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## NATIONAL OBSERVERS AND THE 1996 NICARAGUAN ELECTIONS

Statement by National Democratic Institute for International Affairs  
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On Sunday, October 20, 1996, Nicaragua held elections for national, state and local offices. With more than 80 percent of the vote tabulated by Tuesday morning, the Supreme Electoral Council (CSE) announced that Liberal Alliance candidate Arnaldo Alemán led in the vote tally for the presidential race with 48 percent, followed by Sandinista candidate Daniel Ortega with 39 percent. Preliminary vote totals for National Assembly races also showed the Liberals with a lead over other political parties.

Observers from the Nicaraguan nonpartisan monitoring group *Etica y Transparencia* (Ethics and Transparency -- ET) reported that the widespread logistical and administrative difficulties -- including the shortage and late arrival of materials at many polling sites -- did not favor any political party or affect the integrity of the election results. ET's "quick count" of presidential results mirrored the voting tendencies reported by the CSE. International observers from the Organization of American States (OAS), the European Union (EU) and delegations from the United States expressed similar observations about the process.

Formed in April 1996, ET has managed to maintain a diverse political base, with 18 member civic and academic organizations and a board of directors that could be considered the most broad-based leadership of a Nicaraguan civic group in the country's history. The CSE officially approved national election observation on September 19 making Nicaragua the most recent Latin American country to embrace nonpartisan domestic election monitoring. Experience with national observations in such countries as Mexico, Panama, Paraguay and Peru, among others, demonstrates that nonpartisan monitoring increases citizen confidence and participation in the electoral process.

The National Democratic Institute (NDI) was pleased to support ET's activities and commends the group for its contribution to the democratic process in Nicaragua.

### *Ethics and Transparency's Election Day Observations*

4,200 ET volunteers monitored nearly 90 percent of Nicaragua's 9,005 polling sites, or Voter Reception Boards (JRVs). Many spent more than 16 hours observing the polling process and vote count. ET volunteers were present in all 17 departments and 145 municipalities. The largest concentrations of ET observers were in Managua (523), Chontales (489) and Matagalpa (475).

ET volunteers gathered information on the quality of the electoral process and reported their observations to the group's communication center in Managua all day Sunday and early into Monday morning. The observers reported first following the opening of the polls and provided comprehensive observations about the voting process (i.e. did the polls open on time; was the vote secret; were party pollwatchers present; etc.) Later, ET observers reported the outcome of a quick count -- an independent tabulation of actual election results from a random sample of polling sites. Using the quick count, ET was able to project the outcome of the presidential race with a margin of error of less than 1 percent.

ET's preliminary statement on Sunday afternoon indicated that initial turnout for the elections was high throughout the country; political party pollwatchers were present at 98 percent of open JRVs; and that the vote was secret in the vast majority of open polling sites. Initial CSE estimates showed voter turnout for the election to be 85 percent.

ET observers witnessed widespread administrative and logistical difficulties, including the late arrival or lack of complete election materials at almost 30 percent of JRVs. ET indicated that many JRVs opened late due to problems associated with the voting materials. The group reported that some local CSE and polling officials impeded the national observers' presence in the vote count, and in some cases during the polling process more generally. Many of these cases were resolved during the course of the day after the CSE sent telegrams to local officials clarifying the status of national observers.

In its second statement on Monday afternoon, ET concluded that irregularities observed, including logistical and administrative problems, were not of sufficient magnitude to invalidate the polling process or the integrity of the outcome. Referring to the quick count, ET President Roberto Calderón said, "the results of our quick count demonstrate a similar tendency to those preliminary results given by the CSE (in the presidential race)." CSE regulations prohibit ET from announcing publicly specific quantitative results of the quick count. ET submitted these quantitative results to the CSE in a sealed envelope early Monday morning. The group also found no evidence that the irregularities in the process affected one political group more than another. ET concluded its statement by congratulating Nicaraguan citizens for their patience and civic spirit.

ET will continue to monitor the process after most international observers have left the country. The group plans to contribute to the ongoing political process by providing recommendations to the CSE based on the information collected by ET's thousands of volunteer observers.

### *National Democratic Institute Support for Ethics and Transparency*

Election monitoring by domestic organizations is an increasingly common phenomenon. Since 1986, NDI has supported nonpartisan domestic election observation efforts carried out by

civic groups in more than 30 countries in Latin America, Africa, the Middle East, Asia, Central and Eastern Europe and the former Soviet Union. These domestic monitoring initiatives increase citizen participation and confidence in the elections, and reduce the possibility of fraud and irregularities on election day. Domestic election observation also creates a constructive, nonpartisan avenue for citizen participation in the political process, contributing to the development of civil society. The act of training local observers, as well as the observation process itself, constitutes a valuable civic exercise.

NDI has supported ET with organizational assistance since 1995 and with modest financial assistance since April 1996. Two NDI election monitoring experts, Melissa Estok and Peter Redmond, have resided in Managua since March. They have advised the group and facilitated communication and visits between ET members and election monitoring experts from countries including the Dominican Republic, Mexico, Panama, Peru and Bulgaria. Neil Nevitte, NDI quick count expert and a professor at the University of Toronto, worked closely with ET's technical team in designing and implementing the quick count. Guillermo Márquez, president of the Panamanian Electoral Tribunal, advised ET leaders throughout the crucial accreditation process.

In addition, NDI sponsored the visits of ET members to November 1995 municipal elections in Peru to observe the civic group *Transparencia's* (Transparency) national observation of those elections. The Institute also organized visits for ET's leaders to the recent national elections in the Dominican Republic, where they observed the civic organization *Participación Ciudadana* (Citizen Participation) as it monitored the electoral process. NDI's program with ET has been made possible by a grant from the United States Agency for International Development. ET has also received financial support from the Center for Democracy, the International Foundation for Election Systems, the International Republican Institute, and the Swedish Government, as well as significant in-kind contributions from its thousands of Nicaraguan volunteers.

In June, NDI supported ET's effort to observe the controversial voter registration process in Nicaragua's 26 northern and central municipalities. The group covered more than 60 percent of the 972 registration tables in the area. By the close of the fourth weekend of registration, approximately 352,000 people -- more than 95 percent of the region's population -- had registered and received a voting card.

Following the group's observation of voter registration, ET was asked by the CSE to develop recommendations on an ethics code for Nicaraguan political parties. ET was the only Nicaraguan civic organization asked to submit recommendations for the proposed code. ET convened a broad-based committee of several of its members -- including the leaders of Nicaragua's three leading human rights organizations, the ANPDH, CENIDH and CPDH -- to offer recommendations for the code. Given the history of ideological conflict between these three leading human rights groups, the formation of the committee alone was a significant accomplishment and signals Nicaragua's desire to move beyond its polarized past.

On September 29, ET conducted a national quick count simulation exercise to test its communication and computer systems, as well as volunteer response rates. The simulation identified technical and logistical problems that were corrected prior to the elections.

### *NDI Observations about ET's Participation in the Electoral Process*

For the October 20 elections, NDI sent an international delegation to support the activities of ET. The delegation was led by Guillermo Marquez, president of the Panamanian Electoral Tribunal, and Santiago Canton, director of programs for Latin America and the Caribbean at NDI. Other members included: Carlos Atencio, regional director for the civic organization *Escuela de Vecinos de Venezuela* (School of Neighbors); Stella Cacace, executive director of the Paraguayan civic group *Decidamos* (We Decide); Neil Nevitte, NDI quick count expert and professor of political science and statistics at the University of Toronto; Melissa Estok, director of the NDI office in Nicaragua; Peter Redmond, NDI representative in Nicaragua; Kirk Gregersen, NDI program officer; and Sandra Zacarias, NDI program assistant.

The NDI delegation met with leaders of the election commission, political parties and civic groups. On October 19, the NDI delegation divided into four teams to observe the voting process and ET's activities. Two teams covered rural polling stations in the mountainous northern and central regions of the country including JRVs in Matagalpa, Boaco, Chontales and Zelaya Central, while the third team observed ET's participation at polling sites in Managua. Nevitte, Canton and Estok remained in Managua to assist ET with the analysis of its quick count.

The NDI delegation was greatly impressed by the nonpartisanship and enthusiasm of the ET volunteers and commended the observers for their civic spirit and professionalism. The information that ET observers collected on the quality of the electoral process provided invaluable insights into the development of the voting process and will help the CSE to improve future elections. The quick count results also served to bolster the efforts of the CSE and increase citizen confidence in the elections. Perhaps most important, ET's activities generated excitement about and involved thousands of Nicaraguans in the political process. NDI and other international organizations congratulated ET for these successes and its contribution to strengthening democracy in Nicaragua.

NDI was impressed by the success of ET's efforts, but remains deeply concerned about the regulations that governed domestic election observers. While the CSE permitted domestic observation, the regulations promulgated by the election authority impeded rather than facilitated the work of ET and caused confusion on election day. In fact, the provisions establish some of the most restrictive conditions for domestic monitors that NDI has encountered in its work in more than 30 countries. When compared to those of the international observers, the regulations for domestic monitors were arbitrary and onerous. These regulations govern access to the voting and counting process, the accreditation of observers, and the freedom to announce the findings of the observation.

ET has demonstrated once again that domestic election observers play a valuable role in the electoral process. NDI hopes that the CSE will amend the regulations to provide national observers with the same rights as international observers. This step will further confirm the CSE's commitment to transparent elections as well as enhance citizen participation and confidence in the democratic process.

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