



Organización de los
Estados Americanos

**Electoral Observation Mission
2014 Regional and Municipal Elections in Peru
Oral Report**

Background

On June 19, 2014, the General Secretariat of the Organization of American States (OAS) received an invitation sent by the government of Peru to deploy an Electoral Observation Mission for the regional and municipal elections to be held on October 5 of that same year. Secretary General José Miguel Insulza responded to the invitation in the affirmative and appointed Sergio Abreu Bonilla as Chief of the Electoral Observation Mission.

The OAS has supported the advance of democracy in that Andean country since 1992, through the deployment of election observation missions. It has observed a total of 16 elections, including presidential, legislative, regional, and municipal elections and referendums.

Last October 5, citizens voted to elect 12,692 subnational authorities, including 25 regional presidents, 25 regional vice presidents, 274 regional council members, 195 provincial mayors, 1,751 provincial council members, 1,647 district mayors, and 8,775 district council members.

The OAS Mission, which was present in the country as of September 23, was made up of 33 observers from 17 countries (55 percent women and 45 percent men). This included a core group of specialists, which conducted a detailed, substantive study of the process with regard to electoral organization and technology, political analysis, election campaign financing, equal participation of men and women, security and electoral crimes, resolution of electoral disputes, and participation of Afro-descendants and indigenous people.

The chief of Mission had the opportunity to meet with the President of the Council of Ministers and to engage in dialogue with Peru's Minister of Foreign Affairs. It also visited authorities of the National Elections Board (JNE), the National Office of Electoral Processes (ONPE) and held meetings with several of the candidates; representatives of the diplomatic corps accredited in Lima; and members of various nongovernmental organizations, as well as specialists and academics in Peru. All of them welcomed the Mission cordially and with open arms, which must be acknowledged and appreciated.

The OAS/EOM would like to offer its congratulations for the coordinated efforts of the three institutions that make up the Peruvian electoral system: the JNE, the ONPE, and the National

Registry of Identification and Civil Status (RENEIC). This shows the maturity of the electoral institutions of the country.

It also recognizes the efforts that the ONPE, JNE, and RENIEC have made to professionalize the work of their personnel as well as to implement quality management mechanisms, through certification of its procedures under ISO standards. These initiatives confirm the commitment of electoral authorities to strengthen institutions.

Election Day

On the day of the election, 17,862,354 Peruvians (83.85 percent) exercised their right to vote in 4,936 voting centers throughout the country. To observe this exercise in democracy, the OAS deployed its team of 33 observers, who visited a total of 174 voting centers in 15 departments.

The observers reported a high participation of women as members of polling stations, with a high percentage of them serving in the role of president. In addition, all the polling stations observed had the necessary materials on hand for ballots to be cast, and measures were taken to create more accessible conditions for people with some type of motor disability. However, the Mission observed that some of the polling stations it visited opened late, leading to long lines of voters, and in a number of cases pregnant women did not receive the preferential treatment established in the regulations.

The OAS/EOM would like to note that delegates from the electoral bodies were deployed in large numbers to the voting centers and provided critical support to members of the polling stations. Despite the ONPE's training efforts and the existence of clearly established procedures, actions by members of polling stations pointed to a lack of understanding of the procedures and an inability to make decisions on their own.

In terms of the gradual implementation of electronic voting, the ONPE expanded this type of voting to seven of the country's districts, in which 34,672 citizens were eligible to vote. As to implementation of this system, the OAS observed that in some voting centers there were delays and some difficulties when it came time to vote.

The OAS/EOM welcomes the initiatives implemented by the ONPE to modernize the electoral system, including also specific practices put in place to transmit and publish data. Although the results this time were made known faster than in previous elections, the release of the first results was delayed until late in the evening of the day of the election, and the public received unofficial information from exit polls.

Throughout the day, but especially at the close of the polls, violent incidents were reported in certain places in the country, which shows that the measures taken to prevent them were insufficient. This trend has been on the rise in the last few regional and municipal elections.

It is worth mentioning that, in the framework of this electoral process, second-round elections were held on December 7 for regional presidents and vice presidents in 14 departments and for regional council members in two provinces. Due to funding limitations, the Mission was not able to be present. Moreover, Supplementary Elections in two provinces and 29 districts because will be held on July 5, 2015, because those that took place in October were declared null and void.

The participation of Peru's national political parties in these regional and municipal elections was limited. The OAS/EOM notes the process of political fragmentation at the district and provincial level. Coupled with the weakness of monitoring and oversight mechanisms and the risk of regional and municipal government being co-opted by economic interests—in some cases, both legal and illegal interests—this represents a challenge for Peruvian democracy.

Conclusions and Recommendations

As a result of the Mission's work, and with the aim to contribute to the strength of the Peruvian electoral system, the following observations and recommendations on various aspects of the electoral process are presented for the consideration of the country's authorities:

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Electoral Organization

The Mission believes it is important to evaluate the training implemented both for members of polling stations and for data entry operators so as to ensure that they understand their specific roles and can carry out their tasks with accuracy and speed throughout the day of the election. It also recommends that the mechanisms for transmitting and publishing results be examined, as well as the possibility of exploring new means that would facilitate and speed up these procedures.

Campaigns and Candidacies

Since the current decentralization process began, in 2002, local actors have played an increasingly prominent role. Regional movements now hold sway at the subnational level, and the national political parties have been increasingly weakened.

During the meetings it held in the week before the election, the Mission took in the concerns of various sectors of society regarding the possibility that people allegedly responsible for committing serious crimes can run for publicly elected positions. In this context, it is worth noting that two of the regional presidents who ran for re-election did so from jail, under pretrial custody. One of them won the election in his region.

As to the configuration of candidate lists, the electoral system provides for mechanisms known as "eliminations" (*tachas*) to object to candidates, as well as mechanisms for withdrawal, resignation, and exclusion. The terms and timetables for filing these legal challenges are complex, both for those filing them and for the electoral judicial body itself, which despite their

high technical capacity cannot meet the deadlines given the heavy workload. As a result of these procedures there were candidates in some districts who until just a few days before the election were not sure whether they would be allowed to participate, and voters who up until the day of the election did not have reliable information as to whether their candidates would be included on the final lists.

The Mission recommends a comprehensive review of the established mechanisms, including a redefinition of the timetables provided to file and resolve any legal challenges. Moreover, the Mission believes that a summary procedure could be implemented to reduce the administrative burden of this process on the judicial authority.

Political Parties

The Mission believes it is critical for the necessary measures to be taken to strengthen the national political party system, on the understanding that these institutions are essential to the functioning of democracy. In this context, it recommends a discussion of the proposals presented by the electoral authorities to ensure the financing of political parties, promote internal democracy mechanisms, and address any other institutional aspect that could help to shore up political parties.

Financing

The Mission would like to stress that, with the exception of election advertising slots (radio and television), the political campaigns carried out in the context of this electoral process have been financed with private funds. That is because while the regulations in place provide for direct public funding for national political parties, this has not taken effect. The OAS/EOM also observed that a number of political movements did not report their finances in the established time frames, and when they did so, there was often a mismatch between the expenses and revenues reported. The Mission also observed a system of sanctions that does not provide incentives to political parties and movements to render an accounting of their finances.

The Mission considers it important to regularize public funding, ensuring that it is turned over to political parties. The OAS/EOM recommends strengthening the organizational structure of the ONPE's Office of Supervision of Party Funding and establishing legal sanctions for political organizations that do not submit their financial information within the determined time frames.

Gender Equality

With regard to the participation of men and women in this election, the Mission noted an increase in female candidates in multimember electoral districts, but a disparate percentage of women elected to the various multimember councils. To a large extent, this is due to the fact that female candidates were often placed in positions on the list in which it was ensured that they could not be elected. In addition, the OAS/EOM observed a significantly low percentage of women elected to the positions of regional presidents and mayors.

In order to improve the participation of women in elections, the Mission recommends including a provision making it mandatory to alternate names of female and male candidates on the lists. The OAS/EOM also suggests that the Congress debate the draft “Law against Political Harassment of Women,” which will make it possible to tackle one of the obstacles women face when it comes to participating in the public arena.

Participation of Indigenous and Afro-Descendant Groups

With regard to the participation of native groups, peasants, and indigenous peoples in elections, the Mission welcomes the initiative to expand the 15 percent quota from 18 to 25 departments in the country. However, the OAS/EOM observed that these candidates are placed in positions on the lists where it is ensured that they cannot be elected. The Mission also takes note of the low participation and representation of people of African descent in Peruvian politics, which can be explained by different factors outside the electoral arena.

To improve the participation of both groups on the political stage, the OAS/EOM believes it is important to check the effectiveness of compliance with the 15 percent quota and to consider the possibility of including Afro-descendant communities in this affirmative measure.

“Migratory” Voting

During the pre-electoral period and on the day of the election, the growing phenomenon of “migratory” voting (*golondrinaje*)—which involves an improper change of address to benefit or hurt a candidate in a swing district—created situations of tension and threats in some parts of the country. This time around, the National Elections Board and the National Registry of Identification and Civil Status took measures to address this issue, detecting and reporting 11,000 unjustified changes of address nationally.

Security

The Mission laments the acts of violence that led to the deaths of members of law enforcement days before the election, as well as the deaths of three people the night after the voting. The OAS/EOM believes it is important for the various institutions to adjust their protocols to take into account the reality in each region, placing particular emphasis on those regions in which some type of risk has arisen in the context of the elections.

Electoral Laws

The OAS/EOM notes that the rules are clearly defined and govern each stage of the electoral process, even though they are not found under a single body of law. Likewise, the Mission was pleased to see the consensus that exists among the three electoral bodies on the political-electoral reform that was presented to Congress. The Mission invites legislators to debate the bills presented in order to strengthen some aspects of the electoral system. Amongst them, the prohibition of the reelection of regional presidents and vice-presidents and majors, the sanctions to parties when their members of parliament have been convicted for specific crimes and modifications on the revocation of mandates. The OAS/EOM respectfully invites legislators to continue with this debate and to analyze the draft legislation presented in order to strengthen some aspects of the electoral system.

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