



Organization of American States

VERBAL REPORT
Electoral Observation Mission
Plurinational State of Bolivia
General Elections, October 12, 2014

Background

The Supreme Electoral Tribunal of the Plurinational State of Bolivia sent a formal invitation to the Organization of American States on May 13, 2014 to deploy an Electoral Observation Mission for the general elections. The Secretary General accepted the invitation and appointed former President of the Republic of Guatemala, Mr. Alvaro Colom Caballeros, as Chief of Mission.

The OAS has accompanied the advance of democracy in the Plurinational State of Bolivia since 1966 through its Electoral Observation Missions, observing a total of 15 electoral processes, including: seven (7) general elections, three (3) local elections, four (4) referendums, and one (1) election of the highest authorities of the judiciary and the constitutional court.

Pre-Election Phase

The OAS Electoral Observation Mission (OAS/EOM) began its field work the third week of August with a preliminary visit to Bolivia from the Chief of Mission to hold meetings with electoral and government officials, all presidential candidates, civil society organizations, and representatives of the international community accredited in the country, with the aim of gathering information of the organizational aspects of the process, to observe the political context of the electoral campaign, and to exchange views with the primary election contenders.

The OAS/EOM was comprised of 62 international observers, including the core group, technical experts, and specialists in electoral observation methodologies and departmental coordinators from 16 member States and five observer countries. The Mission was deployed to the nine departments of Bolivia to observe how the elections were run, in accordance with the Bolivian Political Constitution and election law. It is important to note that the OAS/EOM in Bolivia had experts in the areas of electoral organization and technology, campaign financing, equal participation of men and women in the election, media analysis, electoral security, electoral dispute resolution, and voting from abroad.

The political-electoral context was marked by a series of circumstances that were the subject of concern for some political actors. These included: the re-distribution of electoral districts based on the 2012 National Census, which modified the representation of some departments in the Legislative Assembly; the role of the Supreme Electoral Tribunal (TSE) authorities; repeated accusations of the opposition against the government for its campaign promotion and handling of the media to obtain greater coverage for the president's activities; and the complaints of civil society organizations and some political parties regarding alleged problems associated with the cleansing and composition of the voter registration list applicable for the election.

Election Day

On October 12, 2014, more than five million Bolivian citizens, an 89% national turnout, went to the polls to elect a president, vice-president, 36 senators, and 130 members of parliament.

Election Day was generally satisfactory, with a massive voter turnout and no incidents of public disorder or violence to distress the process. The early setup of the polling stations and the presence of law enforcement at the polling centers were notable.

The Mission observed long voter lines, confusion among voters as to where to vote, and lack of electoral notaries at the polling places, which was indicative of limited voter education campaigns carried out by the TSE.

Accessibility to voting centers depended on each department and municipality's infrastructure. As such, accessibility for disabled persons was not optimal. However, there were polling station members to help disabled voters cast their vote.

At the end of Election Day, the Mission noted a slow process for counting, transmitting, and reporting the results. This situation was caused by insufficient training of the staff – some who had been trained for the first time the day of the elections – and by technical problems in the capture and digitization of the ballots, resulting in the delayed reporting of election results.

The OAS international observers visited 348 polling centers throughout the entire country.

Post-Election Phase

The OAS/EOM was present in the post-election period, observing both the repeat election in the Santa Cruz and Oruro on October 26, 2014 and the final count. According to the official count delivered by the TSE on October 29, 2014, the outcome of the presidential election was: Evo Morales Ayma (MAS-IPSP): 61.36 %; Samuel Doria Medina (UD): 24.23 %; Jorge Quiroga (PDC): 9.08%; Juan del Granado (MSM): 2.71%; and Fernando Vargas (PVB-IEP): 2.62%.

Conclusions and Recommendations

The OAS/EOM underscores the willingness of the Electoral Supreme Tribunal authorities and staff to ensure observers had full access to the necessary information.

The Mission noted the participation of candidates from native and aboriginal communities in special districts. It also celebrates Bolivia's openness – the greatest in its electoral history – to allow citizens residing abroad to exercise their political rights, making it possible for 168,526 Bolivians to cast their vote in 33 countries. This measure allowed for better inclusion of all citizens of the Plurinational State of Bolivia in its democratic process.

The Mission is pleased that the will of the Bolivian people was clearly reflected on Election Day, despite the challenges and areas for significant improvement in the electoral system. Therefore, in order to contribute to the strengthening of the democratic electoral processes in the Plurinational State of Bolivia and in the spirit of furthering the productive relationship of institutional cooperation, the OAS/EOM sees appropriate to suggest consideration of the following recommendations to Bolivian authorities:

Electoral Calendar

The TSE call for general elections and its subsequent approval of the electoral calendar ordered and organized the electoral process into 98 milestones. Compliance with the actions prescribed in the calendar was verified; however, some deadlines had to be extended, given that the planning for technical activities did not take local needs into consideration. The TSE should study the possibility of setting the electoral calendar in conjunction with the Departmental Electoral Tribunals (TEDs), in order to have a first-hand understanding of the local needs and to include them in setting deadlines and the terms for conducting elections.

Voter Registration List

During the period before the October 12, 2014 elections, grievances were filed by political organizations and civil society with regard to issues related to the cleansing of the existing voter registration list for that election; this unleashed a series of responses that raised doubts about the reliability of this list. It is important for the Supreme Electoral Tribunal (TSE) to consider reviewing the processes and mechanisms in place for updating and cleansing the voter registry in such a way as to help build greater trust in it.

Notwithstanding the foregoing, this was not a decisive issue for the Mission and the number of anomalies found on the voter list does not differ widely from the majority of voter registries in the region. Since December 2014, an OAS team has been working in close cooperation with the TSE on this matter.

Electoral Training

As was noted in the 2009 and 2011 EOMs, training remains a concern. No standardized and unified national guidelines exist with respect to the training of election officials –specifically electoral boards and notaries– and this hinders their ability to discharge their duties properly. The shortage of electoral notaries at the different polling stations was also observed; this meant that a number of citizens were unable to obtain a timely response to their concerns. Along these lines, it is necessary to strengthen electoral training systems, contemplate the creation of national standards with respect to training officials who have election-related responsibilities during elections, and consider increasing the number of electoral notaries such that at least one official is assigned to each polling place.

Election Materials

The Mission verified that while the usable election materials were being kept at the facilities of the Departmental Electoral Tribunals (TEDs), they were guarded appropriately by the National Police. Once these materials were delivered to the notaries, however, the custody thereof fell to the notaries alone. In this regard, the implementation of improvements with respect to security and custody, once the TSE has printed the exact quantity of election materials needed, is critical, and that the loss thereof could constitute a serious problem for holding an election.

Transmitting Voting Results

When transmission began, delays were observed in the process of tabulating the records received by the National Counting Center. This snag brought the transfer of records to a halt during the consolidation and publication stage at the national level and was the result of a defect in the application selected to be used between the scanning servers and the departmental consolidation databases. In this regard, a review of the processes and mechanisms associated with the results transmission system is crucial to improve the quality, timeliness, and transparency of the publication of the results, as is the development and implementation of tests to repeatedly determine the condition of the software in order to ensure it works properly.

There were likewise serious logistical and training-related vulnerabilities that adversely affected implementation of the system. The Mission was able to substantiate the lack of an institutional strategy for technical and professional training on the tasks associated with the transmission of results. It was observed that the operators responsible for the verification and quality control of the transmission were trained for the first time just one hour before the official process began. The TSE must hold in-person training sessions for all officials responsible for transmitting election results that include practical applications and participatory methodologies to help put the knowledge acquired into practice and strengthen it through the assimilation of new competencies and skills.

Lastly, the EOM/OAS does not consider convenient to use exit polls to draw conclusions about election results and declare the winners because of these technical problems. The Mission strongly recommends that the TSE implement a Preliminary Results Transmission System as a tool for building

trust and calm among the citizenry, political actors and civil society, thus avoiding complex scenarios in which data from unofficial sources are considered valid.

Electoral Justice

The jurisdictional function and legal oversight fall to the Supreme Electoral Tribunal –the body responsible for organizing elections– by means of enforcement of the law as part of a legal-procedural process. This means being both judge and interested party in the process and requires specialized legal knowledge. The Mission recommends that the TSE have a contentious area endowed with human and financial resources so that substantive and professional analyses of any complaints and claims filed may be conducted.

Political Financing

The EOM took note of the lack of public financing for political parties and election campaigns, which has a direct impact on the conditions necessary for equitable and transparent elections. In addition, presently, the TSE has neither the effective tools nor the technical staff to exercise effective oversight over election-related spending. The EOM considers important to discuss the possibility of implementing a mixed financing system in order to strengthen political organizations in terms of both their internal training and the equity and balance of elections. At the same time, the Fiscal Unit should be enhanced with human, technical, and financial resources so that it may exercise effective oversight over the accountability of the political parties.

The Media

The provisions of Law 026 ensure that all contracting parties are subject to the same contracting fee and prevent unequal access by establishing identical costs for all political parties. Nonetheless, the information gathered during the EOM demonstrates that, in Bolivia, the media are concentrated in the hands of private owners and this, added to the lack of public financing for political parties, constitutes a barrier to entry for purchasing or obtaining spaces as part of the election campaign. In this regard, the Mission emphasizes the need to debate a law on political organizations that addresses the matter of inclusive media access, in keeping with democratic principles, and improves the current prevailing situation wherein access depends on the financial resources of each party, which in these elections meant that two parties (*Unión Democrática* and *Movimiento al Socialismo*) accounted for more than 70% of TV appearances.

In addition, there is no clear difference between “election propaganda” and “government propaganda,” which enables the government to undertake actions or publicize its achievements during the election campaign. It is thus necessary to clearly define and regulate the scope of government participation during the campaign in order to strike a balance in the exposure incumbent candidates receive compared to other candidates.

Participation of Men and Women

The EOM/OAS commends Bolivia for the significant progress it has made in its legislation to promote the political participation of women. Particularly noteworthy is the adoption of instrumental measures in the new 2009 Constitution, and in the Law on the Electoral System, where the principles of parity and gender rotation in drawing up candidate lists are established; these were applied for the first time in this election to uninominal candidacies, which led to a National Assembly comprised of 48% women. Despite this significant progress, the harassment of and political violence committed against women continue to be one of the main obstacles to their participation. The EOM/OAS believes that strengthening compliance with the Law Against the Harassment of and Political Violence Against Women (Law 243) of 2012 by establishing an ordinance and providing the specific resources for its enforcement is key.

Acknowledgements

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