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**REPORT OF THE
ELECTORAL OBSERVATION MISSION
IN ECUADOR, 2002**

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

ORGANIZATION OF AMERICAN STATES
WASHINGTON, D. C.

THE SECRETARY GENERAL

SG/UPD-593/03

July 18, 2003

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 Ecuador. The report reflects the activities undertaken by the Mission during the observation of the general elections in Ecuador, held on Octobre 20, 2002.

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



Cesar Gaviria

His Excellence
Raymond Valcin
Ambassador, Permanent Representative of Haiti
Chairman of Permanent Council of the
Organization of American States
Washington, D.C.

ORGANIZATION OF AMERICAN STATES

**REPORT OF THE
ELECTORAL OBSERVATION MISSION
IN ECUADOR, 2002**

Unit for the Promotion of Democracy

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ACRONYMS

AN:	Partido Alfarismo Nacional (National Alfaro Party)
CFP:	Concentración de Fuerzas Populares (Concentration of Popular Forces)
QR:	Quick count
DP-UDC:	Partido Democracia Popular en alianza con Unión Democrática Cristiana (alliance between People's Democratic Party and the Christian Democratic Union)
ID:	Partido Izquierda Democrática (Democratic Left Party)
IFES:	International Foundation for Election Systems
IGM:	Instituto Geográfico Militar (Geographical Institute of the Armed Forces)
JRV:	Junta Receptora de Votos (local electoral board/polling station)
LOE:	Ley Orgánica de Elecciones (Organic Law on Elections)
MAJ:	Movimiento Amauta Jatari (Amauta Jatari Movement)
MC:	Movimiento Ciudadano (Citizens Movement)
MCNP:	Movimiento Ciudadanos Nuevo País (New Country Citizens Movement)
MIRE:	Movimiento de Integración Regional Ecuatoriana (Ecuadorian Regional Integration Movement)
EOM:	Electoral Observation Mission
MPD:	Movimiento Popular Democrático (Democratic People's Movement)
MPS:	Movimiento Patria Solidaria (Solidarity Country Movement)
MTSI:	Movimiento Transformación Social Independiente (Independent Social Transformation Movement)
NDI:	Instituto Nacional Demócrata (National Democratic Institute)
OAS:	Organization of American States
PL:	Partido Libertad (Freedom Party)
PRE:	Partido Roldosista Ecuatoriano (Ecuadorian Roldos Party)
PRIAN:	Partido Renovador Institucional Acción Nacional (National Institutional Action Renewal Party)
PSC:	Partido Social Cristiano (Social Christian Party)
PSP:	Partido Sociedad Patriótica 21 de enero (January 21st Patriotic Society Party)
TSE:	Tribunal Supremo Electoral (Supreme Electoral Tribunal)
TPE:	Tribunal Provincial Electoral (Provincial Electoral Tribunal)
TEG:	Tribunal Electoral del Guayas (Guayas Electoral Tribunal)
UNO:	Partido Unión Nacional (National Union Party)
UPD:	Unit for the Promotion of Democracy
USAID:	U.S. Agency for International Development

CHAPTER I. INTRODUCTION

The Organization of American States (OAS), the oldest regional international organization in the world, has been demonstrating, on an ongoing and continuous basis, its interest in and concern for promoting and defending democratic institutions and values in the hemisphere.

Within that context, the General Assembly recommended to the Secretary General, by means of Resolution AG/Res. 991 (XIX-0/89), that "missions be organized and sent to those member states, which, in the exercise of their sovereignty, request them, in order to observe, if possible, all phases of electoral processes."

The General Secretariat of the OAS, through the Unit for the Promotion of Democracy (UPD), an entity with specific competence in this matter, is working intensely on a daily basis to contribute to building up institutions and consolidating democratic processes in the hemisphere. These activities include more than 70 Electoral Observation Missions (EOM) conducted over the last few years, in more than half of its member countries.

On May 14, 2002, the Government of the Republic of Ecuador confirmed the invitation extended by the Supreme Electoral Tribunal to the Secretary General of the OAS to send to this country a mission of observers for the purpose of providing assistance and observing the general elections that would be taking place in Ecuador on October 20, 2002 for the first round and possibly on November 24, 2002 for the second round.

In response to the above-mentioned invitation to observe the General Elections of 2002, the Secretary General of the OAS, César Gaviria, responded favorably to the government's request and decided on June 13, 2002 to set up an Electoral Observation Mission in Ecuador, provided that sufficient external funding was secured for the financing of this Mission.

The Secretary General of the OAS, César Gaviria, appointed A. Edgardo C. Reis, senior specialist of the Unit for the Promotion of Democracy, as Chief of the Observation Mission to be set up in Ecuador for the general elections.

The Mission would therefore observe the electoral process and keep the Secretary General fully informed of developments and would cooperate with Ecuadorian society and its institutions to contribute to the full honesty, transparency, and credibility of the process.

In fact, this would not be the first time the OAS observed the electoral process in the Republic of Ecuador. Previously, also in response to an invitation extended by the government of this country, the Secretary General of OAS, César Gaviria, sent an Electoral Observation Mission for the general elections held in 1998. During those elections, Dr. Jamil Mahuad was elected to the office of President of the Republic of Ecuador. Dr. Mahuad governed the country until 2000 when a citizen and military movement forced him to resign, and a triumvirate took over the government for a few hours, after which the constitutional procedure for dealing with the resignation of the

President was applied and the Vice-President, Gustavo Noboa Bejarano, became Head of State to conclude the administration's term of office.

Thus, in the framework of the Political Constitution and electoral legislations currently in force, on October 20, 2002, general elections were held in Ecuador. On this occasion, the Ecuadorian people voted to elect the President and Vice-President of the Republic, 100 provincial congresspersons to Congress, 5 delegates to the Andean Parliament, 680 town councilors, 67 provincial councilpersons, and 2 mayors in recently established cantons, as well as provincial and municipal authorities, whose term of office will be for the period 2003-2007.

The voter registration list used for these elections was comprised of 8,154,425 electors (4,050,254 men and 4,104,171 women), in 22 provinces, 217 cantons, and 1,105 parishes. There were 37,282 polling stations (Juntas Receptoras de Votos--JRVs) throughout the country, 18,513 for men and 18,769 for women.

There were 11 political parties participating in the first round of the election for President and Vice-President. Nevertheless, in this round, no single pair of candidates was able to garner enough votes to win the first round; as a result, on November 24, 2002, the second round was held with the two candidate pairs that obtained the highest number of votes in the first round, namely, Lucio Gutiérrez and Alfredo Palacio from the January 21st Patriotic Society Movement and Álvaro Noboa and Marcelo Cruz from the National Institutional Action Renewal Party (PRIAN).

List	Political Party or Alliance	Presidential Candidates	Vice-Presidential Candidates
3 - 18	January 21 st Patriotic Society Party Pachakutik Movement – New Country	Lucio Gutiérrez	Alfredo Palacio
6	Social Christian Party	Xavier Neira	Álvaro Pérez
7	National Institutional Action Renewal Party	Álvaro Noboa	Marcelo Cruz
10	Ecuadorian Roldos Party	Jacobo Bucarám	Frank Vargas Pazzos
11	Freedom Party	César Alarcón	Universi Zambrano
12	Democratic Left Party	Rodrigo Borja	Eva García
40	Independent	León Roldós	Dolores Padilla
22	Independent Social Transformation Movement	Jacinto Velásquez	Patricio Larrea
24	Solidarity Country Movement	Oswaldo Hurtado	Gloria Gallardo
20	Amauta Jatari Movement	Antonio Vargas	Modesto Vera

Liberal Party – Hope,
2 - 39 Transformation, and Action
Movements

Ivonne Baki César Frixone

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

The Electoral Observation Mission (EOM) of the Organization of American States (OAS) in Ecuador was set up at the invitation of the Supreme Electoral Tribunal (TSE). This invitation was subsequently confirmed by the Ecuadorian Government and addressed to the Secretary General of OAS, Dr. César Gaviria, so that he could establish an international mission in the country to observe and support the process of the national elections to be held on October 20, 2002, as well as the second round to elect the President and Vice-President scheduled for November 24, 2002. The Secretary General responded favorably to the invitation, provided that external funding could be secured to finance the mission, and instructed the Unit for the Promotion of Democracy (UPD) to start the corresponding arrangements. Alongside this, he designated Mr. Edgar Reis, senior specialist of the Unit for the Promotion of Democracy, as Chief of Mission.

The Electoral Observation Mission for Ecuador 2002 (OAS-EOM ECU) arrived in the country on October 1. The Mission took place in the framework of the agreement on privileges and immunity signed with the Government and the agreement on procedures signed with the Supreme Electoral Tribunal (TSE) of Ecuador.

A. OBJECTIVES OF THE MISSION

In keeping with the principles of the Inter-American Democratic Charter signed by the member countries on September 11, 2001 in Lima, Peru, which identifies the periodical holding of fair and free elections as one of the basic principles of representative democracy, the Observation Mission was conducted in line with the principles of impartiality and neutrality in respect to the country's laws and the irreplaceability of national players of the electoral process.

The Mission's purpose was to support the holding of free and transparent elections, as well as to express the inter-American community's interest in efforts to consolidate democracy in Ecuador.

The Mission's specific objectives were as follows:

1) Observe the development of the electoral process to check the consistency of this process with the respective legal statutes in force in Ecuador.

2) Cooperate with Ecuadorian government and election officials and political parties, as well as the population in general, to ensure transparency, impartiality, and integrity of the electoral process.

3) Serve as a deterrent to possible attempts at manipulating the electoral process.

4) Contribute to building an atmosphere of public trust and encouraging citizen participation.

5) Be available to the main players in the process to promote respect for procedures established by Ecuadorian legal statutes and to ensure that these statutes are used for conflict resolution.

6) Serve, at the request of the participants in the electoral process, as an informal channel for reaching a consensus in the case of disputes or conflicts.

7) Report the Mission's results to the Secretary General of the Organization, the Permanent Council, and Ecuadorian authorities and population.

8) Make suggestions and draw up recommendations to contribute to fine-tuning Ecuador's electoral system.

B. ESTABLISHMENT AND DEPLOYMENT OF THE MISSION

The Mission set up its headquarters in the city of Quito on October 1, 2002. The Mission's base group (Chief of Mission, Deputy Chief of Mission, and the Legal Affairs, Logistics, and Administration Coordinators) was in charge of contacting government authorities, electoral institutions, the political parties, and national and international institutions involved in the electoral process in order to apprise them of the Mission's objectives, set up the corresponding collaboration and coordination mechanisms, and obtain information about the political environment and the conditions in which the elections will take place.

The Mission was comprised of a group of 63 international observers in the first round and 50 in the second round, 15 member States of OAS, and international volunteer observers residing in the country and from diplomatic missions in Ecuador (see Annex I).

To cover most of the country's territory, for the two rounds the Mission established its headquarters in the country's capital, Quito, and five regional sub-offices in the cities of Esmeraldas, Portoviejo, Cuenca, Ambato, and Guayaquil (for logistic reasons, the Mission did not cover the island or Amazon regions).

C. PRELIMINARY MISSION ACTIVITIES

As soon as it arrived in the country, the Mission held meetings with representatives from different State institutions, such as the members of the Supreme Electoral Tribunal, the Provincial Electoral Tribunals (TPEs), and the Armed Forces, as well as almost all presidential and vice-presidential candidates. Mission representatives also interviewed leaders of Ecuadorian nongovernmental organizations such as Citizen Participation (Participación Ciudadana) ¹ and the Equity and Justice Foundation (Fundación Equidad y Justicia), among others.

These meetings helped the Mission obtain a broader perspective of the political climate prevailing during the electoral process, the organization of electoral activities, and the main issues of concern for process players and the population.

¹ Nongovernmental organization set up with support from the U.S. Agency for International Development (USAID), through the National Democratic Institute (NDI), for the national observation of Ecuadorian electoral processes.

D. PUBLIC COMMUNICATION STRATEGY

The Mission's public communication strategy was based on dissemination of the Mission's activities via press releases and interviews. For this purpose, the Mission issued six press releases, four for the first round and two for the second round (see Annex II), and granted interviews to the principal media, not only the press but also television stations and the country's major radio broadcasting stations.

On election day, for both rounds, the Mission's representatives were constantly being asked by local and international reporters and journalists to speak. For the most part, the media confined themselves to asking the observers to give them their impressions of the development of election activities, as well as filming or taking photos of them while they worked. The Chief of Mission toured various voter precincts in the city of Quito and adjacent areas and, as the Mission's principal spokesperson, handled all media requests for the Mission's opinion.

The day after the elections, in both rounds, the Chief of Mission held a press conference, attended by the country's main television and radio broadcasting stations, as well as international media. On these occasions, the Mission reported its activities during election days and the results of its observations.

The Mission's press releases were distributed to all the media, electoral and government authorities, political parties, and the embassies of the member states accredited in the country.

CHAPTER III. LEGAL AND ELECTORAL FRAMEWORK

The legal framework for conducting general elections is set forth in the Political Constitution of the Republic of Ecuador, the Organic Law on Elections (Ley Orgánica de Elecciones—LOE), the Organic Law on Political Parties, and the Organic Law on Controlling Election and Campaign Spending, with their respective regulations, especially in the transitory provisions and the regulatory statutes sanctioned by the TSE.

In conformity with Ecuador's electoral system, for the election of the President and Vice-President, a uninominal two-round majority system has been established. In the first round, a presidential candidate, with his/her corresponding running mate, is elected if the candidate obtains an absolute majority of the votes or half plus one of all validly cast ballots. Nor shall it be necessary to hold a second round if the presidential candidate, along with running mate, who ranked first obtained more than 40% of the validly cast ballots and ten percentage points over the votes obtained by the candidate

ranking second. Otherwise, a second round of voting is held, limited to the election of the two candidates who obtained the highest majorities.

As a result of reforms to the parliamentary election system, the number of congresspersons who will become members of Congress as of the next administration will be 100 (instead of 120, as previously provided for). In line with new legislation, Congress will be comprised of two elected congresspersons by province, and one more congressperson for each 200,000 inhabitants or fraction over 150,000. For selecting congresspersons, an open list system is used, permitting the voter to point out the candidates of his/her preference from a list or from among lists. Multi-office elections are aimed at representing minorities, which is a fundamental principle of a democratic system.

As for the vote-casting procedure, in contrast to previous processes where men and women voted alternately at the same polling station, as of this election, separate stations were installed for men and women. The law indicates that voters should wait in front of the polling station (Junta Receptora de Votos—JRV) for their turn to vote. Regarding this, as long as they appear on the voter registration list, they can cast their ballot after showing their identity card. If a citizen is not included in the voter registration list of the local electoral board, he/she is not allowed to vote, but he/she is given a certificate of appearance and his/her data must be registered by the members of the electoral board on the form for unregistered voters. Illiterate voters use their right thumbprint to record their vote.

The elections are organized and supervised by the Supreme Electoral Tribunal, an independent organization that does not belong to the executive branch. It is governed by special laws and must act as the final arbiter in all electoral matters.

A. ELECTORAL AUTHORITIES

As determined by the Organic Law on Elections (LOE), electoral authorities established by the Law have exclusive authority in this area and are responsible for the correct and normal development of the electoral process. For the purpose of applying the above-mentioned law, electoral authorities may request the assistance of the police force and obtain the staff they need. Likewise, electoral authorities should, among other things, resolve claims filed by political parties and citizens and apply the sanctions provided for by the LOE.

Regarding this, the institutions that have jurisdiction over elections are the Supreme Electoral Tribunal (TSE), the Provincial Electoral Tribunals (TPEs), and the electoral boards (Juntas Receptoras de Votos—JRVs).

Supreme Electoral Tribunal

The TSE is the highest electoral authority. Its headquarters is in Quito, and its jurisdiction extends over the entire territory of the Republic of Ecuador.

It is comprised of seven regular members, with their respective alternates, who act as the representatives of the political entities that obtained the highest number of

votes at the preceding multi-office national elections, who will be submitting to Congress the lists from which regular members and alternates will be elected.

As an entity governed by public law, with autonomy and administrative, economic, and financial independence, the TSE's functions are to organize, oversee, conduct, and guarantee the electoral process, as well as draw up voter registration lists; call for elections; do the definitive vote-counting for the elections of President, Vice-President, and representatives of the Andean Parliament, and announce their results; organize the TPEs, oversee their functioning and restructure them if deemed necessary; and ensure that electoral campaigns are carried out in accordance with the law.

To be a member of the TSE, the following eligibility requirements must be met: individuals must be Ecuadorian citizens at birth, be at least 30 years of age, know how to read and write, and be entitled to fully exercise their rights as citizens.

The President of TSE is the institution's legal, judicial, and extra-judicial representative and is elected by the members of this body at the opening session held seven days after these members are sworn in before Congress. This session is convened by the first-ranking member. The Vice-President of the Tribunal and the members of the three advisory commissions are also elected from among regular members.

Provincial Electoral Tribunals

The TPEs are comprised of seven members designated by the TSE, preferably from among persons whose names appear on the lists submitted by the political parties, so as to ensure that the different political trends prevailing in the country are represented. For each regular member, the TSE elects an alternate. Both serve two-year terms.

The TPEs have the following functions under their specific jurisdiction:

- Conducting and overseeing electoral events in the framework of their jurisdiction, providing the instructions needed for holding these events and following the instructions issued by the TSE.
- Counting the votes of one-candidate and multi-office elections corresponding for their respective provinces, as well as counting the votes from their province in elections for President and Vice-President, representatives to the Andean Parliament and plebiscites, referendums, or popular consultation in the province.
- Settling claims filed by political parties or citizens regarding irregularities in the electoral process.
- Designating the members of the electoral boards (JRV).

Local Electoral Boards (Juntas Receptoras de Votos—JRV)

Local electoral boards (Juntas Receptoras de Votos--JRVs) are in charge of receiving the ballots from the voters and counting the votes for the boards. Delegates from political parties can make observations or file claims to the boards, which shall

settle them immediately and provide a report of the claims on the voting record if they are asked to do so.

Local electoral boards are comprised of a minimum of three members or a maximum of six, as determined by the TSE, depending on the complexity of each electoral process. The members are designated by the Provincial Electoral Tribunals from among citizens who have their electoral domicile in the jurisdiction where the elections take place. If a regular member is absent, any of the alternates, also designated by the TPEs, can act in his/her place. Each local electoral board will be comprised of the same number of regular members and alternates.

The polling stations open at seven in the morning on election day. If local electoral board members fail to appear at the prescribed time, the regular members or alternates appointed for this purpose, any member of the TPE or person delegated by him/her will be entitled to set up the local electoral board, designating from among the electors the number of persons needed to carry out this function. If at eight in the morning, there is still difficulty in establishing the electoral board, those member or members who are present will designate from among citizens waiting in line to vote persons to replace the absent members.

The first-ranking regular member will act as President. In his/her absence, any of the other members will take up his/her duties, by order of appointment. The TPE will also designate a secretary for each board. If the secretary fails to show up, the board will proceed to select its secretary, who can be one of the members if it is difficult to choose from among the residents of the parish.

B. POLITICAL PARTIES

The Law on Political Parties regulates how political parties are formed, their activities, and their dissolution. It also provides guarantees for their free functioning. Regarding this, the law states that: "parties are political/ideological organizations, comprised of persons who come together freely to participate in affairs of the State." Furthermore, this Law provides that parties: "...are a fundamental element of the democratic system; they shall express and orient the political will of the people, promote the active civic participation of citizens, train

their members to participate in public life, and select the best persons to run the government.”

As for funding, the Law provides that: “The assets of political parties are made up of contributions from members, State subsidies, investment earnings, and assets donated or bequeathed by their supporters.” The regulations for implementing this Law further state that parties, through the Audit Office, after obtaining optional advisory services from accounting or auditing experts, shall draw up an annual analytical report on how the treasurer of the organization has handled accounts for the party.

Likewise, as of the enactment of the Organic Law on Controlling Electoral Spending in 2000, the TSE, through the Electoral Control and Campaign Unit, exercised its function of monitoring electoral and campaign spending. In compliance with Article 12 of the above-mentioned Law, limits were set on campaign spending and promoting for each candidate to office. Regarding this, the TSE, for presidential elections, set a total amount of US\$1,139,882 for the first round and US\$227,976 for the second round to be spent by a political organization or alliance.

C. LAW ON QUOTAS AND WOMEN’S PARTICIPATION

In 1929, women in Ecuador were given the right to vote, and thus Ecuador became the first country in Latin America to grant this right to women. This right was optional and only for literate women. In 1998, the current Political Constitution came into force; its Article 102 provides that the State shall guarantee the equitable participation of men and women as candidates in the population election processes. In 2000, the Law on Quotas was passed; it provides the following: “The lists of candidacies for multi-office elections should be include at least 30% women among the principal candidates and 30% among the alternates, alternately and sequentially, a percentage that will increase in each subsequent general election by an additional 5% until equal representation has been reached.”

For the elections of 2002, the female quota in the lists for multi-office elections rose to 35%, not only for the regular candidates but also for the alternates.

CHAPTER IV. TECHNICAL OBSERVATION OF THE PROCESS

The Mission, during its stay in the country, was able to witness directly the efforts made by the Supreme Electoral Tribunal (TSE) and the Provincial Electoral Tribunals (TPEs) to ensure the suitable preparation of the electoral process for 2002, not only for the first round but also the second round. Among other priorities, the TSE drew up a detailed regressive timetable for the elections, which was carefully observed.

Among the activities carried out by the electoral authority, the following are noteworthy:

A. MANUFACTURING, PREPARING, AND DISTRIBUTING ELECTORAL MATERIALS

The company MONTGAR, comprised of a consortium of national companies who won the bidding process to conduct this activity, was in charge of manufacturing and preparing electoral materials. The Geographical Institute of the Armed Forces (IGM) was in charge of making and printing the ballots and the Army was in charge of distributing the electoral materials. To ensure timely distribution, the company MONTGAR designed a software that systematized the mapping, logistic, and organizational information of the polling stations and the coding of electoral materials contained in each electoral kit, so that it was possible to consolidate a database for future elections. The Mission visited the Santa Barbara Plant where the electoral kits were made in order to observe the work that was being done and to be sure that they were on time in all the Provincial Electoral Tribunals to be distributed afterwards to the different voter precincts.² The distribution took place sufficiently ahead of time in both rounds, even ahead of the previously established timetables.

As for the withdrawal or return of electoral materials, it was planned they would be packed in plastic bags with security sealing in each polling station and carried to the TPEs by the Army, which would be providing the logistic and security support needed for carrying the materials.

B. COMPUTER SYSTEM

The TSE has an automated system for consolidating official results, designed with the advisory services of the UPD-OAS Electoral System and Process Capacity Building area. The OAS provided technological support as part of the technical assistance it has been providing since 2000, participating in this way in modernizing and automating the country's Official Vote-Counting System, providing technical experts and its own state-of-the-art technology.

² Voter precincts are physical premises (usually schools) where the polling stations are installed.

The applications were designed to permit the administration of electoral systems, not only in the Provincial Tribunals but also in the Supreme Electoral Tribunal.

Records of the results for president and vice-president, provincial congresspersons, provincial councilors, municipal councilpersons, Andean Parliament, and mayors elected in October 2002 were entered efficiently and transparently, using secure, efficient databases for this purpose.

Furthermore, data transmission and the presentation of results were automatic so that TSE members, political organizations, the press, and citizenry in general were able to observe and audit online (or immediately) the information entered by the data processors of the different Provincial Tribunals.

The Supreme Electoral Tribunal had all the system's modules by the month of July 2002, which enabled all provincial tribunals and the Technical Department of the TSE to adequately conduct the testing and simulations needed to be completely prepared for election day.

The TSE and the TPEs had various contingency plans (automatic backups of databases, electrical energy, modems, and others) and safety alarms (checking codes, encryption and data-compacting passwords) to ensure a highest degree of reliability of the computer data, although these contingencies were never used because the system and all of its components functioned adequately during the entire process, as planned.

It should be mentioned that the elections of October 20 and November 24, 2002 were the first time that the results were delivered on time in conformity with the time-limits stipulated by Ecuador's Law on Elections, except in the province of Guayas which, because of the amount of records that had to be processed and the suspension of elections in two of the province's cantons, ended a week before the second electoral round began, although in this case the process concluded in a shorter lapse of time than in previous electoral processes.

Processing the records

To enter the records into the computer system in the TPEs, various security codes were incorporated into the electoral documents. These codes were unique, and without them the system would not allow the processing of data from the records.

As for the methodology for entering the records, to obtain the results three phases were implemented: processing, checking, and quality control. In the first two phases, the record was entered from scratch and without knowing the data entered in each one of them so as to obtain a high degree of security in data-taking. If the data entered by the processor and the verifier into the databases were consistent, the record was marked as valid; otherwise, the record was transferred to the quality control phase, where only the data of the records where discrepancies had been noted were entered,

without any knowledge of the data previously entered by the processor or the verifier. If quality control concurred with one of the two previous phases, the record was considered to be valid. Finally, if the data entered by the three phases showed discrepancies, the record was reactivated so that the process could begin again starting with the processor.

In this phase of the tabulation process, several records had simple adding mistakes, that is, the valid votes, plus blank and null ballots, exceeded the number of voters at the polling station. These records, with material errors, were rejected by the system, thus setting off various auditing alarms. To deal with this situation, various TPEs took the decision to open the ballot boxes and to count the ballots one by one. Because of this, about 2,000 records were opened in the entire country. It seems that this error occurred because of the difficulty of filling out the vote-counting records for the multi-office elections and because of the lack of training of polling station staff.

After the record had gone through all monitoring phases (processing, checking, and quality control), the record was ready for transmission, summing up, and presentation in the modules for the presentation of the results, monitoring, and auditing, not only in the provincial tribunals but also at central headquarters of the Supreme Electoral Tribunal.

It should be highlighted that, for the second round, the Mission observed the installation of the special software in the provincial electoral tribunals to accept inconsistencies between the number of voters who had cast their ballot and the number of valid, blank, and null votes.

Transmission of results

The TSE had a direct connection with all the provincial tribunals through "dedicated lines" and modems. To do this, a virtual network was installed with all the necessary security so that the information updated in TSE and on Internet would be match the information in the TPEs. To do this, encryption and compacting codes were installed to transmit the files with the information.

The data that were tabulated in each TPE were transmitted automatically and continuously during the entire process to the TSE National Computer Center, where they were consolidated and presented to political organizations.

For the second round, the Mission observed that a special communication line was installed through a modem to provide data to the Internet server, and the way of

making backup copies of the data was changed. This procedure was conducted by the database administrator, whereas, for the first round, this was done automatically on tape, which was complicated and time-consuming.

Thus, for the second round, at 11:00 a.m. on November 25, the official vote-counting system already had 50% of the computed data and the TSE consolidation center did not report any problem with the application systems involved in counting the votes.

Presentation of results

The results were presented on digital maps and in reports, which were used by political organizations, the press, and international organizations not only in the TPEs but also in the TSE. The maps showed total results for the country by province and canton; the reports provided results by country, province, canton, parish, and polling station.

The system also provided various types of additional reports, such as: reports by candidate, by political organization, by record, and by number of entered records. Furthermore, in the database "press releases" indicating the progress in counting the votes by office and candidate were saved periodically.

All the reports issued by the system contained security controls that helped identify whether the document had been issued by the module for the presentation of results or not.

Because the policy of the TSE and the TPEs was to show transparency in the electoral process, the results were handed over to the political organizations record by record, in text files, which could be read on any database to draw up statistics or audit the results record by record or by consolidated results.

TSE web site

Using last-generation tools, the TSE web site was designed. It was used to transmit information on the results of the 2002 elections to the public. This web site presented, by means of sensitive maps, the results of the offices to be elected throughout the country.

Furthermore, the modules referred to as "TSE Information" and "Voter List Queries" were developed. They helped the citizenry locate the polling station and voter precinct where they were supposed to vote.

It should be noted that, to reduce the high demand of users to enter the web site, a database was established with the e-mail addresses of the members of the electoral tribunals, the chief officers of international agencies, press, and others, who received election results via e-mail, which contributed to disseminating the preliminary results of the official vote-counting more quickly.

On the day of the elections alone, about 20,000 users entered the web site to obtain results via Internet.

Compact disk of results

After the vote-counting process for the elections of 2002 came to an end, the winning candidates in all provinces of the country were announced. Once the complete, definitive data for the results of the elections were available, this information was made public using a compact disk, for which purpose a portable Results Presentation System (Show) was developed, using the Microsoft Access database. These CDs were delivered by the TSE to political organizations and interested institutions.

Monitoring and auditing

The members of the TSE and the provincial tribunals used the monitoring and auditing module as a mechanism to ensure greater transparency for the electoral process. In addition to presenting the results record by record, reports were designed to show the political parties everything that had occurred during the record processing. To do this, a hundred computers were used for direct, immediate auditing as the records were entered into the computers.

The systems were designed so as to be perfectly auditable at any time and in all of their phases, and to obtain reports from the following phases, for example: historical report of record processing, input dates, errors made by the system's users, discrepancies between the processor and verifier for or against a given candidate, records entered by user pairs, and comparisons with the rapid vote-counting for President.

C. RAPID TRANSMISSION VOTE-COUNTING SYSTEM

On the basis of Article 193 of the Law on Elections, the Supreme Electoral Tribunal, in order to have an efficient tool to obtain election results in a shorter lapse of time and to deliver these results to the population efficiently and without distortion, announced an international public bidding process for a rapid transmission vote-counting system based on the official vote-counting records. This bidding process, involving more than US\$7 million, in which two international firms (from Israel and Spain) and one mixed enterprise comprised of Colombian and Ecuadorian capital, called Comicios Ecuador 2002, was won by the latter, because, in the judgment of the members of the Tribunal, it had the most experience although it did not offer the most

economical bid and did not meet all the technical requirements stipulated in the bidding base documents.

The system developed by the consortium Comicios Ecuador 2002 is a variant of the system used for the last elections in Colombia, albeit with two major differences:

- a) The Colombian system has to count the votes for three types of candidacies (President, senators, and congresspersons), whereas in Ecuador there are only two (President and congresspersons).
- b) In Colombia, there is no processing of the records; rather the records are simply stored as an auditing tool. In Ecuador, about 200,000 sheets of records (for President and congresspersons) have to be entered and processed in 25 data input centers, then they have to be processed in five centers, and finally they are consolidated in a national center.

The consortium Comicios Ecuador 2002 is a group comprised of three companies, two of which are Colombian and one of which is Ecuadorian. The Colombian companies were responsible for providing the technical solution to the rapid vote-counting system, whereas the Ecuadorian counterpart was responsible for logistic activities.

To examine this solution for the rapid transmission counting, the Mission visited three types of facilities where data were handled (data entry with keyboarding of records, processing, and final consolidation). These three places were: the data entry center of Santo Domingo, the Processing Center of Rosanía in Quito, and the National Consolidation Center located in the TSE. During these visits, various tests were conducted on the system at all levels in order to evaluate its capacity to reach the goal of announcing presidential electoral results at 9:00 at night on election day and the results for congressional elections at midnight on the same day.

It should be highlighted that the Colombian counterparts of the consortium have more than 20 years of wide-ranging experience in their own country in providing rapid transmission vote-counting solutions. The innovation that was required to adapt the rapid transmission procedure to Ecuador's legal and electoral system essentially involved the processing of the images of the records to convert them into electoral data; this was tested in all of the system's modules and the results were acceptable. Besides processing these images with OCR technology, data were also transmitted by voice, but only for the presidential elections in the provinces of Pichincha and Guayas.

Transmission security relied on dedicated lines for sending data and routers protected by firewalls. The Internet service was not physically connected to the consolidation server, which prevented unauthorized access from outside. The system was operated by Colombian supervisors and Ecuadorian users at all of its levels.

Some of the advantages and drawbacks observed in the system contracted by the TSE are specified below:

Advantages

- It has been used similarly in various countries, and in all of them the expected goals have been reached.
- The two data entry alternatives (voice and image) can be used throughout the country for presidential elections, one replacing the other in case of need.
- It requires commercially available equipment and the existing communication network (telephones and dedicated lines).
- Users of all strata can be informed of the results in a few hours.

Drawbacks

- It is a costly solution because it is tailored specifically for each election, and new contracts need to be drawn up for other elections.
- It does not generate the transfer of technology for the electoral institution.

It should finally be highlighted that, although the company Comicios Ecuador 2002 did not have all the information on the day and at the time that were prescribed because of the failure of timely delivery of records, it was able to provide enough partial information so that the TSE could present results to the population on time.

For the second round, in compliance with the suggestion made by OAS to speed up the rapid transmission process, 100% of the records were transmitted by telephone, in addition to the digitalization of these documents, whereas in the first round only data from two provinces were sent by telephone. Likewise, it was decided that the transmission records would not be laminated, and there was a 20% increase in the number of phone lines to obtain data by voice; there was also a change in procedures, whereby the Operations Centers received the reports and consultations on the progress of the data transmission directly.

Finally, the consolidation of the results from the electoral records obtained by voice has permitted a speed that even the planners of Comicios Ecuador could never have imagined. At 7:00 p.m., 94% of the data had been consolidated in the National Rapid Transmission Computer Center, located in the TSE. As a result, a historical record in terms of speed for an electoral process in the Americas was set, as the process was faster than in countries like Brazil, where electoral procedures are totally computerized.

D. TRAINING OF ELECTORAL OFFICERS AND VOTER EDUCATION AND ORIENTATION

The Mission was able to observe various training sessions conducted by the electoral tribunals in the country's different regions and noted the sound organization and quality of these sessions, as well as the attendance and motivation of the participating staff. Nevertheless, it should be underscored that many of the premises used for the training turned out to be too small for the amount of persons attending the training.

As for voter education and orientation, the TSE, with advisory services from International Foundation for Election Systems (IFES), designed an information campaign

and distributed a primer to the main written media. It also conducted workshops on the basis of agreements with various universities in several cities of the country. The central purpose of this campaign, which took place in public squares, parks, and outlying communities, was to involve the citizenry in the process, as well as reduce absenteeism and abstentions.

It should be noted, however, that although this campaign was very intense for the short period assigned to it, it took place too late and therefore did not ensure adequate coverage of the population.

E. WOMEN'S PARTICIPATION

Since in Ecuador local electoral boards have separate polling stations for men and women, the Mission was able to project women's participation in these elections. According to the forecast made by the Mission, about 2.8 million women, out of a total of 4,104,171 women entitled to vote, participated in the election, accounting for 68% of the entire female electorate.

Likewise, since the quota for women set for the multi-office balloting of these elections amounted to 35%, according to TSE statistics, this percentage was observed in all the ballots. As an example, the amount and percentage of women on the ballots of candidates for electing provincial congresspersons are specified below:

- Multi-office election of more than two candidates for provincial congresspersons. Regular candidates: 1,361, of whom 578 were women, accounting for 42.47%.
- Multi-office election of more than two candidates for provincial congresspersons. Alternate candidates: 1.361, of whom 616 were women, accounting for 45.26%.

As a result of the above, the TSE provided the following statistics regarding the participation of all offices (congresspersons, councilors and councilpersons): 61.32% men and 38.68% women for regular candidacies, and 56.02% men and 43.98% women for alternates (see statistics for previous elections in Annex IV).

Nevertheless, it should be underscored that the interpretation of alternation and sequence of women on the balloting lists triggered a confrontation between the Ecuadorian Women's Movement and the TSE, which led to the filing of a claim regarding the unconstitutionality of Article 40 of the regulations issued by the Tribunal, a request for impeachment of the members of the Tribunal, and the establishment of a nationwide citizen watch to challenge the ballots that did not adequately apply the quota, alternation, and sequence rule (see, on page 28, the protest submitted to the EOM by the Ecuadorian Women's Movement).

Finally, on November 12, 2002, the Constitutional Court of the Republic ruled that Article 40 of the General Regulations of the Law on Elections was substantively unconstitutional.

F. CONTROLLING ELECTORAL SPENDING AND CAMPAIGNING

During the electoral process held in Ecuador, one of the issues that drew the most attention was the spending on elections made by the various political parties. This was apparent not only during the first round but also during the second round, where some of the participating parties exceeded the amounts prescribed by the Organic Law on Controlling Electoral Spending and Campaigning, which led to a questioning of the Law's effectiveness.

Article 3 of the Organic Law on Controlling Electoral Spending and Campaigning provides that the regulatory entity is the Supreme Electoral Tribunal, which is exclusively empowered to monitor and evaluate the accounts in terms of amount, origin, and destination of the resources used in national electoral campaigns, and the Provincial Electoral Tribunals exercise the same power in their jurisdictions.

Article 10 of the above-mentioned Law provides the maximum ceilings for electoral spending and divides the amount pertaining to each one by the offices for election. This maximum amount authorized for electoral spending is determined by dividing the total maximum amount of electoral spending by the total number of voters nationwide; this result, which corresponds to the unit value by voter, shall be multiplied by the number of voters of the corresponding electoral district. When the election involves single-office candidacies, this result is the maximum authorized amount for electoral spending; for multi-office candidacies, however, the maximum authorized amount for electoral spending is divided by the number of offices in the election, as result of which the amount of electoral spending per candidate is obtained. To the sum of the total amount of authorized electoral spending by political organization should be added the total maximum amount of electoral spending by office to be elected.

According to Article 12 of the Law, the Supreme Electoral Tribunal, 15 days before convening an election, shall point out and publish in the press the ceilings on electoral spending for campaigning and electoral promotion for each office to be elected, in conformity with the provisions of Article 10 of the above-mentioned Law.

Ninety days after the election has concluded, the person in charge of the campaign's economic transactions, with the intervention of a certified public accountant, shall submit a consolidated balance sheet, with the income and expenses of the electoral campaign, in addition to a list of contributors with the supporting documents stipulated by law. This balance sheet shall be approved by the candidate or candidates, by the corresponding internal auditing firm, and by the political organization or alliance that sponsored the candidacy. Finally, it is presented to the electoral institution that has jurisdiction in the matter so that it can issue its ruling within 30 days.

The media and advertising agencies should inform the corresponding electoral organizations, within 30 days at the most as of the conclusion of the electoral campaign, about all electoral publicity contracts drawn up with political organizations, alliances, and candidates, indicating the space that was hired, their duration and frequency, the itemized and total amount paid for the advertising services that were provided. If these provisions are not observed, the law envisages monetary sanctions.

During the entire electoral process, especially during the second round, campaign spending by political parties exceeded the limits set by the Law and the TSE. As a result, the Supreme Tribunal requested the various media to suspend ahead of time the broadcasting of political campaigning, but this order was not observed. During the

second round, political campaigning in the media by the two candidates to the office of President of the Republic continued until the last day, before the ban on campaigning came into force, without observing the requests made by the TSE.

As a result of the above, it became apparent that the Law does not clearly set forth the penalties that can be applied on a political entity for exceeding the ceilings set on campaign spending.

In the fifth chapter of the Organic Law on Controlling Electoral and Campaign Spending, entitled "Penalties," emphasis is placed only on excessive and illicit contributions and on the failure of legal representatives or officers in charge of public or private entities or the repositories of information to hand over information required by electoral organizations, consisting of the data required by electoral institutions to monitor the amount, origin, and destination of the resources used in campaigning.

In the instructions to Control and Evaluate Electoral and Campaign Spending by the Supreme Electoral Tribunal of October 17, 2000 and published in Official Register No. 196 of November 1, 2000, Articles 8 and 9 stipulated that, if the review of the accounts presented by the political subjects in accordance with Article 29 of the Organic Law on Controlling Electoral and Campaign Spending detects any indications of lawbreaking, the provincial tribunal will order a special audit. If the latter point to signs of criminal liability, the corresponding electoral tribunal will file the relevant legal proceedings. Regardless of the nature of the penalties imposed on the political subjects, they will be applied by the electoral tribunal that was apprised of, and issued a ruling on, the electoral spending. The coercive jurisdiction regarding this will be exercised by the TSE in accordance with the provisions set forth by Law.

Finally, when the TSE executes the penalties, at least 90 days have elapsed since the elections so that, by that time, there is no legal provision obliging suspension of campaigning. As a result, political subjects spend on their campaigns over and above the ceilings set by Law and the Supreme Electoral Tribunal.

CHAPTER V. PRE-ELECTION PHASES

In the framework of the electoral process, Ecuador tackled a series of major challenges. In political terms, the process in 2002 was characterized by strong voter apathy, mainly in the large urban centers, and by the apparent loss of credibility of political parties. The disillusionment of the voters with this electoral process was due to the lack of strong leaders who could draw the attention of the voters, as well as a perception of political leadership's incapability of reaching the agreements and

consensus needed to address the many economic and social demands of vast sectors of the population, among other reasons.

The population's disappointment with traditional political groups has led, among other phenomena, to the upsurge of a series of political figures, parties, and movements that have managed to draw a high level of preference among voters by using strong rhetoric against corruption and the "old" style of politics.

As for the economy, Ecuador had to tackle major challenges, such as the steep drop in its competitiveness and difficult negotiations with the International Monetary Fund (IMF). Likewise, in terms of international issues, the conflict in Colombia, and the Free Trade Area of the Americas (FTAA) were the two most important issues for the country.

A. ELECTORAL CAMPAIGN

In conformity with changes in electoral legislation, the electoral campaign for the elections of October 20 lasted 45 days, which benefited the smaller parties and movements. In the framework of the Organic Law on Electoral Spending, the presidential candidates were entitled to use a total of US\$1,139,882 for campaigning during the first round. Likewise, the two contending candidates in the second round had 15 days of campaigning and were entitled to spend a total of US\$227,976 according to the Law.

It should be underscored that, according to the reports from the electoral spending control office and the civic organization, Citizen Participation, in the first round, two presidential candidates, Álvaro Noboa of the National Institutional Action Renewal Party (PRIAN) and Jacobo Bucarám of the Ecuadorian Roldos Party (PRE), spent more than the amount stipulated by law and were penalized by the TSE with a fine amounting to twice the excess amount spent. In the second round, however, where both candidates also spent over and beyond the amount permitted for campaign spending, by the close of the drafting of the present report, no proceedings had been filed by the TSE regarding this matter.

As a rule, the campaigns in both rounds were characterized by substantial participation of political forces and by growing political interest among the different sectors of the population. Although there were some instances of verbal attacks between political parties, the campaigning was conducted in an environment of respect and peacefulness, without any alteration of the electoral process at any time. Nevertheless, in the second round, direct attacks between the two candidates were observed, and at times this blemished the campaign's normal evolution.

B. CONCERNS OF THE POLITICAL PARTIES

As explained in Section 2 of the present report, the Mission, as part of its observation tasks, requested interviews from all the representatives of political organizations and, during the pre-election period, visited almost all the presidential candidates to obtain their viewpoints about the development of the electoral process, as well as information about their concerns about the process.

Among other issues, the persons who were interviewed pointed out the following concerns: the issue of electoral spending, the trust in electoral authorities, the

irregularities in organizing the electoral process, and the access of the candidates to the media. Some reported what appeared to them to be a possible electoral fraud.

In Guayas, the Electoral Tribunal of Guayas (TEG) started working the last pre-election week of the first round in a climate of tension and disorder, after the crisis a few days earlier, in which electoral authorities were accused of favoring the partisan appointment of electoral board members who were for the party of the President of the TEG at that time, namely, the PRE. The crisis was resolved by the appointment of a new President of the TEG and Director of the Computer Center, as well as the invitation to designate new electoral board members.

As a result of the crisis, one of the most important problems that had to be handled by the new President of the TEG was to ensure the invitation and training of more than 70,000 electoral board members throughout the province, one week before election day. This generated a climate of mistrust in the electoral authorities by certain political parties (such as the PRE) and by the local press, which repeatedly expressed to the OAS its concerns about whether the TEG would be ready to ensure suitable conditions permitting free elections.

C. ELECTORAL COMPLAINTS AND REPORTS

During the pre-election phase of the first round, the Mission received a series of complaints and reports, which for the most part³ were duly processed with the electoral authorities and obtained different results. In the second round, the Mission did not receive any report.

Among the complaints and reports that were received, the following are noteworthy:

The Ecuadorian Women's Movement filed a report regarding the presentation of the ballot lists of political groups, which they claimed was breaking the Law on Quotas provided for by the Constitution of the Republic and the Organic Law on Elections. Formally, the Tribunal established that the watches designed by the Ecuadorian Women's Movement were not political subjects and therefore they could not file appeals. As for the substance of the matter, the Tribunal replied by issuing an in-depth detailed report from each province and for all offices, establishing that the Law on Quotas had been observed in all the ballots.

³ Some of the reports were not processed because they could not be substantiated.

The EOM also received a report from Mr. Edmundo Arce, candidate to the Andean Parliament for the ballots of the National Union Party (UNO), where because of a typing error his name had been changed on the voting ballot, his first name appearing as Segundo instead of Edmundo. This candidate felt discriminated against, not only because of the change of name but also because he belonged to a racial minority. Regarding this, this situation was reported to the Supreme Electoral Tribunal, which replied that it was an error that did not infringe the candidate's right to be elected, since for this type of election, the vote was for the ballot and not for the individual candidates. In any case, it should be underscored that the TSE extended its apologies publicly to the candidate for the above-mentioned error.

Furthermore, the binomial candidacy Roldós-Padilla 4 reported that, on September 26, the forms of the voting ballots were published in the daily newspapers *El Comercio*, *El Universo*, and *La Hora*, as well as in other national media; on these forms the box for ballot 405 in the area for President was partially deleted and the area for Vice-President totally eliminated. On October 3, the Mission transmitted the complaint filed by the binomial candidacy Roldós-Padilla to the President of the Supreme Electoral Tribunal, who replied on October 7 (letter No. 958-P-CJAA-TSE-2002), explaining that, when the voting forms were published, each one was stumped and it is because of that that the end of the publication is blurred, because when they are stumped, the color tone is reduced. It clearly expressed that the supreme voting institution was not engaged in any campaign against anyone and indicated that the campaigns of the Supreme Electoral Tribunal were based on civic principles.

The Independent Labor and Democracy Movement filed a complaint regarding the participation of the President of the Electoral Tribunal of Carchi, Washington Enríquez, in a political event of the Democratic Left Party. The TSE, by means of letter No. 1056, informed the Mission that, in compliance with normal procedures, an order had been issued to open an investigative file under the responsibility of the institution's Permanent Juridical Committee, which would guarantee the accused legitimate defense.

In addition, the TSE processed two reports filed by PRIAN. One dealt with changes made in the Electoral Tribunals and in the TSE Computer Center and included the request to permit experts from different political parties to enter the Computer Center to audit the software system that would be used on election day. The other

4 Presidential and vice-presidential candidates of Ballot 40.

5 Space on the voting ballot allotted to each political party or movement.

involved a report by Dr. Marcelo Cruz, vice-presidential candidate, regarding the publication of surveys allegedly broadcast on television channel 8 in Quito on Friday October 18 and Saturday October 19. Regarding the first, the TSE, by means of letter No. 1057, replied that Article 20, paragraph c) of the Organic Law on Elections provides that TSE is exclusively responsible for organizing provincial tribunals, watching over their functioning, and totally or partially reorganizing them if it is deemed necessary. Regarding this, the TSE partially reorganized the TPE of Guayas, dismissing its President, secretary, and computer director because they had failed to observe provisions expressly set forth in the establishment of the electoral boards (JRV). Likewise, it informed that, with respect to the changes in the computer center, the TSE had not made any change in the staff. As for the designation of experts that could audit the computer systems, letters had been sent to the political parties on September 23 and October 1, 7, and 14, providing opportunities to check the transparency of the elections.

Likewise, the EOM undertook an in-depth juridical and electoral study of the performance of the Supreme Electoral Tribunal in various matters, which although not filed as report were criticized by various players of the process, such as the establishment of the electoral boards and the legality of the rapid transmission of results.

Regarding the establishment of local electoral boards, the TSE issued a resolution providing that, for the establishment of the boards, the delegates of political groups should not be taken into account and determined that they should act solely and exclusively as observers. It should be emphasized that the TSE acted in accordance with current legislation, as the Organic Law on Elections when referring to those who should be members of the electoral boards state that they will be comprised of "...or members of political parties..."; this implies that the word "or" grants the TSE the discretionary power to use them.

As for the legality of the rapid transmission of results, as informed by the electoral authorities, it is based on the general provisions of the Organic Law on

Elections, empowering the TSE to fine-tune the use of the media to permit a constant flow of information and delivery of results to the different computer centers and the electoral institution.⁶

D. MEDIA COVERAGE

The last weeks prior to the election on October 20, both the print media and television and radio provided broad coverage of the electoral process. The majority of television and radio stations offered special and regular programming to cover the campaign's most noteworthy issues. When the first round ended and up until the elections of November 24, the media provided ample coverage of the process, focusing almost all of its news reporting programming on the subject of the elections.

In terms of contents, the coverage specifically focused on the development of the campaign tours and events of the candidates, rather than on any debate of their platforms for their administration. In the second round, days before the election, to everybody's surprise, it was proposed that a debate be held between the two final candidates, but afterwards it was cancelled because no agreement had been reached between the candidates or between the candidates and the media for holding it.

As a rule, press and television coverage of the campaign, during both rounds, reflected the intensification of the electoral campaign. Negative messages and campaigns aimed at attacking and discrediting the candidates became increasingly virulent during these periods, momentarily blemishing the normal evolution of the process in the second round, as mentioned earlier.

The space granted to the principal political organizations in the press was well-balanced in the country's most widely circulated daily newspapers. Television stations also strived to grant equal time for the principal candidates.

CHAPTER VI. ELECTION DAY (FIRST AND SECOND ROUNDS)

The Mission observed the elections in the country's 13 provinces by visiting more than 500 voting centers and randomly observing more than 600 polling stations in the first round and a similar number in the second round. The observers checked both the organization of the election by the Supreme Electoral Tribunal and the provincial tribunals and compliance with the statutes guaranteeing voter rights.

⁶ Article 193 of the Organic Law on Elections: "...The Supreme Electoral Tribunal will fine-tune the use of the most suitable media for transmittal to computer centres and the electoral institution to ensure the most efficient information and delivery of electoral results."

According to what was observed by the Mission, during both the first and second rounds, the election took place normally, in an environment of peacefulness, transparency, freedom, and security (see Consolidation of the Observation). Ecuadorian citizens turned out massively to vote and cast their ballots, in general, freely and secretly, showing an exemplary sense of civic duty and belief in democracy, even in those stations where logistic problems, delays in starting up the voting process, and lesser irregularities were evident.

The observation laid special emphasis on the following aspects:

A. OBSERVATION OF TECHNICAL AND ADMINISTRATIVE MATTERS

Receiving the material. In the large majority of the polling stations that were observed, in both electoral rounds, the voting material was received on time and completely. In those cases where the material was missing, the problem was quickly dealt with by the staff of the TPEs. Nevertheless, in some voter precincts, for example in the Francisco Albornia High School in the canton of Quito, parish of Cotacollao, for the first round there was only one ballot box for each polling station. The material was complete when it arrived but the Army just handed over one ballot box and the other remained in their custody. Likewise, in both rounds, it was observed that, in many cases, the Army assembled the ballot boxes before the arrival of electoral board members at the polling station.

Installing and opening the polling stations. According to what was observed by the Mission during both rounds, the process of installing and opening the polling stations took place normally, despite the lack of suitable physical conditions in many of the voter precincts. Likewise, in the majority of cases, delays in the installation process were found, so that, on average, they opened between 7:30 and 8:00 in the morning. In the parish of Cojimías, in the province of Manabí, in the first round, the polling stations had not been installed and voting was suspended by the TSE, because a group of citizens prevented the stations from being installed, claiming the lack of basic services for the population as their reason. For the second round, the polling stations of the downtown sector of the city of Riobamba, province of Chimborazo, were not installed because of the blowup of a military arsenal a few days prior to the election.

Furthermore, during the first round, in the cantons of Naranjito and Palestina, in the province of Guayas, voting started but was suspended and, as in the parish of Cojimías, elections took place completely on October 27, 2002.

Secrecy of voting. Although in some cases deficiencies in the installation of the screens were detected and the measures needed to guarantee the right to secrecy of voting were not taken, in all cases observed by the Mission, the secrecy of voting was duly respected in both rounds.

Electoral board members. In the majority of the polling stations that were observed, some of the regular board members failed to show up to carry out their duties. Nevertheless, these functions were performed by alternates, in accordance with procedures established by law. It should be emphasized that in all the polling stations observed in both rounds these officials performed their duties with a high sense of

responsibility and dedication, fully carrying out the tasks assigned to them, although in some cases they had not been duly trained.

Party delegates. In the majority of the voter precincts that were visited during the two rounds, delegates from different political parties were observed. According to reports by the observers, they fully performed their duties in accordance with established procedures, although they did not carry suitable identification and were carrying out functions in various polling stations at the same time.

Security elements in voting premises. The Mission observers witnessed the presence of security forces in all the voter precincts visited during the two election days. Their presence was discreet, and they were dedicated to carrying out specific tasks normally, although in some cases certain intrusions in matters pertaining to the electoral board members were observed, but they did not affect the normal development of the process. Nevertheless, the Mission did not find any justification for the display of weapons, because although they might contribute to security they could also be construed as intimidation.

Voter orientation. As noted by Mission observers in the voter precincts visited during the first round, the absence of voter information centers and a visibly identified physical place for the coordinator of the voter precinct led to major difficulties for the electors, not only to identify their polling station but also to locate it inside each voter precinct. Likewise, the lack of identification for the polling stations for men and women made it difficult for the voters to locate their polling stations. Nevertheless, in the second electoral round, the TSE took the necessary remedial measures to install information centers and to permit a clearer identification of the polling stations.

Closing of the stations and vote counting. In general, the voting closed at 5:00 in the afternoon, the time prescribed by law in all electoral rounds. In the polling stations observed by the members of the Mission, many voters waited in line without being able to vote (about 7,000 voters throughout the country in the first round and about 5,000 in the second round were unable to vote, according to the statistical sample conducted by the EOM). Nevertheless, they were given the corresponding certificate of appearance. The vote-counting process by the local electoral boards took place normally, and in most polling stations the presence of party delegates could be observed. Nevertheless, it should be emphasized that, because of the complexity of multi-office elections, the amount of forms that had to be filled out by the electoral board members to draw up the records and the lamination of each one, as stipulated by law in the first round, delayed the vote-counting process and, in many cases, confused the electoral board members, who drew up the records as they deemed fit.

B. MEDIA COVERAGE

Beyond the small differences in the two rounds, media coverage on election day was generally positive and optimistic and was characterized by an emphasis on the importance of the participation of the citizens in these elections.

Once the voting ended, attention focused on television stations, which took over the task of disseminating the partial results issued by the TSE. It was observed that the television stations and printed media took great care in emphasizing that the results

were preliminary and based on the rapid transmission of the votes counted by Comicios Ecuador. The candidates in both rounds displayed responsible and democratic conduct by waiting patiently for the results of the election.

C. VOTE COUNTING

For vote counting in the provinces, according to the law, the provincial tribunals must meet at 21:00 on election day for a permanent session until all votes have been counted. This procedure should not last for more than 10 days as of the day following election day.

According to the observations made by the Mission, the vote-counting process in the TPEs in the two rounds generally took place in the framework of the law, in an orderly fashion, and in the presence of the delegates of the parties participating in the electoral race. The latter conducted a close follow-up of each procedure in the station, validating the records that were examined by signing them. Although this practice contributed to some extent to the delay in disseminating official figures, it also promoted greater transparency and legitimacy.

Nevertheless, in the province of Chimborazo, in the first round, the TSE had to order that all ballot boxes be opened and all their votes for the multi-office elections counted again, because of an error that was detected in the computer system as a result of the omission of the change of number granted by the TPE in the ballots of two political movements at the provincial level.

D. COMPLAINTS AND REPORTS

During election day, in both rounds, the observers of the Mission received complaints and reports about the different situations taking place during these civic events, although none of them were substantive. The Mission received, mostly in the first round, complaints and reports about aspects such as the late opening of polling stations, the failure of some electoral board members to show up, the lack of materials in electoral kits, the change of premises for certain polling stations, the overcrowding of many stations in small premises, and the little information being provided in voter precincts. It should be emphasized that these flaws did not influence the electoral event or blemish the exemplary elections that were held on October 20 and November 24.

E. OBSERVATION OF SUSPENDED ELECTIONS

By order of the TSE, the elections that were suspended on October 20 in the parish of Cojimías of the province of Manabí and in the cantons of Naranjito and Palestina of the province of Guayas were held on Sunday, October 27. Because of constraints on human and economic resources, the EOM could only observe the voting process in the parish of Cojimías and was unable to attend the two cantons of the province of Guayas. In this parish, the Mission, in the presence of the Chief and Deputy Chief in the place, was able to observe that the elections took place normally and that the people were able to exercise their right to vote freely and with the guarantee of secrecy of voting.

Although the Mission recognized the claims of the population of Cojimías, it regretted nevertheless that it resorted to obstructing an event of democratic expression as a way of pressuring public authorities regarding a situation that has nothing to do with the electoral process. The initiative created a major precedent because the same situation occurred again in another province during the second round.

Likewise, a team of two Mission delegates observed the suspended elections in the canton of Riobamba of the province of Chimborazo, which took place on December 1. According to reports by observers, they took place normally and with broad citizen participation.

F. QUICK COUNT OF THE MISSION⁷

Quick count (QC) is a statistical process to audit the official vote-counting in an election. For the QC, a sample is drawn from the polling stations where OAS observers are watching the vote counting, and thus it is possible to guarantee the results obtained from these stations. To forecast the results of these polling stations for the universe of all the country's polling stations, statistical methods are used. The official results of the election are compared with the results of the QC-based forecast. If there is a discrepancy in the figures within a certain margin of error, it is possible to assume that there are problems in the official vote counting. On this basis, it is important to clarify

⁷ Bibliographic references: 1) Cochran, W.G. (1977): *Sampling Techniques*, third edition, John Wiley & Sons Inc., New York, NY. 2) Sukhatme, P.V. and Sukhatme, B.V. (1970): 3) *Sampling Theory of Surveys With Applications*, Second, Revised Edition, Iowa State University Press, Ames, IO.

that the function of the QC is not to predict the winner of the election (which might be valuable additional information) but rather, as mentioned earlier, to indicate if the official counting has deviations. The process has been used by the Organization of American States in other elections and was used again in this presidential election in Ecuador.

The Mission decided to draw two samples from 30 polling stations each, taken from all the polling stations in the country (total of 37,282 polling stations), except for the polling stations of the Amazon region (total of 1,315 stations) and the province of Galápagos (total of 49 stations). The first of these two samples was identified as the *primary sample* and the second as the *secondary sample*. After observing the vote counting and obtaining the result of the vote counting from the polling station of the primary sample, the observers transmitted the data to the Mission's Computer Center and then went to look for the result of the vote-counting of the polling station of the secondary sample. Use of the two samples was aimed at using the largest number of polling stations while relying on the fewest observers. The data from the two samples were compared using a statistical test and if the data agreed, the two samples were brought together for the final projections with 60 sample units. In addition, the statistical test also indicates whether the data of the polling stations where the vote counting has not been observed display results that are compatible with the data of the polling stations where the observer has been present.

The margin of error of the forecast by the QC cannot be known beforehand because this information depends on election data. Because of this, the margin of error of the forecast that will be done cannot be stated.

It is known that, in Ecuador, the coastal region and the sierra have very different electoral behaviors. Because of this, the universe of the country's polling stations was stratified: there were two strata: *coastal region* and *sierra*, and a *simple random sample* of polling stations was taken from each stratum. The coastal region stratum had 19,530 polling stations (54.3%) and the sierra stratum had 16,437 polling stations (45.7%). Thus, 54.3% of the polling stations of the sample in the coastal region stratum (32 polling stations) and 45.7% of the polling stations in the sierra stratum (28 polling stations) were taken. Therefore, the sampling process involved a *stratified random sample with proportional location*.

Since no statistical evidence of differences between the primary sample and the secondary sample were found, in the first round the two samples were combined so as to work with a total of 60 polling stations. In the second round, on the other hand, owing to the limited number of Mission observers, the counting was done only with the primary sample.

In both cases, the percentages of the votes for each candidate, the percentage of blank and null votes, and the participation (percentage of electors entitled to vote who actually voted) were estimated. Furthermore, the margin of error of each estimate was determined to obtain a confidence coefficient of 99%.

Likewise, the polling stations were used to conduct other projections such as:

- Percentage of polling stations that opened at 07:00 a.m.

- Percentage of JRVs that closed at 17:00.
- Number of electors waiting in line who did not vote because of closing of the polling station.
- Number voters, by gender, who voted in the entire country.

The calculations were done on a microcomputer, using version 8.2 of the SAS® in Windows 2000. The programs used for the calculations were tested on populations simulated on the computer. The results of the statistical tests for the comparison of the two samples are presented in Annex IV.

The results of the quick count in both electoral rounds for President and Vice-President of the Republic are presented below. It is important to highlight that the 99% reliability is valid for each separate estimate (that is, per individual result). It is not valid as a whole for all the estimates together. No significant statistical difference was found among the data of the primary and secondary samples; because of this, as explained earlier, in the first round the two samples were combined for the projections.

Results of the first round

Projection of the Percentage of Votes Confidence: 99%			
Identification	Percentage	Lower limit	Upper limit
Lucio Edwin Gutiérrez Borbúa	20.17	15.94	24.39
Álvaro Fernando Noboa Pontón	17.51	15.36	19.66
León Roldós Aguilera	15.98	13.46	18.50
Rodrigo Borja Cevallos	4.32	11.49	17.16
Antonio Xavier Neira Méndez	12.36	9.34	15.37
Jacobo Bucarám Ortiz	11.28	7.91	14.64
Jacinto Velásquez Herrera	3.42	2.44	4.39
Yvonne Leyla Abuchakra	1.76	1.32	2.20
Oswaldo Hurtado Larrea	1.12	0.58	1.66
César Augusto Alarcón Costa	1.08	0.61	1.55
Carlos Antonio Vargas Guatatuca	1.02	0.29	1.74
PARTICIPATION	70.47	64.54	76.39
BLANK VOTES	3.95	2.50	5.41
NULL VOTES	9.63	7.69	11.56

The percentages for the candidates are calculated as the share of total valid votes.
The percentages of blank and null votes are calculated as the share of total votes.

Projection of Total Men and Women Voters			
Confidence: 99%			
Voters	Lower Total	Upper limit	limit
Men	2671691	1680383	3663000
Women	2763304	1747612	3778996

Electors who did not vote (they were waiting in line at closing time)			
Confidence: 99%			
Electors who did not vote	Lower limit	Upper limit	
6949	0	20053	

Results of the second round

Projection of the Percentage of Votes - 30 polling stations			
Confidence: 95%			
Identification	Percentage	Lower limit	Upper limit
Lucio Edwin Gutiérrez Borbúa	53.05	48.62	57.47
Alvaro Fernando Noboa Pontón	46.95	42.53	51.38
PARTICIPATION	71.49	64.62	78.36
BLANK VOTES	1.35	0.33	2.37
NULL VOTES	10.15	8.40	11.90

The percentages for the candidates are calculated as the share of total valid votes. The percentages of the blank and null votes are calculated as a share of total votes cast.

Projection of Percentage Confidence: 95%				
limit	Voting	Result	Lower Percentage	Upper limit
65.36	Opening at 7:00	No	46.47	27.59
72.41	Opening at 7:00	Yes	53.53	34.64
0.00	Closing at 17:00	No	.	0.00
	Closing at 17:00	Yes	100.0	00.0 100.0

Projection of Total Men and Women Voters Confidence: 95%				
	Voters	Total	Lower limit	Upper limit
	Men	2997065	1821425	4172705
	Women	2557928	1463544	3652311

Electors who did not vote Confidence: 95%				
	Electors who did not vote	Lower limit	Upper limit	
	5072	0	11020	

**Percentage of Votes by Men and Women
Coastal region and Sierra**

Stratum	Voters	Gutiérrez	Percentage Noboa	Percentage
	Coast	Men	40.07	59.93
	Coast	Women	24.70	75.30
	Sierra	Men	77.42	22.58
	Sierra	Women	71.73	28.27

Total Percentage of Votes by Men and Women

Voters	Gutiérrez	Noboa	
	Men	57.85	42.15
	Women	47.09	52.91

CHAPTER VII. POST-ELECTION STAGES

In the first electoral round, the post-election phase was characterized, among other elements, by a feeling of uncertainty regarding the results of the elections, mainly because of the limited margin of votes recorded among the four political forces obtaining the most votes. Despite this circumstance, the fact that both political organizations and the citizenry in general waited peacefully for official election results is eloquent proof of the stoicism and civic maturity of the Ecuadorian people.

Likewise, in the second round, the post-election phase was noteworthy for the speed with which the TSE announced the results of the election, bringing peace of mind to the citizens and providing proof of the transparency and efficiency of the rapid transmission system that was installed for these elections.

As evidence of the normality of the voting process, it should be emphasized that the political parties did not massively exercise their right to challenge the activities of the polling stations installed in the country, except for the suspension of the elections mentioned earlier and some isolated cases where certain results were challenged. Nevertheless, there were certain claims filed by candidates regarding the system for electing congresspersons and some complaints about irregularities on election day. The time-limits stipulated by the law for filing appeals has expired, without any evidence of a number of complaints and challenges that might be sufficient to affect the electoral process as a whole.

A. DISSEMINATION OF THE RESULTS OF THE ELECTIONS

As indicated earlier, when the voting period ended, because of the ban on exit polls, the various media proceeded to wait for the electoral results from the Supreme Electoral Tribunal. After holding a meeting with the EOM at the closing of the voting of the first round, at which time it was agreed that the first results would be announced at 7:00 in the evening and afterwards at the discretion of the plenary session, the TSE issued its first press release on the results of the presidential race at 7:00 in the evening, confirming survey trends that reflected very close results between the principal contenders. Later this trend was further confirmed as the results of the preliminary counting were made known, which therefore confirmed that no candidate would obtain an absolute majority of the votes to become President. As a result, a second round of elections would have to be held. It should be emphasized once again that the candidates displayed civic conduct by waiting patiently for the results of the TSE.

B. CHALLENGES

In the first round, the TSE informed the Mission that it had received a total of 42 appeals involving challenges made by political organizations: five each from the

provinces of Pastaza, Sucumbíos, Esmeraldas, and Los Ríos; four each from the provinces of Napo and Pichincha; three appeals each from Loja, Manabí, and Zamora; two from Chimborazo; and one each from Galápagos, Imbabura, and Carchi. Among these, 18 were filed regarding the office of congressperson; 14 regarding the office of provincial councilperson; 5 regarding the office of municipal councilperson; and one regarding the office of delegate to the Andean Parliament.

As for the reasons for the appeals, 20 of them involved the awarding of positions; 14 appeals involved the numerical result presented by the tribunals; and finally there were (only) four complaints filed against decisions taken by the provincial tribunals.

Among those who filed the largest number of challenges, there were the PSC, which filed seven appeals, as did the PRE; the MPD filed five appeals; three were filed by the CFP and PRIAN parties; as for the Democratic Left, the DP-UDC, the January 21st PSP-MPD, the AN party and the UNO party, each filed two; and finally, the UNO-PSC Alliance, the Labor and Democracy Movement, the Pachakutik Movement, CFP, and the local electoral board of Pifo each filed one appeal.

The Supreme Electoral Tribunal accepted only 6 of the 37 appeals it reviewed.

In the second round, the TSE informed the EOM that it did not receive any challenge on the process from the participation political organizations.

8 Article 143 of the Organic Law on Elections.

C. COMPLAINTS AND REPORTS

On October 23, the Mission received a report filed by the spokesperson of the Roldós-Padilla campaign on the apparent lack of transparency in the electoral process as a result of the intervention of the police force which prevented delegates from being present in the polling stations when the votes were being counted, irregularities involving the loss of records in Guayaquil, excess of electoral spending, and the lack of adequate monitoring and handling of electoral materials by police force staff. This report was referred to the TSE, which issued an in-depth reply to the complainant, settling the matter that had been described.

Likewise, on October 28, the Mission received a report from the candidate to the office of congressperson from the Social Christian Party of the province of Galápagos, Alfredo Serrano Valladares, regarding the awarding of seats for provincial congresspersons for this province; it claimed that the TPE of Galápagos was not correctly applying the provisions of the Organic Law on Elections in cases where two representatives are elected. The report was transferred to the TSE to clarify the situation being described. The TSE accepted the appeal and assigned a seat to the complainant.

Finally, the Mission was apprised of a report presented by Rafael Dávila Éguez, candidate to the office of congressperson for the ballots 12-42 of the Ecuadorian Regional Integration Movement (MIRE), against the candidacy of ballot 4 of the Concentration of People's Forces (CFP), Jorge Montero Rodríguez, for holding a contract with the Ecuadorian State. The Mission processed this appeal with the TSE. The appeal, however, was turned down by the Provincial Electoral Tribunal of Loja and, as a result, an appeal was filed with the TSE.

D. OFFICIAL ELECTORAL RESULTS

The official vote counting for the office of President in the first electoral round indicated that the candidate for the alliance between the January 21st Patriotic Society Party and Pachakutik, Lucio Gutiérrez, had obtained the largest number of votes, with 943,123 votes (20.64% of validly cast votes), followed by the candidate for the National Institution Renewal Action Party (PRIAN), Álvaro Noboa, with 794,614 votes (17.39%). In the second round, the candidate Lucio Gutiérrez obtained 2,803,243 votes (54.79% of validly cast votes), whereas the candidate Álvaro Noboa obtained 2,312,854 votes (45.21%).

In the elections for provincial congresspersons, according to official results, Congress would be comprised as follows: for the Social Christian Party, a total of 26 congresspersons (two of them in alliance with AN and UNO); for the Democratic Left Party, 16 congresspersons (three of them in alliance with DP-UDC, MCNP, and MIRE); for the PRE, 15 congresspersons; for the PRIAN, 10 congresspersons; for the alliance of the January 21st Patriotic Society Party and Pachakutik-New Country, the winner of the election Lucio Gutiérrez with 16 congresspersons; and the remaining congresspersons belong to different alliances and independent movements.

Abstentions in these elections amounted to 34.97% in the first round and 30% in the second, which is considered to be high in view of mandatory voting in Ecuador. Nevertheless, if the number of Ecuadorians residing abroad who have not processed their change of address and the general apathy of the electorate are taken into account, the share of abstentions is consistent with historical records and normal compared to the rest of the hemisphere's countries.

With the announcement of the official results of the elections for provincial congresspersons, the TSE was able to identify the political parties that obtained the minimum 5% voting share to maintain their status as political parties. According to the results, only five political parties (PSC, PRIAN, PRE, ID, and MCNP) managed to obtain more than this percentage, and therefore they were entitled to a seat for the establishment of the new TSE, except for MCNP which, by rule of law, cannot occupy a seat because it did not present candidates in more than 10 provinces. As a result, the 3-18 Alliance, comprised of the Patriotic Society Party and the Pachakutic Movement, ranked fifth in the TSE, because it obtained more than a 5% share, and the two remaining seats were granted after political negotiations in Congress to two political parties, Popular Democracy (DP) and the National Union Party (UNO), which did not obtain the minimum voting share stipulated to be part of the Supreme Electoral Tribunal. This designation by Congress generated protests from different sectors of the population and even led to a formal protest filed by the People's Democratic Movement (MPD) with the Attorney General's Office and OAS itself.

CHAPTER VIII. CONCLUSIONS

On the basis of the observation of the Mission (see Chapter 6, Consolidated Report of the Observation) on October 20 and November 24, 2002, the Ecuadorian people showed once again their civic maturity by turning out massively at the polls to cast their ballot for the political option of their preference, in the framework of a general climate of peace and democratic coexistence. In the eyes of the international community, this attitude confirms the commitment of the Ecuadorian people to the highest democratic ideals enshrined in the Inter-American Democratic Charter.

The Mission deems that the elections were peaceful, fair, free, and transparent. The elections in general were well organized and satisfactorily administered, despite

difficulties that were observed and isolated incidents that led to the suspension of elections in some places in the country, without affecting the electoral process as a whole.

The OAS Mission extends its congratulations to the Ecuadorian people for their stoicism and high civic spirit, as well as for their orderly, enthusiastic, and peaceful participation. It also congratulates the presidential candidates who displayed mutual respect and tolerance while participating in this tough electoral race.

Ecuadorian electoral institutions also showed that they are capable of efficiently organizing a transparent and clean electoral process, thus building up their institutional role and consolidating the credibility of the electoral system as a whole, despite logistic problems observed in most of the polling stations that were visited.

Finally, the Mission expresses its sincere appreciation to the people of Ecuador for their generous and cordial hospitality to the international observers, as well as to the electoral authorities, the Armed Forces and the Police Force, and the members of the electoral boards for the cooperation it received for carrying out its activities.

CHAPTER IX. SUGGESTIONS AND RECOMMENDATIONS

To support improvements in the basic conditions under which electoral processes take place in Ecuador, as well as to fine-tune certain technical and logistic aspects of these processes, the Mission has drawn up a series of suggestions and recommendations, indicated below:

Reform of the electoral system. Bearing in mind the progress achieved in the last elections in establishing and consolidating the electoral system, the Mission recommends that the Supreme Electoral Tribunal envisage the possibility of starting up a dialogue with political parties, State institutions, and civil society organizations about

the characteristics and nature of the Ecuadorian electoral system for the purpose of discussing possible adjustments to enhance it.

System for transmitting results. Amendments to electoral legislation are recommended to reduce the current formalities in electoral boards and provincial electoral tribunals to speed up the traditional vote-counting system developed by the TSE, which is a safe and transparent tool for consolidating electoral results. If electoral legislation is not amended, technology should be transferred to the vote-counting system with the collaboration of international organizations that have been working with the TSE. Moreover, TSE officers should be present in all the places where there are quick count installations, for the purpose of addressing any legal query that might arise during the process. Internet servers (rapid transmission and official counting) should be connected to newspapers, TV stations, and Internet service suppliers to allow all interested parties access to them without delay or flaws.

Organic Law on Controlling Electoral Spending and Campaigning. It is recommended that the Law be amended so that it can benefit from the coercive elements it needs to be effective.

Appointment of local electoral board members. Regarding the appointment of local electoral board members, the Mission suggests the establishment of a sound database based on voter registration lists so that electoral board members can be appointed more in advance.

Electoral logistics. It is recommended that the logistic management of TSE, especially in the planning and monitoring stage, be improved, since many of the voter precincts that were observed did not meet minimum requirements for the adequate functioning of polling stations. Likewise, it is important to ensure that each polling station be located in sheltered and dry premises (inside a locale or under an improvised roof). Finally, although participation as electoral board member is mandatory, the TSE should find suitable budget resources to provide at least one meal for all local electoral board members working at the polling stations on election day.

Electoral information centers. The TSE should install one or two voter orientation centers at the entrance of each voter precinct to provide adequate information to the elector about the existence of the voter registration lists for that precinct and the location of the respective polling station for the voter. In addition, it should post on walls and other visible places clear directions (arrows or fluorescent numbers) to facilitate access of the elector to his/her polling station. Likewise, the TSE coordinator of the premises could wear a special vest and a fluorescent cap that would enable electors to locate him/her quickly.

Distribution of electoral materials. It is felt that handling of electoral materials should be improved, not only in Quito but also in the provinces, with further monitoring of the distribution and reception of these materials by those involved in this stage of the electoral process.

Training. The TSE should improve the training of local electoral board members, especially in respect to the establishment of the polling stations and the vote-counting phase. Likewise, it is recommended that the number of premises and human resources

be increased to offer adequate training that meets expectations. In addition, electoral board members should only be given their accreditation once they have participated in the training, not before. It would also be advisable to consolidate TSE's monitoring regarding who received training, who already had experience as an electoral board member working at the polling stations, how many polling stations will have trained staff for election day, and how many will not.

***Media.* It is recommended that civil society and political parties thoroughly discuss the issue of media access and the costs of party campaigning during electoral races, as well as other issues relative to the role of the media in elections, which were pointed out to the Mission as issues of concern by various sectors. The above is aimed at designing a more equitable system for disseminating campaign messages and, in particular, at establishing a formula so that all parties can gain reasonable access to the media during the campaigns.**

Participation of the armed forces. It would be advisable for the TSE to ensure that members of the armed forces use the instructions drawn up especially by the TSE for this purpose. It is suggested that a proposal be made to military authorities to organize a simulation workshop to be attended by persons acting as polling station members, political party delegates, and observers. The workshop would simulate situations that might occur in the voting precinct on election day and that might require use of the instruction manual. Likewise, it is felt that the Armed Forces should not carry ostensible and, in some cases, intimidating weaponry inside electoral precincts.

Secrecy of voting. It is felt that it is important to design new stations and screens so as to guarantee greater privacy for voters when they cast their ballots. To avoid congestion at the stations in certain precincts (which could exert a negative impact on the elector's right to secrecy of voting), it is proposed that more voting precincts be established. Likewise, the layout of the screens and elector monitoring should be improved.

Indelible ink. It is recommended that the use of indelible ink be discontinued. At many of the polling stations that were observed, unused ballots were found with spots of ink that had been spilled. Likewise, it was observed that the ink in some cases disappeared or could easily be removed. In those cases where the ink is indispensable, it is recommended that orientation be provided to the members of the polling station so as to avoid ink spilling or that small amounts of ink be placed in a shallow recipient or on a pad.

Voting schedule. The Mission suggests that the authorities examine the possibility of shortening the time schedule for the voting of the second round for presidential elections because the voters need less time to cast their ballots than in the first round.

CHAPTER X. FINANCIAL STATEMENT

ORGANIZATION OF AMERICAN STATES UNIT FOR THE PROMOTION OF DEMOCRACY



Electoral Observation Mission in Ecuador

CONSOLIDATED STATEMENT OF CHANGES IN FUND BALANCE From Inception(September 11, 2002) to March 15, 2003

Increases			
<i>Contribution</i>		\$ 284,369	
Total Increases			\$ 284,369
Decreases			
<i>Transfer to OAS DEMOC</i>		50,000	
<i>Expenditures</i>			
Travel		76,204	
Publications and Documents		1,263	
Equipment, Supplies and Maintenance		20,365	
Building and Maintenance		6,960	
Performance Contracts		96,981	
Other Expenses		10,985	
Total Decreases			<u>262,758</u>
Net change during period			21,611
Unliquidated Obligations			<u>8,418</u>
Fund balance at end of period			<u>\$ 13,193</u>
<i>Obligations Pending Approval</i>			10,000 ⁽¹⁾
Adjusted Fund Balance			<u>\$ 3,193</u>

 3.17.03

Certified by: Javier Goldin, Chief
Financial Reporting and Policy Division
Department of Financial Services

Project UPD-EOM/020
Award USDEP99/22

(1) Obligations in the process to be approved. In case Obligations are not approved, fund balance will remain as shown above.

ANNEX I: Letters of invitation and acceptance



RECEIVED
PRESIDENCIA
1063
2002 JUN 28 A 10: 57

OFICIO No. 475-CJA-P-TSE-2002
Quito, Junio 27 del 2002

Señor Doctor
CESAR GAVIRIA
Secretario General de la
Organización de los Estados Americanos
Washington, D. C.

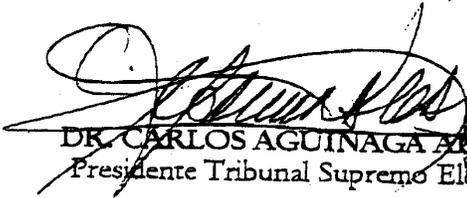
Distinguido señor Secretario:

Cancillería nos ha hecho llegar copia de la Nota No. 4-2-100/02, que le ha dirigido el señor doctor Blasco Peñaherrera, Representante Permanente del Ecuador ante la OEA, oficializando a nombre del gobierno ecuatoriano, el pedido que le hiciéramos el 10 de abril a fin de que a través de la UPD, se sirviera organizar una Misión de Observación de las elecciones de mi país, que nos asista antes, en y después del proceso electoral para que sean el más calificado testigo de la limpieza de procedimientos, de la libertad del votante y del respeto a la expresión ciudadana.

El Pleno del Tribunal que conoció del asunto, consideró oportunidad apropiada, para expresarle, renovado agradecimiento por la atención que se sirvió dispensarme como personero del Máximo Organismo Electoral del Ecuador; así como por su interés y preocupación para dar curso al pedido formulado.

El Tribunal abraza la seguridad de que, en ésta, como en pasadas ocasiones, la Misión de la OEA estará cerca y vigilante de la organización de las elecciones en Ecuador, el 20 de octubre y el 24 de noviembre, a fin de atestiguar la corrección de los procedimientos y el desempeño responsable de los Organismos Electorales.

Cumplo con hacerle llegar estas sentidas expresiones de los señores Vocales del Máximo Organismo Electoral de Ecuador, agrego iguales sentimientos míos en forma personal, junto con mi renovado agradecimiento y el más cordial y respetuoso saludo.


DR. CARLOS AGUINAGA ALLÉN
Presidente Tribunal Supremo Electoral



/pte



Organización de los Estados Americanos
Organizaçao dos Estados Americanos
Organisation des États américains
Organization of American States

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

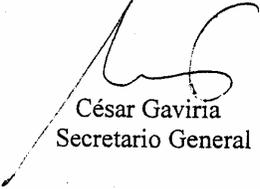
13 de junio de 2002
SG/UPD-262/02

Señor Embajador:

Tengo el honor de dirigirme a Vuestra Excelencia para acusar recibo de su comunicación del 14 de mayo de 2002, por la cual vuestro Gobierno tiene a bien ratificar oficialmente la solicitud del Tribunal Supremo Electoral del Ecuador para el envío de una Misión de Observación Electoral de la OEA al proceso de las elecciones generales para elegir al Presidente y Vicepresidente de la República, Representantes al Parlamento Andino, Diputados Provinciales al Congreso Nacional, Concejales Municipales y Consejeros Provinciales el próximo 20 de octubre de los corrientes, y para asimismo, una segunda vuelta electoral a realizarse el 24 de noviembre de este mismo año, en caso de no existir mayoría en la elección presidencial,

En respuesta a la solicitud formulada por el Tribunal Supremo Electoral de la República del Ecuador, y avalada por su digno Gobierno, la Secretaría General acoge con interés dicha invitación, y se permite anticipar su disposición favorable para organizar y enviar dicha Misión. No obstante, y como es del conocimiento del señor Embajador, de conformidad con las disposiciones vigentes, estas misiones están condicionadas a la obtención de recursos externos para su financiamiento.

Aprovecho la ocasión para agradecer la confianza del Gobierno del Ecuador y del Tribunal Supremo Electoral, al trabajo que adelanta la OEA encaminado al fortalecimiento de la democracia hemisférica, y para expresar a Vuestra Excelencia el testimonio de mi más alta y distinguida consideración.


César Gaviria
Secretario General

Excelentísimo señor
Blasco Peñaherrera
Embajador, Representante Permanente del Ecuador
ante la Organización de los Estados Americanos
Washington, D.C.

ANNEX II: List of Observers

LISTA DE OBSERVADORES
Primera vuelta

OBSERVADORES OEA			
	Nombre	Nacionalidad	Cargo
1	Edgardo Reis	USA.	Jefe de Misión
2	Marcelo Alvarez	Argentina	Jefe Adjunto de Misión
3	Nubia Thornton	USA.	Oficial Financiero
4	Antonio Amarante	Brasil	Oficial Estadístico
5	Dante Escobar	Nicaragua	Oficial de Logística
6	Miriam Palomino	Perú	Encargada de Capacitación
7	Carlos Flores	Perú	Jefe de Prensa
8	José Pedro Montero	Uruguay	Oficial Jurídico Electoral
9	Ricardo Cohen	Argentina	Coordinador Regional
10	Walter Galmarini	Uruguay	Coordinador Regional
11	Bill Waren	Canadá	Coordinador Regional
12	Ana Cristina Borges	Brasil	Coordinador Regional
13	Luc Lapointe	República Dominicana	Coordinador Regional
14	Claudia Barrientos	Bolivia	Observador
15	Cristóbal Cojt. G.	Guatemala	Observador
16	Alfredo Fisher	Argentina	Observador
17	Yamilleth Bermúdez	Costa Rica	Observador
18	Celio Santos	Brasil	Observador
19	Anabel Santesteban	Argentina	Observador
20	Javier Salkeld	Perú	Observador
21	Laura Nuñez	Paraguay	Observador
22	Ana Pereyra	Perú	Observador
23	German Cardoso F.	Uruguay	Observador
24	Moisés Benamor	Venezuela	Observador
25	Vivian Sánchez	Panamá	Observador
26	Paul Spencer	Antigua & Barbuda	Observador
27	Carla Vaccarella	Perú	Observador
28	Jorge Zambrana	USA.	Observador
29	Lorena Lavayen	Bolivia	Observador
30	Fernanda Zavaleta	Bolivia	Observador

OBSERVADORES VOLUNTARIOS			
	Nombre	Nacionalidad	Cargo
1	Carlos M. Ocampos	Paraguay	Observador
2	Elida Womack	USA.	Observador
3	Macris Gregory	USA.	Observador
4	Peter Natiello	USA.	Observador
5	Jill Kelley	USA.	Observador
6	Collette Christian	USA.	Observador
7	Rick Waters	USA.	Observador
8	Sarah Beran	USA.	Observador
9	James F. Bell	USA.	Observador
10	Michael Latham	USA.	Observador
11	Carl Derick	USA.	Observador
12	Mariana Ocampos	Paraguay	Observador
13	Rossana Amarilla	USA.	Observador
14	Eliana Holmes	USA.	Observador
15	Brooke Holmes	USA.	Observador
16	James Agustín Rodríguez	USA.	Observador
17	Kristina Lin Rodríguez	USA.	Observador
18	Hugo Adolfo Guevara Rodríguez	USA.	Observador
19	Theresa Guevara	USA.	Observador
20	Ronald Packowitz	USA.	Observador
21	Thomas Moore	USA.	Observador
22	John Emory	USA.	Observador
23	Chever Voltmer	USA.	Observador
24	Michael Hoff	USA.	Observador
25	Michael Ketover	USA.	Observador
26	Kelli Ketover	USA.	Observador
27	Elizabeth Rojas	Paraguay	Observador
28	Marta Acosta	Uruguay	Observador
29	Guido Rada	Chile	Observador
30	Luz Alvarez	Chile	Observador
31	Marisol Pila	España	Observador
32	Roxana Rada	Colombia	Observador
33	Gabriel Martínez Peláez	Colombia	Observador

LISTA DE OBSERVADORES
Segunda vuelta

OBSERVADORES OEA			
	Nombre	Nacionalidad	Cargo
1	Edgardo Reis	USA.	Jefe de Misión
2	Marcelo Alvarez	Argentina	Jefe Adjunto de Misión
3	Nubia Thornton	USA.	Oficial Financiero
4	Antonio Amarante	Brasil	Estadísticas
5	Dante Escobar	Nicaragua	Oficial de Logística
6	José Pedro Montero	Uruguay	Oficial Jurídico
7	Ricardo Cohen	Argentina	Coordinador Regional
8	Walter Galmarini	Uruguay	Coordinador Regional
9	Bill Warden	Canadá	Coordinador Regional
10	Ana Cristina Borges	Brasil	Coordinador Regional
11	Luc Lapointe	República Dominicana	Coordinador Regional
12	Celio Santos	Brasil	Observador
13	Javier Salkeld	Perú	Observador
14	William Berenson	USA.	Observador
15	Claudia Suárez	USA.	Observador
16	Jorge Zambrana	USA	Observador

OBSERVADORES VOLUNTARIOS			
-	Nombre	Nacionalidad	Cargo
1	Carlos M. Ocampos	Paraguay	Observador
2	Elida Womack	USA.	Observador
3	Macris Gregory	USA.	Observador
4	Peter Natiello	USA.	Observador
5	Jill Kelley	USA.	Observador
6	Collette Christian	USA.	Observador
7	Rick Waters	USA.	Observador
8	Sarah Beran	USA.	Observador
9	Michael Latham	USA.	Observador
10	Carl Derick	USA.	Observador
11	Mariana Ocampos	Paraguay	Observador
12	Rossana Amarilla	USA.	Observador
13	Eliana Holmes	USA.	Observador
14	Brooke Holmes	USA.	Observador
15	James Agustín Rodríguez	USA.	Observador
16	Kristina Lin Rodríguez	USA.	Observador
17	E. McDevitte	USA.	Observador
18	Hugo Guevara Rodríguez	USA.	Observador
19	Theresa Guevara	USA.	Observador
20	Ronald Packowitz	USA.	Observador
21	Thomas Moore	USA.	Observador
22	John Emory	USA.	Observador
23	Lars Klassen	USA.	Observador
24	Chever Voltmer	USA.	Observador
25	Michael Hoff	USA.	Observador
26	Michael Ketover	USA.	Observador
27	J. Barger	USA.	Observador
28	Elizabeth Rojas	Paraguay	Observador
29	Reinaldo Cubillas	Paraguay	Observador
30	Guido Rada	Chile	Observador
31	Luz Alvarez	Chile	Observador
32	Marisol Pila	España	Observador
33	Roxana Rada	Colombia	Observador
34	Jhon Luis Maichel	Colombia	Observador

ANNEX III
PRESS RELEASES



ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
Misión de Observación Electoral
Ecuador 2002

COMUNICADO DE PRENSA

(C-00/01)

2 de Octubre de 2002

MISIÓN DE LA OEA INICIA ACTIVIDADES DE OBSERVACIÓN

La misión de la Organización de los Estados Americanos (OEA) inició el primero de octubre sus actividades de observación del proceso electoral, las cuales culminarán con las elecciones del 20 de octubre próximo. Cerca de 70 observadores, nacionales de 15 países del hemisferio (Antigua y Barbuda, Argentina, Bolivia, Brasil, Canadá, Colombia, República Dominicana, Costa Rica, Estados Unidos, Guatemala, Nicaragua, Paraguay, Perú, Uruguay y Venezuela), serán desplazados durante los próximos días para cubrir las 22 provincias del país.

Las actividades pre-comiciales de los observadores incluyen contactos con las autoridades electorales y gubernamentales, candidatos y representantes de los partidos políticos, los medios de comunicación y el público en general. Acompañarán, además, la distribución y entrega del material electoral. Las denuncias serán reportadas a las autoridades electorales y se realizará un monitoreo del tratamiento y de las acciones que de las mismas hagan las autoridades competentes.

El día de las elecciones, los observadores estarán presentes en la instalación de las juntas receptoras de votos (JRV), observarán la votación durante el día, visitando el máximo posible de JRV y harán el monitoreo del cierre de votación, conteo de votos y transmisión de resultados.

La misión, encabezada por Edgardo "Tony" Reis, especialista principal de la Unidad para la Promoción de la Democracia (UPD) de la OEA, emitirá comunicados sobre sus actividades pre-comiciales y del día de las elecciones, y sobre la pulcritud y transparencia del proceso electoral en general. Al término de la presencia de la misión en el país, que se extenderá hasta la toma de posesión de las nuevas autoridades, el Secretario General de la OEA, Cesar Gaviria, presentará un informe final al Gobierno y al Tribunal Supremo Electoral (TSE) de Ecuador y a los Estados miembros.

La OEA, el organismo regional más antiguo del mundo, ha observado varias elecciones en Ecuador y estuvo presente en más de 70 procesos electorales en casi dos tercios de sus 35 países miembros durante los últimos doce años. Más informaciones sobre las actividades de la OEA y de la Misión de Observación Electoral en Ecuador pueden ser obtenidas visitando www.upd.oas.org.



ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
Misión de Observación Electoral
Ecuador 2002

COMUNICADO DE PRENSA

(C-00/02)

Octubre 15, 2002

**EXPERTOS DE 15 PAÍSES DEL HEMISFERIO INTEGRAN MISION DE
OBSERVACION ELECTORAL DE LA OEA EN ECUADOR**

Un total de sesenta observadores internacionales provenientes de quince países del hemisferio llegaron a Quito para incorporarse a la Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) en Ecuador, con vistas a las elecciones generales que tendrán lugar el próximo 20 de octubre.

Los observadores, con amplia experiencia en similares procesos realizados en otras naciones del continente, son originarios de Antigua y Barbuda, Argentina, Bolivia, Brasil, Canadá, Costa Rica, Guatemala, Nicaragua, Panamá, Paraguay, Perú, República Dominicana, Uruguay, Estados Unidos y Venezuela.

La Misión de la OEA, que dirige Edgardo "Tony" Reis, especialista principal de la Unidad para la Promoción de la Democracia (UPD), ha instalado una sede central en Quito y cinco subsedes en las ciudades de Guayaquil, Ambato, Esmeraldas, Portoviejo y Cuenca, desde donde seguirá el desarrollo del proceso electoral en todo el territorio nacional.

"Todos los observadores esperamos contribuir con nuestra presencia para que los comicios del domingo 20 transcurran en un ambiente de tranquilidad en el que no haya cabida para hechos violentos que traten de empañar esta jornada cívica", enfatizó hoy el Jefe de la Misión.

Actualmente, tanto en las subsedes como en la capital del país, los observadores mantienen un amplio programa de entrevistas y reuniones de trabajo con las autoridades electorales nacionales y regionales, dirigentes de las fuerzas políticas, candidatos y organizaciones de la sociedad civil.

Esta mañana, el Jefe de la Misión de la OEA y los representantes de las misiones de la Unión Europea, Instituto Republicano Internacional y Participación Ciudadana, sostuvieron una reunión informativa con el propósito de intercambiar puntos de vista respecto al proceso electoral y coordinar tareas que permitan optimizar el trabajo y evitar la duplicación de funciones.



ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
Misión de Observación Electoral
Ecuador 2002

COMUNICADO DE PRENSA

(C-00/03)

Octubre 18 de 2002

**OEA CONFÍA EN LA TRANSPARENCIA DE LAS ELECCIONES GENERALES EN EL
ECUADOR**

El Jefe de la Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) en Ecuador, Edgardo Reis, expresó hoy su confianza en que la jornada electoral del próximo domingo se desarrolle en un ambiente de tranquilidad y cuenta con todas las garantías de limpieza y transparencia.

"Somos testigos de los esfuerzos que viene realizando la autoridad electoral para revestir a este proceso de las mayores garantías", enfatizó Reis. Al mismo tiempo destacó la actitud de las autoridades de gobierno "que han sabido mantenerse al margen de las campañas políticas de los diferentes partidos y agrupaciones".

Sin embargo, el Jefe de la Misión de la OEA hizo un llamado a los medios de comunicación para informar a la ciudadanía "con el rigor profesional que les caracteriza, sin dar cabida a informaciones que muchas veces tienden a confundir o a crear un clima de intranquilidad en la ciudadanía".

Durante una visita al Presidente de la República del Ecuador y al hablar en nombre de todas las misiones de observación internacional que se encuentran actualmente en el país, Reis afirmó que la comunidad internacional tiene los ojos puestos en la jornada cívica que se cumplirá en todo el país este domingo. "Ecuador ha dado sobradas muestras de su vocación democrática y estamos seguros que el pueblo emitirá su voto con la seguridad de que se respetará su decisión", enfatizó.

Por otra parte, el Jefe de la Misión se refirió al trabajo previo desarrollado por los observadores de la OEA quienes han podido ser testigos, salvo aislados incidentes, de una campaña política de altura, sin que hasta el momento se haya visto empañada por actos de violencia. "Confiamos que ese ambiente prevalecerá el día de las elecciones, como también confiamos en que los candidatos sabrán estar a la altura de sus responsabilidades y aceptarán el veredicto popular hidalgamente", concluyó.

Hasta la fecha, la OEA ha enviado más de setenta misiones de observación electoral en la mayoría de sus 34 Estados miembros. La actual Misión está conformada por sesenta expertos procedentes de 15 países del hemisferio, quienes están realizando sus tareas tanto en la sede en Quito, como en las subsedes de Guayaquil, Esmeraldas, Portoviejo, Cuenca y Ambato.



ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
Misión de Observación Electoral
Ecuador 2002

COMUNICADO DE PRENSA

(C-00/04)

Octubre 21, 2002

ELECCIONES LIBRES Y TRANSPARENTES EN EL ECUADOR

La Misión de Observación Electoral de la Organización de los Estados Americanos (OEA) ha seguido de cerca el proceso electoral que culminó con las elecciones generales celebradas el día domingo 20 de octubre en el Ecuador.

Durante la etapa previa a las elecciones, la Misión evaluó positivamente el libre flujo de la información a través de los medios de comunicación, así como una adecuada interacción entre las organizaciones políticas y sus simpatizantes, reflejada en la realización de mítines y manifestaciones públicas ordenadas y pacíficas. Igualmente observó una adecuada aunque corta campaña de educación cívica de información al elector.

El día de la elección, los ciudadanos acudieron a las Juntas Receptoras de Votos (JRV) a ejercer su derecho al sufragio sin que se hayan observado o reportado hechos de violencia o casos de intimidación que pudieran haber afectado el proceso mismo o su resultado. La Misión de la OEA considera que los comicios fueron pacíficos, justos, libres y transparentes.

Los miembros de las JRV demostraron gran dedicación y familiaridad con los procedimientos electorales. Las elecciones estuvieron, de manera general, bien organizadas y administradas satisfactoriamente, aunque algunos problemas afectaron el proceso y, en muchos casos, impidieron a los ciudadanos votar de una manera rápida y eficiente.

Muchas de esas dificultades se debieron a la falta de información a los votantes en los recintos electorales, congestión en el desplazamiento de electores y retraso en la apertura de la votación en la mayoría de las JRV visitadas. Los observadores, en general, también notaron un alto grado de deber cívico, especialmente en la asistencia a los votantes de edad avanzada o a los discapacitados, y una gran dedicación por parte de los miembros de las Juntas pese a las difíciles y arduas condiciones físicas y climáticas de los centros de votación.

La Misión de la OEA expresa su congratulación al pueblo ecuatoriano por su estoicismo y su alto espíritu cívico, así como por su ordenada, entusiasta y pacífica participación. Igualmente, felicita los candidatos presidenciales que han desarrollado una reñida contienda con respeto y tolerancia mutua y reconoce los esfuerzos realizados por el Tribunal Supremo Electoral (TSE) para llevar a cabo este proceso en las mejores condiciones, no obstante los inconvenientes de orden logístico que se registraron en la mayoría de las Juntas visitadas.

Por último, la Misión expresa su más sincero agradecimiento al pueblo del Ecuador por la generosa y cordial acogida dispensada a los observadores internacionales, así como a las autoridades electorales, las Fuerzas Armadas y la Policía y miembros de las JRV, por la cooperación recibida para el desarrollo de sus actividades.

La Misión de la OEA se encuentra en el país atendiendo una invitación formulada por las autoridades del gobierno del Ecuador y del Tribunal Supremo Electoral. Hasta la fecha, la OEA ha enviado más de setenta misiones de observación electoral a casi dos terceras partes de sus Estados miembros.



ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
Misión de Observación Electoral
Ecuador 2002

COMUNICADO DE PRENSA

(C-00/04)

Noviembre 21, 2002

La Misión de Observación Electoral en Ecuador de la Organización de los Estados Americanos (OEA), inició su desplazamiento para la observación del proceso electoral del domingo 24 de noviembre. Aproximadamente 40 observadores y receptores de datos, hombres y mujeres nacionales de 12 países miembros de la organización (Argentina, Bolivia, Brasil, Canadá, Chile, Colombia, Estados Unidos de Norteamérica, Nicaragua, Paraguay, Perú, República Dominicana y Uruguay) se desplazaron en seis regiones con la sede en Quito y subsedes en Cuenca, Ambato, Guayaquil, Portoviejo y Esmeraldas.

Las actividades de los observadores son similares a las realizadas durante la primera vuelta del proceso electoral e involucran contactos con las autoridades electorales, organizaciones políticas, medios de comunicación, fuerzas armadas, policía y los ciudadanos en general; además de acompañar las campañas proselitistas y la organización de los comicios. Las posibles quejas o denuncias formalizadas a la Misión son transmitidas a las autoridades electorales y luego, seguidas y monitoreadas. Está previsto para la segunda vuelta la realización de una proyección de tendencias de voto para información exclusiva de la Misión y de la autoridad electoral.

Durante el día de la elección, los observadores presenciarán la instalación de las Juntas Receptoras del Voto (JRVs), siguiendo con la observación de la votación de la ciudadanía, y con el monitoreo del conteo que realizan los integrantes de las mesas. Las actividades continuarán con la observación del cómputo de votos y escrutinio de actas en varios Tribunales Electorales de Provincia (TPEs).

Con base en las observaciones realizadas durante la primera vuelta, sumadas a las medidas tomadas posteriormente por el Tribunal Supremo Electoral (TSE), la Misión no anticipa problemas de tipo organizacional que puedan obstaculizar o interferir en los comicios para elegir, entre dos candidatos, al próximo Presidente de la República. Sin embargo, la Misión reitera su llamamiento a todos aquellos que participan en el proceso electoral, candidatos y ciudadanos, para que vuelvan a demostrar durante los próximos comicios el mismo espíritu de civismo, y que emulen el mismo ambiente de orden, respeto y tranquilidad que caracterizó la pasada elección.

La Misión de la OEA, establecida por el Secretario General Dr. Cesar Gaviria, a invitación del gobierno y del Tribunal Supremo Electoral (TSE) de Ecuador, emitirá un comunicado sobre sus observaciones de la segunda vuelta el próximo lunes, y un informe final será entregado por el Secretario General a las autoridades electorales al término del proceso electoral. La Misión es encabezada por Edgardo "Tony" Reis, de nacionalidad americana, especialista principal de la Unidad para la Promoción de la Democracia (UPD) de la OEA. La Misión contó con la contribución financiera voluntaria de los gobiernos de Brasil,

Canadá

y

Estados

Unidos.

La Organización de los Estados Americanos es el órgano regional mas antiguo del mundo, y durante los últimos años conformó más de 70 misiones de observación electoral en casi dos tercios de sus países miembros.

Más información sobre la organización y sus misiones de observación pueden ser encontradas en Internet, en el site www.upd.oas.org.



ORGANIZACIÓN DE LOS ESTADOS AMERICANOS
Misión de Observación Electoral
Ecuador 2002

COMUNICADO DE PRENSA

(C-00/04)

Noviembre 25, 2002

A invitación del Gobierno y del Tribunal Supremo Electoral (TSE) de Ecuador, el Secretario General de la Organización de los Estados Americanos (OEA), Dr. César Gaviria, estableció una misión para observar el proceso electoral en Ecuador. En ese contexto y como parte del corriente proceso electoral, aproximadamente 40 miembros de la Misión de Observación Electoral de la Organización de los Estados Americanos (OEA), hombres y mujeres nacionales de 12 países miembros de la organización (Argentina, Bolivia, Brasil, Canadá, Chile, Colombia, Estados Unidos de América, Nicaragua, Paraguay, Perú, República Dominicana y Uruguay), observaron el domingo 24 de noviembre de 2002 la segunda vuelta de las elecciones para Presidente y Vice-Presidente de la República de Ecuador.

Con base en las evaluaciones y observaciones realizadas antes, durante y en las horas inmediatamente después de los comicios de ayer, la Misión considera que el acto electoral del 24 de noviembre de 2002 fue limpio y transparente, reflejando la voluntad de los ciudadanos ecuatorianos expresada en las urnas.

Distribuidos en seis regiones con sede en Quito y subseces en las ciudades de Cuenca, Ambato, Guayaquil, Portoviejo y Esmeraldas., las actividades de los observadores se iniciaron con el establecimiento de contactos con las autoridades electorales, representantes de los partidos políticos y de las fuerzas armadas, de los medios de comunicación y la ciudadanía en general, así como con la observación de la distribución y reparto del material electoral durante el período pre-eleccionario.

Durante el día de la elección, los observadores presenciaron la instalación de las Juntas Receptoras del Voto (JRV), siguiendo con la observación de la votación de la ciudadanía, y con el monitoreo de la realización de los escrutinios por los integrantes de las mesas. Las actividades continuaron con la observación del cómputo de votos y escrutinio de actas en varios Tribunales Electorales de Provincia (TEPs), actividad que continúa a la fecha. La Misión realizó además una proyección (Conteo Rápido), para uso interno, sobre la tendencia de votos en el país.

Los informes de los observadores y los resultados de la mencionada proyección constarán en el informe que el Secretario General de la OEA presentará al final del proceso electoral. Sin embargo, y con base en las informaciones de los observadores hasta la fecha, la Misión de Observación Electoral desea comunicar lo siguiente:

- La campaña electoral se desarrolló en un clima de tranquilidad pero de modesta participación de la ciudadanía en las actividades políticas. La Misión lamenta los ataques de carácter personal más allá del calor de la campaña política y las denuncias infundadas de supuestos fraudes.

- La ciudadanía acudió a las urnas en un ambiente ordenado y de tranquilidad. La instalación de mesas se llevó a cabo con retraso en casi un 50 por ciento de las JRVs, retrasando consecuentemente el inicio de la votación dentro de los horarios previstos. Sin embargo, la votación se hizo con rapidez y ordenadamente así como el escrutinio en las juntas, principalmente en razón de que los electores ya estaban familiarizados con la ubicación de sus JRVs y la elección era apenas entre dos candidatos.
- En la mayoría de las provincias observadas, se registró un bajo nivel de ausentismo de los miembros designados para constituir las JRVs. Sin embargo, se notó, en muchas JRVs, la ausencia de delegados de partidos políticos y observadores nacionales en la fiscalización del acto electoral.
- En algunos recintos electorales (un 8 por ciento), la disposición física de los biombos no garantizó el secreto de voto. No obstante ello, en dichos recintos no se observó que se aprovechara esa circunstancia para inducir o manipular el sufragio.
- Se observó que un número importante de ciudadanos que se presentaron a votar y no constaba en los padrones. Sin embargo, a todos ellos se les entregó el certificados de votación.
- En algunos recintos (Quinia y Flores, provincia de Guayas) la votación fue suspendida por algunas horas a raíz de las lluvias. Sin embargo, no se observaron o se reportaron interrupciones o suspensión de la votación en los demás recintos electorales del país, exceptuando la ciudad de Riobamba, donde los comicios fueron suspendidos por orden del TSE.
- La Misión, aunque solidaria con los ciudadanos de Riobamba por el sufrimiento de las pérdidas humanas y materiales causadas por la explosión de un depósito de municiones de las fuerzas armadas, lamenta, sin embargo, los incidentes ocurridos en la provincia de Chimborazo que impidieron la normal realización de los comicios.
- Se recibió antes de las elecciones una comunicación por parte del candidato de la organización política Sociedad Patriótica 21 de Enero, Coronel Lucio Gutiérrez, en la que se solicitó al TSE: 1) Mejoramiento de la presentación de los resultados en la pagina Web, 2) Cambio de personal de digitadores, 3) Implementación de los escáner en Tribunales Provinciales, 4) Implementación del código secreto de seguridad, y 5) cambio de personal en las JRVs en la provincia de Manabí. La Misión comunicó al TSE, que por su parte respondió al candidato de Sociedad Patriótica negativamente a la mayoría de las solicitudes presentadas a raíz de la falta de tiempo para la toma de acciones y su implementación.
- Los resultados del conteo de la transmisión rápida fueron compatibles con las proyecciones de la Misión sobre la tendencia de los votos, comprobando la limpieza y transparencia del acto electoral.
- Las proyecciones hechas por la Misión indicaron, además, que dejaron de votar alrededor de cinco mil ciudadanos que se encontraban en fila a la hora del cierre.
- Las proyecciones también indicaron que un número mayor de hombres (2.997.065)

concurrió a las urnas en comparación con las mujeres (2.557.928). Además, las proyecciones revelaron que el candidato del PRIAN obtuvo más votos femeninos (52.91 %) que masculinos (47,09), y que el candidato de Sociedad Patriótica tuvo más apoyo entre los hombres (57.85 %) que entre las mujeres (42.15 %).

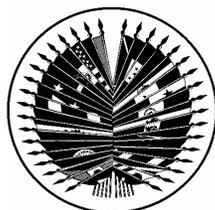
La Misión desea resaltar la muy buena organización del acto electoral por parte del Tribunal Supremo Electoral y de los Tribunales Electorales Provinciales, conforme lo observado por la Misión, además del fundamental papel desempeñado por las fuerzas armadas en el transporte y reparto del material electoral.

La Misión desea reiterar su agradecimiento al Gobierno de Ecuador, al Tribunal Supremo Electoral, a los Tribunales Electorales Provinciales, a las Fuerzas Armadas y a la Policía Nacional, a los medios de comunicación, y especialmente a la ciudadanía, por las garantías y facilidades para el desarrollo de sus actividades y por las expresiones de confianza en la tarea realizada.

El interés de la comunidad internacional en el proceso electoral ecuatoriano sin duda se ha manifestado a partir de la cooperación para el establecimiento de la Misión, que contó con la contribución financiera de los gobiernos de Brasil, Canadá y Estados Unidos. La misión llegó por primera vez al país en septiembre de 2002, y observó las Elecciones Generales realizadas el 20 de octubre pasado.

La Organización de los Estados Americanos es el órgano regional mas antiguo del mundo, y durante los últimos años conformó más de 70 misiones de observación electoral en casi dos tercios de sus país miembros. Más información sobre la organización y su misiones de observación pueden ser encontradas en la Internet en el site www.upd.oas.org

ANNEX IV:
STATISTICS ON WOMEN'S PARTICIPATION



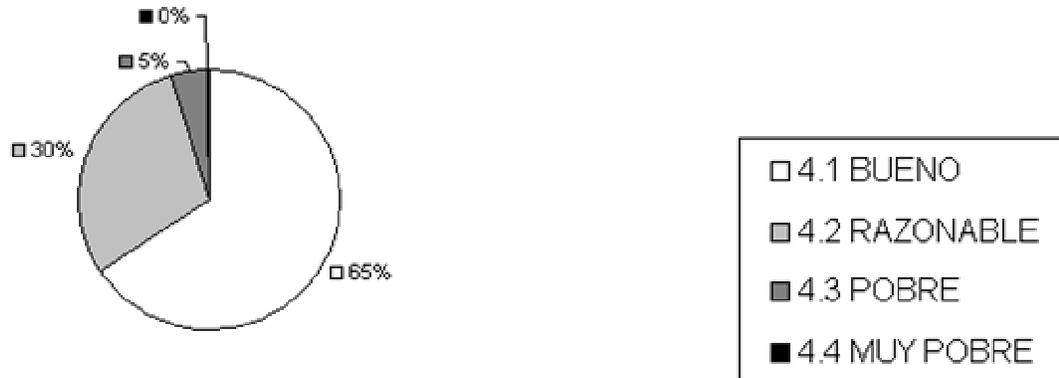
ORGANIZACION DE LOS ESTADOS AMERICANOS
MISION DE OBSERVACION ELECTORAL
ECUADOR
ELECCIONES GENERALES DEL 20 DE OCTUBRE DE 2002

CONSOLIDACION
ELECCIONES 20029

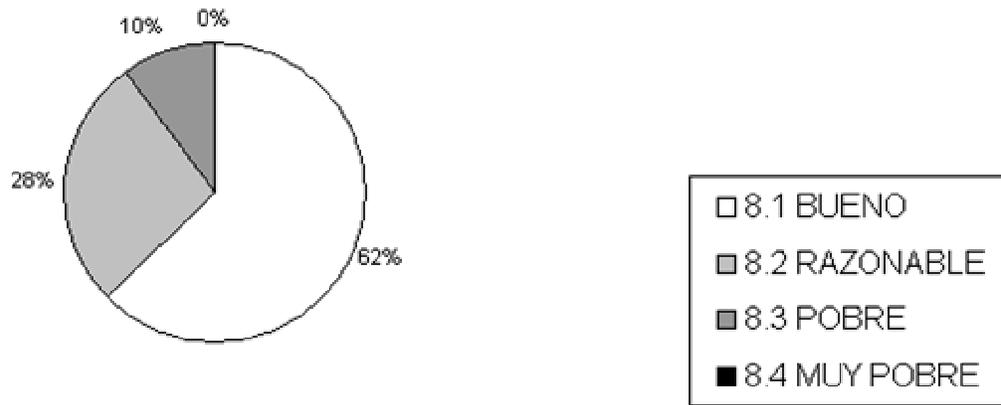
JUNTAS RECEPTORAS DE VOTOS OBSERVADAS	
Proceso de apertura y votación	611
Proceso de cierre y conteo	40
TOTAL:	651

⁹ Este informe está basado en la información suministrada por los observadores que monitorearon las elecciones generales del 20 de octubre de 2002. Aunque la observación de las Juntas Receptoras de Votos haya sido realizada al azar, ella no se basó en una muestra científica.

4. Proceso de apertura y votación: evaluación general



8. Cierre y conteo: evaluación general



FORMULARIO A - INSTALACION, APERTURA Y VOTACION					
	Sí	No	Total	% Sí	% No
1.1. Se verificó que las urnas estaban vacías y que luego fueron cerradas con cinta de seguridad?	366	33	399	91.7	8.3
1.2. Se siguieron los demás procedimientos para la instalación de la mesa?	399	20	419	95.2	4.8
2.1. La JRV fue de fácil ubicación para el elector?	402	100	502	80.1	19.9
2.2. La JRV inició la votación a la hora determinada?	261	337	598	43.6	56.4
3.1. Se encontraban presentes todos los miembros de la JRV?	451	297	748	60.3	39.7
3.2. Entre los miembros de la JRV alguno era del sexo opuesto al de la JRV?	199	473	672	29.6	70.4
3.3. Estaban presentes delegados de las organizaciones políticas?	220	473	693	31.7	68.3
3.4. Había policías custodiando la JRV?	620	81	701	88.4	11.6
3.5. Los miembros de la JRV orientaban correctamente al elector?	609	59	668	91.2	8.8
3.6. Habían observadores nacionales presentes?	172	303	475	36.2	63.8
3.7. Había alguna persona no autorizada dentro de la JRV?	99	613	712	13.9	86.1
3.8. Se emitió un certificado de presentación al ciudadano cuyo nombre no constaba en el padrón?	317	248	565	56.1	43.9
3.9. Estaba completo el material electoral?	504	97	601	83.9	16.1
3.10. Estaba la JRV organizada (mesas, urnas, biombos) adecuadamente?	598	105	703	85.1	14.9
3.11. Estaban los biombos en una posición que garantizaba la reserva del voto?	584	90	674	86.6	13.4
3.12. Estaba la urna en posición adecuada para que se vigilara la introducción correcta de los votos?	632	66	698	90.5	9.5
3.13. Estaban las papeletas bajo control de los miembros de la JRV?	682	19	701	97.3	2.7
3.14. Se verificó que el nombre del elector constaba del padrón electoral?	664	9	673	98.7	1.3
3.15. Se aseguró que el elector depositara las papeletas, una a una, en la urna?	404	217	621	65.1	34.9
3.16. Después de sufragar, el votante firmó (o puso su huella) en el padrón?	632	45	677	93.4	6.6
3.17. Se le permitió a votar alguien que no constaba en el padrón?	68	535	603	11.3	88.7
3.18. Se tomaron las medidas necesarias para garantizar el secreto del voto?	623	96	719	86.6	13.4
3.19. Se registró alguna violación del secreto del voto?	50	610	660	7.6	92.4
3.20. Personas no videntes o con incapacidad física tuvieron asistencia	305	89	394	77.4	22.6

para ejercer su derecho al voto?						6
3.21. Se verificó que el votante no tenía marca de tinta indeleble en los dedos?	590	60	650		90.8	9.2
3.22. Se permitió votar a personas con marca de tinta indeleble en los dedos?	109	512	621		17.6	82.4
3.23. Se marcó con tinta indeleble el dedo (índice derecho) del elector?	623	66	689		90.4	9.6
3.24. Se reportó o se observó algún caso de intimidación dentro o fuera de la JRV?	28	675	703		4.0	96.0
3.25. Se reportó o se observó alguien no autorizado portando armas dentro o fuera de la JRV ?	0	654	654		0.0	100.0
3.26. Se reportó o se observó alguna actividad política dentro o fuera de la JRV?	36	608	644		5.6	94.4
3.27. Se reportó o se observó algún incidente dentro de la JRV?	1	676	677		0.1	99.9
3.28. Se reportó o se observó algún incidente fuera de la JRV?	2	647	649		0.3	99.7
3.29. Se suspendió o se interrumpió la votación?	6	612	618		1.0	99.0
			%			

4.1 BUENO	400	65.5		
4.2 RAZONABLE	182	29.8		
4.3 POBRE	28	4.6		
4.4 MUY POBRE	1	0.2		
Total	611			

2.2 La JRV inició la votación a la hora determinada (7:00 horas o 15 minutos antes o después de las 7:00 horas)?



Sí No

3.1 Se encontraban presentes todos los miembros de la JRV?



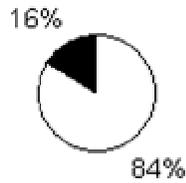
Sí No

3.7 Había alguna persona no autorizada dentro de la JRV?



Sí No

3.9 Estaba completo el material electoral (urnas y cintas adhesivas, papeletas, padrón electoral, tinta indeleble, biombos)?



Sí No

3.18 Se tomaron las medidas necesarias para garantizar el secreto del voto?



Sí No

3.23 Se marcó con tinta indeleble el dedo (índice derecho) del elector?



Sí No

3.24 Se reportó o se observó algún caso de intimidación dentro o fuera de la JRV?



Sí No

3.29 Se suspendió o se interrumpió la votación?

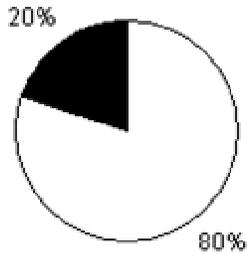


Sí No

FORMULARIO B - CIERRE Y CONTEO						
	Sí	No	Total	% Sí	% No	
5.1. La JRV cerró a las 17:00 horas ?	44	2	46	95.7	4.3	
5.2. Había electores en fila al cierre de la JRV?	5	43	48	10.4	89.6	
5.3. Si había electores en fila, se le permitió votar a alguno de ellos?	1	17	18	5.6	94.4	
5.4. Si había electores en fila, se les entregó el Certificado de Presentación?	2	14	16	12.5	87.5	
5.5. La cantidad de papeletas clasificadas por dignidades coincidió con el número total de votantes?	36	9	45	80.0	20.0	
5.6. Las papeletas no utilizadas se colocaron con el resto del material sobrante en la funda B de color negro?	38	9	47	80.9	19.1	
6.1. Se encontraba presente el Presidente de la JRV?	48	1	49	98.0	2.0	
6.2. Se encontraba presente algún delegado del PRIAN?	21	27	48	43.8	56.3	
6.3. Se encontraba presente algún delegado del PRE?	18	31	49	36.7	63.3	
6.4. Se encontraban presentes delegados de otras organizaciones políticas?	33	13	46	71.7	28.3	
6.5. Se encontraba presente algún observador nacional?	14	34	48	29.2	70.8	
6.6. Se encontraba presente alguna persona no autorizada dentro de la JRV?	5	42	47	10.6	89.4	
6.7. Se designaron dos escrutadores de entre los miembros de la JRV?	24	22	46	52.2	47.8	
6.8. El Secretario leyó en voz alta el voto, si era válido, indicando el candidato, o si era nulo o blanco?	40	7	47	85.1	14.9	
6.9. Se anotó en los Auxiliares de Escrutinio el voto obtenido por cada candidato o lista, así como nulos y blancos?	46	1	47	97.9	2.1	
6.10. Se observaron los procedimientos para determinar si un voto era válido, nulo o blanco?	44	3	47	93.6	6.4	
6.11. Hubo discrepancia entre los escrutadores sobre los resultados, obligando a que se repitiera el conteo?	12	33	45	26.7	73.3	
6.15. Hubo discrepancia entre los presentes sobre la validez o no de un voto?	4	42	46	8.7	91.3	
6.16. Las discrepancias sobre la validez o no de un voto fueron resueltas de acuerdo a los procedimientos?	10	13	23	43.5	56.5	
6.17. Se constituyeron grupos de votos por cada uno de los binomios o listas?	20	24	44	45.5	54.5	
6.18. El conteo fue perjudicado por problemas prácticos (por ej. falta o insuficiencia de luz o espacio)?	4	44	48	8.3	91.7	
6.19. El conteo fue interrumpido por incidentes tales como actos de violencia o intimidación?	0	49	49	0.0	100.0	
7.1. Terminada la contabilización de los votos se llenaron los ejemplares del Acta de Escrutinio ?	45	0	45	100.0	0.0	
7.2. "Todos" los miembros de la Junta firmaron los ejemplares del Acta?	42	1	43	97.7	2.3	
7.3. Los delegados de las organizaciones políticas firmaron los ejemplares del Acta?	24	16	40	60.0	40.0	
7.4. Se colocó el adhesivo de seguridad en todas las páginas de cada uno de los ejemplares del Acta?	40	2	42	95.2	4.8	

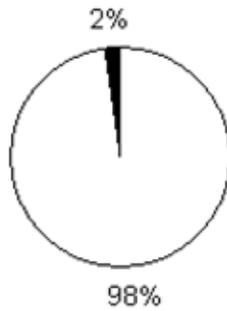
7.5. Realizaron los delegados de las organizaciones políticas observaciones en las Actas?	13	26	39		33.3	66.7
7.6. Se entregó el acta resumen a los delegados de las organizaciones políticas ?	22	26	48		45.8	54.2
7.7. Alguna organización política protestó por no recibir un ejemplar del Acta Resumen?	7	33	40		17.5	82.5
			%			
8.1 BUENO	25		62.5			
8.2 RAZONABLE	11		27.5			
8.3 POBRE	4		10.0			
8.4 MUY POBRE	0		0.0			
Total	40					

5.5 La cantidad de papeletas clasificadas por dignidades coincidió con el número total de votantes?



Sí No

6.1 Se encontraba presente el Presidente de la JRV?

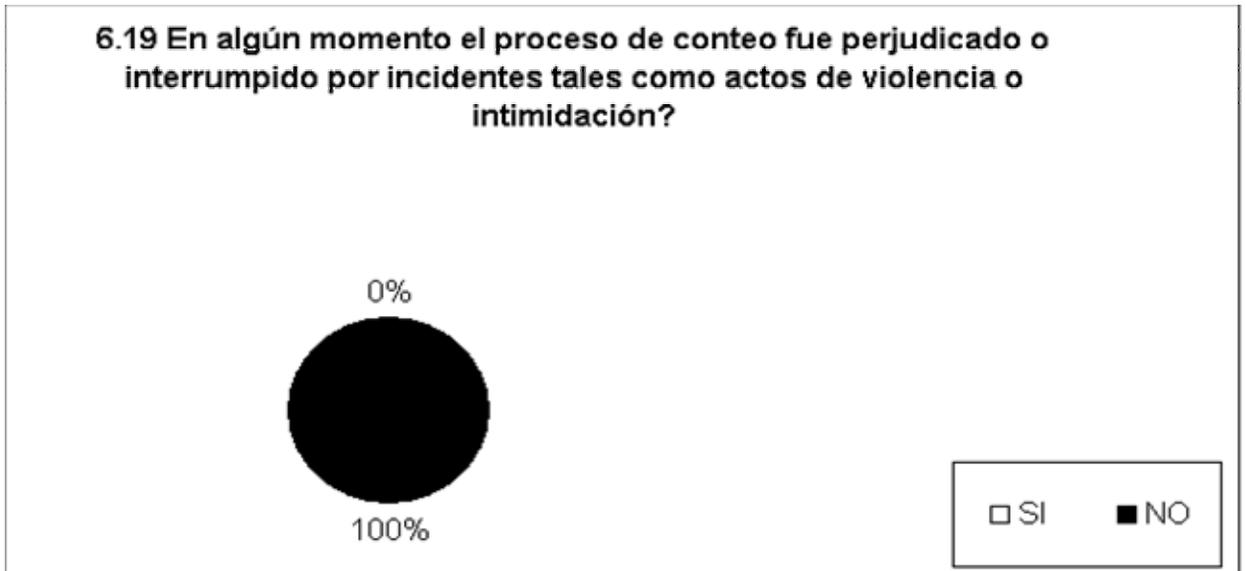
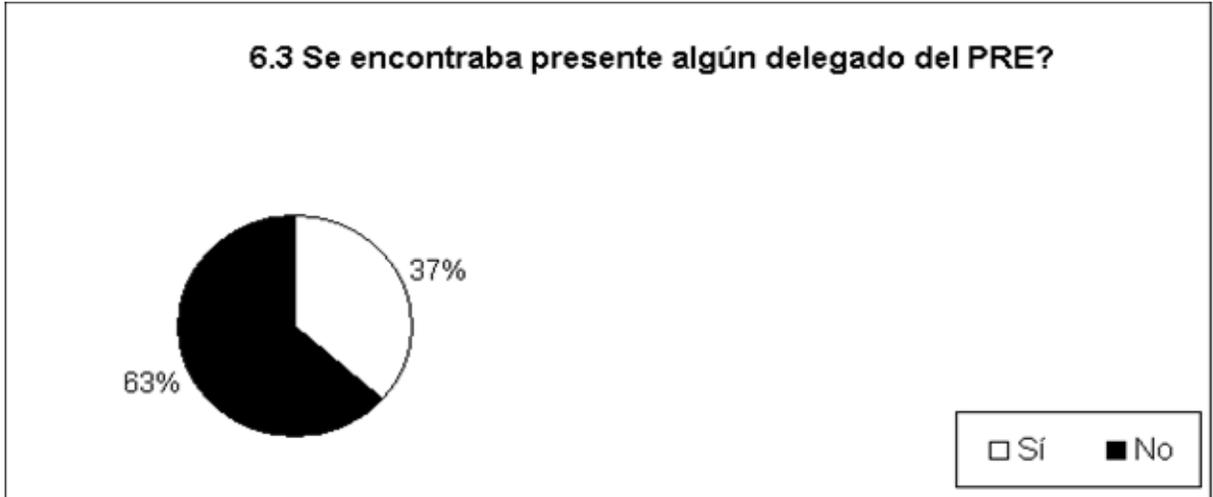


Sí NO

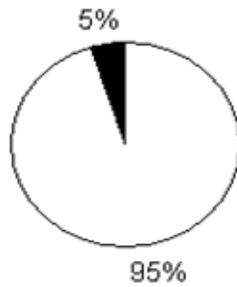
6.2 Se encontraba presente algún delegado del PRIAN?



Sí No

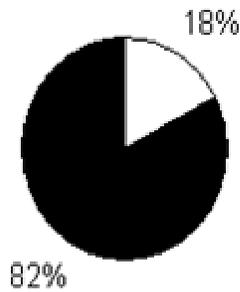


7.4 Se colocó el adhesivo transparente de seguridad en todas las páginas de cada uno de los ejemplares del Acta?



SI NO

7.7 Alguna organización política protestó por no recibir un ejemplar del Acta Resumen?



SI NO

Comentarios

Algunos observadores acompañaron sus hojas de consolidación con comentarios, los que se sumarizan a continuación:

- * Votación suspendida en los Cantones de Cojimies y Tosagua, Provincia de Manabi, y en el Cantón Palestina, Provincia del Guayas.
- * Insuficiente capacitación de electores y miembros de las JRVs.
- * Dificultades durante el escrutinio en la interpretación de los votos nulos.
- * En promedio, un 6% de los electores que acudieron a su recinto electoral no constaban en el padrón electoral.
- * No se garantizó el secreto del voto en un número considerable de JRVs observadas.
- * Malas condiciones físicas de las JRVs obligando a los miembros a trabajar bajo el sol durante 10 horas.
- * JRVs con una sola urna, en vez de dos, en algunos recintos electorales, retrasando la votación.
- * Congestionamiento de votantes y ciudadanos en varios recintos electorales.
- * En promedio, un 95% de los electores depositaron todas juntas las boletas en la urna, en vez de una a una, como determina la legislación electoral.
- * Falta de centros de información al elector en la mayoría de los recintos visitados.
- * No se garantizó el secreto del voto en un número considerable de JRVs observadas.

ANNEX V:
CONSOLIDATED RESULTS

PARTICIPACIÓN DE HOMBRES Y MUJERES EN LAS LISTAS CONFORMADAS PARA LA ELECCIÓN DEL 2000

La cuota se aplica solamente a las listas pluripersonales, es decir, concejales/as, consejeros/as y juntas parroquiales.

Cuota 30%			
CONCEJALES	2000		
	Total	Hombre	Mujer
	Cuota 30%		
MUNICIPALES	5.026	2.713	2.313
CONSEJEROS	2000		
	100%	54.0%	46.0%
	Total	Hombre	Mujer
PROVINCIALES	605	345	260
	100%	57.0%	43.0

Cuota 30%			
JUNTAS PARROQUIALES	2000		
	Total	Hombre	Mujer
	13.050	8.129	4.921
	100%	62.3%	37.7%

CUADRO DE PARTICIPACIÓN POLÍTICA DE LAS MUJERES EN CONGRESO NACIONAL

AÑO	TOTAL	MUJERES	HOMBRES	% MUJERES	% DE HOMBRES
1979	69	0	69	0%	100%
1984	71	3	68	4,23%	95,77%
1986	71	1	70	1,41%	98,59%
1988	71	3	68	4,23%	95,77%
1990	77	4	73	5,19%	94,81%
1992	77	4	73	5,19%	94,81%
1994	81	4	77	4,94%	95,06%
1996	81	3	78	3,70%	96,30%
1998	121	16	105	13,22%	86,78%
2000*	123 2000*	22	101 2000*	17,89%	82,11%

*Al año 2000 ha subido el número de legisladoras no por elección popular sino por haber pasado de alternas a principales.