citizens, and should reflect changes of address. At the same time, the election authority should make its procedures known, as well as the places that offer these services, and promote this activity through the media so that citizens comply with this right and obligation.

Despite the efforts deployed and the exercise of election verification, which will be referred to in the following paragraphs, what is clear is that there persists a general conviction that the Nicaraguan voter roll has serious deficiencies and that it is necessary to clean and update it without delay.

The CSE scheduled the dates of June 10-11 and 17-18 to carry out the massive verification process of the voter rolls in Nicaragua. The mission presented an extensive report on this step, in which it participated with a team of 35 individuals from 11 countries, who crisscrossed the 15 departments and 2 autonomous regions in which Nicaragua's territory is divided. During the two weekends in which the citizenship review was conducted, the group of observers visited 149 of the country's 153 municipalities and was present at 1,209 of a total 4,296 verification centers that had been set up for this exercise.

The process of citizenship verification is called for under Article 45 of the Electoral Law, which holds: *"Nicaraguan citizens have the duty to register themselves or to verify their inclusion on the electoral roll at the polling center assigned to them, in accordance with that which is established in this law and in the period indicated for that effect by the Supreme Electoral Council. In either case, the registrations or verifications must be done before the beginning of the election campaign."*

During the course of this exercise, citizens could notify the electoral authority about changes in their residency—change of address on the voter roll—identify errors involving their names, and verify their accurate registration.

The mission's presence during this process offered the opportunity, in addition, to gather qualitative information on the dissemination, organization, and logistics the CSE had put in place for the verification process, and to become familiar on the ground with the operation and composition of the district, regional, and municipal electoral councils (CEDs, CERs, and CEMs).

The result of this observation—in addition to the statistical data on the specific operation of the verification process—allowed the mission to reach the following conclusions:

- More publicity about the event was needed, particularly in rural areas.
- Saturday is not a good day for this type of exercise, because the majority of citizens work a half-day.
- Weather hampered the smooth operation of the event and had an effect on participation. In some municipalities, rain was a factor that discouraged citizens from going to the verification centers.
- Citizens had little information about the importance of their inclusion on the voter rolls, and it would have been useful to have a more extensive civic education campaign by the election body, the parties, and the media to motivate citizens to become interested in this type of event.
- The political parties were not actively involved in the verification process. Their representatives—poll watchers—visited the verification centers on an irregular basis. There was no attempt to get citizens to the verification centers, nor was there publicity or propaganda urging people to get verified. Finally, only in exceptional cases was partisan propaganda seen in the verification centers.

- The CEDs/CERs and CEMs were complete, with all their members.
- The working conditions in the areas where the CEMs were operating were precarious, with deficiencies in the physical infrastructure, and not all had their own place, since many had to share space with the CER or CED.

In terms of logistics, the materials arrived intact at the CERs/CEDs and CEMs. However, these in turn could not get them to some of the more distant verification centers in time for the opening, because rain damaged the roads and vehicular travel was interrupted to these communities.

During these verification days, it was possible to show that the training provided those who received the public was not the same across the board. Various procedural problems came up, and some instructions given by the CSE were not sufficiently precise.

The verification process was also adversely affected by the confrontation between the CSE and the executive branch; as a result, some of the schools in which verification centers were to have been installed were closed. In addition, representatives of several CEDs/CERs and CEMs complained about the lack of cooperation by local authorities.

In summary, the verification of the voter roll was not as successful as had been hoped, due to the factors that have been mentioned. However, it should be pointed out that among the positive aspects that proved to be extremely useful in terms of the November 5 elections were the fact that the authorities of the different electoral councils assumed their roles, they were correctly organized, and they established a good working relationship among all the parties that made up the councils. The work materials were distributed in a timely manner to the voting centers, which were led for the most part by women, who jealously guarded their responsibilities.

It should be reiterated in this Final Report that the residence-based nature of the voter roll requires the election authority to determine the number of polling stations based on a maximum 400 voters per station. The numbering of the polling stations, which is done by the cartography unit, is associated with the electronic database of the electoral roll.

2. Process of Issuing Identity Cards

The process of issuing identity cards, or *cédulas*, was a key area of concern during the preparatory phase for the elections.

There were numerous complaints about the slow pace of processing identification cards—which also serve as election registration documents—with the CSE, which is the body in charge of issuing them. Although the service is free of charge (as of a few months ago), it nevertheless represents a cost in time and money, especially for people in rural areas who have to travel to the capital or to the nearest CEM to begin the process and then return at least once more to pick up their documents. If someone has lost his

or her birth certificate, issued by the local mayor's office, that person has to go through an additional step to replace it, through a laborious procedure involving a manual search. The problem was aggravated when, for budgetary reasons, the offices in 153 municipal centers were closed, and the process was concentrated in 15 departmental and 2 regional offices, due to a lack of funds.

There were also complaints of a political nature. Some media outlets and civil society organizations held that the election bodies used the system of issuing identity cards to favor the two parties that obtained the most votes in the 2001 election and that as a result manage the institutions. To dispel these doubts, the CSE published—with technical and financial support from the International Foundation for Electoral Systems (IFES)—seven books containing the complete list of the 225,000 *cédulas* in its possession, with detailed information on names, addresses, and the location of the municipal centers in which these documents could be found. This was, without a doubt, an important step to bring transparency to the process. The mission was informed that some 150,000 citizens picked up their identity cards thanks to this publication.

In September, at the request of the President of the Republic, the Assembly decided to extend the deadline to request identity cards from the CSE by 15 days. Later, when this deadline expired, the electoral authority began the process of preparing and handing out 214,452 supplementary documents, which could be used only for elections. Distributing these *cédulas* and documents to their owners represented a serious logistical problem, and many complaints were received about delays in transporting and sending them out. In a measure designed to avoid irregularities down the road, it was proposed to suspend delivery of these documents at noon on Saturday, November 4, so that they could be inventoried and placed in safekeeping. The CSE reported that 123,795 voting documents (*cédulas* and supplementary documents) remained under its control, safeguarded in the central warehouse, to which documents from the RAAS and Río San Juan regions must be added, for an approximate total of 135,000 documents that were undelivered.

National and international observers received complaints, and—in a couple of cases—substantiated charges that some CEMs were applying a selective delivery procedure for these documents that favored sympathizers of the members' affiliated parties. These cases were reported mainly in Chinandega, Masaya, Estelí, and Puerto Cabezas (Bilwi). The President of the Boaco CED did not allow the CEM to carry out this function and instead took on the task personally. That was an isolated practice; it was not systematic, and had a marginal influence on the election results. But in any case, it is an irregularity that should be corrected in the future.

Two main types of problems were detected in the process of issuing identity cards: registration with the CSE, and the delivery of *cédulas* that had already been produced. This is not to get into the details of what is involved in issuing and generating the documents. On the first point, it bears noting that when Nicaraguan citizens go to register with the CSE to be included on the voter roll and obtain their identity card, which certifies their citizenship, they

must present their birth document or certificate. This is the principal filter the electoral authority uses to detect those citizens who have changed their first or last names and who already have an identity document. But it is also an obstacle, because there are an undetermined number of citizens who do not have this essential document and who have to go through an additional procedure besides registering for the electoral roll: replacing their birth certificate, or what amounts to the same thing, filing a late registration with the Civil Registry.

For the election authority, this procedure involves returning to the original source—Civil Registry books—to make sure the applicant has not registered previously. This activity is done manually because the CSE lacks the technological, administrative, and human resources that would allow it to process an average of more than 800 requests per day. The equipment and infrastructure available prevent it from responding immediately to all the citizens who go to the offices of the Central Registry of the Civil Status of Persons.

The CSE has devoted efforts and resources to generate birth certificates, which have only a supplementary role in the process of issuing identity cards and which are free for citizens who apply for them directly with the Central Registry of the Civil Status of Persons. Outside Managua, the paperwork must be done in the municipal offices of the Civil Registry, which depend on mayor's offices; this creates an imbalance, to a certain extent inequitable, between those included on the voter lists in Managua and those in the rest of the country. Residents of the capital are favored, but not those in municipalities far removed from the center of the country. As far as the second problem is concerned, the election authority would have been able to have come to agreements that would have sped up the process of delivering *cédulas* that had already been produced and were available in the municipal offices. The citizen verification exercise held over two weekends in June (10-11 and 17-18) marked the first time the CSE was in touch with citizens; it could have better capitalized on this exercise to make identity cards available to citizens in the more than 4,000 verification centers, instead of in the 153 municipal offices.

The political parties, the media, and the international community expressed their concern about the risk that the delivery of identity cards to citizens—a responsibility of the CSE—could be used for partisan purposes. It was repeatedly charged that it is common for the municipalities to give an edge in the delivery of those documents to sympathizers of one political camp.

The Movement for Nicaragua (MPN) and the private business sector (COSEP) led a massive campaign to de-legitimize the election authority over the process of issuing identity cards. They even published a document—“*Cédulas for Everyone Now!*”—which was also signed by representatives of the Governance Commission of the Economic-Social Planning Council (CONPES), the Social Coordinator, the “Pro Voto” Foundation of Nicaragua, Youth for Democracy of Nicaragua, and the Women's Autonomous Movement. Besides calling for the CSE to redouble its efforts to give *cédulas* to those who didn't have them, they demanded the creation

of a “Board of Nicaraguan Notables to follow up on the development of the election process.”

The position of the two major newspapers in Nicaragua regarding this problem is reflected clearly through a comparison of their headlines:

La Prensa:

- “CSE Won’t Give *Cédulas* to Students” (July 14, 2006)
- “FSLN Controls *Cédulas*” (July 26, 2006)
- “Sandinista ‘Black Mass’ over *Cédula* Process” (July 26, 2006)
- “CSE Partisanship cannot be Controlled” (July 26, 2006)
- “FSLN and PLC Issue *Cédulas* Themselves (August 3, 2006)
- “Deficient *Cédula* Process with Obstacles” (September 28, 2007)
- “Sandinista ‘*Cedulazo*’” (November 4, 2006)

El Nuevo Diario:

- “More than 190,000 *Cédulas* Await their Owners” (June 19, 2006)
- “CSE President: *Cédula* Issue is a Conspiracy” (July 26, 2006)
- “Citizen Indifference in Picking up *Cédulas*” (July 22, 2006)
- “Youth Want *Cédulas*, but These Are Not Being Processed” (July 22, 2006)
- “Pressure Grows over *Cédulas*” (July 26, 2007)

The media played a critical role, precisely because of their weight in terms of public perception. Thus, there were media outlets that established alliances with civil society organizations to delegitimize the CSE; others sought instead to downplay the issue. But while they expressed their position in terms of the *cédula* process, very few media outlets collaborated in getting out messages that would motivate and inform the public about the ID cards.

The CSE president reported that as of the end of the process, approximately 300,000 *cédulas* were in that institution’s possession: 140,000 had not been picked up since 1997; 60,000 were ready to be picked up; and 100,000 were in the process of being produced or having the data verified.

3. Application of Articles 41 and 116 of the Electoral Law

As has been mentioned, one of the issues that raised suspicions was the potential failure to apply Articles 41 and 116, paragraph 3, of the Electoral Law; this attitude, it was believed, could affect citizen participation in the elections.

Article 41 establishes that: “Only those registered in the respective voter rolls referred to in the previous article may vote at a polling station, with the exceptions established in the current law. If a citizen who is eligible to vote does not appear on the voter roll at the polling station in the area of his or her residence but has a legally issued *cédula* or supplementary voting document that proves residence in the area circumscribed by the respective polling station, this document will authorize the exercise of suffrage and serve as verification of the vote in the respective record.” Article 116/3 states: “If the voter is duly identified as a resident in the area of this polling station, the voter with a *cédula* or supplementary vot-

ing document whose name does not appear on the voter roll or catalogue of voters, or if it appears in a different form than that contained in the identity document, the members of the polling station should accept that person’s right to vote, making note of the circumstances in the record certifying the poll closing (*acta de cierre*).”

The mission considered this issue to be of concern from the time of its installation in Nicaragua, and it made this known to the authorities—even more so because one of the reasons the three PLC-affiliated magistrates declined to form the quorum in the CSE was just this possibility that the application of Articles 41 and 116 of the Electoral Law would not be authorized for the two 2006 elections.

The CSE made this demand its own concern, and in both the Atlantic Coast and general elections, these articles were applied. The articles were included in the Step by Step Manual in both elections.

4. Electoral Law Regulations

The Electoral Law of Nicaragua allows for different interpretations that give rise to doubts. To cite two cases, this was seen in the case of the controversy that arose from the CSE president’s call for alternates to make up for a lack of a quorum due to the sitting members’ lack of attendance; it was also seen in the application of Articles 41 and 116/3 of the Electoral Law. The latter was seen as a controversial decision by those involved in the political contest, since they held that it would make it easier for a person to vote several times.

Thus, from the beginning of the mission, it was emphasized that regulations were needed covering these aspects that the Electoral Law had not spelled out adequately, that this should be done ahead of time, and it should be done as simultaneously as possible, in a consolidated body of regulatory decisions.

The CSE listened to the mission’s concern and also agreed that we could offer suggestions about the different areas to cover in the regulations.

At the end of June 2006, the CSE gave the mission draft regulations on six issues. The mission, in turn, presented its comments to the CSE president and vice-president. At the request of both of them, the mission sent the written version of its observations on two of these regulations: one covering challenges and nullifications, and another covering the work of the poll watchers and legal representatives of the political parties or party alliances.

Following a drafting and consultation process with the parties that were participating in the political contest, the CSE issued the following regulations:

- Convocation of Elections
- Election Calendar
- Regulation for Electoral Observation

- Procedure for Handling Customs Fees
- Composition of the CEDs/CERs
- Authorization to Constitute Party Alliances
- Reduction in the Fee to Replace *Cédulas* (to 50 *córdobas*)
- Final Candidate Registration for November 5 Elections
- Regulation of Election Ethics
- Control and Administration of State Financing, Donations, and Private Contributions to Political Organizations in the Election Campaign
- Qualifications and Challenges to Candidates
- Rules Regulating the Right of Poll Watchers to File Legal Actions and Request the Nullification of Votes and Election Results
- Rules for Poll Watchers and Legal Representatives of the Political Organizations Participating in the Election Process
- Publication of Preliminary Results.

As stated previously, two of these regulations bear highlighting:

One has to do with the poll watchers. The mission suggested opening the doors to the participation of the political parties at every stage of the electoral process—including the preparations for the elections, the day of the election itself, and the post-election stages of the computation, challenges, and resolution of appeals recognized by the Electoral Law—and defining precisely the functions and duties of the party representatives.

The other has to do with legal actions in terms of nullifications, appeals, and review; this was finally approved in early October 2006. The mission's suggestion in this regard was to define clearly and precisely the grounds for challenges and nullifications, and to establish a clear procedure for handling such cases. The regulation specifies which party authorities or party alliances have legal standing to file different actions and appeals, before which authorities, and in what types of cases one type of action or appeal is called for.

The mission must acknowledge the CSE's gesture; even though it had no obligation to do so, it was kind enough to send the mission these draft regulations for our information. In the same spirit of cooperation, the mission gave the CSE some comments and suggestions that we believe helped to improve the conditions under which this instrument was applied and helped safeguard the interests of all actors involved in the process.

It is worth noting that the role of the media on this issue was primarily one of reacting to civil society and international observation organizations. It was these organizations that were most insistent about the need to have clear, precise regulations—more so, in fact, than the political parties, which reacted afterwards to the organizations' suggestions.

5. Energy

The issue of blackouts due to the country's problems in generating electricity created two types of problems. The first was the risk that this would become yet another point of confrontation during the election campaign, in the search for those to blame for the electric-

ity crisis. The second had to do with the problems blackouts could cause during the general elections.

An example of the first possibility was captured in a cartoon in the August 15, 2006, edition of *La Prensa*, in which Daniel Ortega is chatting with a citizen by candlelight. In the first frame, the candidate is blaming the government for the lack of electric power; in the second, the citizen responds, "You're right. In your government we didn't even have these candles." As another example, the CSE magistrates said on various occasions that the blackouts hampered the production of the identity cards "and the whole electoral process." Some even said that "it looks as if they want to make democracy collapse in Nicaragua" or held that criticisms of the slow process of issuing *cédulas*, the failure to provide schools for the election process, and the consequence of the blackouts could amount to "an attempt to boycott the elections...."

Thus, the issue was on the informational and political agenda to an intense degree until September and even more so whenever the frequency and duration of the blackouts would increase; accordingly, as has been noted, the coverage had either a technical-bureaucratic or a political-electoral focus.

Guaranteeing the flow of electricity on the day of the election and the days following, to ensure that there would be no obstacles in the way of a proper vote count and the transmission of data to the CSE computing center, was thus one of the concerns of the election authorities and the executive branch, as well as the political parties. It was also a concern of the mission, which insisted continuously that this was a serious problem.

As a result, when the providers of electricity made a commitment to the President of the Republic that they would undertake all efforts to guarantee the supply of electricity on the day of the elections and the days following, the Chief of Mission—who was invited to the ceremony in which the document of commitment was presented at the Office of the Presidency—expressed his satisfaction with it and said it would ensure "the transparency and tranquility of these elections" (*El Nuevo Diario*, October 13, 2006). The commitment was honored, and the electricity supply was steady, which allowed the required tasks to be completed.

6. Security

Citizens' conduct throughout the election campaign, on the day of the voting, and in the days following was exemplary, as the mission indicated in its various reports and press releases.

This attitude facilitated the work carried out by the armed forces and police, which—despite some limitations of a budgetary nature—not only guaranteed security but also collaborated efficiently with the election authorities on a series of support tasks such as transporting individuals and official documents, safeguarding election installations, and others.

In addition, the support provided by the Ministry of the Interior must be noted, in the preparation of thousands of individuals to carry out the duties of electoral police on the day of the voting.

Further, as has been noted, the leader of the Interior Ministry was commended by the President of the Republic for carrying out these efforts in coordination with the election authority and the executive branch.

In accordance with the plans that had been made, around 6,000 army troops and more than 9,000 police took part on the day of the elections, also providing their automotive fleet, airplanes, boats, and communications equipment.

Finally, the esteem and trust on the part of the Nicaraguan people toward both institutions must be underscored. According to many analysts, this is due to their nonpartisan nature and their respect for the rule of law.

In terms of the mission, both institutions provided important cooperation in facilitating its efforts in the field.

E. THE NOVEMBER 5 ELECTIONS

1. Communiqué Prior to the Voting

On November 2, the mission published a paid advertisement in *La Prensa* and *El Nuevo Diario* urging “the communications media, the political parties, and the institutions of Nicaragua to strengthen their efforts to call on voters to pick up their *cédulas* or supplementary documents at their local municipal electoral councils and thus guarantee their active participation on Election Day. It also reiterated the need to place in safekeeping, prior to Election Day and with the appropriate inventory, the *cédulas* and supplementary documents that had not been picked up, following the practice applied in previous elections. The OAS/EOM observers will accompany this activity.”

The advertisement urged “citizens and relevant actors to await the declaration of official results and maintain the necessary prudence before, during, and after the vote. [The mission] makes a special plea to avoid rumors or precipitated statements or actions that could affect the normal development of the election process, and calls on the political protagonists to reduce the level of their verbal confrontation.”

The mission reiterated its conviction that the Nicaraguan democratic system would be strengthened through “massive citizen participation, . . . a responsible attitude on the part of political leaders, strict compliance with the law on the part of the election authorities, and a transparent and independent role by civil society organizations.” Finally, it indicated that “the communications media have a special responsibility during these days prior to the election. The mission urges them to help support democracy and peace in Nicaragua by disseminating information that is accurate and pluralistic.”

In its analysis of the day of the elections, November 5, the mission made a distinction between possible isolated incidents—which do not de-legitimize the process—and possible problems that seriously affect results.

The former, which have been observed in every recent election process in Latin America, include the delayed opening and closing of polling stations; shortages of electoral materials; changes in voting locations without prior notice; occasional obstacles impeding the work of observers or party monitors; and delays in turning over the tally sheets or the loss of these. Those incidents were found in the Nicaraguan elections to varying degrees.

Some participants anticipated other, more serious problems which, had they been produced, would have harmed the process and placed its results in doubt—such as the manipulation of the system for transmitting and processing data or the use of court challenges to change the voting results.

No serious failures occurred in the system for transmitting data; the flow of electricity was not interrupted, nor was fraud in the information system denounced. The transmission and vote count took place using a simple, effective, and proven information system. Party poll watchers and, in this case, OAS observers were present the entire time in the municipal and departmental transmission centers and in the national computing center.

Neither was there an avalanche of challenges, as might have been expected due to the actions the parties had planned to defend the vote. The CSE received 16 nullification appeals filed in response to some 30 cases that had come to the attention of the departmental electoral councils (CEDs); these had originated with appeals before the municipal electoral councils (CEMs), which originally received 121 challenges from polling stations. In any case, the CSE decisions on these challenges did not influence the final outcome of the elections.

2. The Media

In general, it can be said that the broadcast media covered the November 5 elections professionally, with some exceptions that consisted fundamentally in airing too much opinion about the events being reported.

One moment of high tension came about when the CSE issued the first partial results of the voting, in which the FSLN was leading. Several stations adverse to this party bitterly questioned the electoral authorities about supposedly manipulating the data so that the FSLN would come out ahead.

The next data confirmed the trend, and gradually the majority of the broadcast media opted to repeatedly call for calm to prevail and to insist that it was appropriate to wait for final, official results before any mass action was taken. Of course, there was no shortage of those who tried to the very end to disqualify or question the partial electoral results issued by the CSE.

On Monday, November 6, two newspapers presented different angles on the results that were known when their editions went to press. While *La Prensa* left the door open for uncertainty, *El Nuevo Diario* clearly recognized the FSLN victory. In the case of the broadcast media outlets, it was interesting to watch their positions evolve as, on the one hand, official results became known, and on

the other, as leaders of different types of organizations began to indicate whether or not they accepted the results.

In any case, by nightfall of that day, information as to the results and reactions of the different sectors had a common denominator: to accept or recognize the numbers issued by the CSE and to turn the attention to following the vote count and the elections for the National Assembly.

3. Election Day

On the day of the elections, the OAS/EOM deployed its observers—185 individuals from 26 countries—to 129 municipalities, 799 voting centers, and 1,596 polling stations, in the 153 municipalities of the 15 departments and 2 autonomous regions in which Nicaragua is divided politically and administratively.

A communications center was installed in Managua, to which the observers reported throughout the day of the voting. In this center, five telephone lines were installed, and three control boards had been designed and prepared, using maps of Nicaragua, to identify the areas from which the observers would report. The design of the boards helped to visually identify the zones as they reported in. At the beginning of the day they were marked in red to indicate that no call had been received from that place; later, the color would change to white to show that the observer had called in to report the information from his or her zone.

The communications center was in operation from 7 a.m. on Sunday until 4 a.m. Monday, November 6. At the beginning of the day, reports were received from observers between 7 and 9 a.m., with one report missing from a polling station that opened after 9 a.m. The noontime report took place without incident, and information was obtained from all the EOM observers between 1 and 2 p.m. In terms of the report on the close of the voting, this began to be received as of 8 p.m. on Sunday, and the last report arrived after 3 a.m. on Monday.

A sample for analysis was prepared to show the opening of the polls, the voting process, and the closing and vote count in some specifically selected polling stations. Mission observers had been trained to fill out the forms that were designed using the methodology explained in “Electoral Observation Criteria and Indicators,” which the OAS is testing. EOM support personnel were also trained to install and operate the election-day communications center, with the respective tests for transmission of information by telephone from the 50 observation points selected for the sample. The analytical sample supported the conclusions that the mission made public over the course of the two days. Thanks to that information, the judgments expressed were based on objective and quantifiable data that aptly represented the conduct of citizens as a whole.

Thus the mission was able to say, without fear of error, that along general lines, the November 5 voting had been “peaceful, massive, orderly, and according to the law.” Shortly thereafter, the European Union and Carter Center observation missions concurred with that assessment.

The information received from the 50 observation points selected was processed on November 5 at 9 a.m., 2 p.m., and from 9 p.m. until midnight. The results were presented in graphic form and were included in the press releases the mission prepared and issued on November 5 and 6.

The first press release was distributed to the media at 1 p.m. on Sunday, November 5, 2006; the second, at 5 p.m.; and the third, at 8:30 p.m. The fourth and last press release was issued on Monday, November 6, at 10 a.m. (See Annex VI—Press Releases.)

In summary, the press releases emphasize, in the polling stations observed:

- That the opening and closing of the polling stations had been slow.
- That there was adequate availability of electoral materials.
- That voter turnout was 69 percent (a figure that coincided exactly with the final official number).
- That 98 percent of the vote count was done in accordance with legal procedures.
- That Articles 41 and 116 of the Electoral Law were applied in all cases.
- That 100 percent of the poll watchers of the PLC, 98 percent of the FSLN, 96 percent of the ALN, and 56 percent of the MRS were present at the polling stations to which they were accredited.
- That all the poll watchers present received copies of the tally sheets, in accordance with the law.
- That 65 percent of the observers from Ethics and Transparency were present at the polling stations.

4. Results

The following chart summarizes the election results. Daniel Ortega, the FSLN candidate, won in the first round. All the other candidates recognized his victory during the following days, and thus the process ended.

	Percentages	Votes
Daniel Ortega (FSLN)	38.05%	932,456
Eduardo Montealegre (ALN)	28.24%	692,067
José Rizo (PLC)	27.13%	664,652
Edmundo Jarquín (MRS)	6.29%	154,245
Edén Pastora (AC)	0.29%	7,228

Null votes	62,638
Deposited votes	2,513,286
Valid votes	2,450,648
Did not vote	1,151,855
Abstention	32 percent of an electoral roll of 3,665,141

The election for the members of the National Assembly produced the results below, following a vote count process that showed some errors or irregularities, particularly in remote areas. The mis-

sion, as corresponds to its role, has pointed these out to the authorities.

FSLN	38
PLC	25
ALN	22
MRS	5

Under the law in effect, the ALN has an additional deputy, Eduardo Montealegre, due to his having come in second place in the election. President Enrique Bolaños will also join the Assembly as a national deputy.

On November 8, the OAS Electoral Observation Mission offered its congratulations to the people of Nicaragua for their exemplary conduct during the elections on Sunday, November 5, and to President-elect Daniel Ortega. It expressed its recognition of the CSE authorities, the executive branch, the army, and the police, as well as the actors in the political process, for their efforts to guarantee the free expression of the popular will and respect for the law. As the press release said, this was a historic moment that consolidated and strengthened the choice of peace and unity in Nicaragua.

F. POST-ELECTION PHASE

The Chief of Mission presented his verbal report to the OAS Permanent Council on November 22 and maintained permanent contact with the mission's technical coordinator and part of the core working group, which continued the observation task in Managua until November 30, 2006.

During this period, the mission received no official denunciation from the parties that participated in the elections. According to an official CSE report, 121 legal actions were presented at the level of polling stations. The CEDs/CERs resolved 30, and 16 of the decisions made by that body were presented for appeal.

Nevertheless, the mission took note of the complaints that the parties took to the bodies of the election system and observed how these were treated in the following cases:

- Appeals for review of the arithmetic in the results presented by the ALN in the departments of Masaya and Estelí, due to differences in the vote recount at the polling stations, in the first case, and in the second, due to inconsistencies in the vote totals between the total consolidated votes and the total of votes that had effectively been deposited.
- Appeal for review filed by the PLC regarding differences in the vote recount in the RAAN, in Matagalpa, and in Río San Juan.
- Challenges to the math in the certified tally sheets (*actas de escrutinio*) in the municipality of Diriamba, a claim that was resolved, in the presence of mission observers, by the correction of arithmetic errors and the assignment of the deputy seat to the MRS candidate.

CHAPTER III: CONCLUSIONS AND RECOMMENDATIONS

A. CONCLUSIONS

The analysis of the 2006 electoral process must begin with a question: Is the Nicaraguan electoral system inclusive, clean, and competitive?

The answer is yes, with qualifications.

The Constitution establishes that the basis of national sovereignty is the popular will and that public authorities are designated by the direct vote of all citizens, without limitations or restrictions. It allows and facilitates citizen participation and, in certain respects, is even broader than that of other countries because it recognizes the right to vote for citizens once they are 16 years of age and because it institutes an autonomous system for the indigenous peoples of the Atlantic Coast.

The constitutional precept is applied. Nicaragua has one of the highest rates of voter participation in Latin America. In these elections, nearly 70 percent of the population registered on the electoral roll participated. If the percentage of deceased citizens is figured in, or citizens who have emigrated but still appear on the voter rolls, the real percentage of participation would be around 80 percent, according to one conservative estimate.

In general terms, the 2006 electoral process and the elections were clean. The rules were followed. The presence of party poll watchers at all levels, particularly in the voting areas, in the vote count, and in the data processing guaranteed that it would be that way; added to that was an extensive and constant presence of national and international observers.

But it must be said that the violent tone of several of the campaigns—echoed at times by some media outlets—based on personal attacks on adversaries was highly negative. These attacks had no limits, not even the limits of taste. The regulations and the electoral authorities should have prevented and punished this type of proselytizing activity.

No party or alliance was kept from participating in the elections. Five national candidacies, which acted openly and without fear of persecution or personal reprisals, demonstrate the competitive nature of the Nicaraguan electoral system, at the legal and formal level. That does not necessarily mean they had equal opportunities to compete. The General Budget apportions 1 percent of the total income for the organization of national elections, which includes the reimbursement of election campaign costs pending an official accounting. However, there are well-known differences between different political campaigns in terms of access to national and foreign donations and in access to space in the media, which falls within a widespread context in the region.

B. RECOMMENDATIONS

The technical report contains a series of specific recommendations that came about from the observation. On this point, it is worth underscoring the importance of how some of these issues were handled, due to their political significance. Of course, as has been indicated throughout this report, the mission bears in mind that changes in the legal-institutional structure are lasting when they come in response to internal demands, not when they come from recommendations made by foreign experts or missions.

1. Composition of Electoral Bodies

The first of these issues is related to the institutional structure and composition of the electoral bodies.

Electoral bodies play a critical role in Latin American democracy. Their strength is an essential factor in the preservation and consolidation of the democratic system, as indicated by recent experience in various countries of the region—including, of course, Nicaragua—in which the legitimacy of the election process paved the way to find solutions to serious social and political confrontations.

Every country has its peculiarities, which are represented in its institutional structures; thus it is impossible to make generalizations according to a formula. But what is certain is that, within the Nicaraguan historical and political context, it would be useful to respond to the demands of various political and social sectors in Nicaragua when it comes to making decisions about the composition and functions of the electoral body, which is charged with guaranteeing transparent elections that inspire confidence and facilitate citizen participation. Nicaragua's society and institutions must discuss and resolve this problem internally—if in fact they consider it a problem—in full exercise of their national sovereignty. This report limits itself to raising the issue and recommending approaches.

In Nicaragua, the Supreme Electoral Council is a power of state, on the same level as the executive, legislative, and judicial branches. The law that organizes this body has constitutional rank, and its magistrates are designated by special majority, based on proposals put forward by the President of the Republic and the Deputies of the National Assembly. (See Annex VII—Information about the Electoral Authority in Nicaragua.)

This institution is charged, on a full-time basis, with organizing, managing, and overseeing electoral processes, with complete independence from the other branches of government, within the framework established by the Electoral Law.

Its duties cover the gamut of functions that are necessary to fulfill its mandate and are described in detail in the Constitution and in the Electoral Law. They can be summarized as follows:

- To prepare and administer the voter rolls;
- To manage the process of citizen registration used for elections and to administer the Civil Registry used for all purposes;
- To apply and regulate the Electoral Law;
- To recognize and exercise control over the parties' official representatives and finances; and
- To receive and resolve claims and challenges filed by political parties.

Of course, the tense political climate leading up to the November 5 elections was marked by the issue of the composition of the electoral bodies. As was seen in the previous chapter, government officials, various civil society organizations, various media outlets, and some members of the international community questioned the political closeness (some called it dependence) between the magistrates of the Supreme Electoral Council and the two parties that elected them in the National Assembly. This relationship, in the judgment of some, conditioned their actions and placed them at the service of certain candidacies.

Both elections—on the Atlantic Coast and the November 5 general elections—which the CSE “organized and managed with seriousness and professionalism, despite the political difficulties it confronted in the period prior to the elections,”² were characterized by the mission as “massive, orderly, peaceful, and within the law.”³

Thus, the facts themselves and the presence of objective, independent national and international observers helped to dispel the doubts and distrust that dominated the electoral process. As this report notes, there were numerous isolated incidents and errors, as can be seen in all electoral processes, but no reports of systematic actions taken by the election body that were designed to modify or manipulate the popular will expressed at the polls.

Although it did not carry as much weight in the media as the political affiliation of the election body magistrates, another issue under debate was the concentration of contentious electoral jurisdiction in a single body,⁴ particularly when it was speculated that there would be a wave of challenges to the polling station results.

The facts did not confirm the fears in that case either. The number of legal challenges expected did not arise, and the resolutions handed down by the election bodies—the JRVs, CEMs, CEDs/CERs, and the CSE—did not substantively alter the election results. The exception was the case of a Deputy from the Atlantic Coast, which the PLC claims was assigned in error to the FSLN.

Moreover, the majority of supreme electoral bodies in Latin America “have the authority not only to make final decisions on the conflicts that arise in the preparatory stage of the elections but also those that arrive at the time of certifying them,”⁵ so the Nicaraguan case is no exception.

2. Process of Issuing Identity Cards

The second issue, given its political importance, is the issuance of *cédulas*. As Chapter II of this report has indicated, this was one of the issues that raised the greatest concern throughout the election process and especially in the final phase prior to the elections. While the issue didn't upset the process, it came close to doing so.

It would be worth reconsidering this issue as a whole with a view to reengineering the entire system, from the presentation of the citizen's application, its processing, the document's production, the issuance of the *cédula* to the owner, and the safekeeping of the documents that have not been picked up. In order to do that, it would be necessary to redesign the administrative structure of the CSE at both the central and field levels; standardize technical and operational procedures; modernize the civil registries to speed up the process of issuing *cédulas*; and design control mechanisms from registration to delivery of the document to citizens.

Incidentally, the mission agrees with the view that activities involving registration and the issuance of *cédulas* should be decentralized and permanent, so as to maintain updated voter and citizen registries. For that, it is especially important to open all offices for this process in the municipal electoral councils and to reach formal cooperation agreements with state or municipal offices to create sub-headquarters in regions in which there has been a high mobility rate among voters and in which it is necessary to bring the services for registering and issuing *cédulas* closer to the citizens. The possession of an identity document, it must be recalled, is a citizen's right, and the state should undertake considerable efforts to make the process as agile and timely as possible.

To be sure, the problem implies financial and technical demands that must be taken into account, as well as the need to coordinate with other state institutions, such as the executive branch, the National Assembly, and mayor's offices in the municipalities. The European Union has already expressed its interest in providing financial and technical cooperation for this purpose.

3. Electoral Roll

The cleanup of the electoral roll is the third issue. The efforts that were undertaken throughout 2006 to improve the electoral roll must be recognized. But it is clear that despite such efforts, Nicaragua's electoral roll has structural deficiencies.

The inclusion of an imprecise number of individuals who are deceased or have emigrated—some estimate this could amount to

² Chief of Mission's report to the Permanent Council, April 13, 2006

³ Chief of Mission's report to the Permanent Council, November 22, 2006

⁴ In its broadest sense, the “contentious electoral” concept refers to “any type of control, challenge, judgment, appeal, or claim against any procedure within the election process, whether related to actions regarding election preparations or election results, particularly those that refer to the composition of the public bodies.” *El contencioso-electoral*. Jesús Orozco Enriquez. *Tratado de derechos electoral comparado de América Latina*. Fondo de Cultura Económica. Mexico, 1998.

⁵ *Los órganos electorales supremos*. Juan Jaramillo. *Tratado de derechos electoral comparado de América Latina*. Fondo de Cultura Económica. Mexico, 1998.

10 percent of the voter roll—inflates official statistics and alters the organization of elections. Beyond that, it creates an unnecessary climate of suspicion about the political use of this instrument, which must be dispelled. There are many methods that can be used for cleaning up the voter rolls, and the authorities should examine which of these is best suited to conditions in Nicaragua. There is no doubt, though, that this is an issue that must be addressed soon, beginning with a modification of the rules governing such a cleanup. The system for issuing *cédulas*, the registration of citizens, the verification process, and the preparation of the voter rolls must be reengineered from top to bottom in a way that corrects the deficiencies detected in the civil registries used to generate and issue identity documents.

In order to guide efforts related to the update of the voter registry, it is recommended that a complete diagnostic of the electoral roll be undertaken, based on the analysis of information provided by all offices of the electoral authority that are involved in creating the registry. This includes the units that issue identity cards, as well as those that have to do with the civil registry, information systems, and cartography. In order for this effort to be viewed by society as legitimate, it would be appropriate to seek agreement between the election body and national and international institutions that specialize in population registries, statistics, electoral rolls, geography, and information systems, and in particular to have the political parties accompany the election body in this exercise.

As the leaders of the Supreme Electoral Council have themselves indicated, these tasks could culminate with the issuance of a new identity card (*cédula de identidad*) based on the now-validated information contained in the database of the current system. Only changes of address that were requested by citizens during the mass verification process would have to be updated. The mission believes this is a good path to pursue.

As a separate issue, but one that is linked to the creation of the electoral roll and the distribution of voters, it would be appropriate to review the mechanism for assigning polling station numbers. It was clear in the election that there are some distortions in the system, so that there are cases—such as the mission observed in Puerto Cabezas—in which one polling station has 400 voters while the one next to it has only 10. This imbalance in the number of voters per polling station requires an all-out logistical effort to appoint polling station members, train them, designate party poll watchers, distribute materials, and do everything involved in the process—all to attend to just 10 voters. This can be resolved by dividing the number of voters per polling station in a balanced way.

4. Regulation of the Electoral Law

The issue of regulating the Electoral Law is another that the mission would advise considering, with the high level of attention warranted due to its importance.

While the November 5, 2006, general elections overcame the potential difficulties of a measure as complex as the Electoral Law, it is clear that there are vacuums and contradictions in the body of election laws that should be corrected.

Among the many elements to which this section refers are two that should be underscored. The first has to do with the way the CSE issues regulations related to the Electoral Law. It does this for every election and every subject matter, each one separately. This practice is most likely based on the need for flexible action, allowing for the regulations to be accommodated according to the circumstances of each election. However, there are few legal reasons that would make such a practice advisable, since the law remains the same. In some cases, as the political parties that are not represented in the election bodies tend to argue, such a practice could give rise to the arbitrary exercise of regulatory power.

The mission believes it would be appropriate for the Supreme Electoral Council to approve a permanent regulatory framework that regulates all aspects contained in the Electoral Law, in a codified form and in a single body of regulations. To be sure, nothing would stand in the way of adjusting certain aspects of the regulations when the body with the authority to do so believes it appropriate. That way, the regulatory framework would be known; it would be public and transparent. This would avoid the situation in which various sets of specific provisions are handed down for every election, a practice that—as the 2006 elections demonstrated—leads to suspicions and unnecessary charges of fraud.

The adoption of regulations of the Electoral Law encompasses very important issues, such as the regulation of election observations; the composition of the CEDs and CERs; the authorization for parties to form alliances; the final registration of candidates; electoral ethics regulations; the control and administration of state financing, donations, and private contributions to political organizations during an election campaign; the qualification and challenges of candidates; the law governing poll watchers and legal representatives of political parties participating in the electoral process; and finally, the regulation covering the publication of preliminary results.

But there is one area that this report believes should be highlighted, and that has to do with the rules regulating the right of poll watchers to file legal actions and request the nullification of votes and election results. In applying the law, the electoral councils have the authority to admit, process, and resolve petitions, claims, complaints, and challenges filed, although there are also nullifications, appeals, and reviews.

The right of any person, individual or collective, to access the electoral justice system is guaranteed; there are practically no restrictions on making the most widely varied claims possible based on the substantive laws that protect the electoral process. But a confusing set of regulations can alter or adversely affect that right.

In terms of resolving election-related disputes, the Electoral Law does not cover aspects related to time frames, notifications, proof, decisions taken, content, communication, and execution of resolutions. Neither does the regulation legislate with the precision and transparency that would be advisable. It does not regulate clearly and in an orderly manner the legal or technical means of making challenges or placing controls on election actions and pro-

cedures, and it mixes together different subjects that should have a logical sequence. It does not determine clearly which party should file an appeal, whether the poll watchers, the political organizations' legal representatives, or both. In addition, it is unnecessary to repeat the concept of an appeal in both articles.

The ideal—though not always customary under Latin American election law—is that a particular act be challenged under a particular authority; that there be certainty as to the qualification of legitimacy of those who file it; and that the means of proof be determined and their probative value established by law. In the case of Nicaragua, mention is made of these issues in various articles of the Electoral Law, but in a general way, without precision or any differentiation between complaints, petitions, charges, appeals, and claims. This is perhaps one of the greatest problems of the law in this area.

A precise and complete body of law, with the smallest possible number of contradictions, would help to resolve problems before they take a contentious route. Further, it would make it possible for these controversies to be resolved strictly within the law, reducing the possibility of these differences being resolved through negotiations or political deals between the parties involved.

5. Other Considerations

Of particular importance are the norms related to the financing of the parties and alliances that participate in the elections. As has been noted by specialized organizations, the current law is very limited and leaves important loopholes in terms of obtaining money from outside sources.

It is also necessary to provide incentives and standards so that election campaigns can take place in a framework of respect for the adversary, with priority given to planned debates, and so that there is strict compliance with the venues and time frames determined by the law for disseminating election advertising through the public and private media.

It should be considered that, as the experience in various countries of the region has shown, the best time to undertake electoral reforms is when there are no elections on the immediate horizon. That way it is possible to work without the pressures of the particular circumstances or the particular interests of the election actors, which allows for a long-term perspective.

Moreover, given the urbanization process noted in the first section, it is also important to define the role that civil society organizations and the media should play in election campaigns.

In terms of civil society organizations, these tend to consider themselves monitors of the political system and tend to act from specific ideological positions with no counterbalance whatsoever. The experience in various cases in Latin America suggests that these types of organizations help to disqualify and de-legitimize the political system, leaving vacuums that can then produce severe political crises in the democratic system as a whole. Thus, on the

one hand, it is important to define their role in the political system and on the other, to ensure that the term “civil society organizations” does not conceal concrete political activity.

Regarding the media in Nicaragua, freedom of expression is absolute. The way election-related information was handled between February and November 2006 attests to that situation, which is essential for the viability of the democratic system.

What remains to be examined—and this is a task that belongs exclusively to Nicaraguan society—is whether there is a relationship between this freedom and the responsibility to inform in the best way possible to the benefit of citizens. An adherence to particular political or ideological positions, beyond the scope of editorial and opinion pages, also determines the way in which information is conveyed. Defining the role the media should play in the electoral system will be part of the process of institutionalization being undertaken by Nicaraguan society.

In terms of the work of the mission, its experience indicates that it will take time to be able to understand and influence the process. It is necessary to cover the whole territory and deal firsthand with political and electoral authorities in all departments and municipalities, in rural areas, and in the cities; to observe the development of the different stages of legal and logistical preparation; and to calibrate the political and media climate. Not to do so risks making superficial judgments about an institutional, political, and electoral system that is not well-known. The nucleus of the mission was in Nicaragua as of February 2006 and stayed in the country until the conclusion of the electoral process, at the end of November 2006.

The 2006 elections consolidated the democratic system in terms of the exercise of political rights. The stage of testing and doubt is in the past. That was demonstrated by the exemplary attitude of citizens during a long and contested campaign and on the day of the voting itself. Their peaceful attitude without a doubt helped shape that of the parties. Despite all the problems and with the exceptions that confirm the rule, the electoral institutions worked—from the CSE to the departmental, regional, and municipal electoral councils.

Also worth noting is the position of the parties, despite the unacceptable ugliness of several broadcasting spots and paid advertisements. The winner respected the institutional system and did not proclaim victory until the official results confirmed the early data. And the adversaries recognized his victory and admitted the results. Those are elements of a solid electoral democracy.

Now the election system must be perfected. Its deficiencies are similar to those of several countries in the region. However, as this experience has demonstrated, these shortcomings do not nullify nor de-legitimize the process. But they should and can be corrected.

These are the conditions for establishing a legitimate republican structure, in which a modern democracy operates, one that is founded on true independence, balance, and checks on the powers of the state.

The mission has concluded its work, and it can be said without exaggeration that its participation helped to reduce the gap of distrust that distanced important segments of the political system, and helped to resolve problems—without trying to be protagonists and respecting Nicaragua’s sovereignty. To a certain extent, its opinion—expressed in the press releases it issued in a timely manner and in its reports to the Permanent Council—helped to legitimize the election process.

This is what it attempted to do: to seek the application of the principles of the Inter-American Democratic Charter; to contribute to the holding of transparent, free elections in accordance with domestic law and international guidelines; and to make its efforts known to the Secretary General and the Permanent Council of the Organization of American States.

TECHNICAL COORDINATION ANALYSIS

INTRODUCTION

The OAS Electoral Observation Mission (EOM) for Nicaragua's national election process was established in the country as of May 2006. From the time of its arrival, it understood the importance of observing the development of the entire political process. With this goal in mind, it maintained the structure based on a core group, the system that had been in use since the March 2006 regional elections. The core group was composed of multidisciplinary experts from different countries who were responsible for following the activities included on the election calendar and interacting with the officials responsible for carrying these out, as well as with the political parties and civil society organizations involved in national and international observation efforts.

The technical work of the core group served as a reference point for the activities the EOM members would carry out in the field. It also provided basic input for the training of the 185 observers that made up the EOM at different points in 2006; citizen verification of the electoral roll; the preparatory phase of the process; the day of the voting; and the phase of filing and resolving challenges.

The analysis and follow-up done by the experts in the core group on the development of the process and on the work of the electoral authorities—from the preparatory phase to the resolution of challenges—was summarized in 17 weekly reports presented to the EOM chief in Nicaragua. Beginning with the second half of September, these reports included information from the field received from observers (15 departmental coordinators and 2 regional coordinators, under the direction of five zone coordinators and the national coordinator and deputy coordinator of the observation process).

This Final Report documents what was observed and incorporates the evaluation and technical recommendations believed to be appropriate to improve various aspects of the Nicaraguan election system.

The content of the report is structured in 14 thematic sections in the following order: legal framework; election calendar; political parties; issuance of voter identity cards; electoral roll and cartography; election logistics; training; civil society; information systems; follow-up to complaints, charges, and challenges; observation in the field; EOM logistics; and recommendations.

CHAPTER I: LEGAL FRAMEWORK

Nicaragua's Political Constitution establishes that the country is a democratic republic that is participatory and representative. Its constitutional framework determines that national sovereignty resides in the people and is exercised through democratic mechanisms. The people exercise political power through their representatives, who are freely elected through universal suffrage that is equal, direct, and secret.

The bodies of the government include the legislative branch, the judicial branch, the executive branch, and the electoral branch. In terms of political rights, it is established that Nicaraguan citizens are those who have turned 16 years of age, having the right to vote and be elected in periodic elections. They also have the right to organize or be affiliated with political parties in order to participate, exercise, and have access to power.

Executive powers are exercised by the President of the Republic, who is elected for a five-year term through universal suffrage that is equal, direct, free, and secret.

The President of the Republic elected is the candidate who has a relative majority of at least 40 percent of the valid votes cast, except in the case when the candidate, having captured at least 35 percent of the valid votes, has at least a 5 percent advantage over the second-place candidate. If none of the candidates captures the percentage required to be elected, a second electoral round is held between the first- and second-place finishers, and the one who obtains the highest number of votes is elected. The vice-presidential slot is included on the presidential ticket.

Legislative powers are exercised by a unicameral National Assembly, made up of 90 deputies and their alternates, elected to a five-year term through universal suffrage that is equal, direct, free, and secret, according to a system of proportional representation. Also forming part of the National Assembly as Deputy and Alternate, respectively, are the former President and Vice-President who were elected for the immediately preceding term. The candidates for President and Vice-President who participate in the corresponding election and obtained second place also go on to become Deputy and Alternate.

The Nicaraguan electoral process took place under the following legal frameworks in effect in the country:

- Political Constitution
- Electoral Law
- Regulatory Resolutions issued by the Supreme Electoral Council.

The Supreme Electoral Council convened elections for President and Vice-President of the Republic; Deputies of the National Assembly; and Deputies of the Central American Parliament, to be held on Sunday, November 5, 2006, according to an accord reached on February 20 of that same year.

A. POLITICAL CONSTITUTION

Nicaragua's current Political Constitution is the product of a Constituent National Assembly that convened in 1984 and approved this Magna Carta on January 9, 1987. This is the text in effect, with partial reforms adopted on February 1, 1995; January 18, 2000; and the last one on February 28, 2006, which was suspended, following a political agreement, until January 20, 2007. These reforms have been progressively restricting the President of the Republic's powers and constitutional authority.

The Political Constitution enshrines the electoral authority as the fourth branch of government, with the exclusive power to organize, manage, and oversee elections, plebiscites, and referendums. Its highest body is the Supreme Electoral Council.

B. ELECTORAL LAW

Adopted as Law 331, passed by the National Assembly on January 19, 2000, the Electoral Law has constitutional authority and mainly regulates what refers to:

1. The election authority (its formation, activities, integration, functioning, and bodies)
2. Political parties (constitution, organization, registration, etc.)
3. The election process
4. Election-related crimes

The Electoral Law encompasses the entire process for the election of public posts through the votes of citizens, at the municipal level as well as for executive and legislative posts at the national level. This law is institutional in nature.

The CSE has the authority to organize, manage, and supervise elections. It is the supreme and final authority on the country's electoral process, except in cases of electoral crimes, which are heard by regular criminal courts.

To organize and supervise the elections, each of the 15 departments and the 2 autonomous regions of the Atlantic Coast have a departmental electoral council (CED) or regional electoral council (CER). In addition, each of the 153 municipalities has a municipal electoral council (CEM). Within each municipality there are polling stations (Juntas Receptoras de Votos, or JRVs), for a total of 11,274.

The parties play an important role in election oversight. For the registration process, the vote, and the tally, each party or alliance has the right to name a poll watcher and an alternate before the CSE, as well as before the departmental, regional, and municipal councils, the polling stations, and the computing centers. Poll watchers have the right to be present at every step of the election process.

To identify voters and prevent the use of fraudulent or improper votes, the Electoral Law establishes criteria for establishing and maintaining the electoral rolls at each polling station and the regulations for the issuance and voters' use of *cédulas* or supplementary documents. Once the voting process has ended, the members of each polling station and the assigned poll watchers should participate in the preparation of the tally sheets and ensure that copies reach the poll watchers and the higher-level electoral bodies. It is up to members of the polling station to open the ballot boxes, examine, and count the votes. Once the vote count is finished, the final tally sheet must be signed by the members of the polling station.

To assist in calculating and consolidating the votes, the law requires that a computing center be established in each departmental and regional electoral council, in a place determined by the CSE. The law similarly establishes the conditions for null votes and for corrections of errors in arithmetic, where necessary.

The law requires the Ministry of the Interior to form the electoral police force, which acts on the orders of the CSE to guarantee peace and public order during the election process.

C. RESOLUTIONS ISSUED BY THE CSE

These are the regulations handed down by the Supreme Electoral Council to regulate specific issues for the different electoral processes. They complement the Electoral Law on specific points or fill in any gaps it presents. For the national elections of November 5, 2006, the CSE issued the following resolutions:

1. Convocation of Elections
2. Election Calendar
3. Regulation for Electoral Observation
4. Procedure for Handling Customs Fees
5. Composition of the CEDs/CERs
6. Authorization to Constitute Party Alliances
7. Reduction in Fee to Replace *Cédulas* (to 50 *córdobas*)
8. Final Candidate Registration for November 5 elections
9. Procedures on Petitions, Complaints, and Charges
10. Regulation on Election Ethics
11. Regulations on Political Organizations' Poll Watchers and Legal Representatives
12. Financing of Election Campaigns
13. Filing of Challenges and Requests for Nullification.

D. STRUCTURE OF THE ELECTORAL AUTHORITY

1. Supreme Electoral Council (CSE)
2. Departmental Electoral Councils (CEDs) and Electoral Councils of the Autonomous Regions of the Atlantic Coast (CERs)
3. Municipal Electoral Councils (CEMs)
4. Polling Stations Members (JRVs).

1. Supreme Electoral Council

The CSE hears and resolves, as a final authority, appeals from the lower bodies, and establishes regulations on the participation of observers. The CSE is the supreme and final authority on the electoral process in the country, except when it comes to the treatment of election-related crimes, which are heard by the ordinary courts.

The CSE is composed of seven magistrates and three alternate magistrates who are elected by the National Assembly from separate lists proposed for each post by the President of the Republic and the Deputies of the National Assembly, in consultation with the relevant civil associations. Each magistrate is elected with the favorable votes of at least 60 percent of the Deputies in the National Assembly. Those elected will choose a president and vice-president for a period of one year, with the possibility of reelection. The magistrates serve five-year terms.

2. Departmental/Regional Council

For the organization and oversight of the elections, each of the fifteen departments and the two autonomous regions of the Atlantic Coast have a departmental or regional electoral council, composed of a president and two members along with alternates. They are designated by the CSE, based on lists sent for that purpose by legal representatives of the political organizations participating in the elections.

3. Municipal Electoral Council

These are the bodies that organize and supervise the elections in each of the country's 153 municipalities. They are designated by the departmental and regional councils based on slates that the political parties send for that purpose, under the terms established by law. These entities function only during periods of election activity.

4. Polling Station Members (*Juntas Receptoras de Votos, JRVs*)

In each municipality, polling stations are established based on electoral cartography; each one receives a maximum 400 voters. Within the electoral structure, the JRVs are the entities that have the most direct contact with voters, particularly on Election Day. They receive the votes and are in charge of opening the polls, constituting and closing the polling stations, and counting the votes.

The JRVs are made up of a president and a first and second member, with their respective alternates.

The president and respective alternate of each electoral council and JRV is designated in alternating fashion from among the political parties that had finished in first and second place in the last

general elections held. The first member and respective alternate will be designated in the same manner.

The second member and alternate are designated from slates presented for that purpose by the other political organizations that are participating in the planned elections.

CHAPTER II: ELECTION CALENDAR

In every electoral process, the determination of the election calendar is of prime importance for the international organization of the electoral body, as well as for the political parties, the government, the media, citizens, civil society organizations, and national and international observer organizations. The calendar is the guiding instrument that shapes the activities, time frames, and deadlines established by the Electoral Law.

Along these lines, and based on the powers granted by Article 10 of the Electoral Law and in accordance with Articles 4 and 13, the Supreme Electoral Council issued a resolution on March 26, 2006, determining the calendar for the election of the President and Vice-President of the country, National Assembly deputies, and deputies of the Central American Parliament. These elections were convened for November 5, 2006.

All the activities and time frames established in the election calendar were carried out responsibly during the periods before and after the elections. Only the schedule for issuing identity cards was modified in line with the change approved by the National Assembly, at the request of the executive branch. This change expanded by fifteen days the time frame for this process (from August 6 to 21), which affected the times available for the production of the identification document and activities related to the printing of the voter rolls.

CHAPTER III: POLITICAL PARTIES AND ALLIANCES

The Electoral Law establishes that political parties are public institutions with legal personhood, and are made up of Nicaraguan citizens; that they must have statutes and regulations; and that they must be constituted through written public notice. The CSE is the entity that grants them legal personhood.

Political parties may form alliances to participate in elections and are able to register candidates with different parties, as long as they meet the requirements established under the law.

The following parties and political alliances were registered for the November 5, 2006, general elections:

- Alternative for Change (AC), the only political party that participated individually, without alliances. Its presidential slate was composed of Mr. Edén Pastora for President and Mrs. Mercedes del Socorro Tenorio for Vice-President.
- Sandinista National Liberation Front (FSLN), an alliance made up of the following parties: Sandinista National Liberation Alliance, Yapti Tasba Masraka Nanih Asla Takanka (YATAMA), the Movement for Christian Unity (MUC), and the Christian Democratic Union (UDC). Its presidential slate was composed of Mr. Daniel Ortega for President and Mr. Jaime Morales for Vice-President.
- Constitutionalist Liberal Party (PLC), an alliance made up of the party by the same name (PLC), the Central American Unionist Party (PUCA), the Neo-Liberal Party (PALI), the Nationalist Liberal Party (PLN), the Nicaraguan Christian Path Party (CCN), and the Multiethnic Indigenous Party (PIM). Its presidential slate was Mr. José Rizo for President and Mr. José Antonio Alvarado for Vice-President.
- Sandinista Renewal Movement (MRS), an alliance made up of the party by the same name (MRS), as well as the Citizen Action Party (PAC), whose presidential slate comprised Mr. Edmundo Jarquín for President and Mr. Carlos Mejía Godoy for Vice-President. It is important to note that at the beginning of the campaign, the presidential candidate for this alliance was Herty Lewites, who died a few months before the election and had to be replaced by Mr. Jarquín, who had been his running mate at that time.
- Nicaraguan Liberal Alliance (ALN), made up of the party by the same name (ALN), the Independent Liberal Party (PLI), the Nicaraguan Resistance Party (PRN), the Conservative Party (PC), the Alliance for the Republic Party (APRE), and the Coastal Unity Movement Party (PAMUC). Its presidential slate was made up of Mr. Eduardo Montealegre for President and Mr. Fabricio Cajina for Vice-President.

According to the election calendar, the date for beginning the election campaign was established as August 19, 2006. However, several months before that date, the political organizations participating in the contest began to proselytize through trips by their candidates, publicity, public activities, and other similar activities. The election campaign was intense and, as has been indicated, was begun early. It could even be said that the campaign got underway with the regional elections of March 5, 2006.

CHAPTER IV: VOTER IDENTITY CARDS

It must be noted that everything here is based on what was observed and discussed with the leaders of the Supreme Electoral Council; on the monitoring of activities scheduled by the electoral authority in terms of the *cédulas*; and on observations made in the field by EOM specialists as well as by other members of the mission. In addition, the mission's analysis took into account the exchanges made with representatives of Nicaraguan non-governmental organizations and with other international observers, with whom there was interaction throughout this observation process.

A. ISSUANCE OF IDENTIFICATION DOCUMENT

Under the laws of the country (the Constitution, the Electoral Law, and the Law of Citizen Identification), the issuance of *cédulas* is a permanent activity under the responsibility of the CSE. The state, through the electoral authority, has the obligation to offer the service, and citizens have the obligation to go to CSE offices to request their identity cards, a means of voter identification which also has other uses for various procedures.

Under the same laws, the service should be offered throughout the country in municipal offices. However, because the cost implied in maintaining the field structure in 153 municipalities, the CSE closed these offices for two years and offered the service in only 17 offices (15 departmental and 2 regional). Thus, a backlog accumulated that the CSE had to clear during the period of the electoral process that began on March 27 with the approval of the election calendar.

B. CÉDULA-RELATED ACTIVITIES

In scheduling activities for the 2006 national electoral process, two time frames were indicated in relation to the issuance of identity cards:

Activity	Date
• Deadline to request an identity card (<i>cédula</i>)	August 6*
• Deadline for production of identity cards and supplementary documents	September 5

*The deadline was extended to August 21 under an agreement in the National Assembly, at the request of the executive branch.

C. FOLLOW-UP ON CSE ACTIVITIES RELATED TO CÉDULAS

This follow-up consisted of the following activities:

1. Visits to CSE installations and interviews with the general directors in the areas of Identity Cards, Cartography, and Electoral Statistics, Information Systems, and Central Registry of the Civil Status of Persons

All the areas of the CSE mentioned above are involved in the issuance of identity cards. This is an aspect of the process of issuing *cédulas* in Nicaragua that is important to underscore. At the central level, the process of registering, validating, and producing the document is divided among four different areas, and there is no sole control within the institution that is responsible for this activity. This fragmentation is also reflected in the distribution of the documents; in the field structure of the distribution in departments or regions and municipalities; and in the difficulties with obtaining timely information on progress being made in delivering the cards to citizens.

2. Interviews with representatives of nongovernmental organizations

During the issuance of identity cards, various civil society organizations became involved in monitoring the process, especially the Movement for Nicaragua, Ethics and Transparency, and the Institute for the Development of Democracy (IPADE), which had the support of organizations such as the National Democratic Institute (NDI) and the International Republican Institute (IRI). The mission maintained contact with all these groups and analyzed the studies and diagnostics they presented on the subject during the pre-election period.

3. Interviews with representatives of international observation organizations

Along with the OAS/EOM, other international organizations were in Nicaragua for this election process, including the Carter Center, the European Union observation mission, and the International Foundation for Election Systems (IFES), among others. Information exchange meetings were held with them on the subject of the *cédula* process.

4. Field visits

During the verification of the electoral roll, various municipalities were visited to confirm that citizens were coming forward to review the information on the voter roll and, if applicable, whether they were consulting the record books that listed *cédulas* that had already been produced and the names of citizens whose identity cards had not been issued due to problems. The former record contained around 197,000 names and the latter more than 6,000. This effort, it should be noted, was done to inform citizens about iden-

tity cards that were ready to be picked up, and also to let citizens know in an orderly, systematic manner that they should return to the CSE offices to provide any missing data so their registry could be official.

5. Field visits to observe the close of registry

During the days prior to the closing scheduled by the CSE, it was possible to observe the flood of citizens going to municipal offices requesting to register. Once the deadline was extended, there was a low turnout during the two weeks following the announcement, followed by another surge in the days before the final closing.

In addition, the EOM conducted a weekly follow-up of progress on the delivery of identity cards and supplementary documents, in order to compare the information gathered by the observers in the field with official CSE statistics.

At the close of the inventory it conducted before the documents that had not been picked up by their owners were put into safekeeping, the CSE reported that there were close to 120,000 documents being held in the central storage area, of which only 17,000 were supplementary documents. These statistics did not include the figures from the two autonomous regions and the department of San Juan.

CHAPTER V: ELECTORAL ROLL AND CARTOGRAPHY

Under Article 32 of the Electoral Law, the following must be used in the electoral process:

- The identity card (*cédula*)
- The supplementary voting document
- The electoral roll prepared by the CSE for each polling station, based on the identity cards and supplementary voting documents issued.

A. SUPPLEMENTARY VOTING DOCUMENT

Article 32 of the Electoral Law establishes that “the supplementary voting document will be given to citizens who, having requested their *cédula* have not received it, because their situation in the Civil Registry of Persons has not been legalized, or because they will have turned 16 by the date of the voting and also have fulfilled the requirements necessary to exercise the vote under the current law.”

In reality, this document is produced for all individuals whose documentation, prior to the election, has not passed through the different procedures established by the areas responsible for identity cards, civil registry, cartography, and information systems in order for the respective identity card to be issued. Another reason is if the deadlines established in the Electoral Law make it physically impossible to carry out all the necessary validations.

The supplementary voting document contains, under the same Article 32 of the Electoral Law, a unique number, which in this case refers to the number of the file; the citizen’s first and last name(s); sex; home address, indicating the department and municipality of residence; and the dates the document was issued and will expire.

For the 2006 national elections, the CSE approved the model at the top of the page.

While the Electoral Law does not establish the use of the citizen’s photograph and fingerprint, in fact the supplementary voting document includes those elements, which gives greater transparency to the issuance process, since it prevents the use of the document by a different person.

The process of manufacturing the supplementary voting documents is done prior to the election. At the time it is produced, a detailed review is done of the already existing registrations in the database of the electoral roll, so that a supplementary document is not issued to someone who already has a *cédula*. This is done by comparing the data and image on the new registry with the data and images of citizens who had registered previously. For the No-



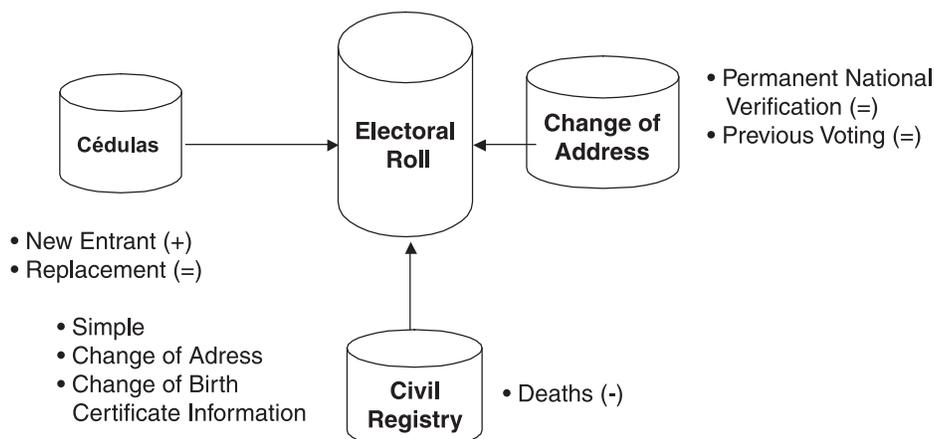
ember 5 national elections, the CSE issued 214,452 supplementary voting documents.

B. COMPOSITION OF THE VOTER REGISTRY AND ELECTORAL ROLL

The voter registry is compiled using various information “downloads” that are done by the information systems area, based on the database provided by the area responsible for issuing *cédulas*. These data downloads are done at different times and include the registrations of newly added citizens and changes in the already existing registrations. These entries come from the different types of replacement sought by the citizens, with the exception of the simple replacement.

During the election process, these downloads are done on a monthly basis. In addition, changes of address are made, as requested by citizens during the so-called “verification” exercises that are implemented by the CSE. During the 2006 election year, notwithstanding that verification could be done on an individual basis throughout the year, a “National Citizen Verification” process was held over a period of two weekends, which made it possible for 234,508 citizens to request their change of address. Of those, changes were applied in 202,102 cases; the rest were changing addresses within the same voting center or else were trying to make more than one change of address on the same date. The electoral

Update of the Electoral Roll



role is also cleansed based on the notifications on deceased citizens received from the civil registry. In the course of 2006, the electoral roll had a reduction of 14,372 citizens registered.

Once changes of address are recorded, the information registered in the database for identity cards differs from that in the database for the electoral roll. The *cédula* database still has the address where the person registered or requested a change through the replacement process, while the electoral roll reflects the change of address requested during the verification process.

In Nicaragua, the updated voter registry is called the electoral roll, and it is used as a tool in the electoral process. With the creation of the electoral roll, the different activities spelled out in the Electoral Law are carried out, including the publication of the list and its posting in places where the polling stations or JRVs will operate (Article 35 of the Electoral Law).

For this particular election process, the publication and posting of the roll took place beginning on August 6, that is, 90 days before the election. On that same date, the political alliances and parties were given a copy of the electoral roll in electromagnetic form for their review. In addition to this information, they were given the so-called “electoral platform,” which consolidated the information from all the voting centers (location and address), the JRVs included in each center, with all the voters registered, and the maps of the municipalities.

Providing this information without a doubt lends transparency to the creation of the electoral roll. At the same time, in the future the CSE could consider creating a system of consultation that

would allow all the political parties to search the system by citizens’ names, have basic statistics on all voters throughout each electoral area, that is, at the national, departmental, regional, or municipal level, as well as by voting center or polling station.

C. ELECTORAL CARTOGRAPHY

Currently, the electoral cartography area consists of 15 departments, 2 regions, 153 municipalities, 4,296 voting centers, and 11,274 polling stations. These maps were reviewed by the OAS/EOM technical group, which attested that the maps allowed the political parties to easily find the installations where the voting centers and polling stations were set up.

Nevertheless, the electoral mapping process urgently needs updating; since 2001, visits have not been made to the field to update new population settlements that generally grow up on the periphery of urban areas. In this regard it is important to emphasize that of the 4,296 voting centers, 1,455 are urban, and these are the ones that should have the highest priority in field visits to bring the maps up to date.

From the point of view of the EOM, having maintained the same number of voting centers allowed the CSE to locate with a greater degree of certainty those citizens who requested to be registered, or who had a change of address, since it meant that if necessary, they would have only had to increase the number of polling stations.

CHAPTER VI: ELECTION LOGISTICS

In accordance with Article 5 of the Electoral Law, the CSE is the highest electoral body in the Republic of Nicaragua. It operates on a full-time basis and has the following administrative structure:

- Office of Identity Cards
- Office of Information Systems
- Office of Political Parties
- Office of Electoral Affairs
- Office of the Civil Status of Persons
- Office of Electoral Cartography and Statistics
- Administration Office.

The same legal organization characterizes the electoral structure at the departmental and regional level (CEDs and CERs) and the municipal level, all of which are subordinate to the CSE.

The CSE has reported that the financing it receives for a year in which elections are not held allows it to maintain only the administrative functions of the CEDs and CERs, staffed by a president, who works on an administrative contract, a secretary, a *cédula* technician, and a driver or helper. Meanwhile, the CEMs disappear altogether during this time.

These legally established bodies should have an administrative structure and thus function on a permanent basis, but that would require having the financial resources available to regularly cover all the expenses that are necessary for them to function: personnel, equipment, maintenance, basic costs, and office materials, among others.

The operation of local election bodies is normalized in election years, since the law governing elections requires their active participation during the entire process. The CEMs, in particular, function with technical and administrative personnel from the moment they assume their posts, which come to an end a few days after the election.

In the area of human resources, the highest electoral body has an administrative staff of 450 people; this number grows during an election year to close to 2,500 people, with the addition of temporary jobs to cover the multiple activities that need to be carried out in the different CSE offices and in the local electoral bodies.

A. LOGISTICS FOR CITIZEN VERIFICATION PROCESS

The CSE Office of Electoral Affairs said that the citizen verification of the electoral roll, which took place across the country during the month of June, constituted the first activity that required a large organizational and logistical deployment. The effort

was done in four days, over the course of two weekends, and was held in the same locations that later would be used as voting centers.

Among the most relevant aspects to consider in the preparation, development and dissemination process, the following can be highlighted:

1. Assignment of duties to the permanent staff;
2. Contracting of additional personnel and assignment of duties;
3. Acquisition and preparation of materials for the training sessions;
4. Designation of functionaries responsible for the verification centers;
5. Food for the personnel;
6. Acquisition and preparation of materials for the verification exercise;
7. Contracting of transportation for the various pre- and post-verification tasks;
8. Set-up of installations and equipment at the central and local level;
9. Determination of routes for distributing and disseminating materials; and
10. Coordination with the organizations responsible for security.

In analyzing the results of these aspects and how various tasks were carried out, as well as the operation of the verification centers, it can be asserted that from the point of view of organization and logistics, the activity was carried out satisfactorily. This positive result came about despite the adverse climate conditions in some of the departments and regions at the time this civic exercise was being carried out. The bad weather made it difficult to transport the materials in both directions, to open some of the centers, and to compile the information. The local authorities responsible took the pertinent measures needed to surmount these difficulties.

B. LOGISTICS FOR TRAINING

Within the organization of the electoral process, the activity of training takes on special relevance, since it is through this exercise that all those who have a responsibility or task in the elections become prepared.

For the 2006 national elections, the training exercises began with workshops for those who made up the local bodies, followed by those who had tasks for the day of the election, and ended with the staff responsible for computing results at the departmental and municipal level.

In preparing each one of these training exercises, the following was taken into consideration:

- Timeline and planning of activities
- Preparation of materials to use in each session
- Selection and preparation of personnel who will develop the contents
- Transportation of personnel and materials
- Set-up of computer equipment.

In following and observing the different workshops, the EOM attested that they were well organized and from a logistical point of view had all the elements necessary for each of them to proceed normally.

C. PRE-ELECTION ORGANIZATION

Once the citizen verification was done, the tasks of organization and logistics were concentrated on the preparation for the electoral process itself. It is worth noting that a good part of the logistical staff of the CSE was helping the *cédula* area during the month of August, due to the extension of the deadline for requesting identity cards.

The relevant activities that took place during this pre-election phase included the following:

- Analysis of the effectiveness of the distribution routes for materials used in the citizen verification exercise, to prepare ahead of time for the distribution of election materials;
- Design, estimate process, and printing of election ballots;
- Design and printing of electoral documents: the forms for constituting the polling stations and for opening and closing the polls, the form for the vote tally, the polling station's photographic voter roll, and forms for presenting challenges;
- Definition, acquisition, and preparation of supplementary materials;
- Organization and assignment of functions and responsibilities for the CSE administrative personnel and the staff of the local electoral bodies.
- Determination of the timeline for distribution and pickup of materials from the electoral warehouse—at the level of CEDs or CERs, CEMs, voting centers, and polling stations, or JRVs; and
- Organization of equipment and personnel in the municipal and departmental computing centers.

Recent experiences with regional elections and the process of citizen verification undoubtedly helped give the personnel greater experience and helped optimize operations. As a result, the various activities that took place during the pre-election process were carried out on time and in good order, even ahead of time in some cases.

D. POST-ELECTION ORGANIZATION

Once the day of voting ended, the last logistical activities took place, involving the following steps:

- 1) Packing up the election file (forms for constituting the polling station and opening and closing the polls, and vote tally forms); photographic voter roll; electoral packet (votes valid by election and political party, null votes, and unused ballots); and auxiliary materials. This stage corresponded with the close of each polling station. Subsequently, all of its members personally attended the delivery of the materials at the municipal level.
- 2) Having the necessary personnel at the computing centers to receive, transmit, store, and prepare the summaries at the departmental, regional, and municipal levels.
- 3) Once the materials from all the municipalities in the respective jurisdiction were received, transporting and turning in the challenged forms, their respective appeals, and the electoral packet to the secretariat of proceedings, at the departmental and regional level. The rest of the election materials were turned in at the CSE electoral warehouse.
- 4) Classifying and storing election materials:
 - a) Electoral packets are kept for a period of six months; later the ballots are destroyed and sold as shredded paper.
 - b) The photographic voter roll is turned over to the office of information systems so the appropriate studies can be done and statistics prepared.
 - c) Auxiliary materials are separated out and distributed to the various election bodies; the estimate is that 25 percent of total materials were returned.
 - d) The cardboard used in the carrying cases, ballot boxes, and voting areas is gathered up and, according to what has occurred in prior elections, is donated to an institution.

According to the plan for returning materials prepared by the Office of Electoral Affairs, on Friday, November 10, the receipt of the materials was concluded.

E. INSTITUTIONAL COORDINATION

Associated with the whole electoral process was a series of coordination efforts that had to be carried out between the CSE and the government as well as institutions that are outside the election arena but have something to do with the pre- and post-election stages, providing significant support to the CSE and making it possible for citizens to turn out normally at the polling stations. These institutions include:

1. National Police and Army

Security continued to be a very important factor in the electoral process. This involved guarding the voting locations, authorities, and electoral materials (their packaging, transport, and storage) and providing logistical support for transporting equipment and personnel.

The permanent communication between the electoral authority and these institutions was a very favorable aspect in terms of ensuring that security was not an issue of concern that could affect any stage of the process.

2. Ministry of the Interior

This ministry was assigned to represent the executive branch and be the go-between with the CSE for all matters related to the electoral arena. Under the terms established in election law, this ministry is also responsible for carrying out the entire process of selection, training, feeding, transporting, and paying the citizens who act as electoral police. This legal function was carried out properly.

Another duty the ministry had was to coordinate all public offices to make vehicles available to the CSE for use during the last week of the elections. This constituted an important logistical support at the departmental and municipal level.

3. Ministry of Health

Its function had to do with the preparation of a special medical care plan for the elections, determining voting locations, personnel shifts, supplies and equipment, and medical mobile units. Preparations were also made in case of a natural disaster. Given the normal development of the process, there was no need to provide medical care on a massive scale in any part of the country.

Through the Ministry of the Interior, it was arranged for employees from different municipal health-care centers to be on loan, without having to adjust their own duties.

4. Ministry of Education

Its relation with the elections is centered on the use of public educational facilities as voting centers. It provides information to the CSE about which centers can be used.

CHAPTER VII: TRAINING

The OAS/EOM followed and monitored training activities held by the CSE as well as by political parties and other nongovernmental organizations.

The information provided and the monitoring of these activities were facilitated thanks to the good will of the heads of the CSE areas, such as the Office of Electoral Affairs, the Office of Organization, and the Office of Training, as well as the Ministry of the Interior (Office of Civil Affairs), IFES, political party coordinators, and coordinators of other organizations.

A. CSE TRAINING SESSIONS

In terms of this activity, the CSE held training workshops for people who could act as “multipliers” of information and for electoral staff:

- 1) Workshops for citizen verification of the electoral roll, which took place in the CEDs and CERs. This activity was rolled out in phases, starting on May 28, for those responsible for the activities of the CEMs. The national training received advice and funding from IFES. In the departmental, regional, and municipal workshops, each political party sent its representatives to find out about the content of the sessions.
- 2) Training was provided for 435 monitors from the electoral police, who were in charge of replicating the training at a national level.
- 3) During the first few days of June, workshops on organization, electoral logistics, and cartography were held in 153 CEMs in the departmental seats.
- 4) Workshops specifically on the identity cards were held for the CEMs and municipal technicians in the departmental seats, with funding from IFES.
- 5) Training of 110 facilitators who in turn trained the members of the polling stations contracted by the CSE. They were given ample knowledge in the following:
 - Election campaigns and advertising;
 - Ethical regulations and procedures;
 - Regulations covering poll watchers and their procedures;
 - Electoral observation;
 - Electoral Organization and Logistics;
 - Step by Step Guide; and
 - Methodology.
- 6) Eight hundred twenty-seven training workshops were held for members of the polling stations. In its training plan, the CSE scheduled sessions that were held continuously for a month, using “mobile” crews. These began on September 30 and continued through October. Training was provided for 37,644 precinct members.

- 7) Initially, 180 “multipliers” were trained in different languages (Miskito, Maygna, and Creole) to facilitate learning in the autonomous regions of RAAN and RAAS and the department of Río San Juan, on the voting procedures and methodology to follow.
- 8) The CSE, along these same lines, held back-up training sessions for second members, in those departments or municipalities that did not meet the planned quotas.
- 9) The CSE held a training workshop funded by the OAS and members of the CEDs and CERs on the operation of the departmental, regional, and municipal computing centers where the voting results would be received, reviewed, and processed and the forms filled out from the centers’ different areas. The workshop was attended by 102 individuals.

The documents for training prepared by the Supreme Electoral Council included the following:

1. Manual for Poll Watchers;
2. Step by Step Guide;
3. Workbook for Step by Step Guide;
4. Electoral Police Instructions;
5. Booklet for the Facilitator for Voters with Disabilities;
6. Booklet for the Edecán (Voter Roll Assistant);
7. Regional and Departmental Computing Centers; and
8. Municipal Computing Centers.

B. TRAINING OF ELECTORAL POLICE

The recruitment, hiring, and pay of the electoral police was headed by the Ministry of the Interior. It recruited 11,274 individuals over 21 years of age, who met the following criteria:

1. Had an identity card (cédula);
2. Were over 21 years of age;
3. Had finished at least their primary education;
4. Had no criminal or police record;
5. Lived within the polling station area; and
6. Held no relevant post in the different party structures.

The lists were sent to the central registry of the police to verify that they had no criminal background that might stand in the way of their designation.

These training sessions were held in coordination with the CEDs and CERs, under the supervision of the CSE. The workshops were led by facilitators from the Ministry of the Interior, from the offices of Immigration, and from the central office, and by personnel from the prison system and the fire department. An instructional manual was prepared describing the duties and obligations to be carried out from the day before the elections until the elections were over.

C. TRAINING OF POLITICAL PARTIES

The EOM observed the activities of political parties in terms of the training of their poll watchers and polling station representatives.

1) Nicaraguan Liberal Alliance Party (ALN). With the help of the Training Program of the International Republican Institute (IRI) and the organization Hagamos Democracia, through the July 11 Institute, 490 municipal instructors were trained throughout the country.

a) The national facilitators trained the poll watchers on the following issues:

1. Reading and following the flier
2. Expectations
3. Democracy
4. Rule of law
5. The role of the poll watcher

b) The members of the polling stations were trained using a manual they had created themselves (Manual for Poll Watchers and JRV Members).

2) The Sandinista Renewal Movement (MRS). The party received training support from the International Republican Institute (IRI) through training workshops given by Hagamos Democracia. Its training was interrupted due to the problem that arose because the IRI had created a training manual with outdated information, which was rejected by the CSE. The party also received support from the Permanent Commission on Human Rights (CPDH), and its training was divided into several workshops. These included:

Group A Workshop:

1. Twelve poll watchers in all the departments
2. Legal representatives and their alternates
3. Route monitors

Group B Workshop:

1. Poll watchers from the polling stations (JRVs)
2. Poll watchers from voting centers not established by the CSE

Support was received from other organizations, such as FUNDEMOS and the Center for Constitutional Rights, for 120 training events. The goal was to train 5,010 people.

3) Alternative for Change (AC). It stated that it was able to train only 11,490 poll workers, 4,150 alternate members, and 3,600 special poll watchers, due to the lack of economic resources.

The Constitutionalist Liberal Party (PLC) and the Sandinista National Liberation Front (FSLN) trained their poll watchers and precinct members using their own resources.

The PLC conducted its training in the neighborhoods of the JRV representatives, in line with the following structure: a municipal training secretary, a district training secretary, and one trainer or “multiplier” for each seven polling stations.

As to the FSLN, according to the information collected by the observers, the training began very early in the process and as a result the party’s poll watchers were well-prepared, although in some areas the presence of national and international observers was not allowed in the training sessions.

D. SUPPORT FOR TRAINING PROVIDED BY OTHER ORGANIZATIONS

In addition to the funding and support that IFES provided the CSE in the area of training, it was recommended that new positions be created—including that of the *edecán del padrón* (voter roll assistant) and a facilitator to assist voters with disabilities who arrived at the voting centers in wheelchairs—and that CSE-approved manuals be produced to use in training. The personnel who conducted these activities the day of the general elections were hired and trained by the NGO Fundación Solidez, with funding support from IFES.

For its part, the IRI subcontracted the organization Hagamos Democracia, as well as the Instituto de Capacitación 11 de Julio and Fundemos.

Another organization that supported the training was the Permanent Human Rights Committee. This NGO invited the political parties to train the poll watchers. Only the MRS and ALN poll watchers attended.

CHAPTER VIII: CIVIL SOCIETY

The composition of “civil society” is recognized in Articles 49, 50, and 51 of Nicaragua’s Political Constitution, which establish the right to form organizations without discrimination and to participate in public affairs.

Within the Nicaraguan context, civil society can be defined as the collection of organizations and associations that fulfill a collaborative function with the state. These organizations are regulated under Law 147, also called the General Law on Nonprofit Legal Persons, in conjunction with Law 475, the Citizen Participation Law. In the electoral context, various civil society organizations promoted citizen participation in the elections.

Civil society thus contributed to the process on a formative and informative level and through added legitimacy. It identified and offered solutions, applying strategies and initiatives that allowed the CSE and the voters to participate within a democratic framework.

In that regard, civil society became a significant source of social logistical support within the Nicaraguan electoral process, covering some aspects that the CSE could not cover fully in different areas.

The key actions undertaken by civil society during the electoral process can be summarized as follows:

1. Promotion of citizen participation

Citizens were motivated to become involved in the election process through civic campaigns that created opportunities for debate. Within these candidate forums, candidates for deputies were observed presenting their proposals.

2. Participation of youth and vote promotion

This was a long-term project that actively promoted creative strategies encouraging young people to participate through their vote.

3. Issuance of identity cards

This issue was also on the groups’ agenda, opening opportunities for supporting citizens in getting their *cédula*, an essential document on the day of the election.

4. Monitoring of the media

This initiative was taken due to the belief that the media, like other electoral actors, should play an objective and transparent role within the election process.

5. Training of poll watchers

Training efforts strengthened and speeded up the election process.

6. Involvement of Candidates

The national agenda “The Nicaragua We Love” was created, committing the presidential candidates to priority measures for the government; this was signed by the five presidential candidates.

7. Transparency

This effort had to do particularly with campaign financing, an initiative that did not have a majority response from the political parties, which did not make their financial statements public.

A. NATIONAL ORGANIZATIONS

1. Movement for Nicaragua

The focus was on the process of issuing identity cards. The organization opened assistance centers, with funding from NDI, in which citizens could seek help in obtaining their *cédulas*. In the pre-election phase, as well, the organization conducted an extensive advertising campaign—on radio, television, and in the print media—promoting participation. During this effort, observers noted a substantial “merchandising” trend in promotion of the electoral process; this was funded primarily by IRI and later by the government of Japan.

However, the negative aspect of this organization was reflected in its critical and confrontational position undermining the CSE’s institutional image, to a certain degree past the point of constructive criticism. That same opposition attitude was extended to the pact signed between the two traditional parties that fielded candidates for the presidency. This organization called them “caudillos,” adopting a clearly partisan position.

2. JUDENIC

This youth movement had interesting initiatives, targeting its vote-promotion strategy to young voters participating in the process for the first time.

3. Fundemos

This group, like Hagamos Democracia, focused on training poll watchers, although this activity was limited to two political parties (MRS and ALN).

4. Visión Mundial

This group generated opportunities for dialogue in which candidates for congressional seats could present their proposals to the electorate.

5. Movimiento Violeta Chamorro

The group focused on monitoring the print and television media. This was also done by the National Council of Universities, but from a more academic point of view and from the onset of the election campaign.

The **Coordinadora Nacional**, through its national networks, monitored incidents that might arise on the day of the elections.

B. NATIONAL ELECTION OBSERVERS

The national observation was done using a combination of short- and long-term observation teams, the former during the voting and vote tally, and the latter monitoring the phases of the election calendar and the predominant atmosphere throughout the entire electoral process.

The national election observation effort was carried out by eight civil society organizations, which helped to ensure transparency in the process and thus strengthened public confidence in the results. The observers participated within the legal framework established in the electoral observation regulations, and were accredited by the Supreme Electoral Council.

On the day of the voting, approximately 16,000 national observers were deployed, covering nearly the total number of polling stations throughout the country. In addition, over the long term all stages of the electoral process were monitored, including the resolution of challenges at the various levels until the final stage of computation.

The national observation groups that participated are the following:

1. Ética y Transparencia

This group played a critical role in the electoral process. It deployed observers to more than 60 percent of the polling stations, which made it possible for the group to conduct a quick count whose results were very close to the official outcome.

2. IPADE

This group also observed the elections with more than 2,000 observers. Some of them were representatives of other civil society institutions who could not be accredited. The result of the quick count was similar to the official result.

3. Consejo Nacional de Universidades

In its first experience in electoral observation, the group conducted itself professionally, complying with the terms established in the observation regulations. It deployed observers to the same polling stations where the observers would vote, coming up with a 100 percent sample of results.

4. Hagamos Democracia

Approximately 600 observers from this group participated. They were distributed to the areas with the largest number of voters. The group carried out the observation effort within its limitations.

5. CEDEHCA

This group was deployed in the North and South Atlantic regions.

6. Comisión de Justicia y Paz de la Arquidiócesis de Estelí

The group worked at the regional level, deploying observers on Election Day in the departments of Estelí, Madriz, and Nueva Segovia.

7. Procuraduría para la Defensa de los Derechos Humanos

This group was present through the *Participación Ciudadana* network, conducting oversight of the process at 824 urban and rural voting centers.

For its part, the international observation effort, apart from that of the OAS, was represented by 14 organizations accredited as observers, notably the European Union and the Carter Center.

C. OPINION SURVEYS AND ELECTORAL PREFERENCE POLLS

These began to be published in November 2005 and showed the trends with regard to the candidates. The polls did not show any radical change that would have caused the final official results to be a surprise.

D. MEDIA MONITORING

The candidates' presentation and debate of their plans for governing were almost absent from the mass communications media, in contrast to the excessive attention paid to the issue of a lack of confidence that certain actors expressed regarding the CSE.

The media showed partiality toward one or another candidate. In general, the media reflected and fed into the polarization between the new emerging parties, the PLC and FSLN.

According to the EOM's observations, the media conveyed an excessively emotional message to the public, which goes against journalistic principles of impartiality and balance.

E. INFORMATION CAMPAIGN

Even though the CSE was confirmed to have carried out informative and educational campaigns during the election process, perhaps there were insufficient resources to conduct a broad vote promotion campaign or to disseminate information about the electoral process and the procedures involved in casting votes. Activities by civil society organizations helped to make up for these shortcomings.

CHAPTER IX: INFORMATION SYSTEMS

With the incorporation of new technologies into the electoral process, the information element is a vector for change that makes it possible to optimize the electoral process and make it more agile, from the creation of the list of citizens eligible to vote to the final computation of results.

In the case of Nicaragua, the election body has included information technology in almost all the areas within its institutional structure. It has a national computing center located in Managua and mini-computing centers in all the departmental capitals, united by a data network that allows for the exchange of information and access to the Internet.

The Electoral Observation Mission focused its efforts on learning about the CSE national computing center's information infrastructure (hardware and software) and the data network supporting the transmission of preliminary election results. Specifically, the transmission process was monitored, as well as the capture, computation, and presentation of election results. As part of this observation, it is noted that the CSE has developed software to administer key areas, such as the civil registry, the process of issuing identity cards, the electoral roll, electoral cartography, and of course the transmission, computation, and presentation of the election results.

A. TRANSMISSION OF PRELIMINARY ELECTION RESULTS

To transmit the preliminary results, the CSE contracted the Nicaraguan Telecommunications Company (ENITEL), which has carried out this task in previous elections. It had 153 transmission centers throughout the country, located in the urban areas of each municipality. Beginning on October 27, 2006, general structural tests could be conducted for the transmission of preliminary results. As a result of these tests, some problems were detected and were resolved in a timely manner.

In terms of the equipment used for the transmission of preliminary results, this can be summarized as follows: 108 transmission centers were set up with fax equipment, 34 with scanners, and 11 with both (the fax was usually used in case of an emergency). The equipment used for transmitting preliminary results came to 142 fax machines and 92 scanners.

Moreover, it was observed that 71 places had emergency equipment to generate electricity and the rest lacked such equipment. Following is a summary of the equipment used for the transmission of preliminary electoral results in all the CEDs and CERs.

**ENITEL RESULTS TRANSMISSION CENTERS
TRIAL RUN STATISTICS**

Municipality	TRANSMISSION EQUIPMENT		NUMBER OF FAXES OR SCANNERS		NUMBER REPORTS TRANSMITTED	TRANSMITTED		AVERAGE TIME PER REPORT	HAS ELECTRIC PLANT	
	FAX	SCANNER	FAX	SCANNER		YES	NO		YES	NO
NUEVA SEGOVIA	8	4	10	5	348	12	0	160.00	7	5
MADRIZ	8	1	16	0	90	9	0	137.44	1	8
ESTELI	4	4	5	6	682	6	0	114.67	4	2
CHINANDEGA	9	5	4	3	710	13	0	105.00	2	11
LEON	8	2	9	6	446	10	0	96.50	8	2
MANAGUA	7	2	12	22	2,654	9	0	71.67	5	4
MASAY	7	2	9	3	88	9	0	99.44	2	7
CARAZO	7	3	7	6	274	8	0	108.75	4	4
GRANADA	1	9	1	4	210	4	0	67.50	2	2
RIVAS	10	2	11	5	107	10	0	102.00	4	7
CHONTALES	9	4	12	6	172	10	0	26.50	5	6
BOACO	4	2	4	4	229	5	1	138.33	0	6
MATAGALPA	10	3	11	6	1,018	13	0	51.54	4	9
JINOTEGA	6	2	10	4	838	8	0	91.88	6	2
RAAN	7	1	7	3	479	6	2	142.50	6	2
RAAS	8	4	8	7	429	11	1	71.25	9	2
RIO SAN JUAN	8	1	6	2	201	6	0	100.00	2	4

NICARAGUA 119 45 142 92 8,976 119 4 99.12 71 83

The data presented on the equipment used in the transmission centers was collected by EOM observers in the field.

As far as the day of the elections is concerned, the mission's information system technicians observed the transmission of the results at the national computing center, a process that began at 9:25 p.m. on Sunday, November 5, when the first certified tally sheet arrived at the center. It is worth noting that the first results transmitted were from polling stations with the fewest number of voters. Curiously, these tally sheets came from the RAAN and RAAS autonomous regions, perhaps because this year there had been regional elections, and the personnel already knew what they had to do and how to operate the controls.

As to the transmission process used by the CSE, it was verified that once the images of the tally sheets were received at the national computing center, these were printed out so they could be recorded. During this step, the printer intended for this purpose broke down, but the problem was able to be resolved quickly with a back-up printer that the CSE had on hand.

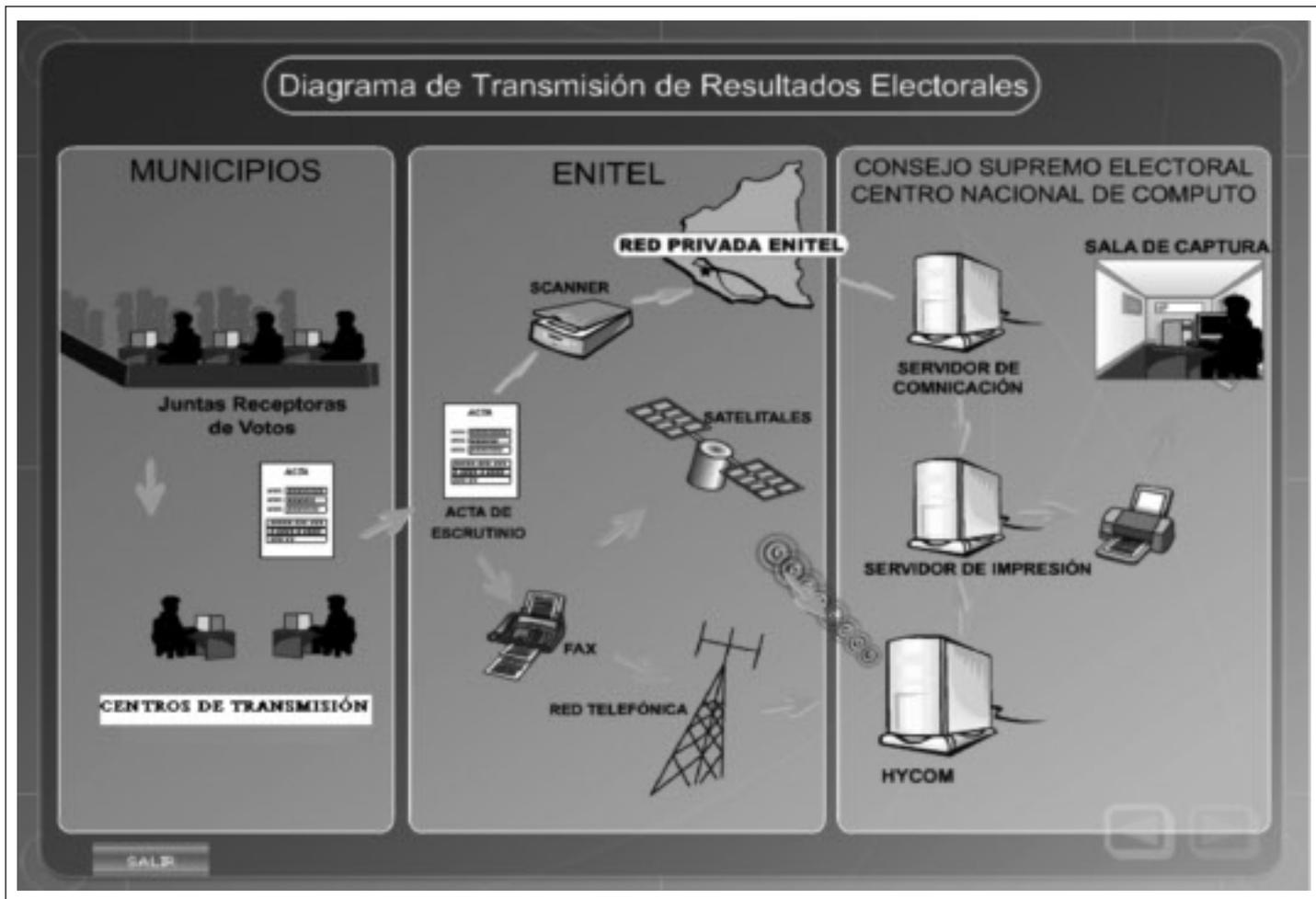
The following diagram shows the transmission of preliminary results. This chart is available only in its original language, as it was taken from CSE materials:

During the transmission, the images of the tally sheets arrived throughout the evening. The peak of the transmission of the sheets was at approximately 2 a.m. on November 6; after that, fewer transmissions were received as the hours wore on. That day the computing staff finished recording the tally sheets that arrived. However, they suspended their efforts at 6 p.m. because the staff in charge showed signs of fatigue and tiredness, which led them to stop and begin again on Tuesday, November 7, at 8 a.m. At 11:30 a.m. that same day, the area that was recording the results no longer had any tally sheets to record, as they were still waiting for missing forms to arrive from the municipalities.

Throughout the day, it was possible to observe that at CSE headquarters the authorities were pressuring municipal election authorities at the CEMs to send the missing tally sheets as soon as possible so they could be recorded.

Some of the tally sheets could not be sent from the municipalities for the following reasons:

- Problems in transmission from the municipalities, mainly where satellite fax transmission was being used. The bad weather in some places in the country did not allow for transmission.



- In Managua (the National Stadium), 110 tally sheets were not sent to the national computing center. The CSE's director of information systems said some of the sheets could not be transmitted because they were torn, and the majority because they never arrived at the site set up for transmission of the results.
- In the RAAS regions there was a problem because images of the tally sheets were saved on the hard drive of the computer at the transmission center but were not sent to Managua.
- Some of the images transmitted to Managua were blurry when they arrived, so the CEMs were asked to resend them as soon as possible.

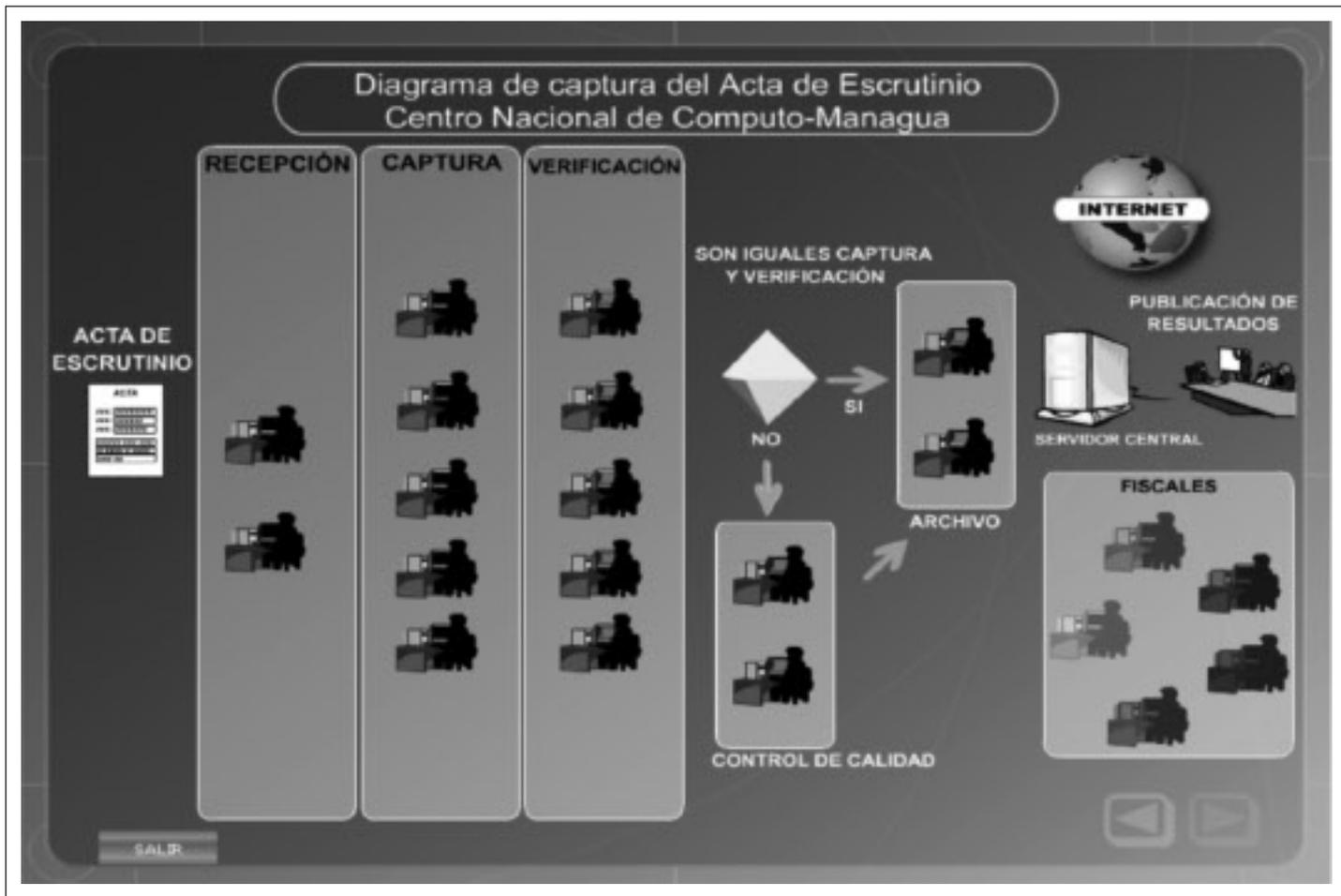
The solution to these problems became more complicated because some CEMs had packed up the results (tally sheets and materials) to send them to the CEDs, as part of the normal process of turning over official results.

B. VOTE COMPUTATION

Following the transmission from the municipalities to Managua, the tally sheets were received at the national computing center and recorded as images. Finally, they were printed out so the transcribers could record them in the system for computing votes. The software used in computing the votes is the same as that used in prior elections, except for some updates and improvements to strengthen the security and efficiency of the 2006 process.

The diagram of the vote computation held at the national computing center follows. This chart is available only in its original language, as it was taken from CSE materials:

The complete process of capturing and recording a tally sheet is the sum of a chain of operations established in the system that follow a predefined route. The process the tally sheets follow within the computing center includes the following steps:



- Entry into the system, or reception
- Capture of the data on the tally sheet
- Verification of the data captured
- Archiving of the tally sheet.

The next step in the process depends on whether the operation at the previous level was concluded successfully. The system does allow for not the process to be interrupted along the way. If this were to happen, the system would seek the return of the tally sheet to the level at which it was interrupted, if an attempt is made to take the tally sheet to another level.

The tally sheet should pass through all the areas described previously, in the order indicated above; however, that route may be altered when the same results are not shown for the data entered as “Capture of Data from Tally Sheet” and that entered as “Verification of the Data Captured.” If this situation occurs, the tally sheet should detour to the area of quality control to recapture the data. Then, if all the data coincide with the data recorded in the area of capture and verification, the tally sheet is declared to be processed and in accordance with the data recorded in quality control. The tally sheet then continues its journey until it is archived and subsequently can be seen at the terminals transmitting results.

Due to the system’s complexity and the problems that came to light, it was not possible to complete 100 percent of the information on the tally sheets during the preliminary transmission of results; only up to 91.6 percent was completed. This is the number the CSE used to declare that the transmission of preliminary electoral results had concluded. However, the processes for transferring information (tally sheets and materials) from the CEMs to the CEDs and finally to the national computing center followed their course and were carried out in a parallel and official manner.

With the partial results being produced during the arrival of the tally sheets on Election Day to the national computing center, monitoring was done of the information entry and the situations that arose in the transmission of results. It turned out that it was not possible to complete the information, since results did not continue to appear in the system for transmitting results. It must be mentioned that the OAS/EOM data were obtained from the section designed for the political party poll watchers.

C. TRANSMISSION AND COMPUTATION OF PRELIMINARY ELECTION RESULTS AT THE MANAGUA CEM

Members of the EOM staff were present at the National Stadium, which served as headquarters for the Managua CEM and the company ENITEL’s center for transmitting tally sheets. This

DATE	TIME	POLLING STATIONS TALLIED	VALID VOTES	NULL VOTES	TOTAL VOTES	PLC	FSLN	ALN	AC	MRS
5/11/2006	23:55	587	101,654	1,964	103,618	21,720	41,529	33,219	236	4,950
6/11/2006	1:38	1,125	217,948	4,249	222,197	44,452	87,134	73,281	550	12,531
6/11/2006	2:46	1,652	338,598	6,620	345,218	66,048	135,591	112,708	910	23,341
6/11/2006	3:05	1,466	364,595	7,140	371,735	71,584	145,334	120,983	983	25,731
6/11/2006	11:15	4,558	993,411	21,757	1,015,168	201,984	389,080	325,029	2,837	74,481
6/11/2006	13:16	5,305	1,157,930	26,024	1,183,954	243,978	453,505	371,095	3,272	86,080
6/11/2006	13:20	5,328	1,162,240	26,117	1,188,357	245,169	455,206	372,237	3,287	86,341
6/11/2006	13:24	5,343	1,166,402	26,193	1,192,595	246,327	456,594	373,608	3,301	86,572
6/11/2006	13:28	5,355	1,169,243	26,258	1,195,501	246,866	457,674	374,612	3,306	86,785
6/11/2006	13:32	5,372	1,173,347	26,381	1,199,728	248,179	459,193	375,585	3,323	87,067
6/11/2006	13:35	5,383	1,176,149	26,437	1,202,586	248,767	460,500	376,260	3,332	87,290
6/11/2006	13:39	5,395	1,178,667	26,438	1,205,155	249,305	461,661	376,944	3,333	87,424
6/11/2006	13:43	5,403	1,180,330	26,530	1,206,860	249,882	462,304	377,296	3,339	87,509
6/11/2006	13:47	5,414	1,182,339	26,582	1,208,921	250,587	463,059	377,711	3,348	87,634
6/11/2006	13:51	5,421	1,183,885	26,610	1,210,495	250,875	463,772	378,114	3,355	87,769
6/11/2006	13:54	5,430	1,185,844	26,658	1,212,502	251,269	464,797	378,569	3,368	87,841
6/11/2006	13:58	5,441	1,188,526	26,749	1,215,275	252,202	465,820	379,137	3,375	87,992
6/11/2006	14:02	5,450	1,190,360	26,815	1,217,175	252,908	466,553	379,511	3,381	88,007
6/11/2006	14:06	5,462	1,192,968	26,871	1,219,839	253,925	467,194	380,334	3,387	88,128
6/11/2006	14:10	5,476	1,196,520	26,956	1,223,476	254,537	468,551	381,628	3,418	88,386
6/11/2006	14:13	5,495	1,200,449	27,071	1,227,520	255,959	469,738	382,629	3,432	88,691

is where all the municipal polling station members ended up after finishing their vote count, to send their tally sheet in to the national computing center, turn in their materials, and finally, receive their payment.

In terms of transportation logistics, the CEM had 500 buses at its disposal for transferring members of the JRVs (1,988) from the voting centers to the National Stadium.

The first polling station arrived around 9:25 p.m. The CEM authorities held a protocolary activity at which the Nicaraguan national anthem was played. They offered an official recognition and declared open the transmission to the “Metrocentro” National Computing Center (CNC) and the municipal computing process. By 12:50 a.m., 328 tally sheets had been transmitted; by 2:16 a.m., 930.

Toward the end, the influx to the polling stations lasted approximately two and a half hours. It was observed that the logistics employed there were effective for the arrival, transmission, and delivery of materials, and for the payment for JRV members. The transmission of tally sheets on the part of ENITEL to the Metrocenter CNC concluded for the most part around 5 a.m.

Parallel to this process, the Managua municipal computing center was carrying out all the following procedures:

- Receipt of documents
- Archiving
- Review of arithmetic
- Area of appeals
- Data processing
- Summary tally sheets and chart presenting results.

The differences that arose during the computing process between the poll watchers of some political parties and the CEM officials had to do with the tally sheets that arrived with arithmetic problems. One specific case that was observed happened when the sum of the numbers assigned to each party was higher than 400 votes, but the tally sheet arrived with the signatures of all the members of that polling station and all the party poll watchers.

The principal disagreements arose from the way the math unit resolved some of the issues involving tally sheets. In cases in which poll watchers were not satisfied, it was agreed that whoever wanted to file an appeal with the CED could do so.

Generally, the computing process at the Managua CEM and the transmission of tally sheets to the Metrocenter CNC, which was done at the National Stadium, took place normally and in a coordinated manner.

CHAPTER X: FOLLOW-UP TO COMPLAINTS AND CHARGES

From the time of its installation in the country, the EOM set up a center to receive complaints and charges, which were channeled through its legal and complaints area. The mission received some complaints directly from political organizations, civil organizations, and private citizens; in many cases, it received a copy of the complaints that were presented to the relevant authorities.

Once the complaints or charges were received, they were analyzed and transferred to the appropriate authority; follow-up was then done to determine how they were handled by the organization in charge.

The EOM also gathered information about complaints or charges that were reported by different media outlets. In general, the complaints were collected directly by observers in the field, who were deployed throughout the country. They conveyed these to the pertinent local authority, carried out the appropriate follow-up on the actions taken, informed the person who had made the charge about any actions taken, and left a copy of the complaint and information about what occurred for the EOM's central office in Managua.

Some complaints and charges were sent directly to the mission's central office in Managua by fax; some were presented by ordinary citizens or by political parties' legal representatives or poll watchers. The majority of the complaints and charges were copies of what the interested parties had already turned in to the electoral authority.

The total number of complaints and charges known to the EOM can be grouped under the following categories:

- Issuance of identity cards
- Selection of second members of the CEMs and CEDs
- Selection of polling station members
- Training
- Irregularities in the verification process
- Destruction of election propaganda
- Use of public resources for electoral ends
- Electoral roll
- Accreditation of observers
- Abuse by state officials.

On another matter, according to the election calendar and the law, November 1 was the last day for political campaigning, and as of midnight the “electoral silence” began. The purpose of this period of silence is so that citizens will have some days to reflect without further influence by the candidates or by media advertising, so they can decide in good conscience whom they will vote for.

In the judgment of many, the electoral silence was violated when some opinion programs touched on the subject of the elections during this period. There was one case—fully justified—when the CSE authorized the ALN movement to issue an advertising spot after November 1 to deny that its candidate had dropped out of the race. In the “dirty war” among the different campaigns, there was a strong rumor that he had resigned.

Constant meetings were held with the National Electoral Prosecutor to learn about the work this office had carried out during the election process. This office is in charge of investigating and prosecuting cases involving election-related crimes. A permanent relationship was established between the staff of that office and the EOM to get a close-up sense of its work. A list of the departmental and regional election prosecutors was also obtained; this was given to the EOM zone and departmental coordinators so they could be in touch with those individuals.

In terms of election-related crimes, it was found that the majority of political actors did not seem to fear committing an electoral crime, since there are no instruments in place that would cause a corresponding punishment to be imposed on someone who committed such a crime. Added to this is the fact that the majority of these cases are settled or negotiated.

A. PROBLEMS IDENTIFIED

- The Electoral Law should be more precise, since the current text lends itself to many interpretations and delegates to the election authority (CSE) the specific regulation of issues that are not clearly defined in that law.
- The expression of distrust among sectors of the citizenry and political actors toward the CSE over what these sectors have identified as the partisanship of the electoral authority.
- Polarization of political forces.
- Weak and unstructured political parties, particularly the new ones.
- An effective law needs to be developed to regulate the issue of financing election campaigns.
- Lack of adequate training by some political parties and their apparatuses, especially when it comes to training their poll watchers and legal representatives.
- The need to strengthen civic and political education of the citizenry in general and of the political parties' militants.
- Low level of training or literacy within the structure of the electoral system, specifically at the level of municipal electoral councils and polling stations.

CHAPTER XI: FOLLOW-UP TO CHALLENGES

In the post-election period, special attention was given to the issue of charges and challenges, since some participants in the process had charged that an avalanche of challenges could be produced as some of the country's traditional political groups sought to nullify many of the polling stations that showed adverse results. This situation, in the end, did not occur.

However, it is important to note that in some departments, municipal summary documents were seen that did not agree with the data registered in the polling stations' certified tally sheets. As an

example of this behavior, the mission learned about one case, among others, involving the municipality of Diriamba in the department of Carazo, where errors were seen in the processing of the municipal summary sheets; votes of the MRS were given to the FSLN. This situation affected 873 votes and 19 polling stations, a situation that was righted in the CED through the correction of math errors. During this process, poll watchers from all political groups were present except the AC, which withdrew on November 6. The presence of the poll watchers renders any type of investigation at a higher level unnecessary.

CHAPTER XII: OBSERVATION IN THE FIELD

The EOM deployed observers in the field at two points: in June, during the national citizen verification of the voter rolls, and during the two months prior to Election Day, to observe the election and the challenges filed.

The work of this last part was entrusted to the mission's national coordination of observers, with the support of the national sub-coordinators.

A. DEPLOYMENT OF EOM OBSERVERS

On September 18, the installation and deployment of the mission's observers began. At the time, along with the national coordinator's office, the five zone coordinators arrived and established themselves in each of the designated zones (León, Matagalpa, Granada, RAAS, and Managua). On September 24, the 17 departmental or regional coordinators arrived, and on October 8, 17, and 29, 54 observers joined the mission, accompanied by a group of 27 volunteer observers and 39 students (youth observers).

In the central EOM office, the training of these groups was coordinated with the mission's technical electoral coordination unit and the core group, based on the date of arrival in the country.

The EOM electoral technical coordination effort was structured with the following coordination levels: a) central technical coordination, b) national coordination, c) by zone and d) at the departmental or regional level. In each of these departments or regions observers were designated according to the needs of each area.

B. REPORTS TO COORDINATORS

It was established that every week the national sub-coordinator would send, via the zone coordinators, the guidelines necessary to obtain the information that the mission and the core group needed on the different issues in the election process. In the same way, the information that was required began to arrive in a timely manner to the central technical coordination unit.

A good relationship was developed with the actors in the process, from the national to the municipal level. This facilitated the process of obtaining the necessary and timely information required to fulfill the duties of the central technical coordinator, the national sub-coordinator, and the various coordination units. This was reflected in the information that arrived from the sub-coordinating unit to each zone, as well as in the timely information received by mission headquarters in Managua from different places in the country.

C. OBSERVATION OF PRE-ELECTION PHASE

The electoral process had some difficulties, although the general situation was very calm.

The mission's observers in general maintained good relations with the authorities and political organizations, except for minor difficulties in some departments over the refusal of the CEDs, CERs, or CEMs to give the observers certain information. For example, in departments such as León, Chinandega, Matagalpa, and Boaco, among others, the observers had difficulty accessing information related to progress made in handing out identity cards and supplementary documents. These difficulties were overcome over time, and on the day of the elections the situation was calm and a positive attitude was seen toward the mission's observers.

Among the most important points within the observation activities in the field, the following can be highlighted:

1. Issuance of *Cédulas* and Supplementary Documents

The process of issuing identity cards was followed closely by the observers. Every week, the EOM sought to reconcile the data provided to the core group by the authorities in Managua with the reality on the ground. This exercise uncovered some areas of imprecision due to the lack of a system that would allow the CSE to have an updated inventory of the documents delivered. There was also imprecision between what was reportedly sent from Managua, what was received by the CEDs, and what was provided by the CEMs.

It was observed that in some departments there were problems due to rivalries among the members of the CEDs and the CEMs. In the case of Boaco, documents were managed directly by the CED, leaving the CEM out of this activity. Moreover, although no formal charge was brought to this effect, EOM observers noted some cases of manipulation by some political parties in issuing *cédulas* in the department of Chinandega and in the autonomous regions of the Atlantic Coast.

The mission monitored this aspect of the procedures until the last week of the pre-election phase, when the CSE ordered that the documents that had not been picked up by citizens be collected in one place so they could be inventoried and held for safekeeping in warehouses in Managua.

2. Training Efforts

a) Training of JRV Members

In general, these training efforts were adequate. On some occasions, not all the individuals scheduled to be present showed up, leaving gaps, but the CSE prepared some "make-up workshops" to solve the problem and give wider coverage and training to the

maximum number of JRV members possible. In these sessions, the level of the trainers was good, and the problems encountered were due to the lack of organization by some political parties, which did not have all their representatives ready on the days of the training. This led to some disorganization when it came to accrediting individuals who had been trained.

b) Training of Political-Party Poll Watchers

For the most part, the mission was able to cover these training sessions without any problem. As far as the FSLN sessions are concerned, international observers were not allowed to see these sessions. In the case of the PLC, access was more easily permissible and it was possible to see that guidelines being given on interactions with observers called for attempting to limit their access to information. This point did not have any repercussions on the day of the election. In general, the training sessions for political parties took place in an ordinary manner and were well-done.

c) Training of Electoral Police

In general, these training sessions took place without any problems, although there were some complaints about the trainers, who were generally said to belong to one party in particular and to use this party's materials to train electoral police. Another constant complaint was that the CEM never knew where nor when the training sessions were going to be held or what the requirements were for being a member of the electoral police. These problems were not significant on the day of the election.

3. Composition of the JRVs

This was one of the points on which the observers received the most complaints on the part of the political parties. The makeup of the polling station members turned into a problem issue due to the lack of a general directive on Article 16 of the Electoral Law, with the result that some CEDs interpreted the law according to their own criteria.

4. Tensions between Members of the CEDs, CERs, and CEMs

The way in which Nicaraguan election authorities are designated under the Electoral Law, from the CSE to the polling stations, could be a cause for tensions between the department or regional councils and the municipal councils when it comes to working together toward the elections. This translated into inconveniences and setbacks for citizens.

5. Tests of Transmission of Results

The transmission of results was handled by ENITEL, a private communications company. When the transmission tests began, problems were found, including the lack of training of ENITEL personnel; a lack of coordination between electoral authorities and ENITEL personnel; system crashes, and in particular, difficulties because there was no possibility of verifying that the transmission was reaching Managua without problems. This was a matter of great concern on the part of the mission's observers, who found many inconsistencies. There was never a true run-through in which the whole system was put in operation for a test. In the end, this aspect caused no setbacks on Election Day.

6. Conditions in which Information Sought by the Mission was Found

All the problems described were resolved by the electoral authorities, who always maintained good relations with the mission, especially at the national level. At some points in the process, the observers had many problems gaining access to necessary, reliable information with regard to the identity cards that had been issued, and the composition of the polling station members. In some departments, observers were denied the information or had difficulties finding it, sometimes due to a lack of will or the disorganization and inexperience of the personnel at some CEMs.

7. Prohibitions at Polling Stations

One new aspect of the electoral process that culminated in the November 6 elections had to do with instructions and restrictions given by the CSE with regard to the polling stations (JRVs), where the use of cellular telephones and other electronic devices was banned and, in particular, people were expressly prohibited from leaving the polling station until the vote tally was concluded. These bans should not have been applied to international observers, since they could have implied a restriction on their work security. On this point, the mission decided to follow the regulations regardless of the hour the vote tally concluded. The commitment of the mission was to observe the process until it had run its course.

8. Civil Society and International Observers

The mission maintained good relations with members of Nicaraguan civil society at all levels. Relations with the other international observers were even closer, and in some areas there was a relationship of cooperation among the different organizations.

9. Communications center

On October 31, the mission's communications center was set up to establish direct contact with the coordinators and observers found in different parts of the country. Based on the protocol for communications that had been designed, two tests were implemented: a) a communication test, and b) a test of data transmission. Both tests were successful, and these exercises served to properly train the support personnel in handling each of the forms established by the mission for Election Day.

The week prior to Election Day, the departmental coordinators organized the different routes designed to provide maximum coverage during the observation and conducted trial runs. They also conducted communication tests, verified routes, and organized the teams of observers for the day of the elections.

D. OBSERVATION OF THE ELECTIONS

On the day of the election, the coordination and control of all activity having to do with field observation were carried out, and permanent communication was maintained with the zone coordinators and departmental and regional coordinators. As a result, there was national coverage, as planned: 129 municipalities, 799 voting centers, and 1,596 polling stations. The mission covered these places from the time they opened until the closing of the polls, the vote tallying, and the transmission of results.

Widespread citizen participation was observed, and the mission observed that the balloting in general took place in a climate of calm, with some isolated incidents. In certain places, the opening of the polling stations was delayed, and observers noted the lack of training by some polling station members, who would become easily confused. All this turned the individual voting procedure into a slow process, from the time the JRV members verified the polling station's voter roll until the voter was handed a ballot. This led to long lines of citizens waiting to vote.

At the end of the day, complaints were received from some voting centers that had closed before the scheduled time or had left citizens in line without being able to vote. The complaints of this nature were verbal. The presence of police authorities and anti-riot groups was observed, particularly in urban areas; in rural areas, the presence of the army was evident. In general, it was observed that there were no problems in terms of public order.

The vote count finished after midnight, and the observers accompanied the electoral materials to the different transmission centers. In Managua, the mission had a presence throughout the night at the National Stadium to observe the receipt of the tally sheets and related election materials. The transmission of results was orderly, with some problems that gradually were overcome.

E. OBSERVATION OF POST-ELECTION PHASE

Once the observation of Election Day was completed, the mission coordinated the observers' return to the capital and to their respective countries, taking into account that the mission would maintain its presence in every zone until the electoral materials had left for Managua. This procedure did not encounter major problems, and the last departments to conclude the process were Carazo, Boaco, and Matagalpa. This was due to the challenges that were filed, the majority of which were resolved at the departmental level. In the case of the RAAN and RAAS, the transport of the materials to Managua was delayed for logistical reasons. But the totality of the material arrived in Managua in line with what was planned in the election calendar.

The last observers who stayed in Managua monitored the process of arrival of the materials to the capital, as well as the challenges and appeals that arrived at the CSE.

1. Process of Consolidation of Results

On November 15, the first preliminary results were published with 98 percent of the vote tally, three days ahead of the deadline on the election calendar. During the following three days, the political parties had the opportunity to file appeals for review of the preliminary results to be heard by the CSE. The official results were reported to the EOM on November 22.

F. CONCLUSIONS

The permanent presence of the coordinators in different zones, departments, and regions gave the mission a high degree of visibility and facilitated its relations with electoral authorities at different levels, strengthening the confidence they felt as citizens toward the OAS. The fact that the observers arrived in the country gradually, in stages, facilitated the organization of the mission's structure and the integration of the observation teams at the level of zones and departments.

The installation of a specialized core group ahead of time facilitated the efforts of information and observation, due to the good relations established with the different areas of the CSE. The structure put in place in this mission allowed it to obtain timely and factual information for the efforts carried out by the coordinators and observers in the field.

Despite this having been a complicated process, with many types of complaints and claims brought to the attention of the Electoral Observation Mission, the problems were resolved as the date for the elections drew nearer. Neither were there the public disturbances or other difficult problems some expected on Election Day; there were only a few isolated problems between political party militants and some disorderly incidents on the part of election authorities, which they resolved among themselves. The mission responded on time to the needs of the observation process, thanks to the constant support of the specialized technical group (the core group).

CHAPTER XIII: MISSION LOGISTICS

The 2006 Electoral Observation Mission (EOM) to Nicaragua was installed in new offices located on Los Robles, next to the Hotel Princess, during the first part of July 2006. From that point on, coordination efforts began to plan the logistical activities necessary to meet the significant challenge posed by the electoral process and the day of the voting.

From then on, there was permanent coordination between the technical electoral coordinator, the core group, and the financial officer so the activities scheduled in the area of logistics would be in line with the EOM's strategic plan and its budget.

The observers were scheduled to arrive in the country on five different dates—September 17 and 24, and October 8, 17, and 29—and they would cover the fifteen departments and two autonomous region into which Nicaragua's territory is divided. One of the mission's first activities was to make contact with all the companies providing the goods and services that would be needed to facilitate the deployment and operation of the observers throughout the country.

After the arrival of the coordinators for the zones and departments, on September 17 and 24, efforts were closely coordinated with them to ensure that the needed services, materials, and equip-

ment for the observers would be covered. The observers arrived on October 8, 17, and 29, and after their respective training, were deployed to the assigned departments and autonomous regions.

The principal aspects that the logistics area focused on were: obtaining visas for some observers; making hotel reservations throughout the country for the observers who were arriving; arranging transportation for the observers' deployment; preparing and providing materials and equipment to the observers; and establishing a communications network and a communications center for the mission.

On the day of the elections, support was given for all the activities involving transportation of the different groups of observers in the visits that were organized around the capital and nearby districts.

Subsequent to the vote, a plan was put in place to pick up the different groups of observers, a task carried out without setbacks. On the designated dates (November 8, 10, and 15), the observers returned to their home countries.

On November 16, the closing of the EOM's operation was begun; this concluded on December 15, with the donation of all the goods and equipment that had been acquired.

CHAPTER XIV: RECOMMENDATIONS

The OAS/EOM for Nicaragua offers the following recommendations for the consideration of Nicaraguan authorities and society:

1. Legal

- Promote a debate on the need for a complete reform of the Electoral Law to make it more useful, agile, and reliable.
- Issue clear and effective regulations on the issue of political campaign financing, giving the state tools so that the parties comply with these regulations.

2. Issuance of Identity Cards

- Redesign the CSE administrative structure at the central and field level; standardize technical and operational procedures; modernize the civil registries to speed up the *cédula* process; and design control mechanisms from the time of registration to the delivery of the document to the citizens. One way to speed up the process of issuing identity cards has to do with requirements; the CSE is urged to acquire photographic equipment so that it will be the agency responsible for taking the citizen's image when he or she arrives to request a *cédula*.
- Implement standardized procedures in all municipal, departmental, and regional offices so that the lists of identity cards ready to be picked up is published periodically and citizens are informed about why their registration is unacceptable and given guidance so they can return with additional information to complete the process.
- Ensure that the lists by municipalities of *cédulas* and supplementary documents be generated at the place where the identity cards are manufactured, and that a sufficient number of copies be provided to inform the political parties and citizens in these departments, regions, and municipalities. Further, the delivery and distribution need to be programmed for better control of the process.

3. Electoral Roll and Cartography

- Study the feasibility of redesigning the *cédula*, using as a basis the information that has already been validated in the database and updating only the changes of address of the citizens that requested such changes during the massive verification process. In addition to the *cédula* format, the possibility should be considered of issuing a receipt when the identity card is delivered; this would serve to corroborate that it has been correctly given to its owner, and thus only those citizens with an identity card would be incorporated into the electoral roll. The format of the new *cédula* should allow for the inclusion of a photograph, either digital or instant, when the document is delivered, which would avoid having different quality levels of photos in the system for storing data and images for the electoral roll.
- Incorporate a consecutive number on the *cédula*, which would

show how many identity cards have been issued to each citizen.

- Design an information search system for political parties that allows them to easily audit new additions, changes of address, and exclusions from the voter roll.
 - Establish mechanisms for periodically updating of the electoral roll in non-election years.
 - Create alternate procedures for cleaning up the electoral roll in the case of deaths, whether through direct delivery by the family of the death certificate or through a format that allows immediate family members to attest to the death in cases in which no appropriate certificate exists.
 - Generate control statistics in all the electoral rolls to be able to quickly audit the information contained in them.
 - In terms of printing the various lists of the total citizens registered on the voter roll, it would be advisable to consider printing these with control numbers at the end of each list. This could include the total number of people registered, broken down by the total number of men and of women, with a consecutive number assigned to each registry.
 - The photographic list should have a consecutive number by polling station (JRV) and not one per page, as this creates confusion in searching for a citizen. Similarly, taking advantage of the CSE's new printing equipment, it would be advisable to print on both sides of the page to save on costs of supplies (paper, toner, and other items).
 - Update the electoral map through field visits, giving priority to the periphery of urban areas.
 - Generate a geo-reference map to be able to use the new systems that exist in the marketplace.
 - Maintain a fixed number of voting centers, and increase or decrease them only when the JRVs are also increased or decreased.
 - The possibility of providing digitalization and satellite positioning equipment for the cartography office so that it has maps with geographical references should be considered. Such geo-referenced information would allow the maps to be used to greater advantage.
- ## 4. Logistics
- Voting center coordinator: The Electoral Law does not contemplate having anyone in charge of the voting centers, but it would be advisable to incorporate this function so that this individual can coordinate the election-day activities of all the polling stations located in each center. The person could also establish communication with the respective CEM, to resolve any unforeseen issues (for example, the constitution and opening of polling stations), provide information to voters, and solve any problems that may arise involving the lack or poor condition of voting materials, transportation to computer centers, or other issues.
 - Improve signage at the voting centers that provides information to voters. Outside, it should be clearly indicated which

polling stations are at the location, and inside, signs should guide voters clearly to the physical location of their voting place. This requires particular attention in the voting centers that have a large number of polling stations.

- Look into the possibility of coordinating at a central and local level with the Health Ministry and the Red Cross to provide wheelchairs to facilitate access and mobility inside the voting centers for people with disabilities.
- Assess with plenty of lead time the need for new locations to be used as voting centers when the location that has traditionally been used has been destroyed or is being repaired, or when the owner is unwilling to make it available. The goal should be that enclosed locations be the norm, for better security control and order during the voting; the use of canopies in public thoroughfares as voting centers should be considered only under exceptional circumstances.
- Provide information to citizens—through publication some 15 days ahead of time in newspapers with the highest national circulation—about the voting centers, their addresses, and the polling stations that will be included at each location.

5. Training and Communication

- Have a single official spokesperson who sets the guidelines on the issue, and ensure a solid structure that can coordinate actions (an organized training office or unit). Also have a multidisciplinary team that puts actions into effect and coordinates with the municipal, regional, and departmental structure.
- Prepare a national outreach plan to convey general guidelines and encourage citizens to participate, through publicity campaigns that provide information, motivation, and civil electoral education.
- In preparing training materials, take into account every stage of the process, including the constitution and opening of the polling stations during the voting, the close, and the vote tally.
- Include in the training the alternate JRV members, thus guaranteeing that they will fulfill their duties well, since the day of the voting is long and requires close attention and care.
- The CSE should improve the systematic policy in place for communicating with citizens, which could provide more timely information to the public and improve the CSE's image among some sectors.

6. Civil Society and Political Parties

- Organized civil society should continue to contribute to the strengthening of democracy in Nicaragua and encourage citizen participation. At the same time, some NGOs should take a more objective, impartial, and proactive approach in favor of citizens, in order not to lose sight of the essence of the work they are doing.
- It is recommended that NGOs should maximize their resources through tangible activities that help to combine efforts in the electoral process. Those resources devoted to participation efforts will generate a greater benefit for citizens; these include promoting more forums and debates and awareness about candidates' proposals for governing, thus generating a new wave of more actively involved citizens. This initiative should be under-

taken further ahead of time in future elections.

- NGOs are urged to provide more support in terms of voter information, since this aspect is vital for the person to be able to exercise the vote. Part of the resources should be devoted to making up for this weakness, which causes bottlenecks at the time voters go to cast their ballots. In all the training efforts held in the pre-election stage, people tend to lose sight of the possibility that citizens will not be able to cast a ballot due to doubts or confusion at the site during the voting process. It is advisable to establish easy-to-locate information booths to give greater assurance to voters.
- The implementation of programs to strengthen political parties is recommended.

7. Information Technology and Data Transmission

- To prevent problems in the system for rapid transmission of results, mainly problems related to structure and to the system testing that should be done, it is recommended to begin working in conjunction with the company that provides the information delivery service (ENITEL in the case of the 2006 elections) with more lead time than that used in this election. This would create a more solid network and would avoid generating anguish and risks that could affect the development of the election.
- To reduce the time for the rapid transmission of results, the possibility should be studied of preparing a special form only for this process, giving priority to the presidential election. In this election, votes were tallied for four contests. Doing the count for all of these took time and meant that no information could be taken to the transmission center until all the vote tallies were complete. This is not to suggest that the need to give guarantees and priority to the election of members of the National Assembly be disregarded.
- According to the EOM observers, it was possible to attest that a fax transmission took an average of 100 seconds, and by scanner, an average of 90 seconds; thus, it is advisable, in line with financial resources available, to use the scanner over the fax to cut down on the time. In addition, the transmission using a scanner is more secure, because an image of the tally sheet remains recorded on the hard drive of the machine that transmits it to the national computing center in Managua.
- At the national computing center, when the tally sheets are recorded, preference should be given to the presidential election. Of course, this should be tied to or in harmony with the recommendation about using a special tally sheet for the rapid transmission of results; this would also reduce the time spent to record these. As in the previous case, this does not imply ignoring the need to grant guarantees and priority to the election of the National Assembly members.
- It is recommended that the personnel at the national computing center be increased in the area of receiving, recording, verifying, and conducting quality control, in order to compute the data in the least amount of time possible.

- Testing of the vote transmission and computation should be increased to reduce any concerns people might have in this area.
- Increasing the information technology services provided in the municipal transmission centers is recommended.
- Studying the possibility of updating the information technology infrastructure at the national computing center is also recommended.

8. Recommendations Based on Observations on the Field

- With regard to the training, attempt to develop a system that takes into account the cultural characteristics of each zone and department. There are zones with a high rate of illiteracy, and

it is not possible to teach people who have different educational levels in exactly the same way.

- In the case of data transmission, it is recommended that a general trial run be done several days ahead of time. All municipalities should transmit simultaneously to test the capacity of the system.
- A population system and a cleanup of the electoral roll are needed.
- It is suggested that voters on the electoral roll be identified by consecutive numbers on the list posted on the wall and available at the polling station, to make the process more agile and allow for greater control at each polling station.
- With regard to the voting booths, it is recommended that these be identified more clearly (with colors) to avoid voter confusion, which translates into delays in voting.

APPENDICES

APPENDIX I. LETTERS OF INVITATION*

El Ministro de Relaciones Exteriores

MRE/DM/891/08/05

Managua, 09 de Agosto de 2005

Doctor
José Miguel Insulza
Secretario General
Organización de los
Estados Americanos
Washington D.C.

Estimado Señor Secretario General:

Tengo el agrado de dirigirme a usted, a fin de formalizar a través de la presente comunicación, la solicitud del Gobierno de Nicaragua a la Organización de los Estados Americanos, para garantizar un acompañamiento a nuestros procesos electorales del año 2006, tanto de las elecciones de autoridades de Miembros de Consejos Regionales de la Costa Atlántica Norte y Sur que se realizarán en el mes de marzo del 2006, como las próximas elecciones generales de autoridades nacionales que se realizarán en Noviembre del mismo año.

Tal y como le expresara el Señor Presidente de la República, Ingeniero Enrique Bolaños Geyer, en la conversación sostenida con usted el pasado miércoles 13 de Julio en Washington, D.C, es de vital importancia para el proceso democrático nicaragüense la presencia de la Organización de los Estados Americanos a través de una Observación Electoral oportuna, eficaz y eficiente.

Como es de su conocimiento, en noviembre del año pasado hubo elecciones de autoridades municipales en nuestro país, que evidenciaron debilidades en el padrón electoral, en el sistema informático, en la autorización y distribución de las cédulas de identificación ciudadana, documento indispensable para votar, y otros aspectos de índole técnico-administrativo, lo mismo que en la administración del conteo de los votos y en la propia normativa electoral que fundamenta jurídicamente las elecciones, razón por la cual se solicita que la Observación Electoral de la OEA sea exhaustiva del funcionamiento de los sistemas y subsistemas técnicos-administrativos, que soportan los procesos electorales en Nicaragua.

*Appendices are presented in their original language, except Appendix V and Appendix VII.

Esto requiere que la observación electoral se inicie de manera temprana a fin de que pueda cumplirse a cabalidad lo solicitado, lo cual fortalecería el sistema electoral nicaragüense y por ende la democracia.

El gobierno de Nicaragua y los nicaragüenses en general, que tienen una vocación democrática muy desarrollada, consideran se deben dar garantías e igualdad de oportunidades para todos los ciudadanos en la participación como electores o elegidos y fortalecer la libertad y la democracia nicaragüense.

De todos es sabido que lo que ocurra en Nicaragua tiene repercusiones en el resto de países de Centroamérica y de la región, de ahí la importancia de que la organización y realización de estas elecciones del próximo año, sean limpias, transparentes, justas y honestas, se respete fielmente el voto popular y sirvan como un punto de partida para el mejoramiento de la institucionalidad democrática.

Aprovecho la oportunidad para expresarle mis muestras de mi mayor consideración y aprecio


Norman Caldera Cardenal



*Consejo Supremo Electoral
Presidente*

Managua, 19 de Enero del 2006

Excelentísimo Señor Secretario:

Después de saludarle respetuosamente, como Presidente del Poder Electoral de la República de Nicaragua, estoy invitando a la Organización de Estados Americanos a que nos acompañen como observadores en los dos procesos electorales que realizarán el presente año en nuestro país como son las elecciones regionales y las nacionales que se llevarán a efecto en las fechas 5 de marzo y 5 de noviembre respectivamente.

El 4 de octubre del 2005 como respuesta a carta que nos fuera entregada por el Embajador Dante Caputo su representante personal en nuestro país, expresémos a su excelencia lo que en su visita a la sede del Poder Electoral de la República de Nicaragua hiciese el 16 de Junio del 2005 lo siguiente *"Igualmente reiteramos a Su Excelencia, nuestro total deseo de ser acompañados por la observación electoral internacional, al igual que en los procesos electorales anteriores, para lo cual en su momento haremos por los medios y canales correspondientes nuestra formal invitación"*.

Asimismo, en la comunicación le solicitábamos a Su Excelencia lo siguiente y cito textualmente:

"De la misma forma queremos solicitar a Su Excelencia, que trasmita a los representantes de los estados miembros de la Organización de Estados Americanos, que el Poder Electoral del Estado de Nicaragua, que tiene como función fundamental la organización y desarrollo de los procesos electorales, les solicita que se haga prevalecer el principio de respeto a la soberanía y no injerencia en los asuntos propios de los Estados. Esto último referido exclusivamente, a que con profunda preocupación hemos visto posiciones políticas partidarias de algunas representaciones diplomáticas acreditadas en nuestro país, que son también miembros de ese organismo y que no contribuyen en lo absoluto a que nuestros procesos electorales para elegir autoridades el próximo año, se desarrollen en paz y ordenadamente, para así garantizarle una vez más a nuestro pueblo, elecciones transparentes, limpias y que sobre todo sean el reflejo de la voluntad popular expresada en las urnas."

Excelentísimo Señor
José Miguel Insulza
Secretario General
Organización de Estados Americanos
Su Despacho

*Consejo Supremo Electoral
Presidente*

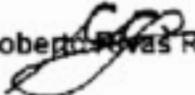
-2-

.../...

Quiero expresar a Su excelencia, que seguimos comprometidos con nuestro pueblo, a que todos los procesos electorales sean totalmente abiertos, como lo han sido nuestros procesos electorales recientes inclusive en los que resultaron electos las actuales autoridades. Y es por esto, que estamos absolutamente seguros que en el convenio de observación que firmaremos con ustedes, consignará el compromiso de imparcialidad y objetividad de la misión de observación a realizarse por la misión de Organización de Estados Americanos. En la que además de observar el actuar del Consejo Supremo Electoral, se observará también, el conjunto de factores y elementos que están relacionados con la transparencia, igualdad de oportunidades y respeto mutuo de partidos y candidatos de los presentes procesos electorales, así mismo ayudamos a observar un comportamiento ético de los medios de comunicación, de los distintos partidos y candidatos, el uso de los bienes del estado para favorecer alguna corriente u opción determinada si éste tuviese algún tipo de manifestación.

Aprovecho la ocasión para reiterarle a su Excelencia las más altas muestras de consideración y estima.

Atentamente


Roberto Rivas Reyes

APPENDIX II. LETTER OF ACCEPTANCE

ORGANIZACION DE LOS ESTADOS AMERICANOS
WASHINGTON, D.C.

EL SECRETARIO GENERAL

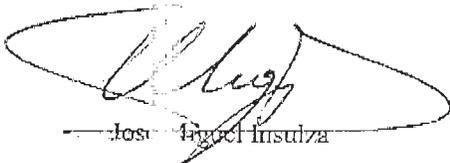
19 de septiembre de 2005

Excelentísimo señor Ministro:

Tengo el honor de dirigirme a Vuestra Excelencia para acusar recibo de su comunicación de fecha 9 de agosto de 2005, a través de la cual solicita que la Organización de los Estados Americanos acompañar los procesos electorales que se llevaran a cabo en Nicaragua durante el año 2006 mediante una observación electoral oportuna, eficaz y eficiente.

Consciente de que el pueblo nicaragüense anhela que la institucionalidad y la convivencia en democracia se consoliden, así como se garantice la celebración de elecciones justas, libre y transparentes, en las cuales se proteja de manera especial el derecho de elegir y ser electo, la Secretaría General acoge con interés dicha solicitud, y se permite informal su disposición favorable para enviar una Misión Preliminar a la brevedad posible a fin de dar inicio a los aspectos organizativos y de instalación de la Misión de Observación requerida.

Hago propicia la ocasión para agradecer la confianza de las Instituciones Democráticas de Nicaragua al trabajo que adelanta la OEA encaminado al fortalecimiento de la democracia hemisférica, y para expresar a Vuestra Excelencia el testimonio de mi alta y distinguida consideración.



José Miguel Insulza

Excelentísimo señor:
Norman Caldera Cardenal
Ministro de Relaciones Exteriores
Managua, Nicaragua

APPENDIX III. AGREEMENT ON THE OBSERVATION PROCEDURES

**ACUERDO ENTRE
LA SECRETARIA GENERAL DE LA ORGANIZACIÓN
DE LOS ESTADOS AMERICANOS
Y
EL CONSEJO SUPREMO ELECTORAL DE LA REPÚBLICA DE
NICARAGUA
SOBRE EL PROCEDIMIENTO DE OBSERVACIÓN DE LA
MISIÓN DE OBSERVACIÓN ELECTORAL PARA LAS ELECCIONES
DE PRESIDENTE Y VICE-PRESIDENTE DE LA REPUBLICA,
DIPUTADOS ANTE LA ASAMBLEA NACIONAL Y DIPUTADOS ANTE
EL PARLAMENTO CENTROAMERICANO A LLEVARSE A CABO EL 5
DE NOVIEMBRE DE 2006**

El Consejo Supremo Electoral de la República de Nicaragua (en adelante el CSE) y la Secretaría General de la Organización de los Estados Americanos (en adelante la SG/OEA),

CONSIDERANDO:

Que el Estado de la República de Nicaragua por medio de las autoridades competentes solicitó la participación de la SG/OEA de una Misión de Observación Electoral para las elecciones en las Regiones Autónomas Norte y Sur de la República de Nicaragua, que se llevaron a cabo el 5 de marzo de 2006, así como para las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano de la República de Nicaragua que se llevarán a cabo el 5 de noviembre de 2006;

Que la SG/OEA acogió la solicitud disponiendo el envío de una Misión de Observación Electoral (en adelante la Misión) a la República de Nicaragua con el objetivo de observar las elecciones en las Regiones Autónomas Norte y Sur de la República de Nicaragua que se llevaron a cabo el 5 de marzo de 2006, y las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano de la República de Nicaragua, que se realizarán el 5 de noviembre de 2006;

Que en la Resolución AG/RES. 991 (XIX-O/89), la Asamblea General de la Organización de los Estados Americanos (OEA) reiteró al Secretario General la recomendación de "organizar y enviar misiones a aquellos Estados miembros que, en ejercicio de su soberanía, lo soliciten, con el propósito de observar el desarrollo, de ser posible en todas sus etapas, de cada uno de los respectivos procesos electorales"; y

Que la Carta Democrática Interamericana, en su artículo 24, establece lo siguiente: "Las Misiones de Observación Electoral se llevarán a cabo por solicitud del Estado miembro interesado. Con tal finalidad, el gobierno de dicho Estado y el Secretario General celebrarán un convenio que determine el alcance y la cobertura de la

Misión de Observación Electoral de que se trate. El Estado miembro deberá garantizar las condiciones de seguridad, libre acceso a la información y amplia cooperación con la Misión de Observación Electoral",

ACUERDAN:

Primero:

Garantías

- a) El CSE facilitará a la Misión todas las facilidades para el cumplimiento adecuado de su Misión de Observación de las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano de la República de Nicaragua, que se realizarán el 5 de noviembre de 2006, de conformidad con las normas vigentes en la República de Nicaragua y los términos de este Acuerdo.
- b) El CSE garantiza a la Misión el pleno ejercicio de sus funciones en las fases pre-comiciales, comiciales y post-comiciales de todo el proceso electoral hasta la asunción de las autoridades electas en las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano de la República de Nicaragua, que se realizarán el 5 de noviembre de 2006, en la República de Nicaragua. La presencia de la Misión en el país podrá ser extendida cuando las circunstancias así lo requieran, previo acuerdo con el CSE.
- c) El CSE, durante el día de los comicios, y los períodos pre-comiciales y post-comiciales, garantizará a la Misión el libre desplazamiento y movimiento en todo el territorio nicaragüense, así como el acceso a los observadores de la Misión a todas las áreas de los organismos que conforman el sistema electoral.
- d) El CSE garantizará a la Misión el pleno acceso a los órganos electorales descentralizados, así como aquellos que tienen a su cargo las actividades de votación, escrutinio y totalización de votos, los cuales son las Juntas Receptoras del Voto (JRVs) y el CSE. El CSE facilitará a la Misión copia de los resultados que consten en las actas de escrutinio de aquellas Juntas Receptoras del Voto donde no estén presentes los miembros de la Misión durante el proceso de escrutinio de votos de las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano de la República de Nicaragua, que se realizarán el 5 de noviembre de 2006, en la República de Nicaragua.

Segundo:

Información

- a) El CSE suministrará a la Misión toda la información referente a la organización, dirección y supervisión de las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano de la República de Nicaragua, que se realizarán el 5 de noviembre de 2006 en la República de Nicaragua. La Misión podrá solicitar al CSE la información adicional necesaria para el ejercicio de sus funciones, y el CSE proveerá a la Misión toda la información solicitada.
- b) La Misión suministrará al CSE acerca de las irregularidades e interferencias que observe o que le fueran comunicadas. Asimismo, la Misión podrá solicitar al CSE información sobre las medidas que al respecto se hubieren tomado, y el CSE proveerá a la Misión toda la información solicitada.
- c) El CSE facilitará a la Misión información relativa a los padrones electorales y a los datos contenidos en sus sistemas automatizados referidos a dichos padrones, que es el mismo entregado a las organizaciones políticas participantes. Asimismo, proveerá toda otra información relativa al sistema de cómputos para el día de las elecciones y ofrecerá demostraciones de su operación. Igualmente, el CSE suministrará información acerca de las condiciones de orden público existentes en el territorio nacional durante las distintas etapas de las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano de la República de Nicaragua que se realizarán el 5 de noviembre de 2006 en la República de Nicaragua.
- d) El CSE garantizará a la Misión información sobre la transmisión de resultados, el cómputo provisional y el cómputo definitivo. Para tal efecto, el CSE garantizará el acceso de la Misión a los respectivos Centros de Cómputos.
- e) La Misión podrá emitir informes públicos y periódicos como resultado de la observación *in situ* de este proceso electoral, previa comunicación con el CSE lo que no implica requerida autorización.

Tercero:

Disposiciones Generales

- a) El Secretario General de la OEA designará al Jefe de la Misión, quien representará a la Misión y a sus integrantes frente al Consejo Supremo Electoral, a las distintas instituciones del Estado de la República de Nicaragua y frente al Gobierno de la República de Nicaragua.

- b) La SG/OEA comunicará al Presidente del CSE los nombres de las personas que integrarán la Misión, los que estarán debidamente identificados con una credencial de identificación de la SG/OEA y del CSE, elaborados especialmente para la Misión. Ningún Observador será de nacionalidad nicaragüense.
- c) La Misión deberá actuar con imparcialidad, objetividad e independencia en el cumplimiento de su cometido.
- d) El Secretario General de la OEA entregará al Presidente del Consejo Supremo Electoral una copia del informe final de la Misión.
- e) El CSE hará conocer y difundirá entre todos los organismos con responsabilidad en el proceso electoral el contenido de este Acuerdo.

Cuarto:

Privilegios e Inmunidades

Ninguna disposición en este Acuerdo se entenderá como una renuncia a los privilegios e inmunidades de los que gozan la Secretaría General de la OEA y la OEA, sus órganos, su personal y sus bienes conforme a la Carta de la OEA, cuyo instrumento de ratificación fue depositado por el Gobierno el 26 de julio de 1950; al Acuerdo sobre Privilegios e Inmunidades de la OEA, cuyo instrumento de ratificación fue depositado por el Gobierno el 25 de enero de 1961; al "Acuerdo entre la SG/OEA y el Gobierno de la República de Nicaragua sobre el funcionamiento de la Oficina de la Secretaría General de la Organización de los Estados Americanos y el Reconocimiento de sus Privilegios e Inmunidades" suscrito el 2 de octubre de 1989, y al Acuerdo entre el Gobierno y la SG/OEA relativo a los privilegios e inmunidades de los miembros de la Misión para las elecciones nacionales, legislativas y presidenciales que se realizarán el 5 de noviembre de 2006 en la República de Nicaragua, firmado el 8 de junio de 2006, y a los principios y prácticas que inspiran el derecho internacional.

Quinto:

Vigencia y Terminación

Este Acuerdo entrará en vigencia a partir de su firma por los representantes autorizados de las Partes, permaneciendo en vigor hasta que la Misión concluya sus labores.

Cualquiera de las Partes podrá dar por terminado este Acuerdo sin necesidad de justificar la causa de su decisión mediante una comunicación escrita dirigida a la contraparte, y con una anticipación no menor a quince días corridos a la fecha de terminación. No obstante, si la SG/OEA da por terminado este Acuerdo, la SG/OEA explicará, si así es el caso, que la terminación ha sido causada por situaciones o eventos ocasionados por terceros fuera del control del CSE, y por lo tanto no imputables al CSE ni a terceros bajo su control.

Sexto:

Solución de Controversias

Las Partes procurarán resolver mediante negociaciones directas cualquier controversia que surja respecto a la interpretación y/o aplicación de este Acuerdo. Si ello no fuera posible, la cuestión será resuelta mediante el procedimiento que al efecto acuerden las Partes.

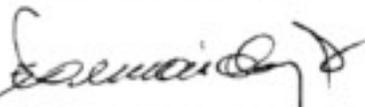
EN FE DE LO CUAL, los representantes de las Partes, debidamente autorizados al efecto, firman el presente documento en dos originales igualmente válidos en Managua, Nicaragua, a los 9 días del mes de junio del año dos mil seis.

**POR EL CONSEJO
SUPREMO ELECTORAL DE LA
REPÚBLICA DE NICARAGUA**



Roberto Rivas Reyes
Presidente del Consejo Supremo Electoral

**POR LA SECRETARÍA GENERAL
DE LA ORGANIZACIÓN DE LOS
ESTADOS AMERICANOS**



Gustavo Fernández Saavedra
Representante Personal del Secretario
General de la OEA/Jefe de la Misión de
Observación Electoral para Nicaragua



Organización de los Estados Americanos
Organização dos Estados Americanos
Organisation des Etats Américains
Organization of American States

ORDEN EJECUTIVA No. 05-06

ANEXO II

DELEGACIÓN DE AUTORIDAD

Acuerdo entre la Secretaría General de la Organización de los Estados Americanos

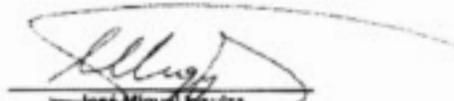
Y

el Consejo Supremo Electoral de la República de Nicaragua

sobre el Procedimiento de Observación de la Misión de Observación Electoral para las Elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano a llevarse a cabo el 5 de noviembre de 2006

Yo, José Miguel Insulza, Secretario General de la Organización de los Estados Americanos (OEA), por este medio, autorizo al señor Gustavo Fernández Saavedra, mi Representante Personal y Jefe de la Misión de Observación Electoral para Nicaragua, a suscribir en nombre y representación de la Secretaría General de la OEA el Acuerdo arriba mencionado.

Esta delegación de autoridad expira el 15 de junio de 2006



— José Miguel Insulza
Secretario General de la OEA

Lugar: WASHINGTON, DC

Fecha: Mayo 21, 2006

APPENDIX IV. AGREEMENT ON THE PRIVILEGES AND IMMUNITIES OF OBSERVERS

ACUERDO ENTRE

EL GOBIERNO DE LA REPUBLICA DE NICARAGUA

Y

**LA SECRETARÍA GENERAL DE LA ORGANIZACIÓN DE LOS
ESTADOS AMERICANOS**

**RELATIVO A LOS PRIVILEGIOS E INMUNIDADES DE LOS OBSERVADORES DE LA
MISION DE OBSERVACION ELECTORAL PARA LAS ELECCIONES DE PRESIDENTE**

**Y VICE-PRESIDENTE DE LA REPUBLICA, DIPUTADOS ANTE LA ASAMBLEA
NACIONAL Y DIPUTADOS ANTE EL PARLAMENTO CENTROAMERICANO**

A REALIZARSE EL 5 NOVIEMBRE DE 2006

Las partes de este Acuerdo, el Gobierno de la República de Nicaragua (en adelante el Gobierno), y la Secretaría General de la Organización de los Estados Americanos (en adelante la Secretaría General de la OEA),

CONSIDERANDO:

Que el Gobierno de la República de Nicaragua por medio de comunicación dirigida al Secretario General de la OEA, con fecha 9 de agosto de 2005, solicitó a la Secretaría General de la OEA la asistencia de una Misión de Observación Electoral de la OEA para las elecciones regionales de la Costa Atlántica del 5 de marzo de 2006, así como para las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano de la República de Nicaragua que se llevarán a cabo el 5 de noviembre de 2006;

Que la Secretaría General de la OEA aceptó la invitación y conformó un Grupo de Observadores Internacionales de la OEA (en adelante los Observadores) para realizar una Misión de Observación Electoral (en adelante la Misión) para las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano, a llevarse a cabo el 5 de noviembre de 2006;

Que el Grupo de Observadores de la OEA está integrado por funcionarios de la Secretaría General de la OEA y observadores internacionales contratados por la Secretaría General de la OEA para participar en la Misión;

Que el artículo 133 de la Carta de la OEA dispone: *"la Organización de los Estados Americanos gozará en el territorio de cada uno de sus miembros de la capacidad jurídica, privilegios e inmunidades que sean necesarios para el ejercicio de sus funciones y la realización de sus propósitos"*; y

Que los privilegios e inmunidades reconocidos a la OEA, a la Secretaría General de la OEA, a su personal y a sus bienes en la República de Nicaragua, además de lo previsto en la Carta de la OEA, están establecidos en el Acuerdo sobre Privilegios e Inmunidades de la OEA, cuyo instrumento de adhesión fue depositado por el Gobierno de la República de Nicaragua el 25 de enero de 1961, y en el Acuerdo General entre la Secretaría General de la Organización de los Estados Americanos y el Gobierno de la República de Nicaragua sobre el funcionamiento en Managua de la Oficina de la OEA en Nicaragua y el Reconocimiento de sus Privilegios e Inmunidades, firmado el 2 de octubre de 1989,

ACUERDAN LO SIGUIENTE:

CAPÍTULO I

**PRIVILEGIOS E INMUNIDADES DEL
GRUPO DE OBSERVADORES DE LA OEA**

ARTÍCULO 1

Los privilegios e inmunidades del Grupo de Observadores de la OEA en las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano, a llevarse a cabo el 5 de noviembre de 2006 en la República de Nicaragua serán aquellos que se otorgan a la OEA, a los Órganos de la OEA, y al personal de los mismos.

ARTÍCULO 2

Los bienes y haberes del Grupo de Observadores de la OEA en cualquier lugar del territorio de la República de Nicaragua y en poder de cualquier persona en que se encuentren, gozarán de inmunidad contra todo procedimiento judicial, a excepción de los casos particulares en que el Secretario General de la OEA renuncie expresamente por escrito a esa inmunidad. Se entiende, sin embargo, que esa renuncia de inmunidad no tendrá el efecto de sujetar dichos bienes y haberes a ninguna medida de ejecución.

ARTÍCULO 3

Los locales que ocupe el Grupo de Observadores de la OEA serán inviolables. Asimismo, sus haberes y bienes, en cualquier lugar del territorio de la República de Nicaragua y en poder de cualquier persona en que se encuentren, gozarán de inmunidad contra allanamiento, requisición, confiscación, expropiación y contra toda otra forma de intervención, ya sea de carácter ejecutivo, administrativo, judicial o legislativo. Dichos locales no podrán ser usados como lugar de asilo por personas que traten de evitar ser arrestadas en cumplimiento de una orden judicial emanada de un Tribunal competente de la República de Nicaragua, o que estén requeridas por el Gobierno, o traten de sustraerse a una citación judicial.

ARTÍCULO 4

Los archivos del Grupo de Observadores de la OEA y todos los documentos que le pertenezcan o que se hallen en su posesión, serán inviolables dondequiera que se encuentren.

ARTÍCULO 5

El Grupo de Observadores de la OEA estará: a) exento del pago de todo tributo interno entendiéndose, sin embargo, que no podrán reclamar exención alguna por concepto de tributos que de hecho constituyan una remuneración por servicios públicos; b) exentos del pago de toda tributación aduanera, y de prohibiciones y restricciones respecto a artículos y publicaciones que importen o exporten para su uso oficial. Se entiende, sin embargo, que los artículos que se importen libres de derechos, sólo se venderán en la República de Nicaragua conforme a las condiciones que se acuerden con el Gobierno; y c) exento de afectación por ordenanzas fiscales, reglamentos o moratorias de cualquier naturaleza. Además podrán tener divisas corrientes de cualquier clase, llevar sus cuentas en cualquier divisa y transferir sus fondos en divisas.

CAPÍTULO II

DE LOS MIEMBROS DEL GRUPO DE OBSERVADORES DE LA OEA

ARTÍCULO 6

Serán miembros del Grupo de Observadores de la OEA aquellas personas que hayan sido debidamente designadas y acreditadas ante el Consejo Supremo Electoral (CSE) de la República de Nicaragua por el Secretario General de la OEA.

ARTÍCULO 7

Los Observadores gozarán durante el período en que ejerzan sus funciones y durante sus viajes de ida y regreso a la República de Nicaragua de los privilegios e inmunidades siguientes:

- a) Inmunidad contra detención o arresto personal e inmunidad contra todo procedimiento judicial respecto a todos sus actos ejecutados y expresiones emitidas, ya sean orales o escritas en el desempeño de sus funciones;
- b) Inviolabilidad de todo papel y documento;
- c) El derecho de comunicarse con la Secretaría General de la OEA por medio de radio, teléfono, vía satélite u otros medios y recibir documentos y correspondencia por mensajeros o en valijas selladas, gozando al efecto de los mismos privilegios e inmunidades que los concedidos a correos, mensajeros o valijas diplomáticas;
- d) El derecho de utilizar para su movilización cualquier medio de transporte, tanto aéreo como marítimo o terrestre en todo el territorio nacional;

- e) Excepción, respecto de sí mismo y de sus cónyuges e hijos, de toda restricción de inmigración y registro de extranjeros y de todo servicio de carácter nacional en la República de Nicaragua;
- f) La más amplia libertad para el traspaso de fondos y para la negociación en cualquier lugar y forma de divisas, cheques, metálicos, monedas o billetes extranjeros, que reciban como retribuciones y beneficios por sus servicios, no estando sujeto a las limitaciones, restricciones, o medidas de fiscalización o control que se establezcan sobre la materia;
- g) Las mismas inmunidades y franquicias respecto de sus equipajes personales, acordadas a los enviados diplomáticos; y también,
- h) Aquellos otros privilegios, inmunidades y facilidades compatibles con lo antes dicho, de los cuales gozan los enviados diplomáticos, salvo exención de derechos aduaneros sobre mercaderías importadas (que no sean parte de su equipaje personal) o de impuestos de ventas y derechos de consumo.

ARTÍCULO 8

Las disposiciones contenidas en el artículo 7 de este Acuerdo no son aplicables a los nacionales acreditados, salvo respecto de los actos oficiales ejecutados o expresiones emitidas en el ejercicio de sus funciones.

ARTÍCULO 9

La Misión podrá establecer y operar en el territorio de Nicaragua un sistema de radio-comunicaciones autónomo destinado a proveer enlace permanente entre los Observadores y los vehículos que utilice la Misión con las oficinas y sedes departamentales y regionales, como de éstas con la sede central en Managua y las sub-sedes administrativas que oportunamente pudieran establecerse a lo largo y ancho del territorio de la República de Nicaragua, así como con la sede de la Secretaría General de la OEA en Washington, D.C., para cuyo logro el Gobierno prestará toda la colaboración técnica y administrativa que se considere necesaria.

CAPÍTULO III

COOPERACIÓN CON LAS AUTORIDADES

ARTÍCULO 10

Los Observadores colaborarán con las autoridades competentes de la República de Nicaragua para evitar que ocurran abusos con relación a los privilegios e inmunidades concedidos. Asimismo, las autoridades competentes de la República de Nicaragua harán todo lo posible para facilitar la colaboración que les sea solicitada por los Observadores.

ARTÍCULO 11

Sin perjuicio de los privilegios e inmunidades otorgados, los Observadores respetarán las leyes y reglamentos vigentes en la República de Nicaragua.

ARTÍCULO 12

El Gobierno y el Secretario General de la OEA tomarán las medidas que sean necesarias para procurar un arreglo amistoso para la solución adecuada de:

- a) las controversias que se originen en contratos u otras cuestiones de derecho privado; y
- b) las controversias en que sea parte cualquiera de los Observadores respecto de materias en que gocen inmunidad.

CAPÍTULO IV

CARÁCTER DE LOS PRIVILEGIOS E INMUNIDADES

ARTÍCULO 13

Los privilegios e inmunidades se otorgan a los Observadores para salvaguardar su independencia en el ejercicio de sus funciones de observación del proceso electoral para las elecciones de Presidente y Vice-Presidente de la República, Diputados ante la Asamblea Nacional y Diputados ante el Parlamento Centroamericano, a llevarse a cabo el 5 de noviembre de 2006 en la República de Nicaragua, y no para beneficio personal, ni para realizar actividades de naturaleza política en territorio nicaragüense.

Por consiguiente el Secretario General de la OEA renunciará a los privilegios e inmunidades de éstos en caso de que, según su criterio, el ejercicio de ellos impida el curso de la justicia y cuando dicha renuncia pueda hacerse sin que se perjudiquen los intereses de la OEA.

CAPÍTULO V

IDENTIFICACIÓN

ARTÍCULO 14

Los Miembros del Grupo de Observadores de la OEA tramitarán su acreditación correspondiente ante el Consejo Supremo Electoral de la República de Nicaragua y obtendrán el documento de identidad que establezca dicho Consejo de conformidad a la legislación nicaragüense. Los Observadores no estarán obligados a entregar dicho documento, sólo lo presentarán cuando así lo requieran las autoridades de la República de Nicaragua.

CAPÍTULO VI

DISPOSICIONES GENERALES

ARTÍCULO 15

El Gobierno reconoce el "documento oficial de viaje" expedido por la Secretaría General de la OEA como documento válido y suficiente para los viajes de los Observadores. Dicho documento requiere visado oficial para que los Observadores ingresen en Nicaragua y permanezcan allí hasta el término de su Misión Oficial.

ARTÍCULO 16

Las partes resolverán mediante negociaciones directas cualquier controversia relativa a la interpretación o ejecución de este Acuerdo

ARTÍCULO 17

Ninguna de las disposiciones contenidas en este Acuerdo se entenderá como una renuncia de los Privilegios e Inmidades de los que gozan las Organización de los Estados Americanos, sus órganos y su personal.

ARTÍCULO 18

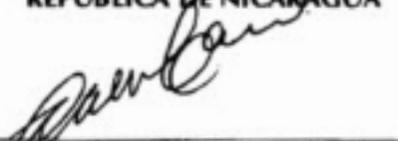
Este Acuerdo podrá ser modificado por escrito, por mutuo consentimiento del Gobierno y de la Secretaría General de la OEA.

ARTÍCULO 19

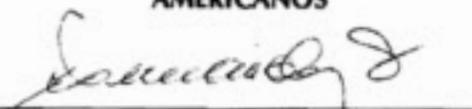
Este Acuerdo entrará en vigor en la fecha de su firma y será comunicado al Consejo Supremo Electoral por parte del Gobierno de la República de Nicaragua.

EN FE DE LO CUAL, los infrascritos firman el presente Acuerdo en dos ejemplares de un mismo tenor, en la ciudad de _____, _____ a los _____ días del mes de _____ del año dos mil seis.

**POR EL GOBIERNO DE LA
REPÚBLICA DE NICARAGUA**


Norman Caldera Cardenal
Ministro de Relaciones Exteriores

**POR LA SECRETARÍA GENERAL
ORGANIZACIÓN DE LOS ESTADOS
AMERICANOS**


Gustavo Fernández Saavedra
Representante Personal del Secretario
General de la OEA/Jefe de la Misión de
Observación Electoral para Nicaragua

APPENDIX V: THE MEDIA AND FOREIGN INTERFERENCE

In terms of interference, the accusations centered on Venezuela and the United States; this was the case throughout the election campaign, as can be seen through a review of the newspapers *La Prensa* and *El Nuevo Diario*.

On May 10, *La Prensa* ran the following headline: “The OAS Rejects Interference in Internal Affairs.” This was a wire service story from EFE in which the OAS Chief of Mission, Dr. Gustavo Fernández, is quoted as saying that it is “not advisable for foreign governments to meddle in another country’s internal matters.” He stated, “Interference by other countries in the internal political affairs of other nations in the Americas is not the most advisable path,” clarifying, according to the story, that the comments were “not made with particular reference to the case of Nicaragua, where the political parties and organizations have accused the United States and Venezuela of intruding in the election process.”

The 36th General Assembly of the Organization of American States was also a scenario for this debate. On June 5, *El Nuevo Diario* published an EFE wire story with the headline “Zoellick Demands that the OAS Send a New Mission to Nicaragua: U.S. ‘Concerned’ about Threat of ‘old caudillos of corruption and communism.’” The story highlights the speech given by Deputy Secretary of State Robert Zoellick at the General Assembly, asking that an observation mission be installed in Nicaragua because of “old caudillos of corruption and communism who want to hang onto power.” Zoellick supported the Secretary General’s proposal that a group of international figures visit Nicaragua.

On June 11, *La Prensa* highlighted the activities of the Chief of Mission in Nicaragua with a story entitled, “OAS Rejects Foreign Interference in Nicaragua.” It reported that he held meetings with Daniel Ortega and Edén Pastora, and with ambassadors from Europe, Japan, and the United States.

The following day, *El Nuevo Diario* ran statements by Nicaragua’s ambassador to the OAS, José Luis Velásquez, in a story entitled, “Government Expects OAS to Speak Out against Chávez.” The subtitle read, “What’s good for Venezuela should be good for the United States.” In the story, Velásquez stated that “the Permanent Council... will issue a statement to reaffirm the principle of nonintervention in the affairs of another state, with regard to Nicaragua’s charge that Venezuela is meddling in Nicaraguan internal affairs.” Velásquez also established distance between the actions of the Venezuelan president, who had publicly given his support to the FSLN candidate, and the opinions reiterated by the ambassador of the United States, Paul Trivelli, in terms of Nicaraguan internal affairs. For Velásquez, Trivelli’s statements attacking the leaders of the FSLN and PLC parties, as well as his repeated calls not to support the leaders he considered to be from the past, “are nothing more than opinions.” He said, by way of justification, “An ambassador can have opinions, he can have prefer-

ences toward a certain candidate and can express these as a manifestation of freedom of expression, but concrete actions are something else altogether, such as getting into financing election campaigns without complying with the law.”

For its part, *La Prensa* headlined a story, “Trivelli Doesn’t Believe in Alemán’s Withdrawal” and quoted the U.S. ambassador as saying the following: “You only have to see the list of his deputies, and we see that there are people who support him, and that’s what he wants.” It added that he “doesn’t believe what he says.”

On June 16, *El Nuevo Diario*—under the headline “Montealegre Complains about Chávez in Washington”—reported that the ALN candidate, “a favorite of Washington’s for the November election,” charged at George Washington University that his rival Daniel Ortega “is being financed, supported, and assisted by Hugo Chávez... who has large quantities of oil money.”

On June 22, *La Prensa* published an extensive story under the headline “Chávez Accused of Supporting Ortega”; this was based on AFP and EFE news reports on a U.S. congressional hearing in which the “Chief of U.S. diplomacy for Latin America, Tom Shannon,” participated. The official predicted that “the option for the future” would win in the Nicaraguan elections, “which for him means the right-wing Eduardo Montealegre or the left-wing Herty Lewites.” The story also repeated a charge made by the Republican legislator Jerry Weller (Illinois), who “showed a photograph of trucks allegedly transporting fertilizers given by Venezuela to Sandinista-run mayor’s offices and another of Ortega climbing out of a helicopter which he said had reportedly been donated by Chávez.” From the Democratic side, the newspaper quoted remarks by Howard Berman, who denounced U.S. interference in the 2001 elections and said the embassy was “very involved in guaranteeing the defeat of Mr. Ortega. To say that we haven’t tried to influence elections in the past is misleading.” In response to Berman’s comments, representatives of the White House assured that the United States “only tries to guarantee that elections are fair.”

The following day, *La Prensa* covered domestic reactions to that hearing. The headlines included: “Parties Reject Shannon’s Opinions” and “Chávez Denies Sending Helicopter.”

The next milestone in terms of interference was Shannon’s visit to Nicaragua. On June 26, *El Nuevo Diario* reported on the meetings he planned to have and included this subtitle: “Embassy says he is not coming to intervene.” The story was from the ACAN-EFE agency, based on a communiqué from the embassy denying

Translator’s note: Some quotations by U.S. officials that may have originally appeared in English have been translated from the Spanish in the absence of the original version.

that its government was financing any party or candidate, or that it was intervening in the electoral process, as U.S. NGOs had charged. *La Prensa* also gave extensive coverage to Shannon's arrival and domestic reactions.

On June 27, Shannon's comments following a meeting with the President and Foreign Minister were reported. *El Nuevo Diario* headlined its main story "Shannon: 'Montealegre and Herty Are the Future,'" with the subtitle "The deputy secretary of state later says the U.S. has no candidates." The story included adverse internal reactions from the FSLN and the PLC. In addition, it quoted Foreign Minister Norman Caldera as saying that "he believes anyone may express an opinion about the elections in Nicaragua but may not finance political parties, because the latter does amount to interference." Other notable headlines include the following: "Deputies React"; "Herty Optimistic after Being Told He was an Option to Lead the Government" (*El Nuevo Diario*, June 28), and "Shannon supports 'Those Who Turn their Backs on Caudillos'" (*La Prensa*).

On July 2, Ambassador Trivelli talked to the media about statements made by the candidate Ortega to the effect that he would win in the first round "despite what Trivelli, Shannon, or even President Bush may say." *El Nuevo Diario* entitled the story, "U.S. Willing to Work with Daniel Ortega," with the subhead "Although it is confident he will suffer his fourth election defeat." The story said the ambassador "made it clear that his country will not recognize a government born of fraud, and warned that the OAS would intervene in the matter if that happened." In a story along a similar vein, *La Prensa* ran this headline: "U.S. Won't Recognize Fraudulent Elections."

On Friday, July 7, *El Nuevo Diario* and *La Prensa* published the statement of former President Jimmy Carter at the conclusion of his visit to Managua, in which he rejected foreign interference in internal affairs. *El Nuevo Diario* headlined the story "Carter Rejects Interference," with the subhead "Satisfied with the work of the CSE, although he suggested improvements."

On July 20, *El Nuevo Diario* published—under the headline "Venezuelan Assistance is not Interference"—comments by Deputy Luís Días, rejecting the Nicaraguan government's accusation about interference in internal affairs. He offered assurances that the assistance provided by that country was for solidarity and that the accusation was unjust. Further, the newspaper recalled that the Nicaraguan government did not react the same way to the U.S. support of the ALN and MRS.

On August 5, Trivelli again commented on internal affairs. According to *La Prensa*—which ran the headline "Trivelli Differentiates between FSLN and MRS"—the diplomat considered that the MRS is "more within" the democratic system than the FSLN. "We're talking about 'Danielismo,' which hasn't changed.... I read Daniel Ortega's speeches and rhetoric, and he still calls us terrorists, saying we have committed genocide, etc. I think he's the one who doesn't want to cooperate with us." Regarding the OAS Permanent Council report, he said he believed it was "very accurate

and with the right tone. Basically it has said that the climate here is not ideal, but that it can be corrected. There are problems with the issuance of identity cards for the voter rolls, but with hard work and good will, the process could be acceptable in November."

On the same date, *La Prensa* reprinted an editorial from the *Washington Post* that warned of a "ballot-box coup" and argued, "If Nicaragua remains a genuine democracy, Mr. Ortega will lose." It also asked for international involvement, arguing that "the best chance of thwarting a ballot-box coup probably lies with the OAS and its member governments, which between now and November must insist on a free and fair election."

From another perspective, throughout the campaign Ambassador Trivelli directly attacked former President Arnaldo Alemán and his family, prompting harsh exchanges with the family, channeled through the media. Headlines included: "Trivelli Scolds María Fernanda Flores (*La Prensa*); "Ambassador Trivelli Scolds María Fernanda Flores: 'If they're innocent, they should turn themselves in voluntarily'" (*El Nuevo Diario*), and "Who is Trivelli? Alemán Challenges."

Added to this conflict were constant references to the competing parties. In visits around the country, Ambassador Trivelli underscored two issues: the need for there to be unity in the Liberal forces against Ortega and the dangers which he said an FSLN election victory would mean for the future of relations between both countries, including on such concrete issues as the Millennium Account, remittances, trade, and investment. Headlines along these lines included: "U.S. Wants Government to its Liking—Trivelli Makes a Calculation" (*El Nuevo Diario*); "U.S. Would Examine its Relationship with the Country" (*La Prensa*); and "Trivelli Warns: Account Could Be in Danger" (*La Prensa*).

On September 8, as on very few occasions, *El Nuevo Diario* reported that the Nicaraguan Center for Human Rights (CENIDH) accused the United States of corrupting elections since 1990. In addition, a CSE Magistrate asked Ambassador Trivelli to distance himself from the election process and asked the Foreign Ministry to rebuke the diplomatic representative.

In the same newspaper—under the headline "Trivelli: 'I Don't See Interference'"—the diplomatic representative denied that the United States would intervene directly in Nicaragua's internal affairs, specifically in the election process. Rather, he said, it had to do with helping to strive, "along with other donors, for an election that is just, transparent, and inclusive."

The following day, *El Nuevo Diario* reported that Trivelli stated (in a commemoration of the Nicaraguan victory over the "filibusterers") that "his presence at the event showed that 'you don't have to be afraid any more of the Yankee filibusterers in Nicaragua.'" He later reiterated, however, that if the FSLN won the elections, "there is a gamut of relations" that would be reexamined.

On September 10, *La Prensa* published an extensive interview with Adolfo Franco, deputy administrator of USAID. According to the newspaper, the U.S. official affirmed that if the FSLN won

the elections, his government would reconsider the cooperation it provided to Nicaragua. This idea served as the basis for the headline (“We Will Reexamine Assistance to Nicaragua”) but was not included in the transcript of Franco’s responses.

On September 22, *La Prensa* reported that Swedish Ambassador Eva Zettrberg launched harsh criticisms against the CSE for being “a biased organization which has not been able to rise above party lines... They’re talking in terms of Sandinista magistrates and Liberal magistrates.” Finally, she said that what mattered to the government of Sweden was “a government that is elected in clean, transparent elections and that is recognized by Nicaraguans.” That same day, *La Prensa* announced the upcoming arrival to Nicaragua of U.S. Congressman Dan Burton. From that day until the congressman’s departure from the country, the interventionist statements were numerous, as the following headlines show: “Burton Comes to Meet with Emerging Politicians” (*La Prensa*); “Burton Stirs up Noise before Arrival” (*El Nuevo Diario*); “Pact Puts U.S.-Nicaraguan Relations at Risk” (*La Prensa*); “Burton Stirs up Political Polarization” (*El Nuevo Diario*).

This growing interventionist attitude caused the EOM to issue a statement on September 25 against interference in Nicaragua’s internal affairs. On September 16, *El Nuevo Diario* ran the story under the headline “OAS Laments Interference,” with the following subtitle: “There is a difference between cooperating and expressing an opinion, it argues.” The story, occupying four column widths in the newspaper, reprinted the official OAS press release and recalled the statement made by the Swedish ambassador and the position of U.S. authorities.

La Prensa, under the headline “OAS Laments Foreign Intervention in Elections,” reprinted the mission’s press release in one column width and linked it to the statements by Congressman Dan Burton. It also reported on a statement by Ambassador Trivelli in which, commenting on Burton’s visit, he said that “these missions do not represent interference; they represent a special interest on the part of the government, the Congress, the private sector, in learning about what is happening in Nicaragua”—a statement *El Nuevo Diario* included in a different story.

On September 28, the Swedish ambassador explained to *La Prensa* (“Sweden Comes to an Agreement with the CSE”) that in the interview on the CSE she said the international community was critical of its composition, “but what was not mentioned was that we have the experience of the regional elections, which went very well.” She added that she believed that would be the case with the national elections.

By contrast, Ambassador Trivelli made statements about Nicaraguan affairs to the effect that there could be surprises and the Liberal movement could be reunited. *El Nuevo Diario* ran the headline, “Trivelli Announces Surprises,” with an explanatory subtitle quoting him as saying, “I don’t know what Rizo thinks, but the Liberal forces could reach an agreement.”

On September 29, *La Prensa* reported that Foreign Minister Norman Caldera declined to comment on Dan Burton’s state-

ments. He said that “we handle our relations with diplomats [directly] with them” and that it would represent “a lack of respect” to comment on them “because he did not believe it was correct in terms of international relations.”

In the coverage of the OAS Secretary General’s visit to Nicaragua, referring to the electoral process, *El Nuevo Diario* headlined its main story “Insulza Criticizes Burton’s Interference” (September 30). The story highlighted his activities, including a visit to the president and to the CSE, and subtitled a couple of paragraphs “Criticisms about Ortega: Case Closed.” By contrast, *La Prensa* ran the headline “Insulza: Incident with Ortega is Over,” and included a sidebar entitled “Elections Moving along Well,” while treating the issue of foreign intervention generically.

On October 11, following the arrival to Nicaragua of Venezuelan oil to be sold by FSLN-led mayoral offices, *El Nuevo Diario* reported that the MRS candidate charged that Chávez was intervening in the Nicaraguan elections, stating that just as it opposed U.S. interference, it was also doing so in the case of Venezuela.

On October 14, *El Nuevo Diario* ran a story entitled, “U.S. Citizens Will Monitor their Ambassador” (subtitled “So that he doesn’t intervene in the elections”). The story said a group of U.S. citizens characterized the ambassador (Trivelli) as interventionist and complained that they had been unable to meet with the diplomat, despite repeated requests to be heard, to demand that he show “better conduct.”

On October 20, comments made by the U.S. Secretary of Commerce, Carlos Gutiérrez, were reported, in which he talked about the Nicaraguan elections and the dangers for relations between both countries if the FSLN were to win, since economic cooperation would be vastly affected and trade and investment would presumably be driven away. *El Nuevo Diario* entitled its story “U.S.: Relations at Risk if Daniel Ortega Wins,” while *La Prensa* ran the headline “U.S.: Ortega Is a Risk.”

These statements provoked a new pronouncement by the mission, which ran in newspapers in their October 22 editions. *El Nuevo Diario* referred to it on its front page (“Hands off the Nicaraguan Elections,” preceded by “OAS to Trivelli and Gutiérrez”). By contrast, *La Prensa* ran it on inside pages, in one column, with the following headline: “OAS Laments Foreign Intervention,” in which part of the statements by Gutiérrez and Trivelli that provoked the mission’s statement were reprinted.

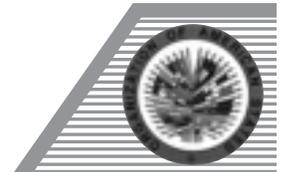
A few days later, Foreign Minister Caldera explained to *La Prensa* that it was up to his office and nobody else to define who was interfering in Nicaragua’s internal affairs.

Worth a separate mention was the visit by Oliver North (responsible for the Iran-Contra case) by invitation of the PLC to counter the statements made by Dan Burton against that party. North met with leaders of the PLC and Edén Pastora.

APPENDIX VI. MISSION PRESS RELEASES

Comunicado de Prensa

■ Organización de los Estados Americanos ■



MISIÓN EXPLORATORIA DE LA OEA LLEGA HOY A NICARAGUA 24 DE ENERO DE 2006

Una Misión Exploratoria de la Secretaría General de la Organización de los Estados Americanos (OEA) llegará hoy a Managua en respuesta a la solicitud de las autoridades nicaragüenses de contar con un acompañamiento de los procesos para las elecciones regionales y generales, a realizarse en marzo y noviembre de 2006, respectivamente.

El Secretario General de la OEA, José Miguel Insulza, designó al Subsecretario de Asuntos Políticos, John Biehl, como su Enviado Especial para dirigir dicha Misión. Biehl estará en Nicaragua del 24 al 29 de enero con un equipo de técnicos electorales y funcionarios de la Secretaría General para la ejecución de las tareas que implica esta iniciativa.

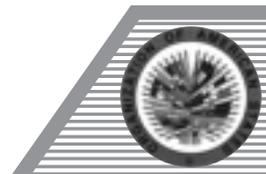
Durante su estadía en el país, el jefe de la Misión Exploratoria establecerá contacto con las autoridades y los actores involucrados

en el proceso electoral. Asimismo, recopilará información sobre los aspectos políticos, normativos y organizativos en los que se desarrollarán las próximas elecciones regionales y nacionales. Adicionalmente, la Misión adelantará los preparativos sobre el convenio que determine el alcance, la cobertura y las garantías para la eventual conformación de una Misión de Observación Electoral de largo plazo que cubra todas las etapas del proceso.

Con el envío de esta Misión Exploratoria, la Secretaría General de la OEA reitera su firme disposición a colaborar con los esfuerzos del gobierno, autoridades electorales y pueblo de Nicaragua para asegurar la realización un proceso electoral libre, transparente y justo, conforme los preceptos de la Carta de la OEA y la Carta Democrática Interamericana.

Comunicado de Prensa

■ Organización de los Estados Americanos ■



INSTALACIÓN DE LA MISIÓN ESPECIAL DE ACOMPAÑAMIENTO AL PROCESO DEMOCRÁTICO Y ELECTORAL DE NICARAGUA 13 DE FEBRERO DE 2006

La Organización de los Estados Americanos (OEA) instalará, esta semana, una Misión Especial de Acompañamiento al Proceso Democrático y Electoral de Nicaragua, en respuesta a la invitación formulada por las autoridades nicaragüenses de contar con un acompañamiento integral de los procesos electorales previstos para marzo y noviembre del presente año.

El Secretario General de la OEA, José Miguel Insulza, nombró como su Representante Especial a Gustavo Fernández Saavedra, ex Ministro de Relaciones Exteriores de Bolivia, quien fungirá como Jefe de la Misión. Fernández estará en el país del 13 al 17 de febrero para instalar la Misión Especial y así dar inicio al acompañamiento solicitado. Trabajarán con él, los asesores de la Misión que permanecerán en el país y especialistas de la Subsecretaría de Asuntos Políticos de esta Organización.

Fernández Saavedra tiene una reconocida trayectoria nacional e internacional. Fue Ministro de Relaciones Exteriores y Culto, Ministro de la Presidencia y Ministro Secretario General de Integración de Bolivia. Ha sido candidato a la Vicepresidencia de la República, Coordinador del Diálogo Nacional, Embajador en

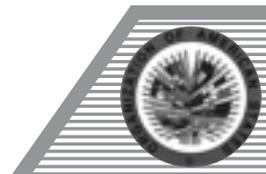
Brasil y Cónsul General en Chile. En el ámbito internacional ha representado a la Corporación Andina de Fomento (CAF) y ha dirigido proyectos regionales del Programa de Naciones Unidas para el Desarrollo (PNUD). Tiene numerosas publicaciones y condecoraciones.

Durante su estadía en el país, el Jefe de la Misión Especial establecerá contacto con las autoridades y los actores involucrados en el proceso electoral. Asimismo, recopilará información in situ sobre los aspectos políticos, normativos y organizativos en los que se desarrollarán las próximas elecciones regionales y nacionales. Simultáneamente se iniciarán las labores de acompañamiento técnico para los comicios indicados.

Con la instalación de esta Misión Especial, la Secretaría General de la OEA reitera su firme disposición de colaborar en los esfuerzos del Gobierno, autoridades electorales y pueblo de Nicaragua para asegurar la realización un proceso electoral libre, transparente y justo, conforme los principios de la Carta de la OEA y la Carta Democrática Interamericana.

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MISIÓN DE LA OEA DESTACA TRANQUILIDAD EN ELECCIONES REGIONALES EN NICARAGUA 6 DE MARZO DE 2006

MANAGUA, Nicaragua-La Misión Especial de Acompañamiento al Proceso Democrático y Electoral de la Organización de los Estados Americanos (OEA) presenció, por invitación de las autoridades nicaragüenses, el desarrollo de los comicios del 5 de marzo para elegir a los noventa concejales regionales de la Costa Atlántica.

El Jefe de Misión, Gustavo Fernández Saavedra, destacó que el proceso electoral transcurrió de manera ordenada, en un ambiente de normalidad y tranquilidad. Las Juntas Receptoras de Votos (JRV) abrieron a la hora establecida y cerraron sus actividades dentro del margen de tiempo correspondiente. No se presentaron problemas con la disponibilidad del material de las valijas electorales, salvo casos aislados.

Se observó una alta participación de los fiscales de la mayoría de los partidos políticos en contienda. Debe destacarse, asimismo, el papel de las Fuerzas Armadas, la Policía, la Policía Electoral, los medios de comunicación y los observadores nacionales el día de la votación.

Sin embargo, se repitió el bajo grado de participación del electorado, hecho que lamentablemente confirma la tendencia de abstencionismo de la Costa Atlántica, en las elecciones regionales.

El Consejo Supremo Electoral (CSE) organizó y presidió el proceso electoral con seriedad y profesionalismo, pese a las dificultades de orden político que confrontó en el periodo previo a los comicios. Se espera que el escrutinio continúe sin mayores contratiempos y que sea un fiel reflejo de la voluntad de todos los ciudadanos que participaron en el proceso. Se dará seguimiento al cumplimiento del calendario electoral.

La Misión –que continúa la participación de la OEA en todos los procesos electorales realizados en Nicaragua desde 1990– seguirá acompañando el proceso para examinar en su conjunto las distintas etapas del proceso electoral y, oportunamente, presentará su informe al Secretario General y posteriormente, al Consejo Permanente de la OEA.

Está integrada por el Jefe, un Coordinador Político, un Coordinador Técnico-Electoral, un equipo de expertos (e.g., jurídico, logística, organización electoral, informática, cedulação, cartografía) y un grupo de observadores. Los 26 integrantes de la Misión procedieron de los siguientes Estados miembros: Argentina, Bolivia, Canadá, Chile, Colombia, Ecuador, Honduras, Guatemala, México, Panamá, Paraguay, Perú y Venezuela. Estos Observadores cubrieron 142 de un total de 758 Juntas Receptoras de Votos.

La Misión operó durante la fase preparatoria y propiamente electoral, con sede en Managua y con subsedes en la Región Autónoma Atlántico Norte (RAAN)

- Puerto Cabezas y la Región Autónoma Atlántico Sur (RAAS)
- Bluefields con cobertura en los siguientes puntos:
 - RAAN: Puerto Cabezas, Waspan, Siuna, Mulukukú, Bonanza, Rosita, Paiwas
 - RAAS: Bluefields, Laguna de Perlas, Tortuguero, Cruz del Río Grande, Kubra Hill, Corn Island, Kukra River y El Bluff.

La Misión quiere destacar la disposición de la ciudadanía nicaragüense, las instituciones gubernamentales y las autoridades electorales, para encaminar el proceso electoral en un clima de diálogo, tranquilidad y ponderación, con el propósito de respetar el derecho al sufragio, la preservación del estado de derecho y la práctica efectiva de la democracia como forma de gobierno.

La Misión expresa su agradecimiento a las autoridades políticas y electorales nicaragüenses por la invitación y el apoyo recibido durante el cumplimiento de sus funciones con la independencia, la imparcialidad y la transparencia que conlleva esta labor. Reafirma su disposición a colaborar en los esfuerzos de las autoridades y del pueblo de Nicaragua en el acompañamiento de un proceso electoral libre, transparente y justo que refleje la vocación democrática de sus ciudadanos, conforme los principios de la Carta de la OEA y la Carta Democrática Interamericana.

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ENVIADOS ESPECIALES DE LA OEA PRESENTAN INFORMES SOBRE PERÚ Y NICARAGUA 19 DE ABRIL DE 2006

Las elecciones realizadas en el Perú el 9 de abril representaron un paso importante en el desarrollo democrático e institucional del país, dijo hoy el Jefe de la Misión de Observación Electoral de la Organización de los Estados Americanos (OEA), Lloyd Axworthy, al presentar un informe oral sobre dicho proceso, ante el Consejo Permanente de la OEA.

“Si bien hay lugar para mejoramiento, el compromiso democrático es evidente y envía una clara señal a todo el hemisferio”, dijo Axworthy. El ex Canciller de Canadá recordó que en el año 2000, en su papel de Presidente de la Asamblea General de la OEA, participó con el Secretario General de la OEA de ese entonces, en una misión especial al Perú, que apoyó un proceso de diálogo y reforma institucional. Los recientes comicios, los primeros realizados bajo las nuevas leyes electorales, demostraron la capacidad y el compromiso del país de implementar un sistema transparente y confiable, dijo.

“Esto establece una base sobre la cual se pueden construir futuras reformas y futuras mejoras del sistema”, explicó. En su informe, Axworthy hizo algunas recomendaciones para elecciones venideras y en particular para la segunda ronda de votación en la contienda presidencial, que se realizará durante las próximas semanas, con la presencia de la Misión de Observación Electoral de la OEA. Mencionó, entre otros aspectos, la necesidad de perfeccionar el sistema de información disponible en los centros de votación para evitar confusión, y solucionar el problema de la publicación de los resultados de encuestas en los días previos a las elecciones, hecho prohibido por ley nacional pero práctica común entre los medios internacionales vía Internet.

El Representante Permanente del Perú ante la OEA, Embajador Luís Fernando de la Flor, agradeció a los observadores y destacó la importancia de su colaboración “técnica e imparcial”, especialmente considerando lo ajustado de los resultados en la contienda presidencial. Aseguró que “todos los esfuerzos del gobierno del Presidente Toledo están concentrados en la culminación exitosa de la segunda vuelta electoral”.

Por su parte, el Secretario General de la OEA, José Miguel Insulza, destacó que las observaciones electorales de la OEA sirven de “sello” para dar mayor confianza en el sistema electoral. Dijo que, sin embargo, no se puede pretender que una elección se realice sin problemas debido, solamente, a la presencia de una misión internacional. “Si no hay disposición, si no hay el espíritu cívico, sin la voluntad de llevar adelante una elección limpia y transparente, y sin la dedicación de los ciudadanos, ciertamente los comicios no pueden ser realizados”, afirmó Insulza.

Durante la misma sesión ordinaria del Consejo Permanente, presidida por el Embajador Ellsworth John de San Vicente y las Granadinas, se presentó un informe verbal de la Misión Especial de Acompañamiento al Proceso Democrático y Electoral de la República de Nicaragua, que observó las elecciones regionales realizadas el pasado 5 de marzo en la Costa Atlántica del país. El Jefe de Misión, Gustavo Fernández Saavedra, informó sobre el desarrollo de los comicios para elegir a los miembros de los Consejos Regionales, que transcurrieron en un ambiente de tranquilidad y normalidad.

Fernández Saavedra calificó a la observación de estas elecciones regionales como “ensayo general” para los comicios nacionales que se llevarán a cabo el próximo 5 de noviembre. Hizo un balance de la compleja situación institucional en Nicaragua y reiteró la importancia de que la Misión de Acompañamiento de la OEA mantenga una clara independencia, sin parcializarse ni dejar la impresión de alinearse con ninguno de los actores.

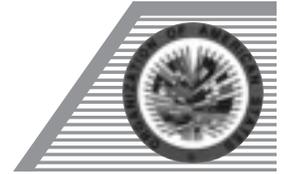
“No es competencia de la Organización de los Estados Americanos determinar cómo superar posibles dificultades institucionales dentro de un país, pero sí anotar su preocupación permanente por lograr que todos los conflictos se resuelvan dentro del Estado de Derecho y que cada una de las instituciones esté en condiciones de cumplir su función”, dijo.

El Embajador de Nicaragua ante la OEA, José Luís Velásquez, citó una encuesta indicando un alto nivel de desconfianza de parte de ciudadanos nicaragüenses en las autoridades electorales y solicitó a la OEA examinar en particular, varios aspectos del sistema electoral.

El Secretario General expresó optimismo sobre las próximas elecciones en Nicaragua, dado el desarrollo positivo de las recientes elecciones regionales, y aseguró que la misión de la OEA comenzará sus actividades en el terreno dentro de un mes. Informó que la misión será numerosa y de alto nivel, dada la “preocupación permanente” de la OEA por la compleja situación del país.

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ACTIVIDADES DE LA MISIÓN DE OBSERVACION ELECTORAL EN NICARAGUA 8 DE JUNIO DE 2006

La Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) continúa con sus labores de observación electoral para los comicios nacionales a celebrarse el 5 de noviembre de 2006.

El Secretario General de la OEA nombró como su Representante Personal y Jefe de la Misión de Observación Electoral para Nicaragua al Dr. Gustavo Fernández Saavedra, Ex Ministro de Relaciones Exteriores de Bolivia.

En las labores del Jefe de Misión le acompañan un equipo de Asesores Especiales integrado por el Dr. Ignacio Walter, Ex Canciller de Chile, y la Dra. Ana María San Juan, Directora del Centro para la Paz y los Derechos Humanos de la Universidad Central de Venezuela. La Dra. Nina Pacari, Ex Canciller del Ecuador, se incorporará a las actividades de la Misión en los próximos días y el académico José Luís Barros de México en las próximas semanas.

Además, cuenta con el apoyo del Coordinador Político Raúl Alconada y el Coordinador Técnico-Electoral Patricio F. Fajardo. En esta ocasión le acompañan en Nicaragua los directores de la Subsecretaría de Asuntos Políticos de la OEA, Elizabeth Spehar y Víctor Rico.

La Misión observará todas las etapas del proceso electoral en curso. En apoyo de los trabajos de observación de la etapa preelectoral, la Misión conformó un grupo de expertos en temas jurídicos, partidos políticos, informática, capacitación, logística electoral, cedulaación, padrón, cartografía electoral, sociedad civil y medios de comunicación.

La Misión de Observación Electoral está sosteniendo reuniones con autoridades de Gobierno, autoridades electorales, representantes de los diferentes partidos políticos, de la sociedad civil, de los medios de comunicación y de la Comunidad Internacional en Managua. Para el presente mes, la Misión observará las Jornadas de Verificación Ciudadana Masiva y Cambio de Domicilio entre el 10 y 11 de junio y entre el 17 y 18 de junio. Veinte observadores internacionales se han sumado al grupo de asesores especiales y expertos en asuntos electorales, quienes cubrirán los quince departamentos y las dos regiones autónomas del país.

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MISIÓN DE LA OEA OBSERVA EL PROCESO DE VERIFICACION CIUDADANA 20 DE JUNIO DE 2006

La Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) estuvo presente durante el desarrollo de la jornada de Verificación Ciudadana efectuada los días 10, 11, 17 y 18 de junio, como parte de sus labores de observación electoral para los comicios nacionales a celebrarse el próximo 5 de noviembre de 2006.

Durante esta etapa, la Misión de la OEA desplegó en esta actividad a 35 observadores de 11 países a lo largo del territorio nicaragüense. Ellos cumplieron sus labores en los 15 departamentos y 2 regiones autónomas del país, en donde recorrieron 149 de los 153 municipios y visitaron 1,209 centros de verificación, casi la tercera parte del total de centros instalados. La Misión ha podido constatar que el proceso de verificación se desarrolló en un marco de calma, orden y transparencia.

Es oportuno destacar el compromiso cívico del Consejo Supremo Electoral y de los miembros de los centros de verificación, que en su mayoría dieron inicio a la atención a los ciudadanos desde las 8 de la mañana para que la población pudiera verificarse. Asimismo, que había presencia de los fiscales de las alianzas de los partidos políticos a lo largo de la jornada de verificación en más del 50% de los centros visitados, así como la labor cumplida por algunos organismos de observación nacional y los delegados de la Procuraduría para la Defensa de los Derechos Humanos.

La Misión de la OEA también pudo constatar algunos aspectos que deberían fortalecerse en el ejercicio de verificación. En opinión de la Misión sería oportuno reforzar la difusión en las zonas rurales y la capacitación de los funcionarios de los consejos electorales departamentales/regionales y municipales que continuarán con sus labores con miras a la jornada electoral.

Asimismo, durante el curso de su observación la Misión recibió una serie de inquietudes respecto a la falta de formularios para el cambio domiciliario en 2 departamentos. El papel de las autoridades en el periodo preelectoral será fundamental y por tanto la Misión las insta a cumplir sus funciones con empeño a fin de que los nicaragüenses tengan un proceso electoral tranquilo y transparente.

En apoyo a los trabajos de observación de la etapa preelectoral, la Misión cuenta con un grupo de expertos en temas jurídicos, partidos políticos, informática, capacitación, logística electoral, cedula, padrón y cartografía electoral, sociedad civil y medios de comunicación.

La Misión reitera su llamado al gran número de nicaragüenses que no se ha verificado o que no ha notificado su cambio de domicilio, para que acudan a los consejos electorales municipales de su localidad antes del 6 de agosto, fecha límite para cualquiera de estos trámites en el padrón electoral

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OEA RECIBE INFORME PREVIO A LAS ELECCIONES EN NICARAGUA 1 DE AGOSTO DE 2006

El Jefe de la Misión de Observación Electoral, ex Canciller de Bolivia Gustavo Fernández, señaló hoy que aunque las condiciones preelectorales en Nicaragua “no son óptimas, se pueden mejorar”. Fernández presentó una visión detallada de la realidad institucional y política de ese país, ante el Consejo Permanente de la Organización de los Estados Americanos (OEA).

En un informe verbal previo a las elecciones del 5 de noviembre, solicitado por la Misión de Nicaragua ante el organismo hemisférico, Fernández dijo al Consejo Permanente que la Misión observadora seguirá trabajando en Nicaragua para apoyar unas elecciones libres, transparentes con pautas internacionales y para procurar respeto a los principios de la Carta Democrática Interamericana.

Ante los 34 representantes de los países miembros, el diplomático se refirió específicamente al conflicto de poderes, a la conformación partidaria de órganos electorales, a una ley electoral con imprecisiones, un padrón electoral con deficiencias, un proceso de cedulação inapropiado y lento, además de limitaciones operativas y logísticas y a una tradición política polarizada y confrontacional.

El Secretario General de la OEA, José Miguel Insulza por su parte, agradeció a Fernández por el importante informe que demuestra que pese a las dificultades “estamos en control de la situación”, y aseguró que el proceso electoral y político en Nicaragua ha tenido avances y retrocesos. “Lo que nosotros estamos tratando de asegurar es una elección normal dentro de condiciones normales, una elección que en el marco de los estándares internacionales y hemisféricos cumpla los requisitos básicos, que sea una buena elección, y estamos avanzando en esa dirección. Creo que la Misión está en condiciones de lograr ese objetivo”, afirmó Insulza.

Fernández dijo al Consejo Permanente, presidido por el Embajador Henry Lothar Illes de Suriname, que hasta el momento hay inscritos en el padrón electoral 3.450.000 ciudadanos aptos para votar y que se espera que para noviembre la cifra aumente en cien mil. El jefe de la misión pidió que se intensifique la cooperación con organizaciones nacionales e internacionales, en registros vitales de población, estadística, geografía e informática. Instó a que las autoridades electorales nicaragüenses realicen una depuración integral del padrón en la etapa postelectoral.

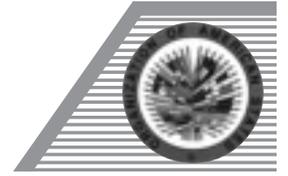
Se refirió también a otros desafíos sobre los cuales recomendó que las autoridades nicaragüenses tengan en cuenta, tales como la capacitación de fiscales y personal electoral, la organización de los comicios, el escrutinio, transmisión de datos y cómputos y sobre el escenario social y político, luego de la elección. Sobre estos temas, el ex Canciller boliviano dijo que “hay que tratar de prevenir los problemas, pero hay que confiar en la inteligencia y civismo del ciudadano nicaragüense y de sus instituciones”.

El Representante Permanente de Nicaragua ante la OEA, Embajador José Luis Velásquez, expresó el respaldo de su gobierno a la Misión por el trabajo que realiza en su país, y solicitó al Consejo Permanente que, treinta días antes del 5 de noviembre, se presente otro informe preelectoral que permita dar seguimiento al proceso. Informó que el Presidente Enrique Bolaños envió ayer a la Asamblea Nacional un proyecto de ley para ampliar por treinta días el proceso de cedulação, a fin de asegurar el acceso a los ciudadanos nicaragüenses al sufragio.

Representantes de los Estados miembros coincidieron en afirmar que el proceso electoral en Nicaragua debe llevar a unas elecciones legítimas, libres, transparentes e imparciales. Dijeron confiar en que se logre un padrón actualizado y depurado y equilibrio en la selección de las autoridades electorales. Aplaudieron el esfuerzo del gobierno de Nicaragua y de la OEA por el trabajo desplegado para el pleno desarrollo del proceso democrático en ese país.

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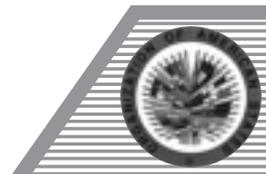
OEA DEFINE ROL DE MISIÓN DE OBSERVACION ELECTORAL 13 DE SEPTIEMBRE DE 2006

La Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) en Nicaragua, señaló que no es parte del debate político interno y que no hará comentarios ni responderá a declaraciones públicas de dirigentes políticos o autoridades del país. Se limitará a cumplir su papel con total objetividad, independencia e imparcialidad. Continuará con su tarea mientras la invitación que le fuera formulada a la Secretaría General de la OEA para observar estos comicios continúe vigente.

Conviene recordar que la presencia de la Misión de la OEA en el país se realiza por invitación de las autoridades nacionales, al igual que en todos los países en los que ha actuado la Organización. Esta es una regla que norma la presencia de la Organización en las catorce elecciones que se llevaron a cabo en el último año en la región y en las que la OEA estuvo presente con una Misión de Observación Electoral, sin que su papel haya sido cuestionado en ninguna parte.

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CON APOYO FINANCIERO PARA PROGRAMA DE LA OEA, JAPÓN CONTRIBUYE AL FORTALECIMIENTO DEL PROCESO ELECTORAL NICARAGÜENSE 18 DE SEPTIEMBRE DE 2006

El gobierno del Japón ha efectuado una contribución significativa, de \$100,000, para apoyar las actividades de una Misión de Observación Electoral que será desplegada por la Organización de los Estados Americanos (OEA) con motivo de las elecciones presidenciales y legislativas en Nicaragua el próximo 5 de noviembre.

Dicha contribución se realizó con el propósito de demostrar “tanto el interés del gobierno japonés por Nicaragua como la amistad con todo el pueblo nicaragüense”, afirmó el Consejero Masataka Okano de la Sección Política de la Misión Observadora del Japón ante la OEA, durante una breve ceremonia celebrada en la sede del organismo continental.

La ceremonia contó con la presencia del Representante Permanente de Nicaragua ante la OEA, el Embajador José Luís Velásquez Pereira; la Directora del Departamento de Relaciones Externas de la OEA, Irene Klinger; y la Directora del Departamento para la Promoción de la Democracia, Elizabeth Spehar, entre otros.

Tras elogiar los esfuerzos de Nicaragua en pro de la promoción y fortalecimiento de su democracia, así como las medidas encaminadas a promover la infraestructura y provisión de la salud a los nicaragüenses, el diplomático japonés destacó que las próximas elecciones tendrán importantes implicaciones para la estabilidad política, la democracia y la prosperidad futura del país centroamericano.

Agradeciendo el apoyo japonés, Klinger recordó que “Japón ha sido un socio importante de la OEA”, agregando que dicho país observador ha mostrado un fuerte apoyo para la observación electoral de la OEA en varios Estados miembros.

Por su parte, el Embajador de Nicaragua agradeció al gobierno de Japón su demostración de apoyo y amistad al pueblo nicaragüense y a la OEA al mismo tiempo.

Spehar resaltó que el año 2006 ha producido un importante número de procesos electorales en la región—y alcanzarán un total de 22 procesos al fin del año. Aportes como el ofrecido por el Japón son significativos porque ayudan a asegurar que la OEA pueda responder a los pedidos formulados por los Estados miembros para acompañar a sus procesos electorales.

Japón, que contribuye con unos \$260,000 a varios programas de la OEA cada año, obtuvo su condición de observador permanente ante el organismo interamericano en diciembre de 1973. Entre las áreas en que dicho gobierno ha apoyado a la OEA figuran el combate a las drogas, el apoyo para procesos electorales, el desminado, la protección del medio ambiente y el Diálogo Interamericano sobre la Gestión del Agua.

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DECLARACIÓN DE PRENSA MISIÓN DE OBSERVACIÓN ELECTORAL EN NICARAGUA

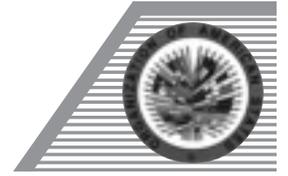
25 DE SEPTIEMBRE DE 2006

La Misión de Observación Electoral (MOE) de la Organización de los Estados Americanos (OEA) en Nicaragua lamenta que autoridades y representantes de otras naciones intervengan de manera activa en el debate electoral nicaragüense.

El futuro de las instituciones políticas de este país depende exclusivamente de la decisión de los ciudadanos de Nicaragua. La Misión entiende que la función de la comunidad internacional es la de cooperar con las instituciones y organizaciones nicaragüenses para que esa voluntad se exprese en elecciones libres, limpias y transparentes.

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COMUNICADO PÚBLICO
27 DE SEPTIEMBRE DE 2006

En relación a un hecho delictivo ocurrido hoy 27 de septiembre de 2006, en que se ha involucrado erróneamente a un vehículo que supuestamente, según los testigos, tenía un logotipo de la OEA, la Oficina de la Secretaría General de la Organización de los Estados Americanos en Nicaragua aclara que ha prestado toda su ayuda a la Policía Nacional y ha entregado todos los elementos que descartan cualquier implicancia de un automóvil de esta organización en un suceso de estas características.

Sobre el caso, hemos informado a los efectivos policiales que se apersonaron a la Oficina de la Secretaría General en Nicaragua y a la Comisionada Aminta Granera, Directora de la Policía Na-

cional, que todos los vehículos de la OEA (los correspondientes a la Oficina de la Secretaría General, la Misión de Observación Electoral y de los distintos programas que promueve y participa esta Organización) han estado bajo el control rutinario de las diferentes reparticiones.

Asimismo, hemos solicitado garantías para el buen desenvolvimiento de nuestras actividades, una vez que algunos de nuestros conductores han sido interceptados e interrogados sobre el caso.

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INSULZA: EL PROCESO ELECTORAL NICARAGÜENSE VA POR BUEN CAMINO 29 DE SEPTIEMBRE DE 2006

El Secretario General de la Organización de los Estados Americanos (OEA), José Miguel Insulza, expresó su convencimiento de que el proceso electoral que vive Nicaragua va por buen camino, tras sostener reuniones separadas con las principales autoridades del Gobierno y del Consejo Supremo Electoral de este país centroamericano.

El Secretario General llegó a Managua, hoy viernes 29 de septiembre, para cumplir una apretada agenda que culminará el próximo lunes, cuando participe en la inauguración de la VII Reunión de Ministros de Defensa de las Américas.

En horas de la tarde, el Presidente de la República, Enrique Bolaños, recibió al Secretario General de la OEA, con quien revisó temas de la realidad nicaragüense. Participaron también en la reunión, el Canciller Norman Caldera, el secretario de la Presidencia Leonardo Somarriba, el Asesor Frank Arana, el embajador ante la OEA, José Luís Velásquez, y el embajador Mauricio Díaz, Director de Relaciones Internacionales. Por la OEA, estuvieron presentes el Jefe de la Misión de Observación Electoral en Nicaragua, Dr. Gustavo Fernández; el Oficial Representante de la Secretaría General en Nicaragua Pedro Vuskovic y otros funcionarios.

Posteriormente, el Secretario General y su comitiva sostuvieron una reunión con Roberto Rivas y Emmett Lang, Presidente y Vicepresidente, respectivamente del Consejo Supremo Electoral, y personal técnico de esta institución. En el encuentro, el Secretario General expresó su satisfacción por el trabajo realizado hasta la fecha y reiteró la decisión de la OEA de mantener el apoyo al proceso electoral nicaragüense.

En respuesta a preguntas periodísticas, en sendas conferencias de prensa el Secretario General reiteró la posición de la OEA de rechazar todo tipo de injerencia en asuntos internos de Nicaragua, señalando que no sólo no se debe ejercer ningún tipo de injerencia, sino que tal actitud es contraproducente y termina afectando negativamente a quienes se pretende ayudar.

Explicó que sólo en el período diciembre 2005 - diciembre 2006, la OEA habrá participado en calidad de observadora en la mayoría de las 13 elecciones habrán tenido lugar en el continente, con el propósito de ayudar a que éstas se enmarquen en estándares aceptables de transparencia.

Finalmente calificó como satisfactorio el proceso electoral en Nicaragua, y explicó, ante insistentes preguntas sobre los problemas que éste enfrenta, que a la OEA le interesa apagar incendios y no crearlos.

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EL PROCESO ELECTORAL EN LOS DEPARTAMENTOS 12 DE OCTUBRE DE 2006

El día de hoy, 12 de octubre, se ha realizado en las oficinas de la Misión de Observación Electoral de la OEA en Nicaragua, una reunión de evaluación general de avance de trabajo con los Coordinadores Nacionales y los Coordinadores Zonales de la Misión, que tienen sus sedes en Managua, Matagalpa, León, Granada y Bluefields.

El proceso electoral en los departamentos

En las últimas semanas, el Jefe de la Misión de Observación Electoral de la Organización de los Estados Americanos (OEA), Gustavo Fernández y los coordinadores Técnico y de Prensa, realizaron visitas a Granada, Carazo, Matagalpa y Estelí, donde se reunieron con los observadores de la OEA asignados a esos departamentos y municipios y los que se encuentran en Masaya, Rivas, Jinotega, Boaco, Chontales, Madriz y Nueva Segovia. En el curso de los próximos días se completarán otros viajes similares a los restantes departamentos y regiones del país.

En esas ocasiones, la Misión visitó a los presidentes de los Consejos Electorales Departamentales y Municipales, para poner en conocimiento de las labores que realiza la OEA para contribuir a la realización de unas elecciones libres y transparentes en Nicaragua y recibir sus observaciones, recomendaciones y sugerencias.

Por su parte, las autoridades con las que la Misión se reunió hicieron conocer sus logros y problemas, en un ambiente de gran cordialidad y confianza.

Mencionaron el cumplimiento del calendario electoral y los cronogramas establecidos, las relaciones respetuosas entre los representantes de las fuerzas políticas en competencia, y la realización de talleres de capacitación a miembros de JRV.

También hicieron referencia a las limitaciones y eventuales problemas que confrontan. Uno, en que todas las autoridades coincidieron y que debe ser motivo de especial atención por parte del Gobierno de la Nación es el tema de los cortes de luz.

Insistieron en que es preciso tomar los recaudos del caso para garantizar que el día de las elecciones y siguientes haya normal fluido eléctrico.

A propósito, el Gobierno nacional nos ha expresado su confianza en que en ese día no se producirán cortes de energía y que se está haciendo todo lo posible para garantizar ese servicio.

Otro problema técnico que exige especial atención es el de la comunicación desde los distintos centros de votación con el Centro de Cómputo Nacional. Hemos recibido información de que ya se han empezado a superar las fallas que se identificaron en ocasión de los primeros ensayos.

Por último, las autoridades hicieron referencia a la necesidad de que se apoye desde todos los ámbitos públicos y privados, particularmente el Consejo Supremo Electoral, los medios de comunicación, los partidos políticos y organizaciones de la sociedad civil, para motivar a la ciudadanía a recoger su cédula de identidad o documento supletorio de las dependencias de los CED y CEM, de manera que puedan emitir su voto el próximo 5 de noviembre.

Encontramos recomendable extender a todos los CED, la práctica del CED de Estela y CEM de Waslala, de distribuir a todos los partidos políticos copias de los listados de cédulas y documentos supletorios que recibe del CSE. Es un procedimiento sencillo y eficiente, que ayuda a dar transparencia al proceso.

Se nos ha informado, por otra parte, que se está completando en estos días el envío de los documentos supletorios a todos los CED y CER del país.

El Jefe de la MOE y su equipo seguirán visitando los distintos departamentos del país en las próximas semanas.

Equipo de Observadores

Ya se encuentran desplegados en el país 45 observadores de la Misión. El 17 de octubre llegarán 20 y el 29 de octubre se completará el núcleo central de la Misión con otros 25 observadores. A ese grupo se sumarán 40 observadores voluntarios de las misiones diplomáticas de la OEA y 70 observadores universitarios de América Latina. El total suma cerca de 200 observadores en la Misión de la OEA.

Además del Jefe de Misión y del Representante Personal del Secretario General de la OEA y su equipo de coordinadores (Político, Técnico y de Prensa), hay ocho expertos electorales que conforman el Grupo Base, encargados de Cedulación, Padrón

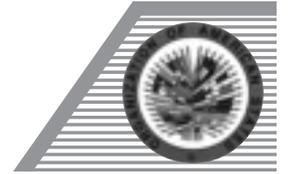
Electoral y Cartografía, Informática, Logística, Capacitación, Legal, Relación con Partidos Políticos y Relación con la Sociedad Civil.

Siete personas (dos en nivel nacional y cinco zonal) tienen a su cargo la organización de las labores específicas de observación electoral, que está a cargo de 15 coordinadores departamentales y dos regionales.

Hasta el 29 de octubre próximo se ha planificado el arribo de todas las personas que participarán en la labor de observación y que serán desplegadas en todo el territorio nicaragüense.

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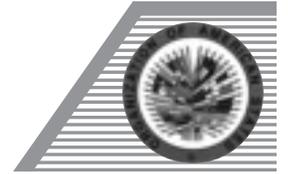
NOTA ACLARATORIA
13 DE OCTUBRE DE 2006

La Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) considera pertinente entregar la siguiente nota de aclaración a propósito de las declaraciones formuladas ayer, jueves 12 de octubre, por el Dr. Gustavo Fernández, para precisar el espíritu de las mismas.

El Jefe de la Misión reconoció el eficiente trabajo del Consejo Supremo Electoral en la elaboración y distribución de cédulas de identidad y documentos supletorios, pese a las limitaciones de tiempo, y solicitó a los medios de comunicación social, los partidos políticos y las organizaciones de la sociedad civil, contribuir a esa tarea pidiendo a los ciudadanos que recojan sus documentos de los Consejos Electorales Municipales (CEM) para ejercer su derecho al voto.

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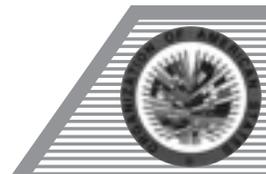
NOTA DE PRENSA
20 DE OCTUBRE DE 2006

La Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) en Nicaragua emitió una declaración de prensa el pasado 25 de septiembre, en la que lamentaba “que autoridades y representantes de otras naciones intervengan de manera activa en el debate electoral nicaragüense”, y subrayaba que “el futuro de las instituciones políticas de ese país depende exclusivamente de la decisión de los ciudadanos de Nicaragua”.

Ante las declaraciones efectuadas, en forma separada, por el Secretario de Comercio de Estados Unidos, Carlos Gutiérrez, y el embajador de esa nación en Nicaragua, Paul Trivelli, sobre la contienda electoral nicaragüense, publicadas hoy, la Misión de la OEA se siente obligada a reiterar el espíritu y texto de la declaración mencionada.

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DECLARACIÓN DE PRENSA 2 DE NOVIEMBRE DE 2006

A pocos días de las elecciones generales, la Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) considera de importancia crucial procurar el mayor grado posible de participación ciudadana en el proceso por el cual los ciudadanos de Nicaragua elegirán a quienes los representarán en sus poderes públicos. Por este motivo, exhorta a los medios de comunicación a los partidos políticos y a las instituciones de Nicaragua a reforzar sus esfuerzos en convocar a los electores a retirar sus cédulas o documentos supletorios en los Consejos Electorales Municipales de su localidad y garantizar así su activa participación en el día de los comicios.

Por cierto, reitera la necesidad de colocar en custodia, con anterioridad al día de los comicios y con debido inventario, las cédulas de identidad y los documentos supletorios que no hubieran sido retirados, siguiendo la práctica que ya se aplicó en anteriores elecciones. Los observadores de la Misión de la OEA acompañarán este acto.

El procedimiento que la ley establece para conocer a los ganadores de esta elección es el cómputo de votos definitivo del Consejo Supremo Electoral. Por eso, la Misión insta a la ciudadanía y a los actores pertinentes a esperar la proclamación de los resultados oficiales y a mantener la prudencia necesaria antes, durante y después de la elección. Hace un llamado especial para evitar rumores, pronunciamientos o actos precipitados que pudieran afectar el normal desarrollo del proceso electoral y pide a los protagonistas políticos reducir el nivel de su confrontación verbal.

Se han tenido que superar muchas dificultades para llegar a este momento. Entre los avances de este proceso es pertinente registrar la decisión de no inhibir candidatos; el restablecimiento del quórum y el funcionamiento normal del Consejo Supremo Electoral (CSE); la aplicación de los Arts. 41 y 116 de la Ley Electoral; elecciones normales en la Costa Atlántica; el proceso de verifi-

cación del padrón electoral; la emisión de los reglamentos de la Ley Electoral; la coordinación de acciones entre el Gobierno y el CSE para asegurar el buen desarrollo del proceso electoral; el compromiso para garantizar la provisión de energía eléctrica el día de los comicios y los siguientes.

La Misión de la Organización de los Estados Americanos tuvo el privilegio de observar este proceso por invitación de las autoridades políticas y electorales y cooperar con ellas en sus esfuerzos para brindar transparencia y confiabilidad al evento electoral. Cuando concluya, informará los resultados de su observación al Secretario General y al Consejo Permanente de la Organización de los Estados Americanos sobre los comicios y el conjunto del proceso electoral, incluyendo el trámite de los recursos de impugnación. Como lo definen las normas del Sistema Interamericano, su función no es la de árbitro, fiscal o juez del proceso.

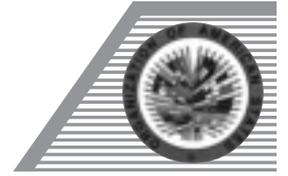
La Misión está convencida de que se consolidará el sistema democrático de Nicaragua con una masiva participación ciudadana en las elecciones del 5 de noviembre, una actitud responsable de los dirigentes políticos, el estricto cumplimiento de las normas por parte de las autoridades del Poder Electoral y una actuación transparente e independiente de las organizaciones de la sociedad civil.

Los medios de comunicación social tienen una responsabilidad especial en estos días previos a la elección. La Misión los exhorta a aportar al fortalecimiento de la democracia y la paz en Nicaragua, difundiendo información precisa y plural.

La Misión, que ya tiene en territorio de Nicaragua a cerca de doscientos técnicos, funcionarios y observadores, agradece a las instituciones nacionales, a los partidos y movimientos políticos, a los medios de comunicación, a las organizaciones de la sociedad civil y al pueblo nicaragüense en general por el apoyo y la receptividad para el cumplimiento de sus funciones desde su instalación en el país en el mes de febrero del presente año.

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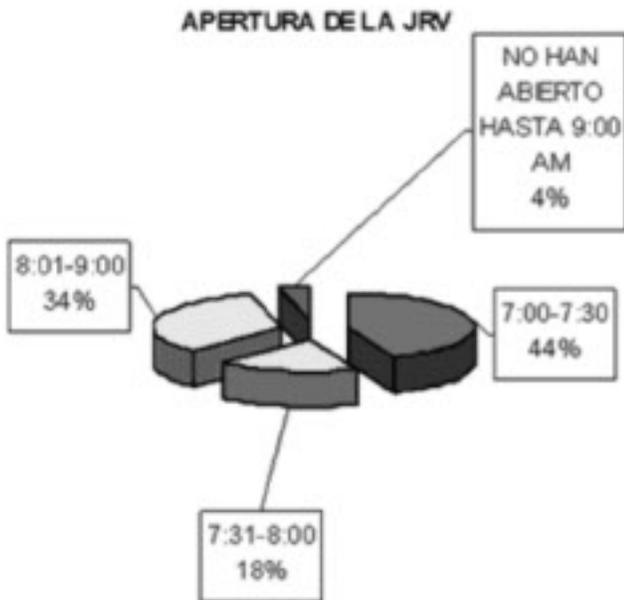
COMUNICADO MISIÓN ELECTORAL: GRÁFICAS SOBRE LA APERTURA DE LAS JUNTAS RECEPTORAS DE VOTOS EN NICARAGUA 5 DE NOVIEMBRE DE 2006

La Misión de Observación Electoral (MOE) ha elaborado las siguientes gráficas sobre la base de los datos recogidos personalmente por sus observadores, desplegados en todo el país, al inicio de la jornada comicial.

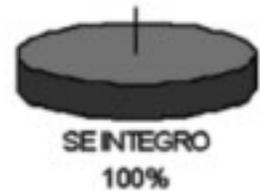
Con los reportes de lo presenciado por nuestros observadores en terreno, se informa que:

- La mayoría de las Juntas Receptoras de Voto (JRV) observadas abrieron a la hora prevista. A las nueve de la mañana todavía faltaban por abrir el 4%.
- Las JRV se integraron con los miembros designados por el Consejo Supremo Electoral para cumplir con la función para la cual fueron capacitados.
- Las JRV recorridas disponen de los materiales y documentación electoral necesarios para que la ciudadanía ejerza libremente el sufragio.
- Los fiscales de los partidos políticos tienen presencia en las JRV.
- Hay presencia de grupos de observación en las JRV que se han observado por esta MOE.
- En todas las JRV visitadas hay presencia de las fuerzas de seguridad.

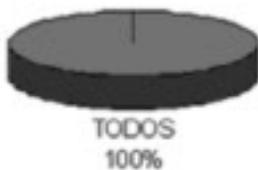
Gráficas sobre la apertura de las Juntas Receptoras de Votos



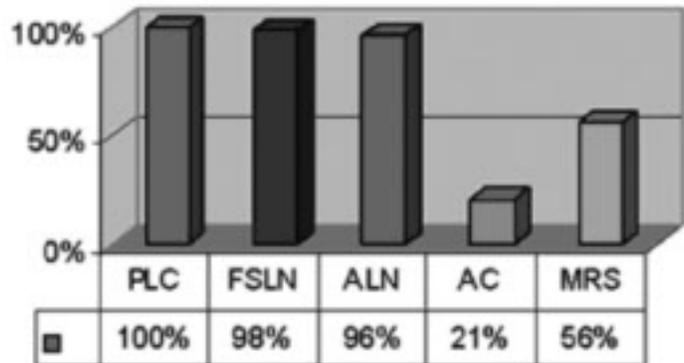
INTEGRACIÓN DE LA JRV



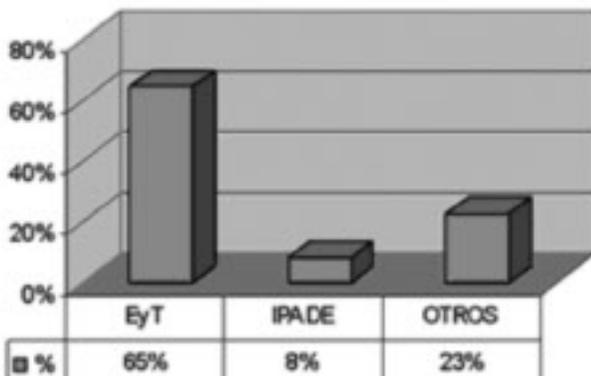
DISPONIBILIDAD DE MATERIALES ELECTORALES



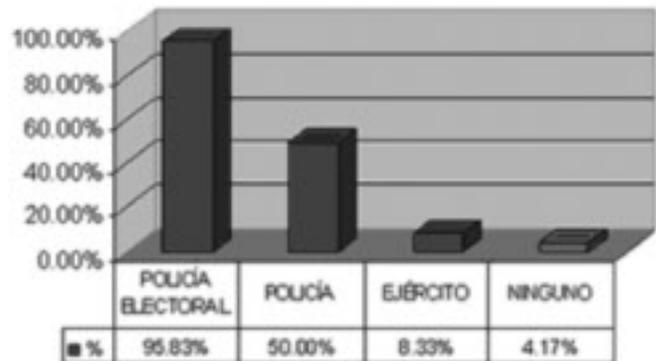
PRESENCIA DE FISCALES EN LAS JRV



PRESENCIA DE OBSERVADORES

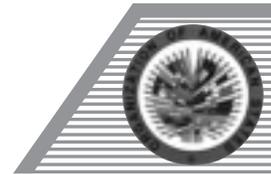


PRESENCIA DE FUERZA DE SEGURIDAD



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OEA: NORMALIDAD EN EL INICIO DE LA JORNADA ELECTORAL 5 DE NOVIEMBRE DE 2006

El Jefe de la Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) en Nicaragua, Gustavo Fernández, entregó a las 11 de esta mañana el primer comunicado sobre los comicios presidenciales que se desarrollan este domingo en el país centroamericano.

Luego de leer la información elaborada con los informes suministrados por los 200 observadores de la OEA desplegados en el país, Gustavo Fernández ofreció una conferencia de prensa que se transcribe a continuación.

TRANSCRIPCIÓN

Periodista: Opinión sobre la jornada electoral

Jefe MOE/OEA: La campaña electoral fue tranquila, creo que así lo hemos registrado todos los observadores y los medios de comunicación nacionales e internacionales. Esta mañana vimos que había un poco de impaciencia en los electores que se habían reunido temprano para hacer las colas en las Juntas Receptoras de Votos (JRV), pero era explicable, llevaban un tiempo esperando y estaban impacientes. Pero no hay razones para creer que el clima de tranquilidad que caracterizó el proceso no vaya a continuar. Esperamos una jornada tranquila, democrática, el tiempo está muy lindo y la gente está participando con entusiasmo.

Periodista: sobre la cantidad de observadores y alta presencia desde el 90

Jefe MOE/OEA: Dijimos varias veces que la observación electoral en Nicaragua es una de las más amplias que la OEA haya enviado en América Latina. Los observadores estuvieron en Nicaragua desde hace un mes aproximadamente, conocen bien el espacio en que se están moviendo y tienen una relación de cooperación y coordinación con las autoridades y partidos.

Periodista: sobre las razones del alto número de observadores...

Jefe MOE/OEA: no necesariamente esta afirmación deba referirse a la Misión de la OEA. Nosotros hemos tenido una relación de cooperación muy buena con el CSE, acceso a todas las instalaciones del CSE y hemos mantenido una relación muy constructiva de cooperación recíproca.

Periodista: sobre conteo rápido y no autorización a Ética y Transparencia e Instituto para el Desarrollo para esa actividad.

Jefe MOE/OEA: La Misión de Observación Electoral de la OEA desde luego respeta y aplica las normas del sistema electoral nicaragüense y no puede hacer otra cosa que ceñirse a las disposiciones de Nicaragua.

Periodista: sobre eventual sufragio sin documento.

Jefe MOE/OEA: No hemos recibido ninguna información de nuestros observadores sobre ese punto, en la medida en que tengamos quejas o denuncias, las procesaremos por medio del procedimiento acordado en las disposiciones reglamentarias de Nicaragua.

Periodista: sobre presencia de observadores internacionales.

Jefe MOE/OEA: el año pasado, la OEA participó en Nicaragua, realizando grandes esfuerzos para ayudar a resolver una crisis institucional importante. Entre las conclusiones de esa crisis se acordó que la OEA tuviera una observación prolongada en la preparación de las elecciones de este año. Esto es lo que hemos hecho. Participamos, observamos las elecciones de la Costa Atlántica, observamos el proceso de verificación del padrón electoral en el mes de junio y hemos preparado nuestra presencia con el cuidado, el tiempo y los recursos necesarios para asegurar que nuestra tarea sea efectiva.

Periodista: nivel de participación estimada

Jefe MOE/OEA: Las filas que vimos esta mañana eran largas y la historia de Nicaragua es la de un alto nivel de participación de la ciudadanía. Creemos que se va a repetir esta experiencia.

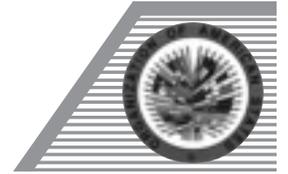
Durante la mañana, los principales asesores de la Misión de Observación Electoral se dirigieron a las principales ciudades del país.

El ex Presidente argentino Raúl Alfonsín viajó a Granada, el ex Canciller chileno Ignacio Walter se trasladó a Matagalpa en tanto la ex Canciller ecuatoriana Nina Pacari se desplazó a León.

Esta tarde a las 17 horas, se entregará en la sede de la MOE/OEA (Hotel Milton Princesa) el segundo comunicado con la información capturada por los observadores desplegados en el territorio nicaragüense.

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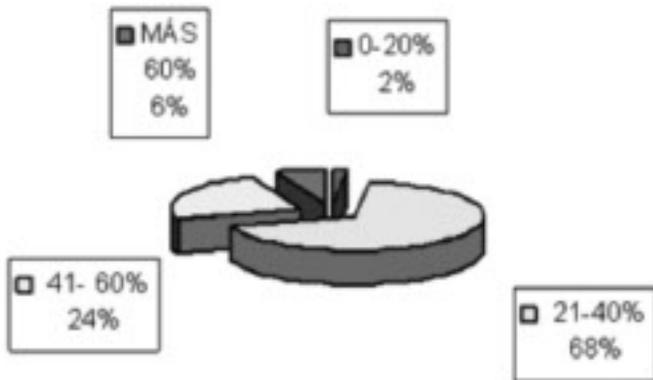
COMUNICADO OEA: DESARROLLO DE LA VOTACIÓN HASTA LAS 13:00 HORAS 5 DE NOVIEMBRE DE 2006

La Misión de Observación Electoral de la Organización de Estados Americanos (MOE-OEA), sobre la base de lo que sus observadores han presenciado en el transcurso de la jornada electoral en distintos puntos del territorio de Nicaragua, informa que:

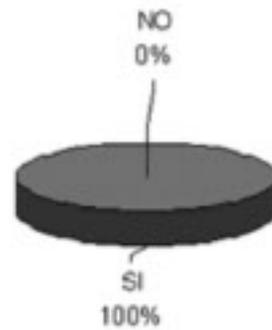
- Hasta la una de la tarde ha votado en promedio, el 35% de los ciudadanos inscritos en los padrones electorales de las Juntas Receptoras de Voto (JRV) observadas.
- En las JRV visitadas por la OEA se constató que a los ciudadanos se les devuelve el documento supletorio, tal como está previsto en la legislación
- Asimismo, en lo que se ha observado, que se están cumpliendo las disposiciones legales en el procedimiento de votación y que se aplican correctamente los artículos 41 y 116 de la Ley Electoral.
- Los fiscales de los partidos políticos han mantenido su presencia en las JRV recorridas por los observadores de la OEA.
- Se constata una apreciable participación de observadores nacionales e internacionales en los centros de votación.

Gráficas sobre el desarrollo de la votación hasta las 13:00 horas, observada por la MOE/OEA

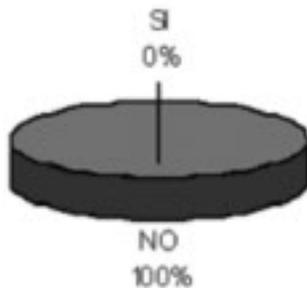
PORCENTAJE DE VOTACIÓN EN LAS JRV



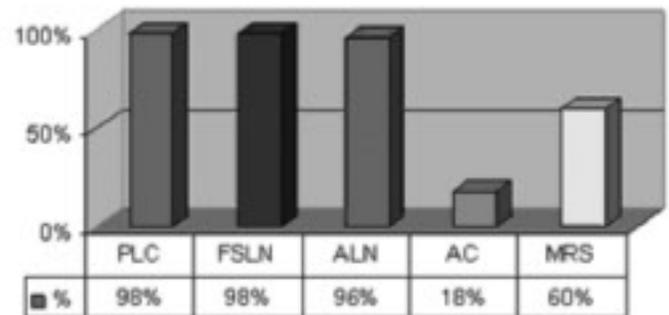
APLICACIÓN DE LOS ARTICULOS 41 y 116



PORCENTAJE DE JRV DONDE SE ESTÁ RECOGIENDO EL DOCUMENTO SUPLETORIO



PRESENCIA DE FISCALES EN JRV



Comunicado de Prensa

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OEA: TRANQUILIDAD EN COMICIOS Y SOLO INCIDENTES AISLADOS 5 DE NOVIEMBRE DE 2006

El jefe de la Misión de Observación Electoral de la Organización de los Estados Americanos, Gustavo Fernández, entregó esta tarde un segundo comunicado con la observación efectuada por los invitados especiales del Secretario General de la OEA, José Miguel Insulza y con la información recabada por los 200 observadores del organismo regional distribuidos por todo el país.

Durante el día, el ex Presidente Raúl Alfonsín y el embajador canadiense Paul Durand estuvieron en Grenada; el ex Canciller chileno Ignacio Wálker y la Dra. Ana María Sanjuán en Matagalpa, y la ex Canciller ecuatoriana Nina Pacari y el diplomático boliviano Víctor Rico, en León.

Fernández dijo que la información obtenida hasta la 1 de la tarde confirma las apreciaciones de la mañana en el sentido de que sería una jornada tranquila y sin sobresaltos. Subrayó, especialmente, que “esta es una información que se basa exclusivamente en lo proporcionado por los observadores de la OEA y no es una proyección sobre el total de las más de 11.000 Juntas Receptoras de Voto (JRV) del país, pero tiene utilidad porque los informes vienen de distintas zonas de Nicaragua”.

Dijo que el porcentaje de ciudadanos que votó hasta la una de la tarde en las JVS observadas por la OEA, se situó en el promedio del 40 por ciento. Informó que hubo un par de JRV en que ese promedio llegó hasta el 60 por ciento y algunas en las que se situó por debajo del dos por ciento. En general, sostuvo, “el promedio parecía ser, a la una de la tarde, del 40 por ciento, lo que nos induce a pensar, según apreciación de los expertos de la OEA, que esta cifra se aproxima a las históricas en los procesos electorales de Nicaragua”.

Fernández manifestó que “en todas las JRV que observamos se aplicaron los artículos. 41 y 116 de la Ley Electoral; este, que fue un problema a en ocasión de las elecciones en la Costa Atlántica, esta vez no volvió a considerarse como una dificultad importante que registrar”.

Puso énfasis en otro hecho importante, cual es “que se resolvieron a todos los documentos supletorios que se utilizaron en esta votación. Esto quiere decir que los ciudadanos están habilitados para una segunda vuelta en el caso de que se diera”.

Sobre la información suministrada en la mañana, Fernández dijo que esta “se confirma en el análisis que hemos recibido en la tarde: los fiscales del PLC, FSLN y ALN se sitúan por encima del 97 por ciento. Estos tres partidos tienen fiscales prácticamente en todas las mesas que ha observado la OEA. Los fiscales del MRS se situaban en el orden del 60 por ciento y los de Alternativa para el Cambio en el del 18 por ciento”.

Luego de estas declaraciones, Gustavo Fernández respondió preguntas de la prensa que transcribimos a continuación.

TRANSCRIPCIÓN

Periodista: ¿Ha tenido oportunidad de hablar con los candidatos?

Jefe MOE/OEA: No. Hoy día hemos estado trabajando en el contacto con nuestros observadores en terreno y en la coordinación con las otras observaciones.

Periodista: Si usara una calificación a esta hora ¿podría decir que las elecciones han sido limpias?

Jefe MOE/OEA: Decimos que hasta esta hora, las elecciones se desarrollaban en el marco institucional y jurídico de Nicaragua.

Periodista: Aparentemente hoy canal 4 ha violado el silencio electoral

Jefe MOE/OEA: Estamos registrando temas de esta naturaleza para su procesamiento y la elaboración del Informe final de la Misión

Periodista: Sobre la falta de materiales como material electoral, problemas de cedula.

Jefe MOE/OEA: Se han producido varios incidentes de esa naturaleza, pero los consideramos aislados. Un hecho que es importante anotar y que lo pusimos en nuestro primer comunicado es que la instalación de las JRV fue lenta sobre todo en Managua. La información que recibimos, que quisiera reiterar ahora, es que los miembros de las JVR estuvieron desde las 5:30 de la mañana para la instalación de las mesas, pero que en algunos casos las pudieron abrir recién a las 8 y 8:30 de la mañana, debido a que revisaron con extremo cuidado todo el material electoral que estaba a su disposición. Había observación de los distintos miembros y fiscales sobre la validez y eso les llevó tiempo.

Es conveniente resaltar que el promedio de tiempo que lleva un elector en el acto de votar está entre tres y cuatro minutos. Hay varios que lo hacen en menos tiempo, pero el promedio está en ese orden, lo cual hace lento el proceso. No se olviden que se trata de cuatro elecciones: Presidente, Vicepresidente, diputados nacionales y departamentales ante la Asamblea Nacional y ante el Parlamento Centroamericano. Esas parecen ser las razones que explican la lentitud con la que en algunos casos se ha desarrollado el proceso electoral.

Periodista: ¿Hubo casos de no aplicación de los artículos 41 y 116?

Jefe MOE/OEA: En todos los casos se han aplicado esos artículos.

Periodista: Ha habido la queja de que algunos de los observadores de Ética y Transparencia no han podido ingresar a algunas JRV. ¿La OEA ha tenido algún problema de este tipo?

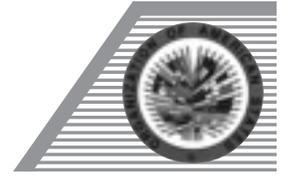
Jefe MOE/OEA: No, no hemos tenido ese problema. Todos nuestros observadores han tenido acceso a los centros de votación. En algunos casos hubo dificultades transitorias, pero eso es normal.

Periodista: Hay quejas de que la electricidad ha fallado en algunos sectores. ¿Ustedes las han recibido, precisamente en Granada?

Jefe MOE/OEA: Acaba de llegar el ex Presidente Raúl Alfonsín desde Granada y entre los incidentes que nos mencionó no figuraba ése, de manera que debió tratarse de un incidente aislado que se corrigió rápidamente.

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LA PARTICIPACIÓN DE LA CIUDADANÍA NICARAGÜENSE HA SIDO PACÍFICA, MASIVA Y ORDENADA 5 DE NOVIEMBRE DE 2006

La Misión de Observación Electoral de la Organización de los Estados Americanos (MOE-OEA), al término de la jornada de votación del domingo 5 de noviembre considera que la participación de la ciudadanía nicaragüense ha sido, en términos generales, pacífica, masiva y ordenada.

Ha tomado nota de incidentes aislados, entre los que se encuentran los protagonizados por ciudadanos que no pudieron emitir su sufragio por el cierre de los centros de votación a partir de las seis de la tarde.

Recibió quejas de ciudadanos y actores políticos por la presunta ruptura del silencio electoral; y por insuficiencia de copias de las actas de cierre que se entregan a todos los fiscales de las organizaciones políticas.

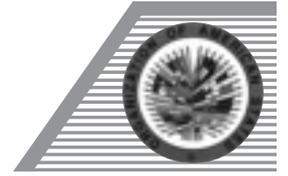
Esas quejas han sido trasladadas a la autoridad competente para que se resuelvan de conformidad a las normas que rigen el proceso electoral de Nicaragua.

Corresponde señalar nuevamente que los comunicados emitidos durante el día reflejan la información proporcionada por los observadores de la MOE-OEA, que no debe ser asumida como muestra representativa del universo electoral nicaragüense.

La Misión sigue con atención el proceso de escrutinio y transmisión de datos, y estará atenta a los resultados preliminares que emita el Consejo Supremo Electoral.

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COMUNICADO OEA: GRÁFICAS DEL CIERRE DE LAS JUNTAS RECEPTORAS DE VOTOS EN NICARAGUA OBSERVADAS POR LA MOE/OEA 6 DE NOVIEMBRE DE 2006

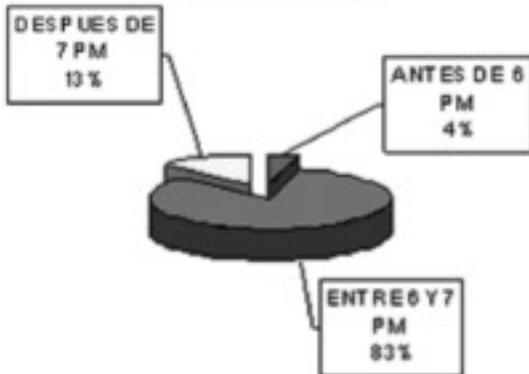
La Misión de Observación Electoral de la Organización de los Estados Americanos (MOE/OEA), considera que el acto electoral del día de ayer, 5 de noviembre de 2006, ha sido pacífico, ordenado, masivo y ajustado a la ley.

La Misión desplegó a sus observadores a lo largo del territorio de Nicaragua durante la jornada electoral de ayer. Sobre la base de lo que sus observadores presenciaron en las Juntas Receptoras de Voto (JRV) visitadas, desde su apertura hasta el escrutinio, la Misión informa que:

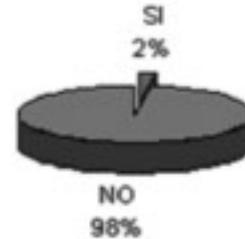
- Las JRV observadas por la MOE/OEA cerraron en promedio a las 6:30 de la tarde.
- A la hora del cierre, quedaron ciudadanos sin votar en el 2% de las JRV visitadas.
- En las JRV recorridas hubo presencia constante de los fiscales de los partidos políticos a lo largo de la jornada de ayer.
- En las JRV visitadas el promedio de participación ciudadana en la elección presidencial alcanzó alrededor del 70%.
- En un alto porcentaje de las JRV observadas el escrutinio se realizó de acuerdo con los procedimientos legales.
- Todos los fiscales de las organizaciones políticas representadas en las JRV recorridas, recibieron copia del acta de escrutinio.
- De acuerdo con los reportes de nuestros observadores, no hubo impugnaciones de las actas de la elección presidencial en las JRV visitadas por la MOE/OEA.

Gráficas del cierre de las JRV observadas por la MOE/OEA

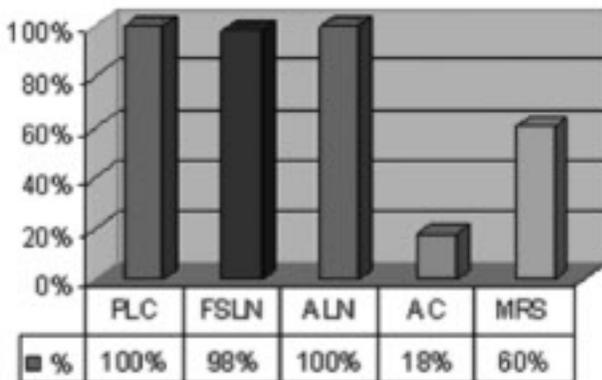
CIERRE DE LAS JRV



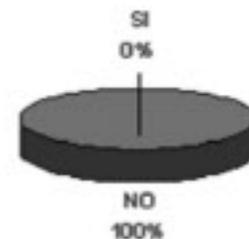
PORCENTAJE DE JRV DONDE SE QUEDARON CIUDADANOS EN FILA SIN VOTAR



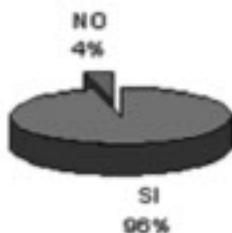
PRESENCIA DE FISCALES EN EL ESCRUTINIO DE VOTOS EN LAS JRV



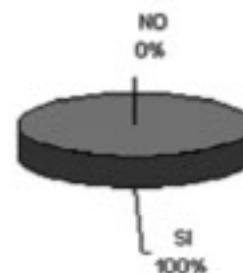
PORCENTAJE DE JRV DONDE SE PRESENTARON IMPUGNACIONES



PORCENTAJE DE JRV DONDE SE REALIZO EL ESCRUTINIO DE ACUERDO A LOS PROCEDIMIENTOS LEGALES



PORCENTAJE DE FISCALES QUE RECIBIERON COPIA DEL ESCRUTINIO



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MISIÓN DE OBSERVACIÓN DE LA OEA FELICITA AL PUEBLO DE NICARAGUA 8 DE NOVIEMBRE DE 2006

La Misión de Observación Electoral de la Organización de los Estados Americanos (MOE-OEA) expresa sus congratulaciones al pueblo de Nicaragua por su ejemplar comportamiento en la jornada electoral del domingo 5 de noviembre y felicita a don Daniel Ortega Saavedra por su victoria electoral y le desea éxito en su futura labor de gobierno como Presidente de todos los nicaragüenses.

Manifiesta su reconocimiento a las autoridades del Consejo Supremo Electoral (CSE), del Poder Ejecutivo, del Ejército y la Policía y a los actores políticos, por los esfuerzos que realizaron para garantizar la libre expresión de la voluntad popular y el

respeto a la ley. Se trata de un momento histórico que consolida y fortalece la opción de paz y unidad de Nicaragua.

La Misión incluirá en el Informe que eleve a consideración del Secretario General y del Consejo Permanente de la OEA sus conclusiones y recomendaciones, con espíritu constructivo, en la línea de imparcialidad, independencia y objetividad con la que cumplió su tarea de observación, para continuar el mejoramiento del sistema electoral de Nicaragua.

Comunicado de Prensa

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INSULZA: LA OEA CONTINUARÁ TRABAJANDO JUNTO A NICARAGUA 22 DE NOVIEMBRE DE 2006

El Secretario General de la Organización de los Estados Americanos (OEA), José Miguel Insulza, reiteró hoy el apoyo del organismo regional al pueblo y gobierno de Nicaragua, afirmando que la OEA seguirá “trabajando junto a sus autoridades democráticas y al nuevo Presidente”, para que se continúe el proceso de fortalecimiento de las instituciones que se ha venido llevando a cabo en ese país. Insulza intervino en una sesión protocolar del Consejo Permanente convocada para recibir al Presidente de Nicaragua Enrique Bolaños.

El Secretario General valoró la acción del Presidente Bolaños al “posibilitar más que ningún otro, la buena conclusión” de la crisis política suscitada en el último trimestre de año 2004 y en el transcurso de 2005. “El Presidente Bolaños ha sabido combinar en su gobierno la fuerza, la dedicación, la flexibilidad y la inteligencia para sacar adelante una situación muy difícil y al hacerlo, ha prestado un servicio muy importante, no sólo a su país sino a la democracia en toda nuestra América”, dijo Insulza.

“Estamos muy agradecidos por lo que el Presidente Bolaños ha hecho. Deja un país mucho más sólido desde el punto de vista económico y desde el punto de vista de su futuro, que aquel país que encontró hace algunos años”, subrayó Insulza. Bolaños entregará su cargo al Presidente electo Daniel Ortega el próximo 10 de enero.

El Presidente Bolaños agradeció igualmente la firmeza y solidaridad del Consejo Permanente de la OEA, al Secretario General, a los embajadores, representantes y delegados enviados a Nicaragua para ayudar a sacar a su país de la crisis institucional que estaba enfrentando. “Todos juntos inventamos e innovamos soluciones creativas enriquecedoras de lo establecido en la Carta Democrática Americana. El sistema democrático y el Estado de Derecho han salido fortalecidos –y éste es un triunfo de todos”, dijo Bolaños.

“En países en los que aún no terminamos de consolidar nuestra democracia, utilizamos los instrumentos jurídicos y los instrumentos políticos al alcance de la comunidad de nuestras naciones, para construir la democracia, la legitimidad y el régimen de derecho –elementos fundamentales para que nuestros pueblos puedan llegar a vivir con dignidad”, aseguró Bolaños, recordando a las delegaciones que su gobierno utilizó la Corte Centroamericana de Justicia y la OEA “para conjurar un golpe de Estado técnico contra el sistema político establecido”.

Al indicar que en su país se han puesto a prueba los instrumentos jurídicos para la preservación de la democracia representativa, señaló que es impostergable la revisión de los mismos para enfrentar nuevas formas de atentar contra la democracia, el Estado de Derecho y la libertad de los ciudadanos. “Esas nuevas e inéditas formas de conspiración deben ser detectadas, analizadas y descubiertas para evitar que luego se pongan en duda nuestro sistema y sus valores”, acertó el mandatario nicaragüense.

Refiriéndose a los avances económicos logrados durante su presidencia, Bolaños dijo que deja al gobierno entrante “la mesa servida para servir a Nicaragua; dejó abiertos los caminos al desarrollo. En estos cinco años pasamos del negativo al positivo: los cofres están llenos; las reservas internacionales son las más altas de nuestra historia; igual las exportaciones, las recaudaciones fiscales y el presupuesto nacional”.

Bolaños recordó al Consejo Permanente, presidido por la Embajadora Marina Valere, de Trinidad y Tobago, que con la firma de un Tratado de Libre Comercio con Estados Unidos, el posible Acuerdo de Asociación Económica con la Unión Europea, que cursa en la Asamblea Nacional, y la firma del Tratado comercial con Taiwán, se está fortaleciendo la competitividad de Nicaragua y su plataforma exportadora. Un reciente informe del Banco Mundial coloca a Nicaragua “como el mejor clima de negocios de Centroamérica, porque hemos reducido las burocracias y las trabas por lo que somos considerados como el país que más ha avanzado en el índice de libertad económica”, reafirmó el mandatario centroamericano.

“Ya hoy Nicaragua es posible,” aseguró Bolaños, añadiendo que “los nicaragüenses hemos construido una visión y un rumbo colectivo de nación, alcanzando un consenso social a partir de nuestras diferencias, en el respeto y en la tolerancia, donde nadie se sienta excluido”.

El Presidente Bolaños honrará al Secretario General de la OEA esta tarde en la Embajada de Nicaragua, donde se le otorgará la Condecoración Rubén Darío en el grado Gran Cruz, por la dedicación al servicio de su nación, de las Américas y en especial por la promoción de los valores democráticos.

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ELECCIONES NICARAGÜENSES FUERON TRANSPARENTES, ASEGURA LA OEA 22 DE NOVIEMBRE DE 2006



La Organización de los Estados Americanos (OEA) aseguró hoy que la elección presidencial realizada en Nicaragua el pasado 5 de noviembre fue pacífica, masiva, ordenada, ajustada a la ley e incluyente. Dichas elecciones “marcaron un avance en la dirección democrática, en su propio ritmo, con su propio estilo”, afirmó el Jefe de la Misión de Observación Electoral del organismo hemisférico, el ex Canciller boliviano Gustavo Fernández Saavedra.

En el informe provisional presentado al Consejo Permanente de la OEA durante una sesión ordinaria –presidida por la Embajadora Marina Valere, de Trinidad y Tobago– Fernández Saavedra explicó que la referida elección además “consolida el sistema democrático nicaragüense en la dimensión del ejercicio de los derechos políticos”. Caracterizó las elecciones en ese país de “crecientemente limpias y competitivas”, y felicitó en este sentido la participación pacífica de los ciudadanos y el comportamiento de los partidos, al decir que la ciudadanía ha privilegiado el recurso del voto para dirimir sus controversias y los actores políticos han respetado esa voluntad. Hubo una participación electoral del 69%, informó Fernández.

La Misión de Observación Electoral fue “larga, compleja y amplia” y presenció “el proceso de preparación técnica, jurídica y política de las elecciones”, dijo Fernández. Destacó que la Misión “no se apartó de los principios de imparcialidad, objetividad, independencia y de pleno respeto de la ley y de las instituciones de Nicaragua, asumiendo que su tarea era la de observar y no la de ser árbitro o juez”.

El Jefe de la Misión advirtió que la evaluación de un sistema electoral debe responder al contexto histórico de cada país y aseguró que los esfuerzos para fortalecer la democracia en Nicaragua van por un buen camino. Señaló, sin embargo, que son necesarios varios cambios en la estructura jurídico-institucional.

Entre las recomendaciones que formulará la Misión, Fernández resaltó la estructura institucional del poder electoral que debe ser parte de un nuevo diseño constitucional. Al referirse a otras áreas, mencionó la necesidad de examinar la Ley Electoral y sus reglamentos así como el sistema de cedulação en la etapa post-electoral, su descen-

tralización y financiamiento, y la depuración del Padrón Electoral. Las recomendaciones serán profundizadas en su Informe Final, dijo.

Fernández resaltó que 183 observadores de la Misión estuvieron en 129 Juntas Receptoras de Voto, correspondientes a 153 municipios, en los 15 departamentos y dos regiones autónomas en que se divide política y administrativamente Nicaragua. Informó, además, que hay personal técnico de la MOE/OEA que continúa en Nicaragua haciendo seguimiento al tema de las impugnaciones, cuya resolución ya no afecta las tendencias dominantes, y la asignación de diputaciones.

Tras la presentación, los diplomáticos de los Estados miembros reconocieron la conducta positiva del proceso electoral y agradecieron el informe. Además adoptaron por aclamación una declaración felicitando “al pueblo de Nicaragua, a su Gobierno encabezado por el Ing. Enrique Bolaños Geyer y a las demás autoridades” así como al Presidente electo Daniel Ortega. La declaración fue una iniciativa del Grupo Centroamericano: Belize, Costa Rica, El Salvador, Honduras, Nicaragua, Panamá y República Dominicana.

Durante la misma sesión, el Consejo Permanente también escuchó un informe sobre la observación electoral que realizó la OEA en Bolivia, en las elecciones para la Asamblea Constituyente y el Referéndum Nacional Vinculante, que tuvieron lugar el pasado 2 de julio. El Jefe de la Misión y ex Representante Permanente de Colombia ante la OEA, Embajador Horacio Serpa, destacó la participación masiva y pacífica del pueblo boliviano, el comportamiento de los partidos y el profesionalismo de la Corte Nacional Electoral, en un proceso que según él, demostró la “gran madurez” del sistema democrático del país. Reconociendo que cualquier proceso electoral puede ser perfeccionado, Serpa dijo que el informe de la OEA incluye unas recomendaciones y observaciones sobre temas como la propaganda política, la depuración del padrón electoral y las restricciones de tránsito el día de los comicios.

Al agradecer el informe del Embajador Serpa, la Representante Interina de Bolivia ante la OEA, Patricia Bozo de Durán, resaltó la importancia de estas elecciones para su país. “Consideramos que la OEA tiene un rol muy importante en el fortalecimiento de la democracia en nuestro continente”, afirmó.

APPENDIX VII: INFORMATION ON THE ELECTORAL AUTHORITY IN NICARAGUA

1. Appointment of Magistrates of the Supreme Electoral Council (CSE)—Articles 6, 9, and 11 of the Electoral Law, Article 170 of the Political Constitution

Nicaragua's Supreme Electoral Council (CSE) is made up of seven magistrates and three alternate magistrates, elected by the National Assembly from separate lists proposed for each post by the President of the Republic and by the Deputies of the National Assembly, in consultation with pertinent civil society organizations.

Each magistrate will be elected with the vote of at least 60 percent of the Deputies in the National Assembly.

The deadline for presenting the lists will be fifteen calendar days from the time the National Assembly convokes the election. In the absence of a list presented by the President of the Republic, the proposals made by the National Assembly deputies will suffice.

CSE magistrates are elected for a period of five years; within this period, it should be noted, they enjoy immunity.

The magistrates will elect their president and vice-president among themselves, for a one-year period with the possibility of reelection.

The magistrates and alternates will assume their posts before the president of the National Assembly during a plenary session, as stipulated by law.

2. Requirements to be Named Magistrate of the Supreme Electoral Council—Article 7, Electoral Law, Article 171 of the Political Constitution

- a) To be a national of Nicaragua. If the person has acquired another nationality, he or she should have renounced it at least four years before the election.
- b) To be in full enjoyment of civil and political rights.
- c) To be at least 30 years of age and no older than 75 years of age on the day of the election.
- d) To have lived continuously in the country for the four years prior to the election, save for carrying out diplomatic missions or working for international organizations or studying abroad.

3. Magistrates' Restrictions in Political Activities and other Areas

Neither the Political Constitution nor the Electoral Law specifies any type of restrictions whatsoever for the magistrates of the Supreme Electoral Council. In the pertinent sections, they refer to "public officials," a concept within which the magistrates could be classified.

4. When the Current Magistrates were Named; Renewal of their Posts, When and How

In accordance with Articles 138 (par. 8), 170, and 172 of the Political Constitution, the CSE is made up of seven magistrates and three alternate magistrates, who are elected for five years and have the possibility of reelection. The election of the magistrates is in the power of the National Assembly, and requires the vote of at least 60 percent of the deputies.

On February 15, 2005, the National Assembly reelected Magistrate Emmett Lang Salmerón for another period of five years, at the same time voting in for the first time Magistrate Luis Benavides Romero.

On June 2, 2005, the following magistrates were reelected to five-year terms:

- 1) Roberto Rivas Reyes (77 votes)
- 2) Jose Luis Villavicencio (77 votes)
- 3) Jose Miguel Cordoba (77 votes)
- 4) Marisol Castillo (Alternate—76 votes)
- 5) Emiliano Henríquez (Alternate—77 votes)

The following were elected for the first time:

- 1) Rene Herrera (78 votes)
- 2) José Marengo (75 votes); and
- 3) Julio César Ozuna Ruiz (Alternate—73 votes)

It is important to remember that the CSE elects its president and vice-president from within its own ranks and that, in accordance with Article 170, par. 2, the period for exercising these posts lasts one year. On February 24, 2005, Magistrate Lang was elected vice-president of the CSE, and on August 31, 2005, Roberto Rivas was elected president.

On February 20, 2006, the Constitutional Division of the Supreme Court of Justice (CSJ) authorized the three Sandinista magistrates and the president of the CSE, Roberto Rivas, to substitute his Liberal colleagues with alternate magistrates. That judgment stated that "faced with the unjustified and deliberate absence of the principal magistrates, the president of the CSE, as the institution's legal representative, has the constitutional duty to call for the inclusion of the alternates available in order to guarantee electoral rights, assuming the principle that all the CSE magistrates, upon being elected before the National Assembly, have met each and every one of the constitutional requirements."

During that same proceeding, the CSJ's Constitutional Division agreed to hear the change-of-name request from the Movement for Liberal Salvation (MSL) to the Nicaraguan Liberal Alliance (ALN), noting that the appeal filed by the PLC against

the name change was based on the “inertia and omission” of the CSE’s Liberal magistrates. The judgment argued, “We do not consider administrative silence to be linked to the concept of unconstitutionality by omission, except for the general idea of a public body’s failure to comply with a positive duty to act, which has a legal consequence.”

After hearing the judgment of the CSJ, the Sandinista magistrates on the CSE—Emmett Lang, José Luis Villavicencio, and José Miguel Cordoba—and magistrate president Roberto Rivas, faced with the unwillingness of the Liberal magistrates to form a legal quorum, chose to incorporate the alternate magistrates Marisol Castillo and Emiliano Henriquez, thus achieving a legal quorum, and to reelect Emmett Lang as CSE vice-president; his term in that post was to expire on February 23, 2006.

The interesting part of the case is that, at that same proceeding, Roberto Rivas was reelected as CSE president—his term in the post was to have ended on August 30, 2006—and the national elections were officially convoked.

On February 21, 2006, the Liberal magistrates of the CSJ Constitutional Division disavowed the ruling handed down on February 20 by the Sandinista delegates on the CSJ, which admitted the appeal filed by a Sandinista magistrate against the Liberals for not attending the CSE sessions. They based their disavowal on the fact that the ruling was not signed by the Constitutional Division’s six magistrates; to issue the decision, a quorum was constituted by illegally incorporating the (Sandinista) magistrate Armengol Cuadra. The PLC, for its part, called this reelection “a judicial monstrosity,” and representatives of the Movement for Nicaragua also rejected the way in which the FSLN ran the CSE. They reiterated that the incorporation of alternate magistrates to form a quorum, the reelection of Roberto Rivas as president and Emmett Land as vice-president, as well as the convocation of national elections, were illegal.

5. Functions and Areas of Jurisdiction—Article 10, Electoral Law, Articles 168 and 173 of the Political Constitution:

1. Convene, organize, and manage the election process; declare its results and the validity of the elections, or their complete or partial annulment; and install the posts in accordance with the popular will, all in conformity with what is established in the Constitution and the law.
2. Organize and manage the plebiscites or referendums that may be convened in accordance with the Constitution and the law.
3. Designate the secretary general, directors general, secretary of proceedings, and other members of the other election bodies, in accordance with the Electoral Law.
4. Prepare the election calendar.
5. Apply, in the exercise of its powers, the constitutional and legal provisions that refer to the election process.
6. Hear and resolve, as the court of highest instance, any resolutions handed down by the lower election bodies, or

any claims or challenges presented by the political parties.

7. Issue, in accordance with the law in this area, any pertinent measures to ensure that the election process is carried out with full guarantees.
8. Regulate the relevant accreditation and participation of observers in the election process.
9. Demand, from the corresponding bodies, conditions of security for the political parties participating in the elections.
10. Conduct the definitive tallies of the votes cast in elections, plebiscites, and referendums, and officially declare the final results.
11. Issue its own regulations, which shall include at least the following:
 - A. Regulations for preparing and acquiring electoral materials.
 - B. The manual covering the organization and functions of the substantive and support areas for elections.
 - C. The duties of the secretary general, secretary of proceedings, and directors general
 - D. Procedures for verifying and cleaning up the electoral roll or catalogue of voters, depending on the case.
12. Organize and maintain, under its jurisdiction in the Central Registry of the Civil Status of Persons, the process for issuing citizen identity cards and the electoral roll.
13. Grant legal personhood as political parties to all groups that comply with the requirements established under the law.
14. Authorize the constitution of alliances of political parties.
15. Demand that the Prosecutor General of the Nation appoint an Electoral Prosecutor.
16. Consider and resolve issues related to tendering bids, as well as agreements and contracts for supplies or services deemed necessary.
17. Cancel the legal personhood of political parties in the following cases:
 - A. When they do not participate in any election process, with the exception of that which is established for the regional parties of the Atlantic Coast.
 - B. When the political parties participating in a national election process do not obtain at least 4 percent of the valid votes in the elections for President and Vice-President of the Republic.
 - C. When the political parties join electoral alliances and the alliance does not obtain at least a percentage of the vote equivalent to 4 percent multiplied by the number of parties that make up the alliance. In this case, the political parties lose their legal personhood and only the party under whose banner the alliance if formed maintains that status, if and when it captures the percentage established in the previous sentence.

18. Suspend the legal personhood of the political parties in the cases established in the Electoral Law and other laws in this area.
19. Monitor and resolve any conflicts regarding the legitimacy of political parties' legal representatives and leaders, and regarding compliance with the legal dispositions that refer to political parties and their statutes and regulations.
20. Other responsibilities as conferred by the Constitution and the law.

Alternate magistrates do not exercise any administrative duties in the election authority; their functions are exclusively to substitute for the temporary absence of any magistrate in the post, who designates his or her substitute during the absence (Article 6, Electoral Law).

Article 179 of the Electoral Law empowers the Supreme Electoral Council to resolve, in accordance with the provisions of common law, any issue related to elections that is not covered in the Electoral Law.

6. Budget

According to Articles 111 and 112 of Nicaragua's Political Constitution, the nation will have an annual budgetary law that regulates the income and spending of public administration. The initiative for this law corresponds to the President of the Republic, who submits it for discussion and approval by the National Assembly. The draft annual budgetary law should contain the budgets of the autonomous, governmental, and business entities of the state, although Article 12 of the Electoral Law establishes that the annual budget of the CSE and its dependent bodies must be presented and prepared by the CSE president and approved with the vote of at least five of the magistrates on that Council (Article 14, par. c) of the Electoral Law).

The budget of the Supreme Electoral Council varies depending on whether it is a year with an election process, in which case the budget increases to cover the costs of the process and the reimbursement of the participating political movements. Toward that end, the state will assign a budgetary allocation of 1 percent of the regular income of the national general budget (Article 99 of the Electoral Law).

For the effects of that which is contained in the previous paragraph, the Supreme Electoral Council will present a draft budget to the executive branch, which will process it accordingly (Article 100 of the Electoral Law).

7. Appointment of Members of the CEDs/CERs, CEMs, and JRVs—Article 16 of the Electoral Law

The Electoral Law determines that in terms of electoral organization and structure, each department (15) or autonomous region (2) will have a departmental electoral council (CED) or regional electoral council (CER), as well as a municipal electoral council (CEM) for each of the country's municipalities (153). Each of these councils is made up of a president and two members, all with their respective alternates.

The appointment of the members of the CEDs and CERs is done by the Supreme Electoral Council. The appointment of the members of the CEMs is done by the departmental or regional councils, whichever is the case. The appointment of members of the polling stations (Juntas Receptoras de Votos, or JRVs) is done by the respective CEM.

The electoral councils are composed based on slates that are submitted for that purpose by the legal representatives of the political parties or alliances. During the first session of a departmental or regional electoral council, it should ask the political organizations for slates for members of the municipal electoral councils. In determining their composition, the Supreme Electoral Council will take into account the concept of political pluralism established in the Political Constitution, and no more than one appointment per political party may be made in each electoral council.

The political parties will have a time frame of 15 days from the time they are notified to present their proposals, and if they do not do so, the appointments will be made by the Supreme Electoral Council.

The president and his or her corresponding alternate on each electoral council and on the JRVs will be designated alternately from among the political parties that earned first and second place in the last elections held. If these positions, or some of them, are held by political party alliances, the corresponding slates will belong to the political party at the top of the alliance. The first member and corresponding alternate will be designated in the same manner. The second member and corresponding alternate will be named from the slates presented for this purpose by the other political parties that are participating in the planned elections.

The respective electoral council will monitor compliance with the requirements for candidates proposed on the slates and ask for the replacement of those who do not meet the requirements.

The members of the departmental or regional electoral councils will assume office at least five months prior to the day of the elections, and will cease their functions five days after the elected authorities take office. This provision does not apply to the president and respective alternate, who will remain in the post to be able to

exercise duties related to the civil registry and the areas of *cédula* issuance and management. To that effect, municipal offices should be maintained to receive citizens and in particular to attend to matters related to the process of issuing *cédulas*.

The municipal electoral councils should be constituted, at the latest, 15 days after the members of the departmental or regional electoral councils have taken office; they will cease their functions 30 days after the elections have been held or in line with the provisions of Article 22 of the Electoral Law.

APPENDIX VIII. LIST OF OBSERVERS⁶

CORE GROUP/OAS STAFF		
1	Gustavo Fernández Saavedra	Bolivia
2	Raúl Alconada	Argentina
3	Nina Pacari	Ecuador
4	Ana Maria Sanjuan	Venezuela
5	Ignacio Walker	Chile
6	Patricio Gajardo	Chile
7	Víctor Contreras	Peru
8	Héctor Eduardo García	Colombia
9	María Elena Homs	Mexico
10	Carlos Zurita	Chile
11	Eduardo Badillo	Mexico
12	Miriam Palomino	Peru
13	Judith Lobos	Chile
14	Gustavo Aldana	Guatemala
15	Fernando Lezama	Honduras
16	Ignacio Goñi	Argentina
17	Lisbeth Alemán	Honduras
18	Hugo Galdames	Chile
19	Walter Gutiérrez	USA
20	Antonio Amarante	Brazil
21	Gerardo Munck	USA
22	Wendy Martínez	USA
23	Betilde Muñoz	Venezuela
24	Esther Rodríguez	USA
25	Clara Hoyos	Colombia
26	Katalina Montana	Colombia
27	Ana Katz	Guatemala
28	Oliver Wack	Germany
29	Elizabeth Spehar	Canada
30	Martín Cáceres	Argentina
31	Sandra Zuloaga	Colombia
OBSERVERS		
Group 1		
1	Ricardo Cohen	Argentina
2	Javier Salked	Peru
3	Claudia Barrientos	Bolivia
4	Paola Costabella	Argentina
5	Alfredo Fisher	Argentina
6	Gladys Salazar	Peru

⁶ Some names are repeated, since some observers and/or core group members participated in several of the mission's phases.

7	Clarissa Martínez	Panama
8	Santiago Mariani	Argentina
9	Adriana Piquero Echeverri	Colombia
10	Jacqueline Mosquera	Venezuela
11	Natalia Contreras	Chile
12	Esperanza Mejía	Colombia
13	Marcela Vega	Colombia
14	Rigoberto Zarza	Paraguay
15	Amelia León	Peru
16	Maria José Cussianovich Vereau	Peru
17	Gilberto Estrada	Panama
18	Carlos Bravo Goldsmith	Chile
19	Liliana Rodríguez	Colombia
20	Francisco Conte	Panama
Group 2		
1	Liseth Alemán	Honduras
2	Fernando Lezama	Honduras
3	Gustavo Aldana	Guatemala
4	Maria Elena Homs	Mexico
5	Héctor García	Colombia
6	Eduardo Badillo	Mexico
7	Miriam Palomino	Peru
8	Carlos Zurita	Chile
9	Rigoberto Zarza	Paraguay
10	Adriana Piquero	Colombia
11	Ricardo Cohen	Argentina
12	Marcela Vega	Colombia
13	Amelia León	Peru
14	Gilberto Estrada	Panama
15	Esperanza Mejía	Colombia
16	María José Vereau	Peru
17	Alfredo Fisher	Argentina
18	Yamileth Bermúdez	Costa Rica
19	Fernanda Zavaleta	Mexico
20	Natalia Contreras	Chile
21	Santiago Mariani	Argentina
22	Ignacio Goñi	Argentina
23	Javier Salked	Peru
24	Paola Costabella	Argentina
25	Jacqueline Mosquera	Venezuela
26	Walter Galmarini	Uruguay
27	Marcia Álvarez	Ecuador
28	Gladys Salazar	Bolivia
29	Michael Swisterski	Canada
30	Clarissa Martínez	Panama
31	Daniel Olascoaga	Uruguay

32	Liliana Rodríguez	Colombia
Group 3		
1	Caniza, Gilberto	Paraguay
2	Gonzalez, Verónica	Guatemala
3	Murillo, Melissa	Honduras
4	Rodriguez, Paola	Guatemala
5	Troya, Carlos	Ecuador
6	Vucina, Cateryn	Venezuela
7	Aragones, Patricia	USA
8	Ardaya, Gloria	Bolivia
9	Bonasso, Alejandro	Uruguay
10	Bravo, Carlos	Chile
11	Gonzalez Quintanilla, Luís	Bolivia
12	Harris, Margaret	Trinidad and Tobago
13	Hinds, Michael	Barbados
14	Kiernan, James	USA
15	Lavayen, Lorena	Bolivia
16	Maccise, Carlos	Mexico
17	Mackenzie, Celeste	Canada
18	Melo, Edina	Uruguay
19	Pineiro, Daniela	Argentina
20	Rios, Estela	El Salvador
21	Rosende, Mercedes	Uruguay
22	Taft-Morales, Maureen	USA
23	Tello, Ana María	Uruguay
24	Valenzuela, María	Argentina
25	Balderrama, Ma. Eugenia	Bolivia
26	Ballantyne, Janet	USA
27	Borges, Ana	Brazil
28	Brumwell, Lindsay	Canada
29	Conte, Francisco	Panama
30	Daguerre, Juan	Uruguay
31	Debia, Alejandra	Chile
32	Dimartino, Rita	USA
33	Durand, Paul	Canada
34	Elgoumiri, Zakaria	Canada
35	Garcia Casanovas, Ángel	Argentina
36	Garcia, Robert	USA
37	Gersony, Robert	USA
38	Jara, José	Chile
39	Legler, Thomas	Canada
40	Martucci, Cesar	Argentina
41	McAleer, Katherine	Panama
42	Pabon, Paola	Ecuador
43	Paz, Gonzalo	Argentina
44	Pereira, Euza	Brazil

45	Perez-Stable, Marifeli	USA
46	Regidor, Har	Costa Rica
47	Seoane, Alfredo	Bolivia
48	Soto, Yadira	Colombia
49	Valdes, Sergio	Chile
50	Varela, Marcelo	Costa Rica
51	Fernanda Massaccesi	Argentina
52	Alejandro Schilman	Argentina
53	Maria Eugenia Montefalcone	Argentina
54	Juliette Maughan	Barbados
55	Andrea Millar	Barbados
56	Diana Rojas Morales	Bolivia
57	Maria A. Balderrama P.	Bolivia
58	Camila G. Cuevas.	Bolivia
59	Izabella Costa P.	Brazil
60	Camila Silva	Brazil
61	Aruna Rajulu	Canada
62	Amélie Côté	Canada
63	Kindra Lakusta	Canada
64	Simón Carreau	Canada
65	Kristi Denby	Canada
66	Frédéric Margotton	Canada
67	Viviana Soledad Encina Lobos	Chile
68	Natalia Teresa León Pardo	Chile
69	Juan-Pablo Pallamar Urzúa	Chile
70	Jenny Milena Bernal	Colombia
71	Anderson Camacho	Colombia
72	Ivan Acuña	Costa Rica
73	Lina Mata Guido	Costa Rica
74	Antonio Delgado	Estados Unidos
75	Shirly Kalush	Estados Unidos
76	Rebecca Kurshenbaum	Estados Unidos
77	Jorge Luís Nunez	Mexico
78	David Sánchez León	Mexico
79	Alan Andrade	Mexico
80	Alejandra Almaguer	Mexico
81	Vania Archibold Turner	Panama
82	Joao Javier Quiroz	Panama
83	Maria Korolija León	Peru
84	Maribel Reyes	Dominican Republic
85	Sebastian Bidegain	Uruguay
86	Dominique Rumeau	Uruguay
87	Luicana Vaccotti	Uruguay
88	Federico Da Costa	Uruguay
89	Maria del Socorro Rodríguez	Mexico

NOTE: This report is a translation of an official report (CP/doc. 4268/08) distributed to the OAS Permanent Council on March 3, 2008.

The original report was prepared by the Department for Electoral Cooperation and Observation, revised by the Secretariat for Political Affairs and presented to the Secretary General for approval. In terms of the original texts written by the Representative of the Secretary General and Chief of Mission, Gustavo Fernández, and by the Technical Coordination Chief, Patricio Gajardo, they have been archived in the Department for Electoral Cooperation and Observation.

ORGANIZATION OF AMERICAN STATES
SECRETARIAT FOR POLITICAL AFFAIRS



CONTRIBUTION FROM VARIOUS DONORS
Electoral Observation Mission in Nicaragua 2006

Final Report
(Preliminary and Unaudited)

STATEMENT OF CHANGES IN FUND BALANCE
From Project Inception (April 1, 2006) to March 31, 2008

	Netherlands	Japan	Brazil	Canada	Denmark	Norway	USAID	US Dep. of State	Sweden	Combined
Increases										
Contribution	\$ 98,066	\$ 100,000	\$ 5,000	\$ 79,849	\$ 50,000	\$ 30,460	\$ 1,429,018	\$ 1,017,993 ^(A)	\$ 410,773	\$ 3,221,159
Interest Income	-	-	-	-	-	-	-	-	13,461	13,461
	98,066	100,000	5,000	79,849	50,000	30,460	1,429,018	1,017,993	424,234	3,234,620
Decreases										
Transfer	-	-	-	462	-	-	-	488,786 ^(B)	-	489,248
Return to donor	78,014	-	1,118	-	40,139	6,578	193	-	183,958	310,000
Expenditures & Obligations										
Personnel Contracts	-	-	-	17,498	-	-	44,228	19,093	11,366	92,185
Travel	4,980	39,140	1,639	41,734	5,945	23,882	372,951	174,363	46,982	711,616
Publications and Documents	-	-	-	-	-	-	674	1,842	-	2,516
Equipment, Supplies and Maintenance	-	13,698	1,418	8,471	556	-	111,496	108,873	23,774	268,286
Building and Maintenance	4,227	332	-	490	-	-	7,878	32,107	-	45,034
Performance Contracts	9,521	6,998 ^(C)	825	10,023	3,360	-	746,398	155,599	149,939	1,082,663
Other Expenses (Indirect Cost Recovery)	-	5,000	-	-	-	-	111,427	-	-	116,427
Other Expenses	1,324	10,104	-	1,171	-	-	33,773	37,330	8,215	91,917
Total Decreases	98,066	75,272	5,000	79,849	50,000	30,460	1,429,018	1,017,993	424,234	3,209,892
Net change during period	-	24,728	-	-	-	-	-	-	-	24,728
Unliquidated Obligations	-	24,728	-	-	-	-	-	-	-	24,728
Fund balance at end of period	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

(A) Contribution from US Department of State include two separate contributions, \$649,993 and \$568,000.

(B) There were three transfers from US Department of State, \$251,404 and \$229,055, and \$832,692.

(C) External contract for "Document Translation Services".

Certified by: Adam Blackwell, Director
Department of Budgetary and Financial Services

Projects: DEA-EOM/001 ; DEA-EOM/002
Awards: BRAZL99/02 CIDA/06/01
DENMA06/01 JAPAN06/02
NETHE06/01 NORWY06/02
SWIDA06/02 USAID06/03
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Preparer: JJJ



Headquarters:
17th Street & Constitution Ave., N.W.
Washington, D.C. 20006
USA