



OEA/Ser.G
CP/doc. 3685/03
27 January 2003
Original: Spanish/English

**REPORT ON THE ELECTORAL OBSERVATION MISSION
GENERAL ELECTIONS IN BOLIVIA - 2002**

This document is being distributed to the permanent missions and will be presented to the Permanent Council of the Organization.



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

17th and Constitution Ave., N.W. • Washington, D.C. 20006

SG/UPD-829/02

December 4, 2002

Excellency:

I have the honor to address Your Excellency to request your kind assistance in having distributed to the members of the Permanent Council the attached report of the OAS Electoral Observation Mission in Bolivia. The report reflects the activities undertaken by the Mission during the observation of the general elections in Bolivia, held on June 30, 2002.

Accept, Excellency, the renewed assurances of my highest consideration.

James Harding
Assistant Secretary for Management
In charge of the Secretariat General

His Excellency
Denis G. Antoine
Ambassador, Permanent Representative of Grenada
Chairman of the Permanent Council
Organization of American States
Washington, D.C.

ORGANIZATION OF AMERICAN STATES

REPORT

ON THE ELECTORAL OBSERVATION MISSION
GENERAL ELECTIONS IN BOLIVIA
2002

Unit for the Promotion of Democracy

Subject to Revision and not for Release to General Public Pending Consideration by Permanent Council

TABLE OF CONTENTS

	Page
CHAPTER I. THE 2002 ELECTORAL PROCESS.....	1
CHAPTER II. THE BACKGROUND, OBJECTIVES AND CHARACTERISTICS OF THE MISSION	1
A. THE MISSION'S OBJECTIVES	1
B. THE COMPOSITION AND DEPLOYMENT OF THE MISSION	2
C. PRELIMINARY ACTIVITIES	2
D. PUBLIC COMMUNICATION STRATEGY.....	3
CHAPTER III. LEGAL FRAMEWORK	4
A. THE ELECTORAL CODE	4
B. THE POLITICAL PARTIES ACT.....	5
C. THE "QUOTA ACT" AND THE PARTICIPATION OF WOMEN.....	6
CHAPTER IV. TECHNICAL OBSERVATION OF THE PROCESS.....	7
A. THE DESIGN, PREPARATION AND DISTRIBUTION OF THE ELECTORAL MATERIAL.....	7
B. THE DATA PROCESSING SYSTEM	8
C. TRAINING FOR ELECTORAL OFFICIALS, AND VOTER EDUCATION AND GUIDANCE	8
D. REGISTRATION SYSTEM	9
D. VOTING BY DETAINEES.....	11
E. PARTICIPATION OF WOMEN.....	12
CHAPTER V. PRE-ELECTION STAGE	13
A. THE ELECTORAL CAMPAIGN	13
B. THE CONCERNS OF THE POLITICAL PARTIES	14
C. ELECTORAL COMPLAINTS	15
D. MEDIA COVERAGE OF THE ELECTORAL PROCESS	16
CAPITULO VI. THE DAY OF THE ELECTIONS.....	17

A. OBSERVATION OF TECHNICAL AND ADMINISTRATIVE ASPECTS
ON THE DAY OF THE ELECTIONS 17

B. VOTING IN PRISON CENTERS AND OBSERVATION IN BORDER AREAS 18

C. ILLEGAL TRANSFER OF VOTERS 18

D. MEDIA COVERAGE 18

D. THE VOTE COUNT 19

CHAPTER VII. POST-ELECTION STAGE 19

A. THE ANNOUNCEMENT OF THE ELECTION RESULTS 19

B. OBJECTIONS 19

C. COMPLAINTS 19

D. THE OFFICIAL ELECTION RESULTS 20

iii

CHAPTER VIII. CONCLUSIONS AND RECOMMENDATIONS 20

CHAPTER IX. FINANCIAL REPORT 23

APPENDICES

I. LIST OF OBSERVERS 27

II. MISSION COMMUNIQUÉS 31

CHAPTER I. THE 2002 ELECTORAL PROCESS

General elections were held in Bolivia on June 30. At that time, the people of Bolivia voted to elect a president, a vice president, 27 senators and 130 deputies (68 uninominal and 62 multi-nominal), who will hold office for the five-year constitutional period. The previous elections were held in 1997 when General Hugo Banzer was elected; he governed the country until 2001 when he had to resign owing to a fatal illness. In accordance with the respective constitutional procedure, the Vice President, Jorge Quiroga, assumed the leadership of the nation to complete the mandate.

The electoral list used on June 30 comprised 4,164,909 voters distributed in Bolivia's nine departments. 11 political parties took part in the elections and their presidential candidates were: Ronald MacLean, Nationalist Democratic Action (ADN); Nicolás Valdivia, Patriotic Awareness (CONDEPA); Alberto Costa Obregón, Freedom and Justice (LyJ); Evo Morales Ayma, Movement Toward Socialism (MAS); René Blattmann, Citizens for Change Movement (MCC); Felipe Quispe, Pachakuti Indigenous Movement (MIP); Jaime Paz Zamora, Movement of the Revolutionary Left (MIR); Gonzalo Sánchez de Lozada, Nationalist Revolutionary Movement (MNR); Manfred Reyes Villa, New Republican Force (NFR); Rolando Morales, Socialist Party (PS) and Johnny Fernández, Solidarity Civic Unity (UCS).

CHAPTER II. THE BACKGROUND, OBJECTIVES AND CHARACTERISTICS OF THE MISSION

The Electoral Observation Mission in Bolivia of the Organization of American States (EOM/OAS BOL 2002) originated in an invitation from the Bolivian Government to the OAS Secretary General, César Gaviría, to send an international mission to Bolivia to observe and support the electoral process culminating in national elections on June 30, 2002. The Secretary General accepted the invitation and instructed the Unit for the Promotion of Democracy (UPD) to make the necessary preparations. At the same time, he appointed Elizabeth Spehar, the Executive Coordinator of UPD, as the Chief of Mission.

The observation was conducted within the framework of the Agreement on the Privileges and Immunities of Observers of the Electoral Process, signed by the Government of Bolivia and the OAS Secretary General on June 4, and the Agreement on Procedure, signed by the National Electoral Court and the OAS Secretary General on June 18.

A. THE MISSION'S OBJECTIVES

Pursuant to the principles established in the Inter-American Democratic Charter signed by OAS member countries in Lima, Peru, on September 11, 2001, the Mission conducted its observation taking into account the principles of objectivity and neutrality, respect for domestic legislation and the irreplaceability of national actors in the electoral process. The Inter-American Democratic Charter identifies the holding of periodic, free and fair elections as one of the essential principles of representative democracy.

The purpose of the Mission was to support the holding of free and transparent elections, and also to manifest the international community's interest in efforts to strengthen the democratic process in Bolivia. The Mission's specific objectives were:

- 1) To observe the development of the electoral process so as to confirm that it corresponded to the legal norms in force in Bolivia;
- 2) To cooperate with Bolivian Government, electoral and party officials as well as with the general public to ensure the transparency, impartiality and reliability of the electoral process;
- 3) To discourage possible attempts to manipulate the electoral process;**
- 4) To contribute to bolstering public confidence and encouraging voter turnout;**
- 5) To be available to the protagonists of the process in order to ensure respect for the procedures established in Bolivian legal norms and that the latter are used to resolve conflicts;**
- 6) To serve, at the request of the participants in the electoral process, as an informal channel for building consensus, should there be disputes or conflicts;**
- 7) To report on the results of the Mission to the OAS Secretary General, the Permanent Council and the Bolivian authorities and people;
- 8) To make recommendations to help improve the Bolivian electoral system.

B. THE COMPOSITION AND DEPLOYMENT OF THE MISSION

The Mission set up its headquarters in La Paz on June 19, 2002. The Mission's initial group was responsible for establishing contacts with Government authorities, the electoral bodies, the political parties and national and international institutions involved in the electoral process, in order to provide information on the Mission's objectives, establish the corresponding coordination and collaboration mechanisms, and familiarize

themselves with the prevailing political situation and the conditions in which the elections would take place.

The Mission was composed of a group of 54 observers, consisting of OAS international observers, bilateral observers provided by the Government of Canada, and voluntary observers from diplomatic missions with offices in Bolivia, as well as international organizations, such as the Pan-American Health Organization (PAHO), the Inter-American Development Bank (IDB) and the European Union (EU) (see Appendix 1).

In order to cover as much of the territory as possible, the Mission established five subregional offices in La Paz, Sucre, Cochabamba, Santa Cruz and Tarija.

C. PRELIMINARY ACTIVITIES

On arriving in the country, the Mission held meetings with the President of the Republic and representatives of the different State authorities, including the Minister of Foreign Affairs, the Minister of Government, the members of the National Electoral Court and the Departmental Electoral Courts, the Ombudswoman, the Commander in Chief of the Armed Forces, and the Vice President of the Episcopal Conference, as well as almost all the candidates for the presidency and vice presidency of the Republic¹. Members of the Mission also met with leaders of Bolivian non-governmental organizations, such as the Coordinator for Women and the Foundation to Support Parliament and Citizen Participation (FUNDAPAC).

These meetings helped the Mission obtain a broader view of the prevailing political situation for these elections, their organization, and the principal issues that were of concern to the protagonists of the process and the general population.

D. PUBLIC COMMUNICATION STRATEGY

The Mission's public communication strategy was divided into two phases. The goal of the first phase was to introduce the Mission to the media, and also to disseminate the observers' first impressions on the electoral process. The second phase focused on dissemination of the Mission's assessment of the day of the elections and the post-election stage.

First phase. The first phase began when the Mission arrived in the country and lasted until the day of the elections; it consisted of a press conference, a series of

¹ The Mission met with the following presidential candidates: Ronald MacLean of Nationalist Democratic Action; Nicolás Valdivia of Patriotic Awareness; Evo Morales of the Movement Toward Socialism; René Blattmann of the Citizens for Change Movement; Felipe Quispe of the Pachakuti Indigenous Movement; Manfred Reyes Villa of the New Republican Force; Gonzalo Sánchez de Lozada of the Nationalist Revolutionary Movement; Jaime Paz Zamora of the Movement of the Revolutionary Left; Rolando Morales of the Socialist Party; and Jimena Prudencio, vice presidential candidate for the Freedom and Justice Party.

interviews of the Chief of Mission, and the distribution of two official communiqués (see Appendix II).

The Mission's first press conference was held on the day following the signature of the agreement with the National Electoral Court and consisted essentially in the presentation of the Mission's objectives and the observation plan. The press conference was well attended and there was extensive coverage in the principal national media.

The Chief of Mission offered various press conferences in Santa Cruz and Cochabamba during a visit to the interior of the country, and also granted a series of exclusive interviews to the representatives of a number of national and foreign media.

Second phase. The second phase began on the day of the elections and ended when the Mission left the country. During this period, the Mission held another press conference, distributed two new communiqués (see Appendix II) and responded to numerous questions from journalists on the events of the day of the elections and the post-electoral process.

On the day of the elections, the members of the Mission were questioned continuously by local and international reporters and journalists. Most of the media merely asked the observers for their impressions on the conduct of the election and filmed or photographed them carrying out their work. The Chief of Mission visited several voting centers in La Paz and neighboring areas and, as the Mission's principal spokesperson, responded to all the members of the media who asked for her opinion.

The Mission's second press conference took place on the day following the elections and it was attended by the principal national television and radio networks and also the international media. At that time, the Mission's election day activities were described and the third communiqué was distributed (see Appendix II).

The Mission issued its final press communiqué after the delivery of the Chief of Mission's preliminary report; it summarized the observations made during the conduct of the electoral process. The document also outlined the Mission's position on the complaint of fraud made by the New Republican Force party (see Chapter 7).

The communiqués issued by the Mission were distributed to all the media, the electoral and Government officials, the political parties and the Embassies of member States accredited to Bolivia.

CHAPTER III. LEGAL FRAMEWORK

The Bolivian Constitution stipulates that the exercise of the vote is based on the principles of a universal, direct, equal, individual, secret, free and obligatory vote. In accordance with the principle of the right to vote, which the Constitution grants to all

Bolivian citizens over 18 years of age, the electoral law allows members of the armed forces and also detainees who have not been convicted to vote. The electoral system is based on public scrutiny and proportional representation.

One of the characteristics of the Bolivian electoral system is the importance that the Constitution accords to the Congress in the procedure for the election of the president and vice president. In accordance with the provisions of article 90 of the Constitution, if none of the slates for president and vice president obtains an absolute majority of valid votes in the general elections, the Congress must elect those officials in public session, with an oral and a nominal vote, from one of the two slates that obtained the most votes on the day of the elections.

The presidential mandate is exercised for a non-renewable period of five years. The president may be re-elected once only, after at least one constitutional period has elapsed. The vice president may not be elected either president or vice president in the period following the one in which he held office. Members of Congress are elected for the five-year period coinciding with that of the president and vice president. Candidates must be proposed by the political parties.

Electoral political activity is regulated by two bodies of law: the Electoral Code and the Political Parties Act, which govern the activities that regulate the electoral process and those relating to the political parties.

A. THE ELECTORAL CODE

The Electoral Code (Act 1984) regulates the procedure, conduct, monitoring and control of the electoral process. This law establishes that the electoral process is conducted by autonomous, independent and impartial bodies, with both administrative and jurisdictional functions.

The National Electoral Court is the paramount authority in electoral matters and has competence throughout national territory, while the Departmental Courts have competence within their own jurisdictions. The electoral courts, poll workers, electoral notaries and officials created by the respective law also have a role to play in the electoral process at the departmental level. The decisions of the National Electoral Court are final, except in matters that correspond to the Constitutional Court's sphere of jurisdiction and competence².

The political parties have the right to accredit a designated and an alternate delegate to both the National Electoral Court and the Departmental Courts and also to the poll worker teams. The participation of these delegates in electoral activities is limited to exercising the right to voice, but not vote, and their failure to attend any meetings to which they have been summoned does not invalidate decisions taken at such meetings.

The most recent modifications to the Electoral Code were made through a Supreme Presidential Decree of April 30, 2002.

² Article 28 of the Electoral Code.

The principle of preclusion. The principle of preclusion is one of the most significant aspects of the electoral law and stipulates that the different stages of the electoral process may not be repeated or reviewed³. This means that it is illegal to annul general or municipal elections.

Despite the foregoing, voting may be repeated at polling stations where the official record of the vote scrutiny and count was declared null. In such cases, the political parties may contest the corresponding record at the polling station, and the recourse must be filed before the respective electoral court. This body must admit the recourse immediately and then submit the matter to the competent Departmental Court. The petitioner must ratify the objection before the Departmental Court within 48 hours, and the Court must take a decision on it within a period of 48 hours. An appeal may be made to the National Electoral Court to annul the decisions of the Departmental Courts. The National Electoral Court then has a period of 24 hours to issue its decision, which shall be considered *res judicata*⁴.

When either of the Courts decides that an official record of vote scrutiny and count is null, the voters at that polling station must be summoned to a new election the following Sunday⁵. This call to vote is not regulated by law, so that, in practice, voters are summoned through the media.

B. THE POLITICAL PARTIES ACT

The Political Parties Act (Act 1983) of June 25, 1999, regulates the organization, functioning, recognition, registration and extinguishment of political parties as well as the establishment of alliances between them and their relationship with society and the State. Thus, the Act stipulates that, in order to found a political party, a declaration of principles, a basic law and a program of government must be approved. The Act also indicates that, before filing the request for recognition and registration before the Court, groups that seek to become political parties must provide evidence that their membership is equal to 2% or more of the total valid votes in the immediately preceding presidential elections⁶.

Among the most important elements of the Act is the right of the parties to merge and form alliances under the conditions indicated in the Act, and also to receive State funding, in keeping with the percentages and conditions that it stipulates. Political parties also receive private financing and although the law establishes some restrictions with regard to the sources of such financing it does not set a maximum limit to the total amount or to the sums of money that a corporation or person may contribute⁷. The law

³ Article 3 of the Electoral Code.

⁴ Articles 185 to 187 of the Electoral Code.

⁵ Article 187 of the Electoral Code.

⁶ Article 8 of the Political Parties Act.

⁷ The assignment of amounts from the State budget to each party is defined by the proportion of votes obtained in the previous elections. Article 53 of the Political Parties Act establishes that, during periods when there are no elections, State funding must be devoted exclusively to party voter education programs and dissemination of political program documents. During electoral periods, the allocated funds must be devoted to financing the parties' electoral campaign expenses. According to article 51, political parties are not allowed to receive financing from foreign Governments or entities; foreign corporations (except in cases of technical assistance or

includes offences and the penalties for any violation of the applicable legal provisions committed by party members or members of the political leadership of the parties, and describes the procedure for deciding on such offences and the penalties.

C. THE "QUOTA ACT" AND THE PARTICIPATION OF WOMEN

Prior to the 1997 elections, the Bolivian women's organizations succeeded in persuading Congress to proclaim the "Reform of the Electoral Act – Application of Article 60 of the Constitution," known as the "quota act." Specifically, article 5 of this law established the obligation of the parties and political fronts to include at least one woman for every four names on their slates of candidates for senators and a minimum of 30% on the slates of candidates for deputies in multi-nominal electoral districts, in strict order of priority of designated and alternate members. In the case of the slate of uninominal candidates, the law indicates that women should be ensured effective participation.

In 1999, a modification to article 112 of the Electoral Code provided greater opportunities for women in municipal elections. This norm stipulated that the slates of candidates for municipal councilors should be presented so that the alternate for the first man/woman councilor would be woman/man. It also established that the candidates for second and third councilor should be appointed alternately and that, overall, there should be at least 30% women on the slates.

The Political Parties Act itself provided another tool to foster the participation of women in politics. It stipulated that parties should "promote equal opportunities for all their members in order to reduce the actual inequalities." Thus it was established that political parties must respect the existence of a quota of at least 30% for women at all levels of party leadership and in the candidacies for elected positions⁸.

Political parties must comply with this requirement before obtaining their recognition and registration by the National Electoral Court (at least 90 days before the date of the elections).⁹ However, the law does not stipulate that the quota for women's participation in the party leadership must be maintained once the party has been registered. According to information garnered by the Mission, even though this provision is complied with at the time of registration, it is not preserved subsequently.

CHAPTER IV. TECHNICAL OBSERVATION OF THE PROCESS

training); non-governmental organizations; sources of illegal origin; religious groups or associations; national public entities of any nature (except for the State funding established in the law) and anonymous contributions (except from public collections).

⁸ Article 19, paragraph IV of the Political Parties Act.

⁹ Article 12, paragraph II, consistent with article 224 of the Constitution.

During the time it spent in the country, the Mission could observe directly the efforts made by the National Electoral Court and the Departmental Courts to ensure that the 2002 electoral process was adequately prepared. Among other priorities, the National Electoral Court drew up a detailed electoral timetable, which was duly respected.

Among the activities carried out by the Court, the following should be underscored:

A. DESIGN, PREPARATION AND DISTRIBUTION OF ELECTORAL MATERIAL

The design and preparation of the electoral material and its subsequent distribution from the National Electoral Court to the Departmental Courts was carried out sufficiently ahead of time, even sooner than established in the electoral timetable. To ensure prompt distribution, the National Electoral Court designed software that systematized the cartographic, logistic and organizational material of the Departmental Courts, so that it was able to prepare a route map and a database for future elections.

The material sent by the National Electoral Court to the Departmental Courts was revised, repacked and redistributed to the different districts of the country. There were no cases of problems caused by lack of materials or defects in quality. In some cases, the Departmental Courts themselves transported the material to its final destination. In others, it was collected directly by the notaries of the different electoral districts or voting centers, who assumed responsibility for taking it to the polling stations. Distribution to distant regions was carried out earlier to ensure that it arrived in time.

Regarding the return of electoral material, the plan was that, at the polling station, this would be packed into two types of packages: a secure envelope and a secure bag. The consolidated record of the opening, counting, scrutiny and closure of the vote, and also the master list of voters would be returned in the secure envelope, while the secure bag would be used to send unused material back to the corresponding Departmental Court.

The envelope containing the consolidated record and the master list of voters would be delivered to the respective Departmental Court, which would file this documentation. It is important to note that, in the case of Bolivia, it is particularly important to keep the polling station materials with the ballot papers for 48 hours after election day, because, if the record is contested and the reasons are considered to be sufficiently justified, the vote at that polling station must be held again within the period established by law.

During both the deployment and the return of the electoral material, the National Electoral Court and the Departmental Courts were assisted by the Armed Forces, who provided the security and logistical support needed for the transfer of the material.

The design of the electoral material took into account a series of didactic criteria to facilitate both the voting process and the work of the different electoral officials. The texts were clear and were accompanied by diagrams that clarified the different elements

of the electoral process and emphasized the most important issues. Bearing in mind the possible difficulties faced by poll workers in the regions with lower levels of education in filling in the forms which, by law, are dense and extensive, the Court paid particular attention to the design of the consolidated record, or the official record of the results. Also, the ballot sheets included a series of additional safety measures incorporated specifically for these elections.

It is worth noting that, for these elections, the National Electoral Court also implemented the use of a digital device or Braille lettering for blind voters.

B. THE DATA PROCESSING SYSTEM

The Court has an automated electoral system for consolidating the results. This system, the Electoral Monitoring System (SIMONEL) was developed by the Bolivian company NEOTEC, according to the Court's specifications. It was used in the 1993 general elections, the 1995 municipal elections, the 1997 general elections and the 1999 municipal elections, and is therefore widely known by the electoral officials who work in the data processing area.

The process of counting the votes and transmitting the results started when the electoral records arrived at the Departmental Courts, where members examined them in so-called open courts and in the presence of the delegates of the political parties. The results were entered into the system to be verified subsequently.

As a security measure, access to the system was controlled by an individual code assigned to each of the operators, which meant that if elements in the database were edited or modified, it was possible to identify both the action performed and the person responsible.

When a significant number of records had been received, the data for each polling station were forwarded to the National Electoral Court as a coded file, through a private FTP protocol, and also by e-mail with a file attachment. The Court received the coded file with the partial results and the data from this file were imported into the central database, after a virus scan and verification of the origin of the file, and also confirmation of its authenticity. National consolidation was carried out periodically and the results were transferred to the National Electoral Court's web page.

In order to provide media representatives, political party delegates and observers access to information on the day of the election, the National Electoral Court set up an area with giant screens to project the consolidated

results. From there, it was possible to request electoral reports at the national level, by electoral district, department, province, and even polling station.

C. TRAINING FOR ELECTORAL OFFICIALS, AND VOTER EDUCATION AND GUIDANCE

A cascade system was used as the strategy for training electoral officials. To achieve the training goals and to communicate the Court's objectives and its commitment to conducting efficient and transparent elections, about 100 electoral officials were brought to La Paz; subsequently, they returned to their own regions in order to produce a multiplier effect. In this way, 4,000 electoral notaries, 330 judges and 160,000 poll workers were trained. The Mission was able to observe several training sessions conducted by the National Electoral Court and some of the Departmental Courts in different parts of the country, and it noted the attendance and motivation of participating officials, and that the sessions were well organized and of a high quality.

In the case of voter education and guidance, the National Electoral Court designed an information and motivation campaign during the voter registration stage, which the Departmental Courts implemented throughout the country. The central purpose of this campaign, which was conducted in town squares, parks and distant communities, was to involve the voters in the process, and to reduce absenteeism and abstention rates¹⁰. The campaign resulted in an increase of approximately 1.4 million voters on the electoral registry, and a total of 4,164,909 persons were registered once the list had been purged; this represents 50.34% of Bolivia's total population.

In addition, from April to June, the Courts conducted an information campaign using the national and departmental media and various alternative mediums, such as fairs, caravans and kiosks for distributing educational material in town squares and parks. The Mission observed some of these educational sessions in different regions of the country and, in addition to the sizeable attendance, noted the use of appropriate methods and high-quality educational materials, as well as attentive citizen participation.

The educational material included clear and simple illustrated instruction manuals stressing the most important issues. The National Electoral Court and the Departmental Courts also designed and distributed educational materials in Quechua and Aymara for the respective indigenous populations.

One innovative element of this election was the young volunteers, called "electoral guides", recruited by the National Electoral Court. Their task was to provide

¹⁰ Absenteeism is determined by the difference between the number of citizens over 18 years of age and the number of those who are registered on the electoral registry, while abstention is defined as the difference between the number of persons registered on the electoral registry and the number of those who vote on the day of the election. In the 1997 election, there was 21.76% absenteeism and 28.64% abstention. In the case of abstention, this figure does not necessarily represent the rate of voter participation, since a large proportion of voters who are registered on the electoral registry live abroad.

information on the location of the polling stations in the voting centers, and to accompany those requiring assistance to their polling stations¹¹.

D. REGISTRATION SYSTEM

The electoral registry was delivered to the political parties on May 10 to be revised and audited, after the Court had carried out a general computerized purge. The Court had insufficient time to complete this work, because the reform of the electoral law, adopted by the Congress on April 30, reduced the purging period by 10 days. Consequently, together with the electoral registry purged at that date, the Court decided to deliver the list of homonyms and similar names identified by its data

¹¹ This method was implemented through agreements between the National Electoral Court and several national universities and educational establishments. For identification purposes, the electoral guides received a green shirt and cap, and an armband with the words "Construimos democracia" (We are building democracy).

processing system to the parties to allow them to verify the possible inclusion of voters who were registered twice. Using this information, the parties purged some names and the modifications were subsequently entered into the Court's database.

The process ended on the date set for printing the master lists of voters and the list of those who had been purged, so that they would arrive on time at each of the country's polling stations.

The Mission was able to observe that there are some problems with the voter registration and census system, which prevent the country from possessing a modern, systematized civil registry and electoral registry. They involve the following aspects:

a) The use of two databases (a civil registry and an electoral registry) which operate autonomously and are unconnected;

b) The lack of a sole, electoral identity document that cannot be forged¹².

The obligatory registration of those who can vote before each election; this results in the duplication of names and an increase in spelling mistakes in the voters' data base;

c) The difficulties encountered in purging those who have died from the registries, since the issue of a death certificate costs 47 bolivianos and, for a large segment of the population, this is a significant amount.

Despite these problems, it is worth noting that the Civil Registry database produced by the National Electoral Court has been requested and used by other Government organs quite frequently, as it is the country's most complete source of information on the population. Among other organs, the Superintendency of Banks and the Judiciary have used it.

The Civil Registry. The Bolivian civil registry system is governed by an organic act dating from 1898. This law, which was not brought into force until 1940, put the Civil Registry in the hands of the Catholic Church for many decades. It was only in 1991, that the Civil Registry was transferred to the National Electoral Court.

In order to improve the system, in 1999, the Court obtained the advisory services of a UPD/OAS technical group with which it analyzed and redefined the registration system. In 2000, it began the work of computerizing all birth certificates and also started some reforms that should be concluded in 2003. The team of consultants recommended that, for the 2004 elections, the computerized database on which the civil registry system was based should be

¹² Currently, the electoral registry is fed by information from four identity documents: the consolidated national registry (RUN), the passport, the military service record, and the identity card. In some cases, these lists are not computerized, so that it is extremely difficult to consolidate the information on all the country's electors.

abandoned and a universal system should be adopted that took advantage of the experience of other countries.

Currently, the Court has been working on three aspects that the Mission considered fundamental to improve the Civil Registry:

- a) Allowing children born after January 2002 to be registered free of charge. This policy will reduce the number of unidentified persons or persons without documents in the country, which generates many social problems for an important sector of the population, particularly in rural areas;**
- b) Compiling Civil Registry legislation so as to avoid inconsistencies between the different legal instruments that regulate the operation of the registration system;**
- c) Testing efficient mechanisms to eliminate court procedures in cases of cancellations due to spelling corrections, changes of address or errors in information, so that such registration errors are dealt with through administrative rather than legal channels, thus ensuring that citizens avoid losing time and further bureaucratic procedures.**

It is important to underscore that the Civil Registry has been designed as a database that is autonomous from the electoral registry when it should be the source of the latter.

The Electoral Registry. Owing to the lack of sufficient time to purge the Electoral Registry, the Court was unable to give the political parties and the population an optimal voters' list. In this respect, it should be noted that there are still some shortcomings resulting from the legal framework and, even though they have not affected the transparency of the electoral process, they should be examined in order to make the necessary corrections. They are:

- a) The law requires voters to register before each election and this results in the duplication of names and an increase in spelling mistakes in the voter database;
- b) The law does not grant the National Electoral Court sufficient time to purge the registry, thus reducing the time for manual purging. Consequently, in addition to the electoral registry, the Court handed over to the political parties, a list of homonyms and similar names to enable the political parties to identify possible duplicate entries;
- c) The process of purging those who have died is hampered because the issue of a death certificate costs 47 bolivianos and, as mentioned above, a large segment of the population cannot pay this. Another problem for purging those who have died is the existence of numerous clandestine cemeteries in Bolivia.
- d) There is also some confusion about personal identity documents, because there is still no sole identity document. The fact that the database that is

used for issuing identity cards is not computerized means that, in some cases, more than one person has the same document number or a person is registered more than once.

E. VOTING BY DETAINEES

In order to respect the right to vote embodied in article 220 of the Constitution, for these elections, the Court registered detainees who had not been convicted in all the prisons. To do so, the electoral notaries registered this prison population in February and March, temporarily suspending their registration in their respective polling stations, and allocating them to the electoral district in which the prison where they were detained was located.

Poll workers were elected by drawing lots among the members of the National Police assigned to the electoral districts corresponding to the prisons. They received training from the electoral notaries, so that they could comply adequately with their task.

It is also important to mention that the candidates themselves campaigned in some of the prisons, providing information on their proposals for government and, in particular, their proposals concerning the Bolivian prison system.

F. PARTICIPATION OF WOMEN

During the 2002 elections, the National Electoral Court made a particular point of monitoring that the political parties complied with the provisions of the legislation on the women’s quota, which is explained in detail in Chapter 3.

Accordingly, a member of the Court¹³ was responsible for coordinating with the women’s organizations in Bolivian society to ensure compliance with the law. As a result of meetings with representatives of the Women’s Political Forum and the Association of Women for Equality and Equity (AMUPEI), the full Court adopted a special control procedure for the presentation of lists of candidates for deputies and senators for these elections, called the Z control system (see table).

Z CONTROL SYSTEM			
Deputies		Senators	
Designate	Alternate	Designate	Alternate
Man	Woman	Man	Woman
Man	Woman	Man	Man
Man	Man	Woman	Man
Man	Woman	Man	Man
Man	Woman	Man	Woman
Woman	Man	Man	Woman

Also, in order to monitor automatically compliance with this norm, the Court implemented a computerized system of registering candidates, called SIRCAM, which verified that the Z system controlling the inclusion of women on the list of candidates was observed. The Court allowed the women’s organizations with which it was working to use this tool and they submitted a report to the Court with the following information:

- Of all the multi-nominal designated candidates (542), 176 or 32.45% were women;
- Of all the multi-nominal alternate candidates (517), 240 or 46.42% were women;
- Of all the uninominal designated candidates for deputy (621), 80 or 12.88% were women;
- Of all the uninominal alternate candidates (591), 128 or 21.6% were women.

¹³ Roxana Ivarnegaray.

CHAPTER V. PRE-ELECTION STAGE

The Bolivian elections were characterized by the difficult economic and social situation in which they were held, and also by the existence of an environment of voter dissatisfaction with the traditional parties and political leaders. This dissatisfaction led to significant support for a series of new parties, some of them known as "asystemic" parties. Even though the former Presidents, Gonzalo Sánchez de Lozada and Jaime Paz Zamora, from the so-called traditional parties ended up in the forefront of voter preference, the presidential candidates of the emerging parties, such as Evo Morales of the Movement Toward Socialism, Manfred Reyes Villa of the New Republican Force, and Felipe Quispe of the Pachakuti Indigenous Movement obtained substantial benefits.

The peacefulness of the pre-election climate was perturbed some weeks before the elections by a massive march on La Paz by different indigenous organizations from many parts of the country, which took place with the support of the "anti-system" parties and some sectors of the traditional parties. Among other matters, the marchers demanded various constitutional reforms that many indigenous sectors consider essential for increasing their participation in the decision-taking process. Faced with the possibility that these marches could contribute to destabilizing the elections, the Bolivian Government negotiated a truce in exchange for holding a special session of Congress to review the question of constitutional reform after the elections.

The proposal to create a Constituent Assembly, in particular, has become a central political issue in Bolivia and, undoubtedly, will continue to have an impact on the dynamics of politics after the elections.

A. THE ELECTORAL CAMPAIGN

In general, the last weeks of the pre-election stage were characterized by considerable activity by the political parties and growing interest in politics among the different sectors of society. Even though there were a few cases of strong verbal attacks among the parties, this situation did not affect the normal evolution of the electoral campaign.

One factor that had an impact on the dynamics of the electoral campaign shortly before the elections was the statement made by the United States Ambassador to Bolivia during the inauguration of the El Chapare airport, when he said that "if [the Bolivians] elect those who want Bolivia to become a major cocaine exporter again, this will endanger the future of U.S. assistance to Bolivia," referring specifically to technical cooperation and Bolivian access to the United States petroleum and textile markets.

The Ambassador's comments were widely interpreted as being addressed to the leader of the coca farmers and presidential candidate for the Movement Toward Socialism, Evo Morales. Consequently, some sectors considered that they constituted interference in Bolivia's internal affairs, and this caused strong reactions from both the political sector and the National Electoral Court. The latter made a public statement requesting the Ministry of Foreign Affairs to summon the Ambassador to provide an explanation in order to avoid a recurrence of the situation, since it considered that the statement affected the evolution of the electoral process.

B. THE CONCERNS OF THE POLITICAL PARTIES

As explained in section 2 of this report, as part of its observation task during the pre-election period, the Mission visited almost all the presidential candidates in order to learn their opinions about the conduct of the electoral process, and obtain information about any corresponding concerns.

Among other matters, those interviewed underscored the issues of party financing; the effectiveness of the National Electoral Court; the situation of the electoral registry; the possibility of the illegal entry of voters across the borders with Brazil; the access of the candidates to some regions of the country that were dominated by other candidates, and the role of the media.

Financing. Most of the presidential candidates interviewed by the Mission, particularly those from the smallest parties, identified the question of the financing of the political parties as one of the fundamental issues of the electoral process. Among other criticisms, those interviewed mentioned the following:

- The current financing system is unfair, since the distribution of funds is based on the results of the preceding elections, which penalizes new and smaller parties;

- **Despite the provisions of the law, the current system does not stipulate limits to campaign expenses or require the public dissemination of financing sources, so that it does not ensure the transparency of the process;**

- The absence of limits to private financing further increases inequality, as it allows certain parties to benefit from sizeable resources from the country's most powerful sectors;

- **The costs of publicity in the electronic media are extremely high, which penalizes the smaller parties that have fewer resources;**

- **The system does not require the candidates to make public the amount of their personal worth, despite the growing pressure for greater transparency by civil society;**

Confidence in the electoral officials. Almost all those interviewed agreed that the members of the National Electoral Court were exemplary, even though they had little experience in the organization and management of electoral processes. In the opinion of those interviewed, the handling of the case of the candidate, Johnny Fernández (see point 5.4 below, "Electoral complaints") had the effect of weakening the Court's authority. However, most agreed that the Court had done a good job in areas related to electoral organization, such as the design of the official records and ballot papers, the planning of the electoral logistics, and the delivery of materials.

The electoral registry. Several of those interviewed expressed concerns about the situation of the electoral registry. They mentioned that there were many problems due to the duplication of names and other errors that could lead to double voting and inflate abstention figures.

The illegal transfer of voters. Some of those interviewed were concerned about the possibility of the illegal transfer of voters from neighboring countries, particularly in the border zones with Brazil.

Access to the different parts of the country by the candidates. One of those interviewed expressed concern about what he defined as the "lack of access" to one of the country's regions that was dominated by another of the candidates.

Access to the media and its role. Several of those interviewed stressed the preponderant role of the mass media in these elections as a new and more prevalent phenomenon in comparison with previous electoral processes. Among other aspects, they pointed to the effect of the ownership of the media, the strong presence of representatives of the media among the candidates to senior elective positions and the difficult access to the media, particularly for the smaller parties with limited resources.

C. ELECTORAL COMPLAINTS

The Mission was aware of a total of 24 complaints submitted to the National Electoral Court during the pre-election stage. Of these, 20 referred to demands to disqualify candidates and four to errors in updating the electoral registry for the departments of Pando, Santa Cruz, Sucre and Beni. It is worth noting that all these complaints were duly processed and settled.

Among the complaints submitted to the National Electoral Court, the demand to disqualify Johnny Fernández Saucedo and Henry Alex Fernández Hurtado, candidates for the presidency and uninominal deputy, respectively, for the Solidarity Civic Unity party, filed by the National Taxation Service, for alleged non-compliance with fiscal obligations, stands out. The National Electoral Court decided the complaint by disqualifying the candidates. However, the latter filed an amparo proceeding before the Constitutional Court, which decided to annul the disqualification decided by the National Electoral Court. This ruling was interpreted by numerous sectors as weakening the authority and independence that the Court required in order to conduct and organize the electoral process.

Among the complaints presented to the Mission, one of the most important was the complaint submitted by the candidate to the presidency of the Movement Toward Socialism, Evo Morales Ayma, in relation to the alleged statement about his candidacy made by the United States Ambassador to Bolivia. According to the complaint document, the statement made by the diplomat constituted "unacceptable foreign

interference." As explained in the preceding point, the Court had already expressed its position with regard to the facts described, and had requested the involvement of the Ministry of Foreign Affairs. In response to the Court's request, the latter also issued a communiqué in which it stated that the United States Ambassador had indicated personally to the Minister of Foreign Affairs that he had not intended to interfere in Bolivia's internal political affairs or in issues linked to the electoral process. In view of the foregoing, the Mission considered that the case was closed.

Other complaints. In addition to the complaints mentioned above, on June 26, the Mission received a complaint submitted by the Association of the Next of Kin of the Detained, Disappeared and Martyrs for National Liberation (ASOFAMD), which stated that, at that date, the Court had still not decided on a complaint filed by the New Republican Force (NFR) against the Association, owing to the televised broadcast of a publicity spot which, in the party's opinion, constituted libelous propaganda against the candidate, Manfred Reyes Villa. The Mission forwarded the complaint to the electoral authority, which informed the Mission that, on June 25, it had issued a ruling in which it decided to reject the complaint, since it considered that it was not competent to hear the matter.

D. MEDIA COVERAGE OF THE ELECTORAL PROCESS

During the weeks before the election, both the press, and television and radio gave broad coverage to the electoral process and the political debate. The newspapers with the most widespread national distribution prepared special supplements devoted to the electoral campaign. Most of the television and radio channels broadcast regular and special programs covering the most important campaign issues.

In political terms, during the first weeks of June, coverage was focused on the evolution of a series of marches on La Paz by indigenous populations to promote various demands; it had started some weeks previously in the departments of Santa Cruz, Cochabamba, Potosí and Chuquisaca. Most of the media speculated that these marches might hamper the normal development of the electoral process, since, according to articles published during this period, they would be approaching the capital at the end of June. However, none of the marches achieved their objective of reaching the capital, because, at different points of their route, all those involved negotiated agreements with the authorities to return to their lands. Two of the marches, including the most

numerous, with about 1,500 indigenous people, did this on June 13, and the others during the second half of the month.

Another event that attracted media attention was the disqualification and subsequent reincorporation into the electoral process of the presidential candidate, Johnny Fernández, of the Solidarity Civic Unity party. As explained above, this candidate had been disqualified from the process by a decision of the National Electoral Court, which was subsequently revoked by the Constitutional Court.

The debates between the different candidates constituted another important focus of attention for the press. At the beginning of June, the candidates to whom opinion polls gave the greatest electoral support, Gonzalo Sánchez de Losada and Manfred Reyes Villa, agreed to take part in a televised debate, which was broadcast on June 16.

The La Paz Journalists Association organized a three-stage debate for all the presidential candidates. The distribution was established on the basis of the most widespread electoral opinion polls. Based on this criterion, the candidates who had been mentioned least in those polls had to participate on the first two days, while the three candidates with most support debated on the third day, Sunday, June 23. Since the candidates who should have participated on the first day rejected this criterion, the four candidates who were present abandoned the debate. Subsequently, only one of the four invited candidates attended the second debate. The third debate was the only one where the three invited candidates participated and it obtained extensive coverage. However, the partial failure of the invitation had widespread repercussions in the media.

In general, press and television coverage during the last week in June reflected the intensification of the electoral campaign. The negative messages and the attack and slander campaigns were stronger during this period. Another issue that received extensive coverage during this final period was the statement of the United States Ambassador mentioned at the beginning of this chapter.

CHAPTER VI. THE DAY OF THE ELECTIONS

The Mission observed the conduct of the elections in eight of the country's departments and visited more than 1,500 polling stations. The observers verified the organization of the elections by the National Electoral Court and the Departmental Courts and also compliance with the norms guaranteeing the right to vote.

The Mission observed that the elections were carried out in a normal manner, in a peaceful, transparent, free and secure environment. Bolivian voters turned out to vote in vast numbers and exercised their right to vote freely and in secret, demonstrating an exemplary degree of public spirit and democratic awareness, even in the polling stations where there was a delay in the start of the voting process.

The observation gave preference to the following elements:

A. OBSERVATION OF TECHNICAL AND ADMINISTRATIVE ELEMENTS ON THE DAY OF THE ELECTIONS

Receipt of materials. In most of the polling stations that were observed, the material arrived on time and in full. When there were shortfalls, this was resolved promptly by personnel from the Court.

Installation and opening of polling stations. The Mission observed that the process of the installation and opening of the polling stations was normal. In some cases, however, delays were noted in the installation process and thus the average opening time was between 8.30 and 9 a.m.

Secrecy of the vote. Although in some cases a lack of screens or various shortcomings in the installation of the enclosed area was noted, in all the cases observed by the Mission, the right to a secret vote was duly respected.

Poll workers. In the majority of polling stations visited, the designated poll workers presented themselves to carry out their duties. In all cases, they showed a high level of responsibility and dedication, fully carrying out their assigned tasks, even though, in some cases, they were not adequately prepared.

Party delegates. Delegates from the different parties were observed at all the polling stations visited. They were duly identified and carried out their tasks in accordance with the established procedures.

Law enforcement at voting centers. The Mission observers noted the presence of law enforcement officials at most voting centers. Their presence was discreet and they limited themselves to carrying out their specific duties normally.

Voter guidance. The Mission observers verified that most polling places had Electoral Guides, who were dedicated and knowledgeable in carrying out their tasks.

Closing of polls and counting of votes. In general, the voting concluded within the timeframe set by law. Only in some exceptional cases did polling stations close after 9 p.m. The counting of votes proceeded normally, and the presence of party delegates was noted at all polling stations. The free access of the population to the places where the votes were counted generated an atmosphere of transparency and legitimacy, giving those present the opportunity to witness directly the mechanisms and procedures that constitute democratic participation.

B. VOTING IN PRISON CENTERS AND OBSERVATION IN BORDER AREAS

The Mission also observed the voting process in the Chonchocorro and Palmasola prisons, located in the departments of La Paz and Santa Cruz, respectively. Even though it was only the second time that this had been done in Bolivia, the Mission could observe that the voting process, which took place under the responsibility of poll workers appointed from among the members of the National Police, was conducted in an orderly fashion and strictly in accordance with the legal procedures.

C. ILLEGAL TRANSFER OF VOTERS

Responding to concerns about the possibility of the illegal transfer of voters from neighboring countries, the Mission sent a group of observers to the department of Pando, in the border zone with Brazil. The delegates of the Mission observed that voting in this area was conducted normally, without incidents or complaints concerning illegal displacements of voters from the neighboring country.

D. MEDIA COVERAGE

Over and above a few minor allusions, the media coverage on the day of the elections was generally positive and optimistic, characterized by its emphasis on the massive voter turnout.

Once voting concluded, attention focused on the television channels, which assumed the task of broadcasting exit polls after 6 p.m. and electoral projections, based on the results of the count in the polling stations, starting early in the evening. There was some criticism about the absence of official projections of the election results by the National Electoral Court, because several presidential candidates made declarations as of 10 p.m., based on information broadcast by the media.

Starting the following day, discussions focused on the possibilities of forming a government, in the light of the composition of the new Congress, and also on the surprising electoral support achieved by Evo Morales, as well as speculation about the possible impact on this of the United States Ambassador's statement the previous week.

E. THE VOTE COUNT

The process of counting the votes in the National Electoral Court was conducted in an orderly manner and in the presence of the delegates of all the parties participating in the elections. The latter carefully monitored each of the procedures carried out here, and validated all the counted records with their signatures. Even though this procedure contributed to the delay in the announcement of the official figures, it gave the process greater transparency and legitimacy.

CHAPTER VII. THE POST-ELECTION STAGE

The post-election stage was characterized, among other matters, by the existence of a atmosphere of uncertainty about the election results, owing principally to the scant difference in valid votes for the three political parties who received most votes. The fact that, despite this, the political parties and the general population waited for the official election results peacefully is an eloquent illustration of the civic maturity of the Bolivians.

To demonstrate the normality with which voting was conducted, it is worth stressing that the political parties did not exercise their right to contest the proceedings at any of the polling stations throughout the country at any stage of the post-election process. Thus, the period established by law to receive appeals expired without any complaints having been registered in this respect.

A. THE ANNOUNCEMENT OF THE ELECTION RESULTS

As indicated in the preceding point, at the end of the election day the different media began to broadcast a series of projections about the results. Even though they reflected differences as to the alleged winner of the election, they all projected very close results among the main candidates. This trend was confirmed in the following hours, as the partial official results were announced and it was confirmed that none of the candidates would obtain an absolute majority of votes for president, so that the task of deciding who would be the new president of Bolivia would fall to Congress.

Despite the lack of sufficient official information, as of 10 p.m. on the day of the elections, some of the presidential candidates made declarations about the result of the elections, based on information provided by the media. Given the uncertainty created by this situation, and the controversy that was arising concerning the relative absence of official results, the Mission urged the political parties and the population in general to wait calmly for these to be announced. The Mission's communiqué indicated that the results provided by the National Electoral Court would be the only reliable measure of the will of the Bolivian people, and it added that the National Electoral Court had acted "correctly and responsibly by not making projections before receiving the official results from the different departments."

B. OBJECTIONS

The deadline granted to the parties and political alliances to contest the official records of the scrutiny and count concluded at 7 p.m. on July 2. At that time, the National Electoral Court informed the Mission that the Departmental Courts had not received ratification of any cases of objection to the official records of the vote scrutiny and count.

C. COMPLAINTS

On July 11, the Mission received a complaint from the New Republican Force (NFR) about the existence of alleged irregularities in the figures contained in the official reports issued by the National Electoral Court, citing an alleged manipulation of the official records of the count during the process of transcribing the original records. On July 18, a copy of the complaint that this party had submitted to the National Electoral Court was received; it requested a data processing audit and a manual count of all the votes. This complaint was communicated to the Court, and it was verified that the Court had duly examined it and taken a decision, as indicated in Resolution 159-200214. On July 9, the Court had issued an official communiqué clarifying the problem of the errors found on the web page and in the operation of the data processing system.

On July 18, the Mission received a complaint from the Freedom and Justice party concerning the existence of alleged shortcomings in different aspects of the Bolivian electoral system, and also a copy of a document presented to the Court officials requesting access to all public information related to the elections. These complaints were duly examined and taken into account by the Mission and forwarded to the Court for consideration.

D. THE OFFICIAL ELECTION RESULTS

On July 9, the National Electoral Court finalized the count of 100% of the polling stations, placing the Nationalist Revolutionary Movement (MNR) of Gonzalo Sánchez de Lozada in first place with 22.46% of the valid votes, followed by the Movement Toward Socialism (MAS) of Evo Morales Ayma with 20.94%.

CHAPTER VIII. CONCLUSIONS AND RECOMMENDATIONS

On June 30, the Bolivian people once again showed their civic maturity by turning out in large numbers to vote for their preferred political option in a general environment of peacefulness and democratic harmony. This attitude reaffirms, before

14 This resolution declared without grounds the complaint concerning the manipulation of data processing made by the New Republic Force (NFR) political party and recognized the existence of a minor programming problem in the design of the Court's web site, which caused "the transposition of the results published on the Internet for Multi-nominal Deputies and Uninominal Deputies, without modifying the preliminary and partial results at the national and departmental level or by uninominal electoral district."

the international community, the Bolivian people's commitment to the highest democratic ideals embodied in the Inter-American Democratic Charter.

The Bolivian electoral institutions also demonstrated their capacity and efficiency in the orderly, transparent and clean conduct of the electoral process, strengthening their institutional role and the credibility of the entire electoral system.

However, in order to help improve the basic conditions in which electoral processes are conducted in Bolivia, as well as the technical and logistic elements, the Mission drew up a series of recommendations, which appear below.

System for transmitting the results. To enable the population to receive the official results of the vote more promptly without compromising their reliability, the Mission recommends that, in future elections, the National Electoral Court should consider taking advantage of the existence of new technologies to implement a system to automate the vote or for rapid transmission of the preliminary electoral results.

Electoral registry. The electoral registry has certain inconsistencies, partly because of the simultaneous existence of two databases (civil registry and electoral registry). Current legislation maintains these databases separate, which leads to difficulties in purging them. The Mission considers that improvement of the electoral registry should be considered a priority, and recommends that the competent authorities consider the possibility of restructuring the current civil registry system in order to have a purged, photographic and systematized registry, and also a sole voter document that cannot be forged.

Civil Registry. As mentioned in the section of the report on the civil registry and the electoral registry, the Mission recommends considering the adoption of a sole Civil Registry from which would be the source of the electoral registry; this would also facilitate data processing. It also suggests that the development of an electoral information system should be considered, based on a program that offers efficiency and effectiveness, including the respective training of information technology personnel in the new technologies that are adopted. An expert should be appointed to monitor and update constantly the state-of-the-art tools for the protection and security of the communication network so that use of the system is never frozen. Lastly, it recommends that an operational unit should be created between the National Electoral Court's Data Processing Department and the Data Processing Departments of the Departmental Courts.

Party financing. In the light of the concerns expressed to the Mission by many candidates to the presidency and other political actors on the topic of party and campaign financing, the Mission recommends considering the inclusion of more specific measures in the Political Parties Act, so as to ensure greater control of the funds raised and spent by the political parties. Even

though the legislation establishes some restrictions on the sources of party funding, the Legislature should consider reforming the law on the following aspects:

- a) The requirement that political parties make public their sources of financing using a uniform and verifiable method;**

- b) The establishment of reasonable, verifiable limits to campaign expenses; and,**

- c) The requirement that candidates for a public position should make a sworn statement on their net worth before the Office of the Comptroller General and the need for this office to have a verification system that includes the accounts and assets that candidates may own abroad.**

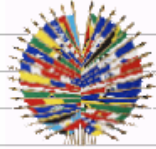
The media. With regard to access to the media and the costs of party propaganda during electoral campaigns, as well as other elements relating to the role of the media in the electoral context, which several sectors mentioned to the Mission as causes for concern, it is recommended that

civil society and the parties hold extensive discussions on the subject in order to design a fairer system and, in particular, to establish a way in which all the parties can have reasonable access to the media during campaigns.

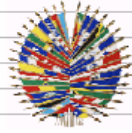
Non-appealable nature of the Court's decisions: Considering the need to strengthen the autonomy and independence of the National Electoral Court, the Mission recommends that the National Congress should duly consider the draft interpretative law for articles 28 and 193 of the Electoral Code on the non-appealable nature of the Court's decisions on disqualifications, submitted by that institution on June 13, 2002.

Political dialogue about the electoral system: Bearing in mind the progress achieved towards affirming and strengthening democracy over the last 20 years, the Mission recommends that the National Electoral Court should consider the possibility of initiating a process of dialogue with the political parties, State institutions and civil society organizations about the characteristics and nature of the Bolivian electoral system in order to discuss possible adjustments to improve it.

CHAPTER IX. FINANCIAL REPORT

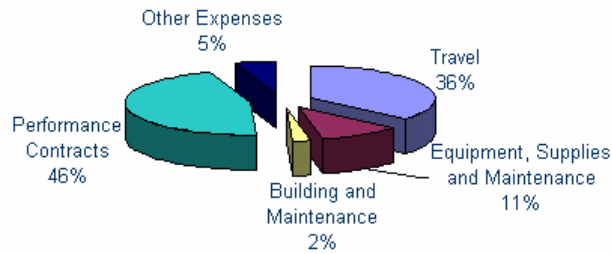
ORGANIZATION OF AMERICAN STATES			
UNIT FOR THE PROMOTION OF DEMOCRACY			
			
Electoral Observation Mission in Bolivia -2002			
STATEMENT OF CHANGES IN FUND BALANCE			
From Inception (June 01, 2002) to September 30, 2002			
Increases			
<i>Contributions</i>			
	<i>United States</i>	\$ 100,000	
	<i>Sweden</i>	52,657	
	Total Increases		\$ 152,657
Decreases			
<i>Expenditures</i>			
	Travel	40,882	
	Equipment, Supplies and Maintenance	12,409	
	Building and Maintenance	2,591	
	Performance Contracts	51,707	
	Other Expenses	5,876	
	Total Decreases		113,465
Net change during period			39,192
Unliquidated Obligations			3,977
Fund balance at end of period			\$ 35,214
<i>Obligations Pending Approval</i>			31,078 ⁽¹⁾
Adjusted Fund Balance			\$ 4,136
Certified by: Javier Goldin, Chief Financial Reporting and Policy Division Department of Financial Services			Project UPD-BOM/019
(1) Obligations in the process to be approved. In case Obligations are not approved, fund balance will remain as shown above.			

ORGANIZATION OF AMERICAN STATES



**Electoral Observation Mission in Bolivia -2002
From Inception (June 01, 2002) to September 30, 2002**

Expenditure Composition by Object of Expense



DESCRIPTION OF OBJECTS OF EXPENDITURE

National and International Travel - Expenditures related to travel and per diem expenses for international supervision, control administration, as well as local travel and contracted personnel for internal program administration.

Equipment, Supplies and Maintenance - This category includes: a) fuel, lubricant, insurance, and vehicle maintenance; b) helicopter services related costs; c) field equipment, and supplies (tents, electric generators, cook items, medical supplies, and com

Building & Maintenance - Includes repairs and maintenance for fixed installations of the office (and field camps), as well as rent and service payments such as water, electricity and communication costs.

Performance Contracts - This category includes: a) local contracts for administrative, security, drivers personnel, and translation services; b) international contracts in the field and at headquarters-OAS; c) life and health insurance for both internatio

Other Expenses - Shipping costs, customs fees, petty cash, advances, exchange rate difference and miscellaneous expenses.

APPENDICES

APPENDIX I
LIST OF OBSERVERS

OAS ELECTORAL OBSERVATION MISSION
GENERAL ELECTIONS IN BOLIVIA 2002

No.	NAME
1	Elizabeth Spehar
2	Marcelo Alvarez
3	Carla Vaccarella
4	Janelle Conaway
5	Betilde Muñoz
6	Vivian Sánchez
7	Dante Escobar
8	Graeme Clark
9	Hector Vanolli
10	Blanche Arévalo
11	Fatima Nicoletti
12	Roberto Izurieta
13	Ana María Villarreal
14	Carlos Vogel
15	Diego Paz
16	Luc Lapointe
17	Yamileth Berúdez
18	Bernice Robertson
19	Magdalena Cabrera
20	Carlos Urbieto
21	Claudio Valencia
22	Edwin Armendaris
23	Miriam Palomino
24	Kimberley Ferguson
25	Marta Samper
26	Ernesto Mondelo
27	Fernando Amado
28	María Angélica Gomes
29	Diddie Schaaf
30	Francesca Bernabei
31	María Roldán
32	Maurice Manco
33	Emmanuel Hondrat
34	Bertrand Jolas

No.	NAME
35	Luis Narváez
36	Derrick Olsen
37	Raphael Metzger
38	Lisa Magno
39	José Garzón
40	Melanie Medina
41	Mark Wells
42	Chris McClung
43	Crystal Smith
44	Nicole Chappell
45	Ken Wiegand
46	Teresa Wiegand
47	Oswaldo Del Hoyo
48	Arnold Garcia
49	Kerri Hannan
50	Judy Hannan
51	Amy Firestone
52	Lisa Peterson
53	James Irish
54	Donna Lee Van Cott



June 18, 2002

DEPLOYMENT OF THE OAS ELECTORAL OBSERVATION MISSION

Following the signature of an agreement on procedures with the officials of the National Electoral Court, the Electoral Observation Mission of the Organization of American States (OAS) began its observation activities for the current Bolivian electoral process. The mission, headed by Elizabeth Spehar, Executive Coordinator of the Unit for the Promotion of Democracy, was deployed following an invitation addressed to the OAS Secretary General, Cesar Gaviria, by the Bolivian Government, with the Court's agreement.

The mission's specific objectives are: (1) to cooperate with Bolivian Government, electoral and party officials, and also the general public to ensure the transparency, impartiality and reliability of the elections; (2) to contribute to strengthening public confidence and to encourage voter participation; (3) to discourage possible attempts to manipulate the electoral process; (4) to show the solidarity of the inter-American community of nations with Bolivia democracy, and (5) to make recommendations to help improve Bolivia's electoral system.

While in Bolivia, the Mission will observe elements related to the pre-election stage (including the election campaign, preparation and organization of the electoral process, the voting system, the data processing system, and the system for transmitting results); the election itself (including the vote, the transmission of results and the regional and national vote count), and the post-election stage (including the total vote count and the announcement of the final outcome). The results of the observation will be shared with the Bolivian Government and people and submitted to the OAS Secretary General, who will present them to the Permanent Council.

While fulfilling their tasks, the members of the Mission will be in continuous contact with the participants in the electoral process so that they can acquaint themselves with it, gather specific information, and be available to hear concerns and complaints. In accordance with the guidelines for OAS electoral observation, and the provisions of the agreement on procedures signed with the electoral authorities, the complaints received in the Mission's offices will be brought to the attention of the relevant national authorities. As part of its observation work, the Mission will monitor the legal procedure used to deal with such complaints. Also, if necessary, the Mission will be able to facilitate dialogue, rapprochement and consensus building with regard to any differences that might arise between the various participants in the process.

The mission will consist of 17 international observers who are knowledgeable in the different aspects of the electoral process. This group will be joined by a group of approximately 30 voluntary observers, who are attached to diplomatic missions and international organizations with offices in Bolivia. The observers will be assigned to five subregional offices, in La Paz, Cochabamba, Santa Cruz, Tarija, and Sucre, so as to cover as much territory as possible.

OAS electoral observation is based on the unwaivable commitment of member States to the promotion, defense and effective exercise of representative democracy. These principles were reaffirmed in the recently approved Inter-American Democratic Charter. The States have entrusted the Secretary General of the Organization with the function of electoral observation as one of the principal tools for collaborating with them in the fulfillment of this commitment.

In this context, the OAS has observed approximately 70 elections since 1990 in most of the countries in the hemisphere, including the 1997 Bolivian electoral process. The most recent mission took place in Colombia in May, and the next one will take place in Ecuador in October.



June 28, 2002

OAS CALLS ON BOLIVIANS TO GO TO THE POLLS

The Electoral Observation Mission of the Organization of American States (OAS) urges the Bolivian people to turn out in full force on Sunday to exercise freely their right to vote for the candidates of their choice.

The Mission has full confidence in the democratic values of the Bolivian people and in the maturity of the political parties, and trusts that the elections will be carried out as planned by the electoral authorities and in accordance with Bolivian law.

The Mission also urges poll workers to carry out their civic responsibility and arrive at the voting centers at the time indicated in the electoral regulations.

The Mission makes special note of the efforts undertaken by the authorities and staff of the National Electoral Court and the Departmental Courts, who have worked tirelessly to ensure that the process is secure, transparent and reliable.

During the coming hours, the OAS Mission, made up of 60 observers from 20 countries, will continue following all aspects of the electoral process throughout the country. The Mission has established regional offices in five cities: La Paz, Sucre, Cochabamba, Santa Cruz and Tarija.



July 1, 2002

OAS CONGRATULATES THE BOLIVIAN PEOPLE FOR THEIR CIVIC VALUES

The Electoral Observation Mission of the Organization of American States (OAS) congratulates the Bolivian people for having demonstrated once again their civic values and commitment to democracy by exercising the right to vote peacefully and enthusiastically on June 30.

The Mission, made up of more than 50 international observers, had a presence in eight of the country's departments and visited more than 1,500 polling stations throughout the day. The observers verified the organization of the elections by the National Electoral Court and Departmental Courts, and also compliance with the norms guaranteeing the right to vote.

The Mission observed that the elections were carried out in a normal manner, in a peaceful, transparent, free and secure environment. Bolivian men and women exercised their right to vote freely and in secret.

Given that the official results of the elections are not yet available, the Electoral Observation Mission urges the political parties and the population in general to wait for the results, which will be made public in due time by the National Electoral Court. Those results will be the only reliable measure of the will of the Bolivian people. It is worth noting that current Bolivian law gives priority to certainty over speed in releasing electoral data. Therefore, the National Court has acted correctly and responsibly by not making projections before receiving the official results from the different departments.

As far as election day is concerned, voters went to the polls in great numbers and showed admirable patience and civic spirit, even in those polling stations that opened behind schedule. The observation activities focused on several areas:

Receipt of materials. In most of the polling stations that were observed, the material arrived on time and in full. When there were shortfalls, these were resolved promptly by personnel from the Court.

Installation and opening of polling stations. The Mission observed that the process of the installation and opening of the polling stations was normal. In some cases, however, delays were noted in the installation process and thus the average opening time was between 8.30 and 9 a.m.

Secrecy of the vote. Although in some cases a lack of screens or shortcomings in the installation of the enclosed area was noted, in all the cases observed by the Mission, the right to a secret vote was duly respected.

Poll workers. In the majority of polling stations visited, the designated poll workers presented themselves to carry out their duties. In all cases, they showed a high level of responsibility and dedication, fully carrying out their assigned tasks.

Party delegates. Delegates from the different parties were observed at all the polling stations visited. They were duly identified and carried out their tasks in accordance with the established procedures.

Law enforcement at voting centers. The Mission observers noted the presence of law enforcement officials at most voting centers. Their presence was discreet and they limited themselves to carrying out their duties.

Voter guidance. The Mission observers verified that most polling places had Electoral Guides, who were dedicated and knowledgeable in carrying out their tasks.

Closing of polls and counting of votes. In general, the voting concluded within the timeframe set by law. Only in some exceptional cases did polling stations close after 9 p.m. The counting of votes proceeded normally, and the presence of party delegates was noted at all polling places. The free access of citizens to the places where the votes were counted generated an atmosphere of transparency and legitimacy, giving those present the opportunity to witness directly the mechanisms and procedures that constitute democratic participation.

The Mission recognizes the National Electoral Court's commitment and its hard work to conduct this process under optimum conditions. This effort has been fully corroborated by the Mission since its arrival in the country.

At the same time, the Mission has observed some difficulties which, while not affecting the transparency of the process, can be borne in mind in order to improve it. The electoral registry, for example, has certain inconsistencies, partly because of the simultaneous existence of two databases (civil registry and electoral registry). The OAS Mission believes that the modernization of the electoral registry should be considered a priority. These and other recommendations will be presented shortly in the Chief of Mission's preliminary report. The Mission will continue receiving and analyzing information gathered by the observers and following up on any situation related to the post-electoral process.

The OAS Observation Mission thanks the poll workers and authorities for the courtesies and cooperation received while carrying out its activities, and congratulates the candidates for carrying out a demanding campaign with respect and tolerance.



ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
Misión de Observación Electoral
La Paz, Bolivia
Elecciones Generales del 30 de junio de 2002

PRESS COMMUNIQUÉ

(C-00/04)

July 12, 2002

This morning, in La Paz, Bolivia, the Electoral Organization Mission of the Organization of American States for the 2002 Bolivian general elections (EOM-OAS/BOL) issued the Chief of Mission's preliminary report on the conduct of the electoral process, which culminated in the announcement of the official results by the National Electoral Court. It includes a description of the activities carried out by the members of the Mission during the pre-election, election and post-election stages and also some conclusions and recommendations to contribute to the process of improving the electoral system, which will be described in detail and expanded in the final report to be submitted in a few weeks time.

Among other matters, the report emphasizes the important and efficient work of the National Electoral Court and the Departmental Courts to ensure adequate preparation of the electoral process; this was corroborated by the satisfactory conduct of the voting on June 30 and the subsequent vote scrutiny and count, and also the high civic and democratic values of the population, who peacefully but decidedly turned out to vote in large numbers. Accordingly, the report concludes by underscoring that the day of the elections reaffirmed "the commitment of the Bolivian people to the highest democratic principles," while it confirms that "the Bolivian electoral institutions have demonstrated their efficiency and their ability to conduct elections in an orderly, transparent and clean manner, strengthening their institutional role and thereby reinforcing the credibility of the whole electoral system."

In recent days, there have been some complaints about the processing of the electoral results, and the Mission will look at this issue in more detail in their final report. However, the Electoral Observation Mission takes advantage of the publication of this preliminary document to state that, during its time in Bolivia, it maintained a constant presence in the Court's offices and during the counting process, and was able to attest to the care, professionalism and reliability with which it was conducted, and also to the watchful presence of numerous party delegates. The OAS Mission has also observed that the data processing system complies with the required specifications for reliability, and stresses the transparency and security measures that it incorporates.

Concerning a specific complaint about an alleged manipulation of the data processing of the preliminary departmental and national results of the vote, the Mission has followed up on how this complaint is being handled by the National Electoral Court and confirms that, yesterday, the Court issued resolution No. 159/2002, which clearly explains what happened, affirms that there was no data processing manipulation and states that the complaint was therefore not justified. In the Mission's opinion, this satisfactorily concludes consideration of the complaint.

Lastly, EOM-OAS/BOL wishes to advise that the Chief of Mission was invited to appear before OAS Permanent Council yesterday to give a preliminary oral report of the Mission's observations and conclusions and to inform the delegates of the 35 member States of the contents of the preliminary document. On behalf of the Permanent Council, the President congratulated the Bolivian people for once again carrying out a clean, transparent electoral process and for their commitment to democracy.

In conclusion, the OAS Electoral Observation Mission would like to reiterate its continued support for and interest in the Bolivian electoral process, which has reached a successful conclusion.