



## **REPORT TO THE PERMANENT COUNCIL<sup>1/</sup>**

Electoral Observation Mission  
Republic of Costa Rica  
Municipal Elections, February 7, 2016

Ambassador Juan José Arcuri, Chair of the Permanent Council  
Ambassador Rita María Hernández, Interim Representative of Costa Rica to the OAS  
Mr. Luis Almagro, Secretary General  
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Representatives of the member states and permanent observers to the OAS

### **Background**

On July 30, 2015, Costa Rica's Supreme Electoral Tribunal (TSE) extended an invitation to the Organization of American States to deploy an Electoral Observation Mission to the country, to observe the municipal elections of February 7, 2016. Secretary General Luis Almagro accepted this invitation and appointed former Uruguayan Deputy Minister Edgardo Ortuño as Chief of Mission.

In 1962, Costa Rica was the first member state to which the OAS deployed an Electoral Observation Mission, and since then the OAS has observed 12 elections in the country.

The 2016 municipal elections took place in the context of a new process—the first since the 2009 reforms to the Electoral Code—in which for the first time all the country's local authorities were elected at the same time, two years after the presidential elections, giving priority to municipal issues. The new nature of these elections undoubtedly posed a significant challenge for the electoral management body in terms of organization and logistics for an election in which 6,069 offices were in contention, approximately a thousand more than in the 2010 municipal elections. A total of 3,178,364 citizens were eligible to cast their votes at the 5,630 polling stations set up in the country's 81 cantons.

The OAS Electoral Observation Mission (OAS/EOM) deployed 21 observers and experts from 12 countries of origin to Costa Rica's seven provinces. They directly observed such aspects as the delivery of election materials, the training of members of polling stations, and the day of the elections, from the opening to the closing of the polls and the counting of ballots at the polling stations. The Mission also had a core group of specialists on hand who carried out a substantive, detailed analysis of the election process.

The Mission leadership held meetings with the electoral management body, candidates, members of the various political parties, and civil society representatives, as well as with representatives of the international community accredited in the country, to collect direct information regarding the organization of the elections, confer with the main actors involved in the electoral process, and observe the progress of the campaign.

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1. Presentation to the Permanent Council of the Organization of American States – April 20, 2016.

Through the various meetings held, the Mission listened to some concerns regarding the fairness of the race, specifically as related to campaign financing, access to the media, and the participation of women in the electoral campaign. The OAS/EOM received complaints from different political parties regarding the difficulty of not having public funding in advance for their campaigns. This was reflected during the days prior to the election, in which the Mission observed a campaign of low intensity in the country, with little electoral advertising on the part of the various candidates and political parties.

The Mission would like to highlight the initiatives undertaken by the Supreme Electoral Tribunal in the pre-electoral period to inform citizens and encourage greater participation through systematic communication efforts, such as its “Informed Voting” program. The Mission also notes the measures designed to promote greater inclusion and accessibility for voters, such as the program to make voting booths accessible and the tools to facilitate voting by people with disabilities, such as visual handouts for the hearing-impaired, Braille ballots, signature guides, and magnifying glasses, among other things.

### **Election Day**

On the day of the voting, the Mission’s team of 21 observers and experts visited a total of 152 voting centers in the country’s seven provinces.

The OAS/EOM underscores the civic commitment of the Costa Rican people, who exercised their right to vote in an orderly manner. The Mission observed that polling stations opened on time and had all the materials needed for people to exercise the vote.

Polling stations are set up in accordance with current regulations, with at least two individuals from different political parties in contention and up to however many parties may have registered individuals as polling station members. On this point, the OAS/EOM was able to observe a low presence of political party representatives acting as members of polling stations; in some cases, this meant that there were not enough of them to set up the polling stations in accordance with regular procedures, which meant resorting to the special procedures established by the TSE to address this eventuality. In this regard, the party representatives at the polling stations had to be substituted, to a great extent, by the “electoral assistants” established by the Supreme Electoral Tribunal. Nevertheless, the Mission confirmed a large presence of party representatives serving as poll watchers in all the polling stations it observed.

Throughout the day of the elections, the OAS/EOM noted that members of some of the polling stations observed were confused about the procedures to follow, from those related to the opening of polling stations to the vote counting process. The Mission was also able to observe a disparity in knowledge among the various participants who were present: members of polling stations, party poll watchers, and electoral assistants.

Variations were also observed in the total number of members of different polling stations. Along these lines, the Mission observed that when there were a substantial number of members (more than four) there was confusion of roles, and when there were only two members they were overburdened with responsibilities.

The OAS/EOM observed that women had a significant and active presence as members of polling stations and as poll watchers from the various political parties. The participation of young volunteers who served as electoral guides in this election warrants special mention. The inclusion of young people in the electoral process is an example to follow, one that contributes to citizens' civic education.

When the elections were over, the Mission verified that the process of transmitting, consolidating, and publishing preliminary election results was done in a satisfactory manner. One new development in this election was the implementation of a new visual display for preliminary results, which made it possible to consult the TSE's website for online, disaggregated results for each of the country's cantons.

### **Post-Electoral Period**

On February 24, the Supreme Electoral Tribunal concluded the final vote count from the 5,630 polling stations that had been set up for the municipal elections. According to official data provided by the electoral management body, the Partido de Liberación Nacional (PLN) won 50 of the 81 mayoral seats in the country, the Partido Unidad Social Cristiana (PUSC) won 14, the ruling party Partido de Acción Ciudadana (PAC) won 6 mayor's offices, and the Partido Nueva Generación won 3. Another eight parties each obtained one mayoral seat. According to official data, voter turnout in these elections was 35 percent of those registered to vote, which was 7 percent higher than turnout in the last municipal elections, in 2010.

### **Conclusions and Recommendations**

The Electoral Observation Mission of the Organization of American States in Costa Rica congratulates the country's citizens, political parties, and various government institutions for their successful participation on election day, a sign of the strength of Costa Rica's democratic system.

The OAS/EOM also recognizes the effort carried out by the Supreme Electoral Tribunal throughout the various stages of this process, and particularly commends its coordination in terms of organization and electoral logistics, as well as in meeting the electoral timetable.

As a result of the work carried out by the Mission, and with a view to helping to strengthen the Costa Rican electoral system, the OAS/EOM presents the following observations and recommendations concerning the various aspects of the electoral process it observed:

#### Composition of Polling Stations

The Mission would like to recommend, as it has in reports of previous Electoral Observation Missions, that Costa Rica consider implementing other types of measures to determine the composition of polling stations, such as incorporating some sort of citizen position under the direction of the TSE or making the "electoral assistants" permanent positions, in order to strengthen the electoral management body's responsibilities as they relate to the composition of polling stations and the training of their members. The OAS/EOM also considers it important to establish the ideal number of members of polling stations, so as to avoid an overload of work or confusion of roles on election day.

Moreover, the Mission recommends that the responsibilities of each of the actors present at the polling stations on election day—members of the polling station, party poll watchers, and electoral assistants—be determined more clearly before future elections. Similarly, the Mission suggests incorporating political party poll watchers into the training programs run by the TSE, so that all participants have the same level of knowledge, in order to facilitate agreements when differences arise during the process.

#### Political-Electoral Funding and the Strengthening of Political Parties

The Mission noted the importance of having public funding available in this election. The OAS/EOM again recommends, in terms of public financing, that Costa Rica consider the possibility of establishing regulations for an upfront contribution of public funds allocated to political parties for municipal elections, in order to ensure a fairer electoral contest. In terms of private funding, it recommends establishing campaign spending limits, in keeping with the positions up for election in each race, as well as determining a legal limit for contributions from private funding sources. Such measures would make it possible to help strengthen the party system and energize information campaigns and get-out-the-vote efforts.

With regard to the presentation of reports by the political parties, the Mission recommends that the necessary actions be taken so that the parties are required to maintain structures for the administration of resources that are professional, with standardized procedures, and that do not depend on changes of leadership within the political party. These structures should also guarantee that the funds received by each candidate are properly reported and that the supporting documents and reports of candidates and parties in the election are presented correctly.

Likewise, the OAS/EOM believes that the political parties should do more to implement training activities, so as to develop new leadership within the party structures; this could encourage and promote more turnover in municipal offices. A review of the indefinite reelection of mayors could also contribute to this goal. While continuity in public policy is important, alternation of power is a sign of democratic strength.

#### Access to the Media

A number of political parties told the Mission that they felt at a disadvantage due to the inequitable access of their campaigns to the media. Since there is no law in place to promote greater control in terms of opportunity for access to the media, the OAS/EOM reiterates its recommendation to consider, along with the proposed electoral reforms presented by the TSE, the possibility of indirect public funding through free radio and TV election advertising slots. This would give political parties equitable access to the media based on the percentages of citizen support and representation established under the regulations.

#### Electoral Turnout

The Mission sees as positive the increase in voter turnout in this election compared to the previous one, in 2010 (an increase from 28 to 35 percent). However, the abstention rate continues to pose a challenge for municipal elections in Costa Rica. This is a challenge which should bring together all segments of Costa Rican society, especially its political parties and leaders, in order to strengthen civic awareness and promote greater citizen participation in the country's elections.

### Participation of Women

While the 2009 reforms instituted the principles of parity and alternation, these reforms have not met the objective of increasing women's participation in positions of more responsibility. The Mission was concerned to observe the low participation of female candidates in these elections, in which women won only 14 percent of mayoral seats, just 1 percent more than in the 2010 elections. In order to ensure greater access by women to popularly elected posts, the OAS/EOM recommends revising the current model before future elections and considering the possibility of applying horizontal parity, along with vertical parity, and alternation by sex of candidates at the tops of the lists. The Mission believes it is also important to apply policies on gender equality and equity within political party structures, and to implement political training programs that promote leadership and greater political participation by women.

### Electoral Roll

Currently, there is no type of restriction on the number of changes of address a citizen can request on the electoral roll; nor is there any type of verification process or requirement to formalize these changes, other than the presentation of a "sworn statement." Given the new multiparty reality and the proliferation of canton-specific political parties, the Mission recommends evaluating the possibility of having stricter elements in place to change addresses on the electoral roll.

### **Acknowledgments**

The OAS Electoral Observation Mission would like to thank the government of Costa Rica and the various institutions that were part of this process for their collaboration and the help they provided to the Mission to facilitate its work. The Mission would especially like to recognize the Supreme Electoral Tribunal's openness and willingness to implement the recommendations made by OAS Electoral Observation Missions over the course of recent years, which is a clear reflection of the TSE's commitment to constant improvement and to democracy.

The Mission would also like to express its appreciation for the financial contributions it received from OAS member states and observers—Bolivia, Korea, and the United States—which made the deployment of this Mission possible.