



OEA/Ser.G
CP/doc.3691/03
5 February 2003
Original: Spanish

**REPORT ON THE ELECTORAL OBSERVATION MISSION
GENERAL, CONGRESSIONAL AND MUNICIPAL ELECTIONS
IN DOMINICAN REPUBLIC - 2002**

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



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

SG/UPD-120/03

January 31, 2003

Excellency:

I have the honor of addressing Your Excellency to transmit the report on the electoral observation mission relating to the regular general congressional and municipal elections held in the Dominican Republic on May 16, 2002, and to request that you kindly arrange for its distribution to the members of the Permanent Council.

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

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

His Excellency
Arturo Duarte
Ambassador, Permanent Representative of Guatemala
Chair of the Permanent Council of the
Organization of American States
Washington, D.C.

ORGANIZATION OF AMERICAN STATES

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IN THE DOMINICAN REPUBLIC
2002**

Unit for the Promotion of Democracy

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CHAPTER I - BACKGROUND TO AND JUSTIFICATION FOR THE ESTABLISHMENT OF THE OBSERVATION MISSION

In connection with the holding of regular general congressional and municipal elections in the Dominican Republic on May 16 and March 20, 2002, the Secretary General of the OAS received from the Central Election Board (JCE) an invitation endorsed by the Dominican Government to observe the electoral process.

The Secretary General of the OAS responded favorably to the invitation and appointed the Senior Specialist of the Unit for the Promotion of Democracy of the OAS, Diego Paz Bustamante, Chief of the Electoral Observation Mission (EOM).

In fulfillment of the Mission of the Secretary General of the OAS and in accordance with the provisions of Title V of the Inter-American Democratic Charter, which requires that a preliminary mission be sent before an electoral observation mission is established to assess the conditions under which the process is taking place and to coordinate arrangements for the proper constitution and financing of the mission, the Chief of Mission, accompanied by two electoral experts, visited the Dominican Republic from April 30 to May 2.

Based on the premise that the consolidation of democracy in the Americas poses the challenge of deepening and strengthening the system, the Inter-American Democratic Charter states in its Article 3 that essential elements of representative democracy include, inter alia, the holding of periodic, free and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people; and in its Articles 23 and 24, it provides that "...Member states, in the exercise of their sovereignty, may request that the Organization of American States provide advisory services or assistance for strengthening and developing their electoral institutions and processes, including sending preliminary missions for that purpose" and that "...the Organization shall ensure that these missions are effective and independent and shall provide them with the necessary resources for that purpose".

Consequently, and as a result of the initiatives undertaken by the Unit for the Promotion of Democracy and by the Preliminary Mission referred to above, the necessary resources for the financing of the Mission were obtained from the Governments of Brazil and the United States of America. (See budget report in Appendix 1).

THE ELECTORAL OBSERVATION MISSION

1. Objectives of the Mission

The Mission sought to fulfill the main objective of an OAS Electoral Observation Mission, which is to accompany the Member State issuing the invitation to observe an electoral process and to verify that the process is conducted in accordance with international standards of legitimacy and transparency. In pursuit of that objective, the Mission undertook the following tasks:

a. Observation, analysis and monitoring of the overall process

This task is carried out on the understanding that an electoral process is not limited to the day of the elections, but extends to the pre- and post-election period. It is in the pre-election period that the rules and conditions for an election process are really established and that is why OAS Observation Missions verify in advance the guarantees that the country offers for freedom of the press, the non-use of state funds in election campaigns or in social programs that can be used as coercive mechanisms etc. The visits of the preliminary mission therefore assume particular importance, since they permit the views of the various agents participating in the process to be known before the process itself begins and the work of the mission to be structured on the basis of this direct evaluation. Accordingly, thanks to the Preliminary Mission to the Dominican Republic, it was possible to obtain the necessary elements for this prior analysis and to note at the same time the confidence of the competing political actors, civil society and the communications media in the preparatory work for the elections that was done by the Central Election Board (JCE).

b. Monitoring and recommendations

OAS electoral observation missions have been making their work teams more and more specialized by including elections experts who are not only capable of monitoring the technical and security aspects of the electoral process but who, through the Chief of Mission, can also make recommendations to the entities responsible for the various tasks involved in the process. Observation missions also monitor the measures taken by the authorities to guarantee public order and to ensure electoral justice in a timely manner and during the election process itself.

Election observers therefore endeavor to cover the most representative samples of the nation's political/electoral map.

c. Special approach of the Mission

Given the significant changes that have recently been made in the legal and operational framework of the electoral system in the Dominican Republic, the Mission placed special emphasis on observing and analyzing the impact of the new legislation and new electoral practices on the electoral process.

2. Composition and deployment of the Mission

In order to observe the electoral process in the General, Congressional and Municipal Elections in the Dominican Republic, the Mission assembled a team of 24 observers, comprised of 9 observers recruited by the OAS and, on the day of the election, 15 volunteers from the staff of embassies and missions accredited to the country.

Among the group of volunteers that joined the Mission, special mention should be made of the participation of the Canadian Ambassador, the Head of the Delegation of the European Union and a staff member of that mission, as well as a member of staff of the Embassy of France. In addition, the Embassy of the United States of America and the United States Agency for International Development (USAID) contributed a team of 11 observers.

On the day of the elections, the Mission therefore had a presence in five of the seven provinces with the largest populations, in which, as will be pointed out later, the new electoral districts of Santo Domingo, Santiago, la Vega, Duarte and San Cristóbal were created. It also had a presence in La Romana.

The deployment of Mission monitors was based on a strategy to monitor the technical and political elements that had been identified during the preliminary visit and taking into account the events that took place on election day, such as the cases of public disturbances which the Mission verified in situ as not having had any significant impact on the overall process, despite the seriousness of the incidents themselves.

3. Coordination with other organizations and stakeholders in the electoral process

The Mission had the opportunity to meet with the President of the Republic, Hipólito Mejía (during both the Preliminary Mission and the Observation Mission itself) as well as with the leaders of the Dominican Revolutionary Party (PRD), Mr. Atuey De Camps; the Dominican Liberation Party (PLD), former President of the Republic, Leonel Fernández; and the Christian Social Reformist Party (PRSC), Mr. Reid Cabral. It also met with representatives of civil society organizations, such as the Non-Partisan Civic Movement for Citizen Participation. The Mission also participated in numerous radio and television programs and in interviews with the main national and international written media covering the elections in order to give their views on the organization of the electoral process and to inspire confidence in the citizens, while at the same time promoting the advances in the country's electoral system based on a comparative overview of the development of democracy in the Dominican Republic and, in particular, of its electoral processes, which over the past eight years (1994-2002) have been regaining credibility in the eyes of citizens, thanks to the sustained efforts of election officials.

During the abovementioned interviews and meetings, the Mission received expressions of appreciation for the efforts made by the Central Election Board to improve the technical elements required for the holding of an election, demonstrating efficiency in the use of these elements and encouraging citizens to vote on election day. The Mission confirmed this assessment in the working meetings that its experts held with the principal Central Election Board management, information and training officials.

The leaders of the main political parties also gave a positive assessment of the developments that had taken place in the Dominican Republic to strengthen democracy, which, in the short period between 1994 and the present, had achieved a level of stability that must be preserved, strengthened and promoted. At the same time, efforts must continue to promote reforms aimed at further improving the political system.

In keeping with this evaluation, several diplomats accredited to the Dominican Republic also publicly praised the preparatory work done by the Central Election Board. The Ambassadors of the United States and Haiti, for example, visited the Central Election Board on May 7. As reported by the local channel "CDN" and later carried by the news agency EFE, after meeting with the Chairman of the Board, Ambassador Hans Hertell, of the United States, and Ambassador Guy Alexander, of Haiti, described the arrangements for the elections as "excellent".

4. Preliminary activities of the Mission

The experience of the Dominican Republic has served to confirm the importance of preliminary missions as useful mechanisms for deciding on the proper approach to be adopted by an electoral observation mission, since they permit an assessment to be made of the political atmosphere and electoral organization, based on criteria developed by the OAS, with a view to determining in advance the critical or relevant aspects that should be monitored.

Indeed, as a result of the activities carried out by the Preliminary Mission, the EOM identified as its priority task that of observing the implementation of the election law reforms in the Dominican Republic, as mentioned in Section 2.1, "Objectives of the Mission", of this report. To this end, the Preliminary Mission carried out an assessment of the political environment and the election arrangements and produced a diagnostic survey that concluded that the Central Election Board generally complied with the electoral timetable, highlighting in particular the preparation of a revised electoral register and a system for the counting of votes with which the political parties were familiar and which was both flexible and simple. Before arriving at these conclusions, the Mission's experts held working meetings in the Central Election Board with the Director of Voter Registration, the Head of the Voter Education Program, the Director of Information, and the Heads of the Logistics and Press Units.

CHAPTER II. LEGAL FRAMEWORK

Title X (Electoral Assemblies) of the Constitution of the Dominican Republic sets forth the guiding principles for the organization of elections:

- Electoral Assemblies shall meet ipso jure on May 16 every four years for the purpose of electing the President and Vice-President of the Republic. They shall also meet for the purpose of electing other officials, allowing an interval of two years between each set of elections. Electoral Assemblies shall function in closed Electoral Colleges, which shall be organized in accordance with the law (Art.89).
- Electoral Assemblies shall elect the President and Vice-President of the Republic, senators and deputies, mayors and council members of the Capital District and of municipalities, together with their alternates, as well as any other official required by law (Art.90).
- Elections shall be held in accordance with the norms prescribed by law, by direct and secret ballot, and with representation of minorities when two or more candidates are to be elected (Art.91).
- Elections shall be organized by a Central Election Board and by subordinate boards established by the JCE, which shall be empowered to make decisions and promulgate regulations in accordance with the law... For the purposes of this article, the Central Election Board shall command and direct the forces of law and order in places of voting (Art.92).

- Voting shall be compulsory for all citizens and ballots shall be individual, free and secret (Art.88).

In accordance with Election law No.275-97 of the Dominican Republic, regular elections shall mean elections that are held periodically on dates previously determined by the Constitution and general elections shall mean elections that are required to be held throughout the territory of the Republic.

It should be noted that these were the first elections to be held under the electoral reform laws aimed at improving the system of popular elections in the Dominican Republic. The principal innovations in these reforms consisted in the establishment of new electoral constituencies through the subdivision of those provinces with the largest number of voters in order to facilitate voting by citizens; introduction of preferential voting in the election of deputies as a means of directly linking citizens to the elected candidate, thereby creating a genuine mandate for the candidate and thus greater responsibility; and, lastly, the increase from 25 to 33% in the quota of women candidates for election as deputies and council members or their alternates. The principal changes introduced were the following:

- Sub-division of a number of provinces into electoral constituencies in view of the large populations (more than 25,000) in six provinces and in the National District (National District, Santiago, Puerto Plata, Duarte, La Vega, San Cristobal and San Juan de la Maguana). As mentioned above, the Mission focused its attention on five of these new districts.
- The system of preferential voting for the posts of deputies, whereby each citizen votes for a given candidate of his or her choice by checking the box next to the candidate's photograph.
- The increase from 25% to 33% in the quota of women candidates for the posts of deputies and council members or their alternates. Provision was also made, again in accordance with the law, that for the posts of municipal councilors and their alternates, women should comprise 50% of the candidates nominated by the parties in each municipality.

CHAPTER III. TECHNICAL OBSERVATION OF THE PROCESS

From the beginning of the observation of the pre-election phase, the Mission's experts were able to appreciate the way in which the Central Election Board endeavored to put in place the technical and logistical elements to assist voters in the Dominican Republic in exercising their right to vote as the free expression of the will of citizens.

In this connection, the Mission also considered as positive the legal innovations introduced into the voting process, because of the way in which these innovations promoted greater representativity and greater opportunities for participation by the Dominican electorate.

A. REGISTRATION SYSTEM

The registration system in the Dominican Republic is one of the most technologically sophisticated on the continent, following the recent development of a system for the registration and identification of citizens, thanks to which it is now possible to have an error-free database, a forgery-proof identity document and an electoral register containing full-color photographs.

The Central Election Board's contribution in this regard has been to verify that the data compiled by the Identification Unit matches the information provided by citizens on the forms on which they are required to enter the data. The JCE has thus developed a database of citizens that is continuously updated by the Board itself and therefore becomes the list of eligible voters from which the electoral register or "voter list" is extracted. In this sense, the JCE is not only responsible for correcting and preparing the electoral register for each election, but it also participates in collecting and correcting the information received from individuals.

1. Characteristics

- The electoral register is divided into categories: it distinguishes between citizens on the list who have the right to use their identity card and those who are included in the electoral register but do not have such a card. Those individuals with the right to use their identity cards include: Minors older than 16 years of age, adults (older than 18 years of age), foreigners and military personnel. Of these various categories, only adults of Dominican nationality have the right to vote in the Dominican Republic.
- The list contains photographs: all individuals who have the right to an identity card are entered in a color photograph in the database. Identification of the citizen is thus made easier, since both the list and the identity card contain the same photograph.
- The list is updated: the Registration Unit continuously updates the electoral register based on the following categories: foreigners naturalized as Dominicans, minors who acquire the right to vote, civilians who join the military, military personnel who become civilians, and deceased or incarcerated persons. In order to verify information about deceased persons, the Identity Card Office has established units in each of the country's cemeteries in order to expedite the process of removing the names of deceased persons from the electoral register. This information was previously compiled by the municipalities.
- Citizens are grouped into districts and electoral colleges: Dominican voters have been grouped into voting districts or precincts, which in turn contain electoral colleges or polling stations, in which up to 600 electors may vote. During the last elections, electoral colleges with large numbers of voters were sub-divided in order to expedite voting.

2. Electoral Register

The Voter Registration Unit has carried out a survey of all Dominicans who have the right to vote, even though they may not currently be resident in the country. For this latter category, the corresponding references have been obtained from the files of the JCE itself. The relevant information has been entered into the database and the

photograph on file scanned and incorporated into the system. In this way, although these citizens cannot vote until their individual data have been updated for the current elections, the country has an extensive computerized database. As of Thursday May 16, some 4,644, 971 Dominicans were registered as eligible to vote and to elect new congressional and municipal representatives throughout the country.

The Mission took note of the technical advances made in the elaboration of the electoral register and of the advantages derived from including the photographs in the list, since the identity document has the same photograph as the one that appears on the electoral register used at each polling station. Polling officers will therefore find it easy on the day of the election to identify voters and prevent impersonations.

Only the subdivision of some electoral colleges created difficulties on election day. This was due to the fact that some voters had not checked beforehand the location of their polling stations and by the time they finally found the station the registration period had already elapsed. The confusion was partly due to the fact that the subdivision of districts did not change the number of the electoral college, but merely added a letter at the end of the same number. Some citizens did not notice the difference in the numbering, believing that the polling station had remained unchanged. (For example: station No. 0535 was divided into polling stations 0535A, 0535B, 0535C and 0535D). Evidently, the system of the closed college created difficulty for voters, since under an open system voters would have had enough time to find the location of their electoral college or polling station and thereby exercise their right to vote.

3. Omission from the list and solutions

During the pre-election phase, it was discovered that the names of 3,048 young citizens had been omitted from the electoral register, due to an error that resulted from a change in the computer system used to register voters. The names of some young people who had already reached the age of majority and had requested that their names be included in the electoral register did not appear in the final list delivered by the JCE to the political organizations for their perusal. As stated above, this problem was due to the modification of the computer system housing the database (from ORACLE to the SQL platform). It was not possible to ascertain in time that the new computer platform did not recognize this category of voters and this led to an incident just one month prior to the elections.

The problem was noticed by the political parties themselves, which complained that the names of some 14,000 young people had been omitted from the list. The JCE later observed that, while the error had indeed occurred, the number of young people affected was 3,048 and the Board immediately resolved the problem by recovering the lost data and including the citizens whose names had been omitted from the list by issuing an alternate list that was annexed to the electoral register of the corresponding electoral college.

B. ELECTORAL LOGISTICS

The Mission noted considerable progress in comparison with previous electoral processes, particularly in the areas of logistics and electoral operations. The internal procedures used to guarantee high quality materials and safe and efficient packaging

were introduced in the last elections in the Dominican Republic. It also noted the quality of the materials used and the quality control mechanisms applied thereto.

1. Elaboration and Preparation of Electoral Material

The Mission noted significant improvements in the quality of the electoral material, not only in terms of the country's previous standards but also in comparison with the standards of other countries on the continent. The improvements and innovations to the logistical aspects include the following:

- Twin ballot boxes and double ballots: in the Dominican Republic two ballot boxes and two different ballots are used in the voting and counting phases. Ballot A and ballot box A in this case were used for the mayoral elections, while ballot B and ballot box B were used for the municipal and district elections. This mechanism is very effective, not only because of its practical usefulness, but also because it distinguishes between the legislative and local government elections.
- Reverse side of the ballot colored black: All ballots are black on the reverse side, which is used as a means of guaranteeing the secrecy of the ballot. Also on the reverse side only the letter A or B in a light color – as appropriate – is written to facilitate the counting of the ballots before the votes are tallied.
- Indelible roll-on ink: to ensure that the indelible ink does not stain or rub off, a plastic covering has been used with a roll-on system. This makes it possible to place the right amount of indelible ink on the voter's fingertip without wastage or staining.
- Ballot boxes: for this election, a ballot box small in size and bearing a security feature was especially designed for the transport of sensitive or private election materials, such as the electoral register, the official act, the seal of the station, etc. to each polling station. The classification of materials was also simplified at the point at which they were received in the decentralized boards.

2. Quality Control and Distribution of Election Materials

In preparing for the elections, the JCE introduced a number of quality control mechanisms into the production and packaging of the elections material. The process was continuously observed by representatives of the various political organizations, who received a computer terminal equipped with special software as well as facilities from which to observe all phases of the production, packaging, unfolding and refolding of the material.

The Mission visited the production plant and observed the use of the various control mechanisms as well as the presence of representatives of the political organizations at the JCE plant.

The control mechanisms introduced by the JCE include the following:

- Bar code: this code was incorporated in the various election kits in order to optimize quality in the production chain that produced the materials. All elections materials to be placed in the ballot box were checked and the bar codes of the various kits read in order to ensure that all of the election materials

arrived at each polling station. This system also made it possible to obtain a complete list of the materials and an indication of the control exercised at each polling station.

- Quality control software: simple to use software developed by the JCE for use as a logistics tool was available, thanks to which it was possible to monitor at each stage of the production process that all elections materials were correctly packaged for dispatch to the appropriate polling station. This software was installed in various computers in the production chain and ensures that the various materials were placed in the correct ballot box. When the process was completed without error, the last station confirmed the total number of kits and automatically issued the delivery stub for the ballot box, which contained the copy of the delivery receipt signed by each of the 125 electoral boards. This software not only permitted control to be exercised over the material, but also recorded the day on which the material for each polling station was packaged and whether the polling station encountered any problems with the process.
- Digital weighing: the materials, and especially the ballot papers, were weighed before being placed in their wrapping. This digital weighing helped to ensure that no more than the correct amount of material was sent to each polling station.

As regards the distribution and collection of elections material, this was done overland throughout the country starting on May 10, 2002. Both for the distribution and collection phases, the materials for each polling station, including electoral records, ballots, electoral registers and the appropriate seal of the polling station, were kept in a small cardboard box, known as the elections material box. This box was placed inside the large ballot box during the distribution phase and was returned with a security seal during the collection phase. The box had to be delivered promptly to the Electoral Boards, even before completing the repackaging of the rest of the material, which was placed in the large ballot boxes. The aim was thus to receive promptly the material in the 125 Boards (where the 125 counting centers were located) and to begin the process of digitizing the results as soon as possible. As the Mission observed on the day of the elections, while the collecting of the boxes containing ballots and elections material was done jointly, the existence of the election materials box facilitated the task of the Electoral Board in counting the ballots cast.

C. VOTE COUNTING SYSTEM

1. Characteristics

For the congressional and municipal elections in the Dominican Republic, a new vote counting system was used that offered certain advantages over the previous one, in that it was more user friendly and easier to operate. These advantages were derived when the new system was operated on a Microsoft platform and the database transferred from ORACLE to an SQL server.

The characteristics, functions and processes of the computer system summarized below are based on general information provided by the JCE and the monitoring of the operation and performance of the system during and after election day. The Mission did

not participate in the validation and verification of the counting system. The characteristics observed included:

- The computer system used is operated from a centralized collection network located in the JCE headquarters in Santo Domingo into which the 125 counting centers located in each one of the country's municipalities also feed.
- The network includes a master server and a centralized database. It also includes a complete backup system, a communications network monitoring system, and the communications equipment needed for connection to the data transmission system provided by the telephone company.
- The core computer infrastructure in each of the 125 vote counting centers includes a server, a dedicated terminal for digitization, a modem, and a dedicated telephone line for the transmission of electoral data. Only in a few specific cases, in locations with high concentrations of voters, was there more than one digitizing terminal.
- The Dominican Telephone Company supplied the communications infrastructure and services used for data transmission. The telephone company was also responsible for the security mechanisms for access to and transmission of data (such as the integrity of the data during transmission).
- The mechanisms for safeguarding the electoral data at headquarters and in each of the 125 vote counting centers were devised and installed by the JCE. These include authentication and authorization of users, secure access to the database, restricted access to the monitoring system, etc.
- The system used for digitization and for the counting of votes is simple and functional. The data is digitized, consolidated and stored in each one of the counting centers and then transmitted to the central server. There is no system for the verification and validation of data. The material that is first digitized is the same material that is entered into the database.
- Each counting center issues bulletins to each party with the digitized data in a sampling of 15 polling stations. These bulletins must be validated by the representatives of the political organizations present in each of the counting centers. Validation is based on the belief that the digitization process is a very sensitive one, in view of the absence of any verification, and is done so that the parties can confirm the veracity of the data being entered.
- The information digitized by the various counting centers is entered in real time into the main counting center of Santo Domingo, but is not treated as an official result until the corresponding bulletin has been validated by the signatures of the representatives present.

2. Functions and Processes

The architecture of the computerized vote counting system is that of a client-server with specific core functions for: (1) the main server; (2) the servers linked to the municipalities; (3) the digitization terminals (clients) located in the municipalities; (4)

the data transmission network and equipment. The functions and services provided by this architecture include:

- Digitization of electoral data;
- Vote counting and data transmission;
- Data reception and processing;
- Data storage;
- Monitoring of the counting process; and
- Generation of reports

The functions and processes carried out by each of the components of the vote counting system are summarized below:

- **Main server:** the principal function of the main server is to administer the vote counting system, which includes maintenance of the 125 counting centers, monitoring of users and their roles (security of access), keeping a record of the digitization process, monitoring the information recorded in the database (such as generating a security copy of the database of the electoral process in each counting center, after each transmission to headquarters and before each closing of the counting center), assigning of polling stations for the data entry of votes, processing of votes and determination of results at the municipal and national levels, and issuance of advance reports and final results.
- **Servers in the municipalities:** the main function of these servers is to manage the digitization process using the vote counting software. The basic processes include insuring that the vote counting begins at zero before the start of the digitization process, providing the necessary formats and functions (such as user passwords, security codes, editing, recording, etc) for data entry, calculating partial or total results for municipalities, and transmitting the results to JCE headquarters.
- **Digitization terminals:** the main function is to provide user-friendly formats for the storage of electoral data. Use of these terminals is restricted to data entry.
- **Communications network and transmission equipment:** the system functions on a national network with 125 counting centers feeding into a computerized national tabulation center. The communications network is dedicated exclusively to the transmission of electoral data. The network provider, Compañía de Teléfonos of the Dominican Republic, has put in place the necessary mechanisms for monitoring and detecting intruders or unauthorized access.

D. VOTER EDUCATION AND TRAINING

The training of elections officials and voter education programmers were based on a strategy designed by the Central Election Board which relied heavily on a "cascade effect". The voter education plan was developed sufficiently in advance and provided for the participation of political parties and civil society organizations. In July 2001, the political parties and civil society organizations were invited to suggest what the objectives of the voter education program should be and these suggestions were incorporated into the program developed by the JCE.

1. Training of election officials

In August 2001, the training of election officials began. Since many officials had previously worked in the organization of elections, the training laid emphasis on the innovations that had been introduced into the electoral process in 2002 and in particular on the use of the preferential vote and on the reorganization of the country into new electoral districts.

Based on its on-site monitoring of the voting process in the provinces of Santo Domingo, Santiago, Duarte, San Cristóbal, La Vega and La Romana, the Mission noted the high level of preparedness of the staff of the electoral colleges (polling stations), which was a positive reflection on the training programs organized mainly by the JCE and other civil society institutions, such as the Non-Partisan Civic Movement for Citizen Participation, which collaborated in this effort.

2. Voter Education

From September to December 2001, presentations were made or voter training sessions held in the country's 125 municipalities. Participants included senior officials of the JCE and officials of the Board. The JCE reported a high level of participation in these forums, due in part to the early start of the voter education campaign. However, the Voter Education Unit of the JCE noted that for the first time senior officials of the JCE participated directly in the voter education activities organized by the Board, an important development because it brings the Board closer to citizens.

Because the JCE noted that the public response was still unsatisfactory, it designed a voter education campaign under the slogan "ENTERATE", which ran from December 15 last year to the end of January this year and was aimed at reaching citizens wherever they were located. Kites, instructional flyers and book inserts were prepared for the campaign and handed out in public squares, markets and other places where people congregated.

Lastly, the JCE designed and launched a voter education media campaign, which, at the request of the political organizations, focused on the preferential vote.

The main activities carried out during the pre-election voter education campaign included:

- A daily prime-time television program (7:00 to 8:00 pm from Monday to Friday) that provided information about the new features of the electoral process, and in particular about the exercise of the preferential vote.
- A system of information by telephone operating from Monday to Sunday known as FONOJUNTA. The telephone number of FONOJUNTA was given out at the end of each commercial.

- The JCE developed various training materials: instructional guides for polling stations on election day, educational flyers, instructions for members of the Armed Forces, etc.

CHAPTER IV. ELECTION DAY

Election day unfolded quite normally, with a few minor difficulties that are typical when changes are made to the voting system and sporadic acts of violence, which, however, did not compromise the process as a whole. Prior to the start of voting on election day, a number of violent incidents took place in Montecristi and Villa Vásquez, which the Mission deplored in its informational bulletins (Appendix II).

In the elections held last May 16, 32 senators, 150 deputies, 125 mayors and 787 municipal councilors and their respective alternates were elected for the constitutional term 2002-2006. Some 23 political groups competed for posts. As mentioned before, a total of 4.6 million voters were included in the electoral register, divided into 11,649 electoral colleges located throughout the country.

When the Mission left the country on Sunday May 19, the counting of votes by the Central Election Board was proceeding normally and 90% of the votes had already been counted. The 100% mark was completed on Monday May 20, and the final tally published in Bulletin No. 181 of the JCE.

The delays in the counting of the ballots and in the issuance of preliminary results by the JCE, which were brought to the Mission's attention by some political parties, as was the case of the PLD candidate for senator, José Tomás Pérez, who was subsequently elected by the National District, were, in the Mission's opinion, due to the decision of the JCE to place the accuracy of the results above their prompt announcement. In any case, the time frames previously announced by the JCE for the issuance of the preliminary results of the 2002 congressional and municipal elections were generally respected. Earlier on, when the voting ended, the Mission received expressions of concern by the leaders of the PLD, including former President of the Republic, Leonel Fernández, about the manner in which the first informational bulletin had been issued and the results publicly announced by the JCE late on the night of the election, in view of the small percentage of the national total of votes that had been counted at the time (approximately 3%) and about the need to explain to the public what this result represented at the national and provincial levels. The JCE resolved the issue by explaining to the public in this first bulletin and later ones the percentage of the count on which the results coming in at the provincial and national levels were based. It should be mentioned that the Mission did not receive other complaints or criticisms about the electoral process during its stay in the country.

A. MONITORING CENTERS AND TEAMS

The Mission established 8 observer groups that covered the country's main provinces. These provinces are identified in Figure 1 and Table 1 below. In addition to OAS personnel, the observer group also included volunteers from various countries,

including the United States, Canada and France, together with personnel from the European Union, among others.

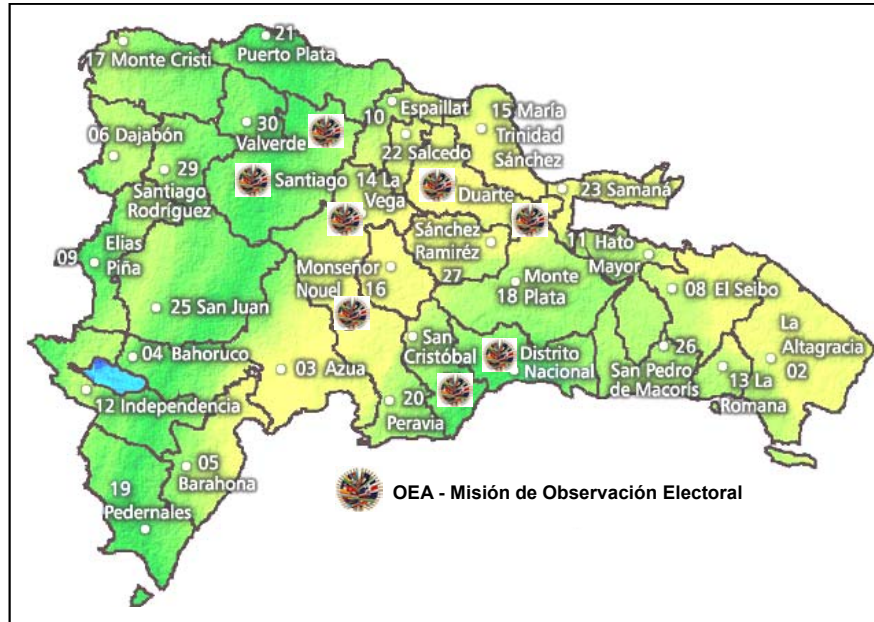


Figure 1 – Geographic area covered

Table 1 – Observer Groups

Geographical Area Covered		Observer Teams
Provinces	Municipalities and Cities	
1. Santo Domingo	Santo Domingo	Diego Paz Raúl Martínez Patricio Gajardo Ambassador of Canada Bruno Pickard Ana Villarreal
2. Santiago I	Santiago La Esperanza Mao	Blanche Arévalo John Ray Ronald glass
3. Santiago II	Santiago La Esperanza Mao	David Losk Rakesh Surampudi Audu Bosmer
4. Duarte I	San Francisco Cruz Cenovi Colon	J. Walker Vera David Foran Irene Bueatello

Geographical Area Covered		Observer Teams
Provinces	Municipalities and Cities	
5. Duarte II	San Francisco Las Guaranas Pimentel Castillo Campo Tenares Salcedo	Damián Sánchez Selma Frehatbegovic Mathew Long
6. San Cristóbal		Walter Gutiérrez Tommy Stromberg Nubia Thorton
7. La Vega	La Vega Rip Verde Jarabacoa Sabaneta Las Cabuyas San Bartolo Burende	Caludio Balencia Julianne Perrier Lena Hansson
8. Monseñor Nouel 9. La Romana	Bonao	Claudio Valencia Ambassador of the European Union, Miguel Amado

B. PROCESSES OBSERVED

On election day, observers from the Mission closely monitored the voting process that began with the installation of the electoral colleges comprised of five members: the chairman, secretary, first member, second member and alternate secretary, and ended with the counting of the ballots and transfer of the ballot boxes to the counting centers for digitization and validation. To facilitate the description of the results of the observation, the processes were grouped into the following phases:

- Reception of electoral material
- Installation and opening of electoral materials
- Voting conditions
- Closure of the polling station and counting of the votes

Examples of the basic questions asked by the observers during the observation process include:

- Was the electoral college installed at the time provided for by law?
- Were the elections material handed over by the electoral board to the chairman or secretary of the electoral college?
- Were representatives of the political parties present?
- Were elections police present?

- Were other observers present?
- Was there voter intimidation?
- Was there any political campaigning or elections propaganda?
- Was the principle of the secret ballot respected?
- Did any incidents take place during the voting?

The broad questions raised in evaluating the overall voting process insofar as implementation of the electoral reforms is concerned included the following:

- Was the minimum quota for women candidates met?
- In your view, did the introduction of new electoral districts lead to an increase in the participation of citizens in the elections?
- Did the introduction of the preferential vote encourage voting and reduce the number of spoiled ballots?

C. RESULTS OF THE OBSERVATION

The Mission noted that the electoral processes proceeded smoothly on election day, despite the occurrence of minor incidents that had no impact on the overall process and which were addressed in a timely manner by elections officials. The summary of the observations collected by members of the Mission that monitored polling stations in the municipalities listed in Table 1 include:

- **Reception of the material:** At nearly all of the polling stations monitored, it was noted that the electoral material was complete and in good condition. At no polling stations were there any complaints about the conditions of the material. Where some material was missing, this was either not crucial to the operation of the polling station or it was replaced by a representative of the corresponding electoral board.
- **Installation and opening of polling stations:** In the presence of the political representatives of the main competing parties, the polling stations were opened on time and in accordance with the provisions of the law: the five members of the electoral college were present before the process of completing the special form for candidates was begun at six in the morning (6:00 a.m.) for the first round or voting day and at one o'clock (1:00 p. m) for the second round or voting day. Women voted in the morning and men in the afternoon. The system of closed stations meant that some women were unable to register and therefore unable to vote. In the case of men, the opening of the polling stations was delayed, since the JCE had to issue on the day of the election itself a resolution extending the registration period, which delayed the start of voting by men by approximately one hour.
- **Voting Conditions:** With regard to voting conditions on election day, the Mission noted that the secrecy of the ballot was respected and no intimidation or coercion in favor of any of the competing candidates was observed. However, as mentioned before, the system of closed polling stations created some problems for women voters, some of whom were unable to complete the registration process in time and were therefore unable to exercise their right to vote.

In addition, the subdivision of certain polling stations or electoral colleges created some confusion, since voters were not informed beforehand about the change in polling stations and attempted to register at the wrong stations. The uninterrupted presence of party representatives was the most notable feature of the day.

- **Close of polls and counting of ballots:** The opening hours of many polling stations or electoral colleges were extended due to the fact that the law provided more time for men to register, through the resolution by the JCE on election day permitting all men present at the polling station to register. This delayed the closing of the polling station at 6:00 p.m. and thus the tallying. However, at all those stations in which the counting process was observed, this took place peacefully and, more importantly, in the presence of the representatives of the main political parties that had an effective capacity to ensure nationwide monitoring on the election day. It should also be mentioned that the black color on the reverse side of the identity cards was very useful for the counting of the ballots during the count at the place of poll.

CHAPTER V. POST-ELECTION PHASE

DECLARATION OF RESULTS

In accordance with the provisions of Article 6 (i) of Election law No. 275-97, on the administrative powers granted to the Central Election Board of the Dominican Republic, the abovementioned organization^{1/} proclaimed in its Resolution No 33/2002 of June 24, 2002, the male and female candidates who had been elected as mayors in the regular general elections of May 16 for the period 2002 – 2006. According to the results published by the JCE, the percentage of abstentions was 48.98%, spoilt votes 3.65%, participation by women 49.36%, and by men 50.64%. It should also be mentioned that the JCE did not announce the results of the elections for mayors and municipal councillors, since this is the prerogative of the electoral board of each municipality. Upon completion of the preparation of this report and according to information provided by the Director of Protocol of the JCE, it was learnt that the JCE planned to publish the complete results of all the elections held on May 16.

After departing the country, the Mission learnt that the JCE had received challenges and protests about the results prior to their announcement. These cases were reviewed by the JCE and, where appropriate, by the Supreme Court of Justice. In this regard, the Mission deemed to be a positive development the fact that at all times the possibility of recourse to the electoral justice system was available to hear and resolve, prior to their announcement, cases arising from the results that were brought by the political groups participating in the elections.

1. The JCE was comprised of the Chairman, Dr. Manuel Ramón Morel Cerda, members, Dr. Luis Arias Núñez, Dr. Salvador Ramos, Dr. Ana Teresa Pérez Baez, Dr. Luis Ramón Cordero González, Mr. Roberto Leonel Rodríguez Estrella, and Dr. Julio César Castaños Guzmán, and Secretary, Dr. Antonio Lockward Artilles.

In the announcement of the results, which was delivered on July 4, 2002 by the Chairman of the Central Election Board (JCE), Manuel Ramón Morel Cerda (Appendix III), reference was made in some detail to the preliminary report which the Chief of Mission submitted to the Secretary General of the OAS and to the Permanent Council of the Organization, on May 22, 2002 (Appendix IV).

CHAPTER VI. CONCLUSIONS AND RECOMMENDATIONS

The conduct of the May 16 congressional and municipal elections in the Dominican Republic, which was observed by the Electoral Observation Mission of the General Secretariat of the OAS shows that, provided that there is the will and sense of responsibility on the part of the political leadership of a country and civic awareness on the part of its citizens, it is possible to bring about within a relatively short period (1994 - 2002) changes in an electoral institution that make it capable of guaranteeing free and fair elections, as these elections have been.

This has been the road taken by the Dominican Republic, which, in eight short years, has overcome the lack of faith by citizens in their electoral system and has placed that system today in the vanguard of countries in terms of the application of technology and the logistical arrangements to the point where the Central Election Board is now accepted by the vast majority of the country's citizens and political forces.

By the end of the electoral process, the OAS Mission could reaffirm in its preliminary assessment, which was based on technical analyses and on meetings with the highest levels of leadership of the main political parties contesting the elections, the notable progress achieved by the institution responsible for organizing elections in the Dominican Republic, which in recent years has exhibited long-term planning, supported by the political decision of the country's authorities to give the institution the resources and conditions it needs for its further development and autonomy. While it is true that all electoral processes are subject to improvement, the Mission understands that the difficulties that arose during the voting and announcements of results in some parts of the country, difficulties that are inherent in such logistically complex elections as those for congressional and municipal representatives, were addressed and resolved by the Central Election Board and that a study of these experiences will lead to effective solutions for future elections. In any case, what is important is the fact that recourse to the electoral justice system is always available for hearing and resolving in a timely and appropriate manner, before the final results are announced, the cases brought by political stakeholders.

In terms of the logistics of the elections in the Dominican Republic, the Mission observed that the current system of closed polling stations required a great effort on the part of citizens to exercise their vote, since voters have a specific period within which to present their identity card and register before voting (two and a half hours each for women and men, who vote separately in the morning and afternoon of election day, respectively). This means that long lines of persons form and there are long waiting periods outside the polling stations. Indeed, the closed polling station, which was introduced in the 1994 elections to prevent fraud by ensuring that an individual cannot vote twice using more than one identity document, reduces the length of the voting day from 12 hours to a maximum of 7 actual hours, since in practice and as occurred during

the most recent election, the elections officials extend the registration period to allow a greater number of persons to vote.

However, given the security measures which the elections officials in the Dominican Republic have implemented in the voting procedure and the political maturity exhibited by the citizens of the Dominican Republic, the Dominican authorities should compare their system with the electoral systems of other countries at a similar stage of development and consider a more streamlined voting system that meets the two-fold objective of encouraging individuals to vote and simplifying the task of the electoral body. They would thus be responding to a widespread aspiration by the Dominican public and by the political parties themselves to promote greater participation by citizens in elections, since the abovementioned reforms will mean the abandonment of the registration period prior to voting, as a result of which voters had been required to wait for several hours at the polling stations centers and those who arrived after the end of the registration period were prohibited from exercising their vote.

Concerning the reform of the election laws, the Mission agrees with the view expressed by a number of political stakeholders that the JCE should regulate the identification of representatives of political parties present at polling stations and electoral colleges by issuing them a standard identification document, since the current differences in size and characteristics are a violation of the prohibition against engaging in political campaigning on election day.

In concluding the work of the OAS Mission, it should be pointed out that the Government, the opposition, the elections officials, the press, civil society and citizens in general, as well as the representatives of the international community present in the country all hold the view that the Mission has accomplished its aim of analyzing and identifying the key issues in a timely manner and helping to reduce the tensions surrounding the elections up to the completion of the electoral process, while at the same time promoting the democratic benefits of the innovations made in the electoral system in the Dominican Republic.

APPENDICES

APPENDIX I
MISSION INFORMATION BULLETINS



ORGANIZATION OF AMERICAN STATES
ORGANIZACION DE LOS ESTADOS AMERICANOS
ORGANIZACAO DOS ESTADOS AMERICANOS
ORGANISATION DES ETATS AMERICAINS

OFFICE OF THE GENERAL SECRETARIAT OF THE O.A.S.
IN THE DOMINICAN REPUBLIC

**OAS ELECTORAL OBSERVATION MISSION
Congressional and Municipal Elections
Dominican Republic, May 16, 2002**

At the closure of voting for women under the system of closed polling stations in place in the Dominican Republic, the Electoral Observation Mission of the Organization of American States (EOM/OAS) presents its first evaluation of the election day.

The Mission has thus far monitored the conduct of election day in the observation centers of Santo Domingo, Yamasd, San Cristobal, Santiago, La Esperanza, Valverde Mao, La Vega and Duarte. In these centers, it noted the desire of Dominican women to exercise their right to vote, overcoming the logistical difficulties that arose in some parts of the country, such as Santiago, and which are inherent in an electoral process as complex as these regular general, congressional and municipal elections.

The Mission regrets the acts of violence that took place in Montecristi and Villa Vasques in the early morning period prior to the start of voting, which led to the death of a political activist and to injuries to six persons. These events, which are being investigated by the competent authorities, fortunately, are not a reflection of the civic behavior displayed by Dominican citizens and of the attitudes conveyed to this Mission and to the public by the leadership of the main political parties, which urged Dominican voters to participate actively and peacefully in the elections.

The EOM/OAS is confident that the election day will conclude normally and that registration and voting by male voters will reward with a high rate of participation the national effort made in recent years to deepen democracy in the Dominican Republic.

Santo Domingo, May 16, 2002, 1:00 p.m.



ORGANIZACION DE LOS ESTADOS AMERICANOS -
ORGANIZACAO DOS ESTADOS AMERICANOS
ORGANISATION DES ETATS AMERICAINS ORGANIZATION
OF AMERICAN STATES

República del Líbano, esq. Fray C. de Utrera, Santo Domingo, D.N., Dominican Republic
Telephones (809) 533 1962 and 532 1788 Fax: (809) 535 4680

**ELECTORAL OBSERVATION MISSION OF THE OAS (EOM)
Congressional and Municipal Elections
Dominican Republic, May 16, 2002**

FINAL ELECTION DAY COMMUNIQUÉ

Upon conclusion of the election day and now that the counting of the official results by the Central Election Board (JCE) has begun, the Electoral Observation Mission of the Organization of American States (EOM/OAS) presents its final evaluation of the elections and wishes to state the following to the citizens of the Dominican Republic:

1. It wishes to express its deep appreciation to the Central Election Board, the Government, the political parties, the media, civil society, through Citizen Participation, and to the citizens of the Dominican Republic in general, for the hospitality extended to the Electoral Observation Mission of the Secretary General of the OAS, César Gaviria, which facilitated the Mission's task of monitoring the elections.
2. From the start of the pre-election phase of its monitoring activities, the EOM/OAS was able to observe through its own technical staff the way in which the Central Election Board endeavored to put in place the logistical elements needed to ensure that Dominican voters would be able to exercise their right to vote as a free expression of the will of the people.
3. The Mission noted a high level of preparation among officials of the electoral colleges, which reflects positively on the training programs organized mainly by the JCE and other civil society institutions like Citizen Participation that collaborated in those efforts.
4. The election laws of the Dominican Republic introduced three new features into the electoral system: the preferential vote, the electoral constituencies and the 33% quota for women on party lists. The Mission considered these innovations to be positive because they promoted greater representativity and increased opportunities for participation by Dominican voters in the exercise of democracy.

5. The Mission had the opportunity to meet with the authorities of the PRD, PLD and PRSC political parties and to receive from them acknowledgement that the Central Election Board was making a sustained effort to improve all of the mechanisms required for the holding of an election, using cutting-edge technology on key components of the electoral process, such as the counting system which, with the observation facilities granted to technical party representatives, will report within a few days on the official results of these elections.
6. The improvements made to the electoral system in the Dominican Republic to ensure the holding of free and fair elections demonstrate the need for continuing this process. The Mission noted that the current system of closed polling stations requires a great effort on the part of citizens wishing to exercise their right to vote. In this connection, given the security measures that have been introduced in the voting procedure and the political maturity exhibited by the citizens of the Dominican Republic, the election officials should now compare the system in the Dominican Republic with those of other countries at a similar stage of development and consider a more streamlined voting system that would fulfill the two-fold objective of encouraging people to vote and simplifying the work of the electoral body.
7. Lastly, The Mission wishes to reiterate its appreciation to the citizens of the Dominican Republic for the sense of civic duty that they displayed by going to the polls and casting their ballots in an orderly atmosphere characterized by their commitment to democracy.

Santo Domingo, May 16, 2002, 7:00 p.m.

APPENDIX II

STATEMENT BY THE CHAIRMAN OF THE JCE ANNOUNCING THE RESULTS



**DOMINICAN REPUBLIC
CENTRAL ELECTION BOARD**

It was not my intention to make a statement today. I had planned to limit myself to merely delivering their certificates of election to the candidates that won legislative seats in the recent elections, which, for the second time in these past four years, are taking place in reality and not symbolically, as was the case in the past. In this connection, since I dislike speeches full of quotations and since I did not intend to speak on this occasion, I shall have to decide first of all, in other words, to refer to what has been said by others as a means of discharging the obligation that rests upon me by virtue of my position and the responsibility of this Office towards the citizens.

There is no one with greater authority to discharge this responsibility than the Observation Mission of the Organization of American States (OAS) and the views expressed by the Organization about the elections of May 16. In sharing the observations, findings, ideas and reflections contained in the abovementioned report with you all, future representatives of the people who have been freely elected by the popular will, I am forced to depart from my cherished and suppressed silence and now report to you as follows.

I take the liberty, given my position, to extract a few paragraphs from the abovementioned technical study, and I quote:

ELECTORAL OBSERVATION MISSION OF THE OAS (EOM). Regular General, Congressional and Municipal Elections. Dominican Republic, May 16, 2002. Introduction to the Preliminary Report of the Electoral Observation Mission to the Permanent Council, May 22, 2002.

"The election held on May 16 last in the Dominican Republic, which, at the invitation of the Central Election Board and with the support of the Government, was monitored by an Electoral Observation Mission of the General Secretariat of the OAS, has made it clear that, provided that the political leadership of a country has the will and sense of responsibility and the citizens of that country are conscious of their civic duties, it is possible to develop within a relatively short period of time an electoral institution capable of guaranteeing free and fair elections.

This is the path that has been taken by the Dominican Republic, which, in eight short years, has overcome the loss of faith in its electoral system, which, in terms of technology used and logistical arrangements, is now in the vanguard of countries, to the point where the Central Election Board of the Dominican Republic enjoys general acceptance by the citizens and political forces in the country."

And the report continues later in its final section:

"The OAS Mission reaffirmed through the press its view, which is based on its technical

analysis of the elections and on the meetings it held with the highest levels of leadership of the competing political parties, that the electoral organization in the Dominican Republic has in the last few years been considerably strengthened, a reflection of sustained long-term planning and the political will of the national authorities to provide it with the resources and conditions needed for its further development and autonomy.”
“Diego Paz Bustamante, Senior Specialist UPD/OAS, Chief of Mission.”

In another report entitled, “Draft”, The Electoral Observation Mission of the OAS also stated the following:

“Indeed, as a result of the activities of the Preliminary Mission, the EOM defined the main thrust of its task to be that of monitoring the implementation of the reforms introduced into the election laws of the Dominican Republic. This task was facilitated by the Preliminary Mission’s evaluation of specific aspects of the political atmosphere and of the organization of the elections, a diagnostic survey that yielded a favorable conclusion about the observance of the electoral timetable by the Central Election Board, and highlighted the production of an error-free electoral register and a streamlined and simplified counting system.”

The second report continues immediately after as follows:

“On the day of the elections, the Mission deployed observers in five of the seven most heavily populated provinces, in which, as was indicated, the new electoral constituencies (Santo Domingo, Santiago, La Vega, Duarte and San Cristóbal) were established. The Mission’s deployment was based on a strategy designed to monitor the technical and political elements that had been identified during the visit by the advance team and to observe the events that occurred on election day, such as, for example, isolated incidents of public disorder which the Mission immediately concluded had little impact on the overall process, despite the seriousness of the acts themselves.”

But the abovementioned report does not stop there. It continues as follows:

“The day proceeded normally, with a few minor difficulties attributable to the implementation of reforms to the voting system and to isolated violent incidents that had little impact on the proceedings.”

“When the Mission departed the country, on Sunday May 19, counting of the votes by the Central Election Board was proceeding normally and nearly 90% of the votes had been already counted. By Monday May 20, 100% of the counting had been completed and Bulletin No 18 issued. The delays that occurred in the process and about which some political movements complained were due, in the Mission’s opinion, to the decision of the JCE to ensure that the results it announced were accurate generally complying, at any rate, with the time frames set for announcing the results.”

“The provisional official results were announced in Bulletin No. 18, issued by the Central Election Board on May 20, 2002. According to the JCE, the abstention rate was 45%, which was within the historical range.”

In the part of the report containing its evaluation, the report states:

“From the beginning of the monitoring of the pre-election phase, the Mission was able to appreciate through its own technical teams the manner in which the Central Election

Board endeavored to put in place the logistical arrangements to facilitate the voters of the Dominican Republic wishing to exercise their right to vote as a free expression of the will of citizens. Through its on-site monitoring of the voting process in the provinces of Santo Domingo, Santiago, Duarte, San Cristóbal and La Vega, the Mission was able to observe the high level of preparedness of the officials of the electoral colleges (polling stations), which reflected positively on the training programs organized mainly by the JCE and other civil society institutions like the non-partisan Civic Movement for Citizen Participation that collaborated in this effort."

"The Mission also considered as positive the legal innovations introduced into the voting process, because of the way in which these innovations promoted greater representativity and greater opportunities for participation by the Dominican electorate in the exercise of democracy."

"The Mission also wishes to make the following specific observations:

"The Mission had an opportunity to meet with the President of the Republic and to hold working meetings with authorities at the highest levels of the Dominican Revolutionary Party (PRD), Atuey Descamps; the Dominican Liberation Party (PLD), the ex-President of the Republic, Leonel Fernández; and the Social Christian Reformist Party (PRSC), Mr. Reid Cabral, in addition to civil society organizations, such as Citizen Participation, and to receive from all of them an acknowledgement of how the Central Election Board has made a sustained effort to improve all of the mechanisms required for the holding of an election. As mentioned before, this assessment was confirmed by the Mission itself in the working meetings which its electoral experts held in the JCE with the Director of the Electoral Register, with the Head of the Voter Education Program, with the Director of Information, and with the Heads of Logistics and the Press, which made it possible to obtain an overview of the progress made in these areas".

"From the leaders of the main political parties, the Mission also received a positive assessment of the changes that had taken place in democracy in the Dominican Republic, which in the short period between 1994 and the present, had achieved a level of stability which it was necessary to preserve and expand through reforms aimed at improving the political systems."

In its concluding section, the report in question stated:

"In conclusion, it should be pointed out that the Government, opposition, election officials, press, civil society and citizens in general all hold the view that the OAS Mission has accomplished its aim of analyzing and identifying the key issues in a timely manner and helping to reduce the tensions surrounding the elections. The Mission had the opportunity to highlight the rapid and sustained progress of democracy in the country, which from 1994 to the present has managed to preserve its democracy by holding credible elections under modern arrangements and with its political leaders showing a sense of responsibility." (End of quotation)

The ideas expressed above were the result of the work done in the field by 25 international election experts, backed by the prestige of the OAS. We endorse these views with the satisfaction of a job well done.

However, since the issuance of the most recent bulletin of the Central Election Board, a

wide range of legitimate criticisms was heard as well as protests and challenges to the Central Election Board that were less valid.

The challenges, valid protests and conceptual criticisms were considered and reviewed and appropriate, respectful responses given, with the decisive language of numbers and the clean, honest, careful and exhaustive actions of those of us who administer the election process. It would be no exaggeration to state that during the course of this procedure, the seven members of the Central Election Board acted as advocates of the candidates and groups that failed to win the posts they had sought.

In looking back on the process, it is useful to note the challenges and criticisms made, which must be seen in the context of a few persons bent on orchestrating a campaign to discredit the members of the Central Election Board. Looking back at past and recent history, it should be recalled that the head of the Central Election Board in 1966 was Mr. Angel Liz, one of the most honest men that the country has had. And yet, in the general elections held that year, 189 electoral colleges were contested, a normal average for this type of event, and even that man of integrity was subject to a challenge.

More recently, 30 years later, Dr, César Estrella Sadhalá, considered a serious and honest man, had to face a wave of challenges and criticisms as well as a formal objection, in his capacity as Chairman of the Central Election Board during the 1996 election.

I need not remind you at this time that the recent elections were held under a new system that included two new features: the preferential vote and the electoral constituencies, with the major complications which these entailed. Nor should I need to remind you that the possible shortcomings identified were all due to this (the new features), with which not even the political parties themselves were completely familiar, as they should have been.

The report of the OAS is the best and most accurate testimony, since this impartial and dispassionate report has given rise to speculations and accusations of all sorts, to which we have paid no attention.

I wish to say to all of you on behalf of my colleagues and on my own behalf that we are pleased and proud to have made an extraordinary effort to implement the new system in an attempt to satisfy the aspirations of the political parties and of some civil society institutions, as well as to undertake a clean and transparent task as conscientiously as possible.

We have fulfilled our duty to the country and to democracy, to this country that entrusted to us the task of ensuring the holding of free, clean, fair and transparent elections by a public institution that is not a charitable one and therefore lacking the means to offer posts, even though, in many cases, these are persons that enjoy our esteem. Also, we are not here to give or to take away votes from anyone, or to serve and please any particular group. I hope that during my time on the Central Election Board this has been the way it was understood.

We therefore congratulate the candidates who have been elected and the Central Election Board and the country, needless to say, only hopes that you will discharge your responsibilities with dignity and for the benefit of the common good and the strengthening of democratic institutions in our country.

If you do this may God reward you and if you fail, may you answer to him.

Thank you very much.

**APPENDIX III
PRELIMINARY REPORTS**



ORGANIZACION DE LOS ESTADOS AMERICANOS
ORGANIZACAO DOS ESTADOS AMERICANOS
ORGANISATION DES ETATS AMERICAINS
ORGANIZATION OF AMERICAN STATES

ELECTORAL OBSERVATION MISSION OF THE OAS (EOM)

**Regular General, Congressional and Municipal Elections
Dominican Republic, May 16, 2002**

***Introduction to the Preliminary Report of the Electoral Observation Mission to
the Permanent Council, May 22, 2002***

The election held on May 16 last in the Dominican Republic, which, at the invitation of the Central Election Board and with the support of the Government, was monitored by an Electoral Observation Mission of the General Secretariat of the OAS, has made it clear that, provided that the political leadership of a country has the will and sense of responsibility and the citizens of that country are conscious of their civic duties, it is possible to develop within a relatively short period of time an electoral institution capable of guaranteeing free and fair elections.

This is the path that has been taken by the Dominican Republic, which, in eight short years, has overcome the loss of faith in an electoral system that, in terms of technology used and logistical arrangements, is now in the vanguard of countries, to the point where the Central Election Board of the Dominican Republic enjoys general acceptance by the citizens and political forces in the country."

And it is precisely at a time of renewed political, economic and social crises in the region, compounded by the debate about the credibility of some electoral bodies that there is even greater need for the OAS, through its Unit for the Promotion of Democracy, to respond effectively to requests from member states to strengthen their electoral systems through electoral monitoring missions with the capacity to conduct a prior analysis of the technical conditions required for an election and, based on that analysis, to perform the task of observing and facilitating the elections within the framework of the Charter of the OAS and of the relevant principles set forth in the Inter-American Democratic Charter.

The election held in the Dominican Republic, by which the country's congressional and municipal authorities were elected, has the same importance as an election to renew the Executive Branch, in accordance with the provisions of the Democratic Charter. This is perhaps one of the most important innovations introduced by this juridical body, since, although it may seem quite evident, there was a habit (unwritten of course) of paying less attention to elections for public officials other than the President of the Republic or Head of the Executive Branch. The Dominican election recently observed by the OAS is part of the same democratic framework for the balance of powers and good governance.

The effort made by the OAS to reverse this tendency and to follow the new approach set out in the Democratic Charter is supported by those governments that traditionally

collaborate in the financing of electoral observation missions of the OAS. On this occasion, the Mission was financed by the Governments of Brazil, which bore the cost of the Preliminary Mission comprised of the Chief of Mission and two electoral experts, and by the Government of the United States of America, which financed the Observation Mission, comprised of nine members, including the international experts who were recruited and OAS personnel. This group was joined by volunteer observers from the diplomatic missions of Canada, headed by its Ambassador in the Dominican Republic; the European Union, through its representatives; and the Embassy of the United States of America and of the United States Agency for International Development (USAID), which resulted in the Mission having a group of 25 observers, whose activities were followed with the greatest interest by the national and international communications media.

The OAS Mission reaffirmed through this press coverage its view, which is based on its technical analysis of the elections and on the meetings it held with the highest levels of leadership of the competing political parties, that the electoral organization in the Dominican Republic has in the last few years been considerably strengthened, a reflection of sustained long-term planning and the political will of the national authorities to provide it with the resources and conditions needed for its further development and autonomy. Since all electoral processes are subject to improvement, the Mission understands that the difficulties that arose during the voting and announcement of results in some parts of the country, difficulties that are inherent in such logistically complex elections as those for congressional and municipal representatives, will be addressed and resolved in a timely manner by the Central Election Board and that a study of these experiences will lead to effective solutions for future elections.

Diego Paz Bustamante
Senior Specialist UPD/OAS
Chief of Mission

Washington, D.C. May 22, 2002



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ELECTORAL OBSERVATION MISSION OF THE OAS (EOM)

**Regular General, Congressional and Municipal Elections
Dominican Republic, May 16, 2002**

***Preliminary Report of the Electoral Observation Mission to the Permanent
Council, May 22, 2002***

**Background to and Justification for the Creation of the Electoral Observation
Mission**

In connection with the holding of the Regular General Congressional and Municipal Elections in the Dominican Republic on May 16 last, the Secretary General of the OAS received from the Central Election Board (JCE) an invitation in Note No. 6328 of March 20, 2002, to observe the electoral process, pursuant to Title V of the Inter-American Democratic Charter.

The Secretary General of the OAS responded favorably to the invitation in Note No. SG/UPD-231/02 of April 9, 2002.

In accordance with the provisions of the Inter-American Democratic Charter, which requires that a preliminary mission be sent before an electoral observation mission is established to assess the conditions under which the election is to take place and to coordinate arrangements for the proper establishment and financing of the mission, the Senior Specialist of the Unit for the Promotion of Democracy of the OAS, Diego Paz Bustamente, who was designated by the Secretary-General of the OAS as Chief of Mission, accompanied by two electoral experts, visited the Dominican Republic from April 30 to May 2.

The consolidation of democracy in the Americas poses the challenge of deepening and strengthening the system. Article 3 of the Inter-American Democratic Charter states that essential elements of representative democracy include, inter alia, the holding of periodic, free and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people; and in its Articles 23 and 24, it provides that "...Member states, in the exercise of their sovereignty, may request that the Organization of American States provide advisory services or assistance for strengthening and developing their electoral institutions and processes, including sending preliminary missions for that purpose" and that "...the Organization shall ensure that these missions are effective and independent and shall provide them with the necessary resources for that purpose".

As a result of the initiatives undertaken by the Unit for the Promotion of Democracy and by the Preliminary Mission during its visit to the country, the necessary resources for financing the electoral observation mission were obtained from the Governments of Brazil and the United States of America.

Observation of the Electoral Process

The importance should be stressed of preliminary missions as useful mechanisms for deciding on the proper approach to be adopted by an electoral observation mission, since they permit an assessment to be made of the political atmosphere and electoral organization, based on criteria developed by the OAS, with a view to determining in advance the critical or relevant aspects that should be monitored.

Indeed, as a result of the activities carried out by the Preliminary Mission, the OAS Mission identified as its priority task that of observing the implementation of the election law reforms in the Dominican Republic. This was possible because the Preliminary Mission carried out an assessment of the political environment and election arrangements and produced a diagnostic survey that concluded that the Central Election Board generally complied with the electoral timetable, highlighting in particular the preparation of a revised electoral register and a system for the counting of votes that was both flexible and simple

These were the first elections to be held under the electoral reforms that seek to improve the system of popular elections in the Dominican Republic and whose principal innovations consisted in the creation of new electoral constituencies to facilitate voting by citizens, through the subdivision of those provinces with the largest populations; the introduction of the preferential vote in the election of deputies, which links the citizen directly to the elected candidate, thereby creating a real mandate for the candidate and thus greater responsibility; and, lastly, the increase from 25% to 33% of the quota of women nominated as candidates for deputies and members of councils and their alternates.

For the observation of these aspects of the electoral process, the Mission had a team of 25 observers, made up of nine observers recruited by the OAS and a larger number of volunteers from among the staff of embassies and missions accredited to the country. Particularly noteworthy was the participation of the Ambassador of Canada, three observers from the European Union, including the European Union's representative in the Dominican Republic and an official from the Embassy of France. The Embassy of the United States of America and UNAID participated with a team of 11 volunteer observers.

On the day of the elections, the Mission deployed observers in five of the seven most heavily populated provinces, in which, as mentioned before, the new electoral constituencies (Santo Domingo, Santiago, La Vega, Duarte and San Cristóbal) were established. The Mission's deployment was based on a strategy designed to monitor the technical and political elements that had been identified during the visit by the advance team and to observe the events that occurred on election day, such as, for example, isolated incidents of public disorder, which the Mission immediately concluded had little impact on the overall process, despite the seriousness of the acts themselves."

"The day proceeded normally, with a few minor difficulties attributable to the implementation of reforms to the voting system and to isolated violent incidents that

had little impact on the proceedings.”

In the elections held last May 16, 32 senators, 150 deputies, 125 mayors and 787 council members and their respective alternates were elected for posts for which some 23 political groups competed. A total of 4.6 million voters were included in the electoral register, divided into 11,649 electoral colleges distributed throughout the country.

When the Mission left the country on Sunday May 19, the counting of votes by the Central Election Board was proceeding smoothly and 90% of the votes had already been counted. The 100% mark was completed on Monday May 20, and the final tally published in Bulletin No. 18 of the JCE. The delays in the counting of the ballots, which were denounced by some political parties, were due in the Mission’s opinion to the decision of the JCE to ensure the accuracy of the results announced. In any case, the time frames previously announced for the issuance of the results were generally respected.

The information on the provisional official results was contained in Bulletin No 18, which was issued by the Central Election Board on May 20, 2002. The rate of abstentions, according to the JCE, was 45% and therefore within the historical margins.

From the beginning of the observation of the pre-election phase, the Mission’s experts were able to appreciate the way in which the Central Election Board endeavored to put in place the technical and logistical elements to assist voters in the Dominican Republic in exercising their right to vote as the free expression of the will of citizens. Based on its on-site monitoring of the voting process in the provinces of Santo Domingo, Santiago, Duarte, San Cristóbal and La Vega, the Mission noted the high level of preparedness of the staff of the electoral colleges (polling stations), which was a positive reflection on the training programs organized mainly by the JCE and other civil society institutions, such as the Non-Partisan Civic Movement for Citizen Participation, which collaborated in this effort.

The Mission also considered as positive the legal innovations introduced into the voting process, because of the way in which these innovations promoted greater representativity and greater opportunities for participation by the Dominican electorate.

The Mission had an opportunity to meet with the President of the Republic and to hold working meeting with the highest authorities of the Dominican Revolutionary Party (PRD), Atuey Descamps; the Dominican Liberation Party (PLD), former President of the Republic, Leonel Fernández; and the Social Christian Reform Party (PRSC), Mr. Reid Cabral, in addition to civil society organizations, such as Citizen Participation, and to receive from all of them a recognition that the Central Election Board had undertaken a sustained effort to improve all of the mechanisms required for the holding of an election. As was pointed out, this view was corroborated by the Mission itself in the working meetings which its electoral specialists held in the JCE with the Director of the Electoral Register, the Head of the Voter Education Unit, the Director of Information, and the Heads of Logistics and the Press, which permitted an overall assessment to be made of the progress achieved in these areas.

The leaders of the main political parties also gave a positive assessment of the changes experienced by democracy in the Dominican Republic, which, in the short period

between 1994 and the present, had achieved a level of stability that should be preserved and strengthened through reforms aimed at further improving the political system.

In conclusion, it should be noted that the Government, the opposition, the election officials, the press, civil society and citizens in general are of the view that the OAS Mission fulfilled its objective of analyzing and identifying the key issues in a timely manner and helping to calm the atmosphere surrounding the elections. The Mission had the opportunity to highlight the rapid and sustained progress towards democracy in the country, which, from 1994 to the present, has succeeded in preserving democracy through the holding of transparent elections using modern mechanisms and supported by a sense of responsibility on the part of its political leaders.

Suggestions for future elections

The progress made by the electoral system in the Dominican Republic to guarantee the holding of free and fair elections suggests that it would be useful to continue to improve the system in order to refine those logistical aspects that go hand in hand with the technological advances achieved with a view to resolving more expeditiously those situations that are inherent in election processes.

The Mission observed that the current system of closed colleges requires a great effort on the part of citizens wishing to exercise their vote, since it gives voters a certain period of time within which to present their identification card and register before voting (two and a half hours for women and men, who vote separately on election day, in the morning and in the afternoon, respectively), as a result of which long lines are always formed and there are long waiting periods outside the polling stations. Indeed, the closed polling station, introduced in the 1994 elections to prevent fraud by preventing a person from voting twice using more than one identity document, reduces the length of the election day, from 12 hours to a maximum of 7, since, in practice, and as occurred in the most recent election, the election officials extend the registration period to allow more persons to vote.

Given the security features that have been introduced in the voting procedure, together with the political maturity exhibited by the citizens of the Dominican Republic, it is now time for the Dominican authorities, based on an approach that compares the Dominican system with electoral systems at similar stages of development, to consider a more streamlined voting system that fulfills the two-fold objective of providing an incentive to vote and simplifying the work of the electoral board. They would thus be responding to a widespread aspiration of the Dominican public and of the political authorities themselves, since the two Chambers of the National Congress have just recently pronounced themselves in favor of a constitutional reform to eliminate closed polling stations.

On the subject of electoral reforms, the Mission agrees with the position taken by many political actors that the JCE should regulate the identification of the delegates of political parties in electoral colleges and polling stations by issuing a standard identification document for them, since currently these identification badges, because of their size and characteristics, are a violation of the prohibition against engaging in political campaigning on election day.

