

# **Las Elecciones Presidenciales de 1996 en la República Dominicana**

**Instituto Nacional  
Demócrata para  
Asuntos Internacionales**

**El Consejo de Jefes de  
Gobierno Libremente  
Elegidos del Centro Carter**

# **The 1996 Presidential Election in the Dominican Republic**

**National Democratic  
Institute for  
International Affairs**

**The Carter Center's  
Council of Freely Elected  
Heads of Government**

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## **Acknowledgments**

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This report comprises information on the Dominican Republic, the 1996 electoral framework, the actors, the campaign, the delegations sponsored by the National Democratic Institute for International Affairs (NDI) and the Council of Freely Elected Heads of Government (Council), and observations and recommendations from the first- and second-round polls. We would like to thank Catherine Kelsch of NDI and Becky Castle of The Carter Center for their work in drafting the report. We especially appreciate the important contributions and support from NDI President Kenneth Wollack and NDI Senior Associate for Election Processes Patrick Merloe.

Many other people deserve our thanks as well. In particular, the NDI/Council Representative in the Dominican Republic, Darren Nance, worked tirelessly for four months to keep us informed of developments, organize the pre-electoral mission and prepare for our two international delegations. The NDI/Council's efforts were supported in Washington by Kathryn O'Kane, Nathan Tibbits, Katie O'Neill and Sharon White. In Atlanta, David Carroll, associate director of the Latin American and Caribbean Program at The Carter Center, lent his extensive election monitoring experience. Carter Center staff members Harriette Martin, Marc Craighead, Kim Wiley,



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As for actual participants in the process, two groups deserve praise for their role in strengthening the democratic framework in their country—the Central Electoral Board (Junta Central Electoral—JCE) and the members of Citizen Participation (Participación Ciudadana), a domestic civic organization. Throughout the process, the JCE board demonstrated integrity, impartiality and a dedication to an open electoral process. Participación Ciudadana engaged civil society in the process by organizing an effective and impartial monitoring effort that promoted public confidence and participation.

Finally, the Dominican people exhibited a strong sense of civic pride in exercising the right to vote and in protecting the integrity of the election process. Their commitment to democracy was given concrete expression by voters, election officials, political party pollwatchers and domestic election monitors.

<i>Robert A. Pastor</i>	<i>Santiago A. Canton</i>
Executive Secretary	Director
Council of Freely Elected	Latin America and the Caribbean
Heads of Government	National Democratic Institute

*May 1997*

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## Foreword

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I have had a deep personal interest in democracy in the Dominican Republic since I was president. Immediately following the 1978 election, my administration strongly protested the suspension of the vote count. Soon after, the count continued and Silvestre Antonio Guzmán Fernández was declared the winner. Afterward, there had been uneven progress toward democracy, and the 1996 election was, therefore, a critical moment for the country. Fortunately, a new generation of leaders contested the 1996 election and they demonstrated a determination that their country join the ranks of democratic nations in the hemisphere by accepting the democratic process with respect and magnanimity.

In March 1996, as chairman of the Council of Freely Elected Heads of Government, a group of 27 current and former heads of government from throughout the Americas, based at The Carter Center, I received invitations from the Central Electoral Board and the three principal parties to monitor the 1996 presidential election. The National Democratic Institute for International Affairs (NDI) also received the invitations, and we were fortunate to collaborate with NDI again to observe the electoral process, as we did in 1990. An NDI representative had been monitoring electoral developments in the Dominican Republic since early April. Both The Carter Center and NDI have worked together or separately to monitor more than 50

elections throughout the world, and we were glad to lend our joint support to the Dominican people in what proved a turning point for democracy in their country.

I would like personally to thank former Colombian President Dr. Belisario Betancur, and former Canadian Prime Minister Joe Clark, both of whom are Council members who participated in the Dominican Republic project as co-leaders. We are particularly grateful to President Betancur who provided continuity in leadership by joining me for the pre-electoral trip, leading the first-round May 16 delegation, and then joining me and others for the run-off balloting on June 30. I also owe thanks to others who assumed a leadership role in the delegations: former Guatemalan President Ramiro de León Carpio; former Governor of New Hampshire and President George Bush's chief of staff, John Sununu; and former U.S. Representative Claudine Schneider. In addition, NDI President Kenneth Wollack and Executive Secretary of the Council and Carter Center Fellow Robert Pastor, brought extensive country knowledge and electoral experience to our mission.

Members of the NDI/Council's first- and second-round delegations played an integral role in the success of the election monitoring project. The delegations included elected officials, elections experts, political and civic leaders, and democratic development experts from throughout the world. Their experience and understanding of electoral conduct proved critical to judging the fairness of the election processes in the Dominican Republic.

The Dominican people and the major political parties deserve the commendation of the international community for their perseverance in the pursuit of democracy. In addition, four Dominican leaders played crucial roles in helping their country cross the democratic threshold: César Estrella Sadhalá for his leadership of the Central Electoral Board; Joaquín Balaguer, who could retire from the presidency satisfied that he has served his country; Leonel Fernández, the country's new, energetic, and intelligent president, who already has demonstrated the commitment needed to provide democracy a firm foundation; and José Francisco Peña Gómez, whose contribution to democracy has spanned a generation and who always placed his commitment to democratic principles above his personal interest. With such leaders, the country's future is promising.

*Jimmy Carter*

*May 1997*

## Executive Summary

At the invitation of the Central Electoral Board (Junta Central Electoral—JCE) and the presidential candidates of the principal political parties, the National Democratic Institute for International Affairs (NDI) and the Council of Freely Elected Heads of Government (Council) observed the May 1990 election in the Dominican Republic. This presidential contest was among the closest and most disputed in the country's history. The JCE declared incumbent President Joaquín Balaguer the winner despite allegations of fraud. While international observers, all the political parties and the JCE recognized that aspects of the election were flawed, the NDI/Council delegation found that there was insufficient evidence to prove that the irregularities were biased in favor of one party or candidate.

In elections four years later, an NDI delegation arrived at a different conclusion. During the May 1994 elections, the NDI delegation observed that a large number of eligible voters with apparently valid voter identity cards were unable to cast ballots because their names did not appear on the voter lists. Furthermore, a disproportionate number of the disenfranchised voters appeared to be drawn from opposition parties. Despite findings by an *ad hoc* commission organized by the JCE that confirmed extensive voter disenfranchisement, Dominican election authorities ruled that

incumbent President Joaquín Balaguer had won the disputed polls. Given the closeness of the vote and the widespread irregularities, the NDI delegation challenged the legitimacy of the May 16 election results. Subsequent negotiations between the government and opposition led to electoral reform and an early presidential election in 1996.

The Dominican people as well as the international community expressed apprehensions about the conduct of the 1996 election because of a controversial electoral history and a new, complicated voting process. The NDI/Council decided to monitor the process after receiving invitations from the three principal political parties and the JCE. The NDI/Council went to the Dominican Republic to impartially witness the process and reinforce Dominican efforts to advance democratic institutions. The NDI/Council organized international delegations to observe the first and second rounds of the election held, respectively on May 16 and June 30, 1996. The NDI/Council recognized that it was Dominican citizens who would ultimately determine the legitimacy of the 1996 presidential election as well as whether the results expressed the will of the electorate.

On June 30, 1996, Dominicans selected Leonel Fernández of the Dominican Liberation Party (Partido de la Liberación Dominicana—PLD) as their new president. In second-round polls, Fernández narrowly defeated José Francisco Peña Gómez of the Dominican Revolutionary Party (Partido Revolucionario Dominicano—PRD) by a vote of 51.25 percent to 48.75 percent. The election represented a turning point in a country where elections have often spawned political controversy and rarely have all contesting parties accepted the results as an accurate reflection of popular preferences.

The NDI/Council delegations noted many positive developments from past elections in the Dominican Republic:

- The JCE garnered the respect of all political parties and gained public confidence in the process and its results. The delegations were encouraged by the broad support for the JCE among political parties, the government, civic groups and the Catholic Church. The JCE regularly consulted with the various political actors and responded decisively to their concerns, and provided explanations to the public for its decisions. This transparency reduced suspicion and enhanced the credibility of the process.

- An updated electoral registry remedied many of the flaws of the previous voter list. The JCE provided all political parties the opportunity to scrutinize the registry and make recommendations to the JCE concerning the list.

- Civic organizations actively contributed to a more transparent electoral process. In the past, political parties, nongovernmental organizations and religious groups primarily involved themselves in the process after irregularities had already occurred. For this election, a broad-based nongovernmental group, Citizen Participation (Participación Ciudadana), conducted a civic education campaign and organized a large network of domestic monitors who observed the voting process and conducted a parallel vote tabulation (PVT). Although some charged Participación Ciudadana with partisanship, its credibility was enhanced when its election observation and PVT results accurately indicated a loss by the party that it was alleged to favor.

- The competing candidates accepted the election results. Following the first- and second-round polls, all candidates publicly acknowledged the official results within hours of their release by the JCE. This swift unanimity represents a true change in a country where electoral disputes customarily endured for months after an election.

- Dominicans enthusiastically sought to cast their ballots; turnout was close to 80 percent. Furthermore, the delegation was impressed by the civic pride exhibited by the voters, as well as by election officials, political party delegates and election monitors in promoting the right to vote and in protecting the integrity of the election process.

- Major party pollwatchers were well trained and present at virtually every polling site. Party pollwatchers demonstrated their commitment to the process by working in conjunction with election officials and peacefully collaborating with one another.
- The JCE processed election results rapidly and released them hourly. By processing and releasing by 4:30 a.m. all results for the second round (except for 33 voting stations that experienced logistical problems), the JCE greatly enhanced confidence in its procedures.

The delegations noted that the electoral process developed in a very positive manner, with significant improvements from the controversial 1994 elections. At the same time, there is no perfect election system and certain features of the electoral process prompted concern:

- During the campaign, isolated incidents of politically motivated deaths and other acts of violence and intimidation were associated with the election. Although, compared with previous elections, the number of incidents had decreased, the delegations encouraged Dominicans to participate peacefully.
- Voters were disenfranchised who had been erroneously listed as deceased on the electoral registry. Reports from around the country indicated that a number of prospective voters were unable to vote because their names appeared on the ineligible voters list (*lista de inhabilitados*) as being deceased. While the delegation recommended that a way be found for these voters to cast their ballots in the June polls, the JCE did not change the regulations for the second round.
- The JCE limited to 1,140 the number of national observers that could be fielded from civic organizations. Participación Ciudadana initially trained more than 4,000 observers, but the restriction on Dominican observers inhibited the group's ability to fully mobilize public participation in the domestic monitoring effort. Accrediting a larger number of nonpartisan civic observers could have bolstered the group's parallel vote tabulation activities as well as generally helped to enhance public confidence in the election.
- The JCE barred direct access to its computer center. In 1994, tampering inside the computer center was believed to have improperly removed thousands of prospective voters from the lists. While there were no problems with the lists in this election, allowing party technical representatives full access to verify computer processes could raise confidence and avoid future problems.
- The complicated nature of the new electoral process detained Dominicans from returning home or to work for half a day. While the system worked, the amount of time involved in voting could discourage people from voting in a future, less controversial or tightly contested election. Therefore, the delegation

recommends that the JCE explore other procedures for reducing the possibility of multiple voting, which prompted the new process.

Problems exist in every election. The delegations, however, did not observe, nor did they receive evidence of electoral irregularities in this election that would have affected the results. While the 1996 election was not without problems, it represented an important step forward for the democratic process in the Dominican Republic. A sense of public service and a guardianship of democracy were demonstrated by the members of the JCE and Municipal Election Commissions (*Juntas Municipales Electorales—JMEs*), by officials at the voting stations, by the presidential candidates, by the political party pollwatchers and Dominican civic organization leaders and national election monitors, and most of all by the voters themselves.

## *Chapter 1*

# **Introduction**

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On June 30, 1996, Dominicans went to the polls to vote in a constitutionally mandated second-round presidential election, which was triggered when no candidate won an absolute majority during the first-round contest on May 16. The presidential candidates who captured the most votes in May were drawn from the two principal opposition parties: José Francisco Peña Gómez from the Dominican Revolutionary Party (Partido Revolucionario Dominicano—PRD) and Leonel Fernández from the Dominican Liberation Party (Partido de la Liberación Dominicana—PLD). Within 24 hours of the polls closing, the Central Electoral Board (Junta Central Electoral—JCE) declared Leonel Fernández the winner.

In 1996, the NDI/Council initiated a pre-election monitoring program that established an in-country presence to track emerging political and electoral issues, and closely monitor electoral developments. In late April, the NDI/Council sent a pre-election delegation to the Dominican Republic to demonstrate international support for an open electoral process, assess the legal framework and administrative preparations for the election, and examine the campaign



environment. Former presidents Jimmy Carter of the United States and Belisario Betancur of Colombia co-led the pre-election delegation. Other members of the delegation included: former Argentine presidential candidate José Octavio Bordon; NDI Senior Adviser Curtis Cutter; Executive Secretary of the Council of Freely Elected Heads of Government Robert Pastor; NDI Director for Latin America and the Caribbean Santiago A. Canton; NDI staff members Catherine Kelsch and Darren Nance; and Carter Center staff member Becky Castle.

For the May 16, 1996, first-round polls, the NDI/Council organized a 27-member international observer delegation, which was led by former presidents Belisario Betancur of Colombia and Ramiro de León Carpio of Guatemala. The delegation observed an encouraging number of healthy developments since disputed elections in 1994, noted a relatively peaceful election-day environment and highlighted the positive nature of the election process.

The final results of the first round were as follows: José Francisco Peña Gómez, PRD and allied parties, 45.93 percent; Leonel Fernández, PLD, 38.94 percent; Jacinto Peynado, the incumbent vice president and candidate of the Social Christian Reformist Party (Partido Reformista Social Cristiano—PRSC) and its allied parties, 14.99 percent; and José Rafael Abinader, Social Dominican Alliance (Alianza Social Dominicana—ASD), 0.13 percent.

For the second round, the NDI/Council organized a 38-member delegation led by: former presidents Jimmy Carter of the United States; Belisario Betancur of Colombia; Ramiro de León Carpio of Guatemala; former Canadian Prime Minister Joe Clark; former U. S. Representative Claudine Schneider; and former Governor of New Hampshire and White House Chief of Staff John Sununu. The delegation also included parliamentarians and other elected officials, political party and civic leaders, election experts, regional specialists and business executives.

Both the May and June delegations demonstrated the international community's continued support for a genuine democratic process in the Dominican Republic and provided the international community with an objective assessment of the presidential election. The delegations also sought to learn from the Dominican people about the nature of the electoral process and its implications for the further development of the country's democratic institutions. Each delegation

examined three distinct aspects of the election: the campaign, election-day proceedings and the vote tabulation.

Each NDI/Council delegation arrived in the Dominican Republic several days before its respective voting round to learn about the electoral process and developments leading up to the polls. Meetings were held with government and election officials, the presidential candidates, journalists, leaders of Participación Ciudadana and others involved in the electoral process in Santo Domingo and in the country's 11 other administrative regions. Delegation leaders also met separately with President Joaquín Balaguer, the presidential candidates, members of the JCE and representatives of the Action Group for Democracy (Grupo Acción de Democracia—GAD). On both election days, delegation members visited polling stations and JMES in rural and urban areas in 12 regions throughout the country. The NDI/Council delegations were in continuous communication with the Organization of American States (OAS) and other groups that observed polling on May 16 and June 30.

## Chapter 2

# Electoral History

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## A. Dominican Independence Through 1986

The Dominican Republic obtained independence from Spain in 1821. This period of sovereignty was short-lived. Neighboring Haiti invaded a few months later and occupied the country until 1844, when the Dominican Republic regained its independence. For the rest of the 19th century, the Dominican Republic suffered increasing external debt and political instability. United States military forces occupied the country between 1916 and 1924. General Rafael Leonidas Trujillo Molina, whose regime was regarded as one of the cruelest in Latin America, ruled the Dominican Republic from 1930 until his assassination in 1961.

Dominican electoral history is replete with controversy. The 1962 presidential poll was the first relatively free Dominican balloting since a U.S.-supervised election 38 years earlier. Juan Bosch, founder of the PRD, won the contest but was overthrown by a military *coup* less than

a year after he assumed office. Two and a half years later, a civil military uprising intended to bring Bosch back to power led to civil strife and ultimately to U.S. military intervention. Some 23,000 U.S. troops were incorporated into an OAS inter-American peace force that remained in the country until September 1965.

Joaquín Balaguer won the controversial 1966 presidential election, which was plagued with alleged irregularities and vehemently protested by losing candidate Bosch. Charges of fraud and manipulation also led the major opposition parties to boycott the 1970 and 1974 elections, in which Balaguer was reelected with wide margins. In the 1978 election, PRD opposition candidate Silvestre Antonio Guzmán Fernández was declared the winner, but only after the Carter Administration's strong protests overturned the government's decision to suspend the vote count. For the first time in the Dominican Republic's history, power was transferred between elected presidents of different parties.

Although the 1982 and 1986 elections occurred within a democratic framework, irregularities and accusations of fraud were commonplace. In 1982, PRD presidential candidate Salvador Jorge Blanco won the election with 47 percent of the vote, while Balaguer garnered 37 percent. In 1986, challenges to the results and accusations of fraud by PRD presidential candidate Jacobo Majluta resulted in two suspensions of the counting process. Challenges to the results and accusations against members of the JCE delayed the announcement of Balaguer's victory until nearly two months after election day. The PRD ultimately recognized the election results and relinquished the presidency to Balaguer.

## B. The 1990 Election

The 1990 presidential contest was one of the closest and most disputed in the country's history. According to official results issued two months after the election, President Balaguer defeated his principal challenger, former President Juan Bosch, by 24,470 votes or 1.2 percent of the total.

On election day, delays with the tabulation process and problems in identifying the tally sheets (*actas*) led Bosch to charge fraud and threaten to rally his supporters into the streets to prevent the JCE from prematurely announcing his defeat. While the PLD claimed that the

irregularities were of a magnitude to preclude a Bosch victory, the party did not present sufficient evidence to substantiate its claim.

The NDI/Council delegation that observed the election concluded: There is no doubt that aspects of the May 16 election were flawed. All parties, as well as the JCE, acknowledged irregularities in the process. [However], the delegation was not presented with evidence that indicated sufficient irregularities in the balloting and counting processes to invalidate President Balaguer's victory. The irregularities that were documented did not appear to favor one candidate or party to a significant degree.<sup>1</sup>

The electoral system suffered from a polarized environment in which the political parties deeply distrusted the JCE. The NDI/Council's election report noted that:

The perception of an electoral board answering to the presidency undermines confidence in the process, thereby threatening political stability... The consolidation of democracy requires that the institutions that manage the electoral process be independent, competent, and perceived as completely fair by all the candidates and parties participating in the process.<sup>2</sup>

The delegation also cited timely preparation of the electoral registry to permit systematic reviews by the parties as a method to promote greater confidence in the process.

### C. 1994 Elections and Aftermath

Sharply disputed elections on May 16, 1994 ushered in a contentious post-electoral environment. A number of aspects of the 1994 elections paralleled events surrounding the 1990 polls.

<sup>1</sup> Council of Freely Elected Heads of Government and the National Democratic Institute for International Affairs, *1990 Elections in the Dominican Republic: Report on an Observer Delegation*. (Washington, DC, Council of Freely Elected Heads of Government and the National Democratic Institute for International Affairs, 1990), p. 20.

<sup>2</sup> *Ibid.*

On election day, many Dominicans and international observer delegations sponsored by NDI, the OAS and the International Foundation for Electoral Systems (IFES), observed that prospective voters with valid identification cards were being turned away from the polls because the official voter lists did not contain their names. The names of these potential voters, however, did appear on the voter lists that the JCE had previously issued to the political parties. Furthermore, it appeared that a disproportionate number of disenfranchised voters identified themselves as members of the opposition parties—the PRD and PLD.

The PRD and PLD requested that the JCE take immediate remedial action. The JCE responded by approving a resolution that extended the hours of voting from 6:00 p.m. to 9:00 p.m. and allowed citizens with valid identification cards but whose names did not appear on the official voter lists to cast tendered ballots (*votos observados*). However, the resolution was announced on television and radio at approximately 6:10 p.m., 10 minutes after the polls were scheduled to close—timing that drastically undermined the JCE's resolution. Since most polling sites had closed and begun the counting process before learning of the extension, they could not re-open the sites to accommodate tendered ballots.

Some polling officials received the news before closing their tables and were able to extend their hours. A few other officials had acted on their own authority during the day to allow those with apparently valid voter cards but not on official lists to cast tendered ballots. The majority of the approximately 17,000 total tendered ballots were cast after 6:00 p.m. by disenfranchised voters.

The NDI delegation's post-election statement widely publicized the serious irregularities witnessed by observers on election day. The delegation concluded that a number of features of the electoral process "were marred by serious problems and irregularities." The delegation observed a sufficient number of instances of disenfranchisement to cause serious concern. Moreover, members of the delegation noted that a disproportionate number of the disenfranchisement cases appeared to affect opposition parties. The delegation did not rule out the possibility that the disenfranchisement might have been caused by clerical or human error, but it noted that the pattern of the disenfranchisement suggested the real possibility that a deliberate effort had been made to tamper with the electoral process. The



delegation called on Dominican officials to conduct an investigation, and take appropriate and effective corrective actions. The OAS delegation issued a similar statement.

Following the elections, the JCE established an *ad hoc* task force, known as the "Verification Commission," to investigate the election-day irregularities and investigate the complaints received by the JCE regarding the voter list. The Commission, chaired by the JCE's director of elections, was asked to report to the JCE but was not sanctioned to recommend specific reforms.

In early July, the Verification Commission's final report recognized the existence of two different voter lists: the official list distributed by the JCE to the polling sites; and a list distributed earlier by the JCE to the political parties. The report noted that some voter names did not appear on the official lists, while they did appear on the political parties lists. Furthermore, it reported that the voter card (*cedula*) numbers of the disenfranchised voters appeared on the official lists, but matched with different names, which reinforced the possibility of deliberate manipulation.

The Verification Commission's process did not include a comprehensive comparison of the actual lists used on election day with those used by the political parties. Instead, the Verification Commission analyzed approximately 15 percent of the polling sites, using lists submitted by political parties. Based on this limited review, the Commission concluded that as many as 45,000 voters had been disenfranchised. While finalizing its report to the JCE, the Commission received additional lists from the PRD, which presumably demonstrated additional cases of disenfranchised voters. However, the Commission ruled that the lists had arrived too late to be evaluated.

On August 2, 1994, the JCE—ignoring the report of its Verification Commission—declared incumbent President Joaquín Balaguer the winner. The JCE announced the PRD's José Francisco Peña Gómez had been defeated by 22,281 votes (approximately 0.74 percent of the valid votes cast). NDI's interim report on the election reported that:

Given the closeness of the vote and the widespread irregularities, the legitimacy of the May 16 election must be called into question. The Dominican authorities failed to fulfill their mandate to organize an electoral process that

ensured that the will of the citizenry would be expressed. (See Appendix A.)

The 45,000 figure for disenfranchised voters presented in the Verification Commission's report called into question the official election results, which were based on a 22,281-vote margin of victory. Critics disputed the results even more when they were paired with a questionable pattern of disenfranchisement. A review of those tendered ballots ruled valid and counted by the JCE revealed that approximately 75 percent were cast for Peña Gómez and more than 80 percent for the opposition candidates, which suggested that opposition supporters represented a disproportionate number of disenfranchised voters.

These post-election developments caused political tensions to rise, creating a real possibility of civil unrest. Although a winner had been declared, the seemingly systematic alteration of voting lists and the resulting political crisis prompted negotiations between the ruling party and the opposition. After months of tense negotiations and several international efforts to mediate, political party leaders, church officials and civic representatives signed a "Pact for Democracy" in August, 1994. The Pact promised a new election in 18 months; a constitutional provision prohibiting two successive presidential terms; and a second round of voting if no presidential candidate received a majority, as well as other reforms. The PRD had originally proposed that a second round be held only if no candidate received more than 40 percent of the vote, but the formal Pact called for obtaining a majority vote. The Dominican Congress approved the measures outlined in the Pact without the participation of opposition PRD deputies. PRD deputies withdrew from the National Assembly when, during debate on articles of the Pact, the Congress changed and extended the Pact's timeframe for the next presidential election from 18 months to two years. The constitutional reform did not alter the four-year term of national deputies, senators, and locally elected officials.

On August 16, 1994, President Balaguer was sworn in as president of the Dominican Republic for a two-year term.

## *Chapter 3*

# Actors and the Campaign

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### **A. Political Parties**

Since the fall of Trujillo in 1961, political parties in the Dominican Republic have reflected diverse ideological viewpoints and the influence of strong personalities, with a lively array of parties competing at the national and local levels. Through the years, political parties have fragmented and splinter groups have formed.

Thirteen political parties, 11 official alliances and five official presidential candidates registered with the JCE to participate in the May 16, 1996 election. After placing first and second respectively in the May 16 election, only the PRD, the PLD and their officially recognized alliances competed in the June 30 contest.

#### **1. Social Christian Reformist Party (Partido Reformista Social Cristiano—PRSC)**

*Presidential Candidate: Jacinto B. Peynado*

*Vice-Presidential Candidate: Maribel Isabel Gassó*

The Reformist Party was founded in 1963 by Joaquín Balaguer who had previously served as minister and later president of the Trujillo regime. In 1985, the party merged with Dominican Christian Democratic parties, creating the Social Christian Reformist Party (PRSC). This merger allowed the party to join the Christian Democratic International, which gained them international visibility and financial and technical support.

Drawing heavily on rural and middle-class support, the PRSC won elections in 1966, 1970, and 1974, but lost in 1978 after Balaguer withdrew a pledge not to run for a fourth term, and subsequently lost again in 1982. Economic decline and unpopular International Monetary Fund-backed economic adjustments in the early 1980s allowed the PRSC to secure an electoral victory in 1986. In 1990, despite domestic problems, Balaguer narrowly defeated PLD presidential candidate Juan Bosch. Balaguer was again declared the victor in 1994 in spite of widespread electoral irregularities. By mandate of the Pact for Democracy, signed after the 1994 elections, Balaguer was constitutionally prohibited from seeking re-election.

In late 1995, the PRSC held a national primary election in which eight candidates competed. Dominican Vice President Jacinto Peynado was selected as the PRSC presidential candidate. It was the first time in the party's history that the PRSC had nominated a candidate other than Joaquín Balaguer, who had served as president for 22 of the previous 30 years. President Balaguer did not actively support Peynado and rarely appeared publicly with him, choosing instead to attend rallies and campaign events with PRSC vice-presidential candidate Maribel Gassó.

During the 1996 electoral process, the PRSC established a formal alliance with two small political parties, the Liberal Party of the Dominican Republic (Partido Liberal de la República Dominicana—PLRD) and the Democratic Popular Party (Partido Democrata Popular—PDP). After the first-round election, the PRSC formed an unofficial alliance with the PLD.

## 2. Dominican Liberation Party (Partido de la Liberación Dominicana—PLD)

*Presidential Candidate: Dr. Leonel Fernández Reyna*

*Vice-Presidential Candidate: Jaime David Fernández Mirabel*

In 1974, former President Juan Bosch, founder and former leader of the PRD, split from the PRD and, along with a group of young intellectuals, founded the PLD. This splinter group had envisioned the PLD as a small, disciplined party. At the time, Bosch rejected elections as a means of attaining power and advocated radical, anti-U.S., quasi-Marxist, nationalist and populist positions. This posture gradually changed as the PLD gained electoral popularity.

Although more organized than most parties, the PLD has traditionally lacked the financial backing and rural outreach of its counterparts. Bosch had run unsuccessfully as the PLD presidential candidate since 1978. In 1986, he sought to expand his electoral base by moving toward the center, a strategy that garnered the PLD nearly double the number of votes it had received in past elections. Bosch again lost in 1990 in a close contest, the results of which were denounced by the PLD as having been fraught with enough irregularities to preclude a Bosch victory.

Despite serious concerns regarding his health, Bosch ran again as the PLD's 1994 presidential candidate. Leonel Fernández, a young, dynamic lawyer and long-time PLD activist, made his first bid for office by joining Bosch on the ticket as the vice-presidential candidate. Bosch and Fernández placed third in the 1994 elections.

In early 1995, the PLD nominated Leonel Fernández as its presidential candidate for the 1996 election. He was nominated after Juan Bosch, the PLD's only previous presidential candidate, announced that he would not run again. PLD Senator Jaime David Fernández Mirabel was selected as the vice-presidential candidate.

The PLD did not form any official alliances that were recognized by the JCE. Before the first-round election, however, the New Hope Party (Partido Nueva Esperanza), which was not able to obtain a position on the ballot, decided to support the PLD. The Dominican People's Party (Partido del Pueblo Dominicano—PPD), which fielded a presidential candidate, also decided to support the Fernández candidacy.

Immediately after the May 16 election, the PLD initiated negotiations with the PRSC to reach a formal agreement to secure PRSC votes in the second-round balloting.

## 3. Dominican Revolutionary Party (Partido Revolucionario Dominicano—PRD)

*Presidential Candidate: Dr. José Francisco Peña Gómez*

*Vice-Presidential Candidate: Fernando Álvarez Bogaert*

The PRD was formed in 1939 as a left-democratic group. As the PRD's leader, Juan Bosch was elected president in 1962, but was overthrown in a military *coup* eight months later. He broke away from the party in 1974 and formed the PLD.

PRD presidents held office from 1978 to 1986 (Silvestre Antonio Guzmán, 1978 to 1982, and Salvador Jorge Blanco, 1982 to 1986). PRD governments generally respected civil liberties and human rights, though their records were not unblemished. They were criticized by many Dominican observers for failing to produce significant democratic, social and economic progress.

Dr. Peña Gómez served as mayor of Santo Domingo in the early 1980s and has been a leading figure in the PRD for years. He also has been very active in the Socialist International and served as its vice-president for Latin America. He finished third in the 1990 presidential election and second in the heavily disputed 1994 polls.

In 1995, the PRD again selected Peña Gómez as its presidential candidate. The PRD formed coalitions with nine other political parties and organizations that supported Peña Gómez as their presidential candidate: the Independent Revolutionary Party (Partido Revolucionario Independiente—PRI), Democratic Unity (Unidad Democrática—UD), the Popular Christian Party (Partido Popular Cristiano—PPC), the Quisqueyan Democratic Party (Partido Quisqueyano Democrático—PQD), the Social Democratic Institutional Block (Bloque Institucional Social Democrático—BIS), the Institutional Democratic Party (Partido Democrático Institucional—PDI), the National Party of Civil Veterans (Partido Nacional de Veteranos Civiles—PNVC), the Dominican Worker's Party (Partido de los Trabajadores Dominicanos—PTD), and the Democratic Agreement (Concertación Democrática—CD). All of these parties appeared on the ballot under the umbrella name of the Accord of Santo Domingo

(*Acuerdo de Santo Domingo*). The Accord of Santo Domingo's vice-presidential candidate, Fernando Alvarez Bogaert, a former high-level PRSC member, represented the UD, one of the political parties in the coalition.

**4. Dominican People's Party (Partido del Pueblo Dominicano—PPD)**

*Presidential Candidate: Rafael F. Alburquerque*

*Vice-Presidential Candidate: Dalia Maria Feliz Ramirez*

Rafael Alburquerque had been active in the PLD and had risen to the rank of secretary general. Following the 1982 election, Alburquerque decided to leave the party to form the PPD, which finished 12th in the 1994 elections.

Despite having garnered a position on the first-round ballot, the PPD announced on May 4, 1996 that it would support the PLD ticket in an effort to "combat misery, increase employment, and fortify social security, the national education system and professional development." While the already finalized ballot listed Alburquerque as one of the presidential candidates, he encouraged his supporters to vote for the PLD instead of the PPD.

**5. Dominican Social Alliance Party (Partido Alianza Social Dominicana—ASD)**

*Presidential Candidate: José Rafael Abinader*

*Vice-Presidential Candidate: Luis Minier*

The Dominican Social Alliance Party is a small opposition party that allied with the PLD in the 1994 elections. During the May 16, 1996 first-round election, the Social Alliance Party obtained 3,890 votes, or 0.13 percent of the total.

**B. The Catholic Church and the Pontifical Catholic University (PUCMM)**

The Roman Catholic Church plays an influential role in Dominican society. The Church is proud of the island of Hispaniola's heritage as the first Christian community in the New World. With the Church attracting into its fold more than 80 percent of the population, its pronouncements about candidates and the election process have greatly influenced public opinion.

Church officials have acted as leading mediators during past electoral periods. In 1986, the Archbishop, presided over an independent commission established by President Blanco to provide support to the JCE. The commission served as a guarantor of the fairness of the electoral process and became a neutral stabilizing force.

The Church also played a very active role in the 1994 elections. The auxiliary bishop of Santo Domingo announced in April 1994 that the Church did not have a preferred candidate in the upcoming elections; however, it would intervene in the elections if necessary. In addition, Monsignor Agripino Núñez Collado, the director of Pontifical Catholic University (Pontificia Universidad Católica Madre y Maestra—PUCMM) and a recognized national mediator, and other PUCMM officials requested that the parties communicate with each other and that the JCE take care to administer a credible and transparent process. PUCMM officials facilitated the signing of the Pact of Civility in 1994 among five of the six presidential candidates (Bosch did not sign). The Pact required that candidates act respectfully toward other parties and refrain from holding premature victory celebrations. During the 1994 post-election crisis, Monsignor Núñez and other PUCMM officials also helped gain the support of all parties to sign the Pact for Democracy.

In the 1996 election, the church again played a significant role. After the 1994 elections, a group of civic activists organized the GAD. (See Section C below.) PUCMM Vice Rector Radhamés Mejía and Monsignor Núñez both serve on GAD's executive committee.

Also quite active during the electoral period was Cardinal Nicolás de Jesús López Rodríguez who encouraged voters to turn out on election day. However, despite the active encouragement provided to both domestic and international election observer efforts by the PUCMM's leading officials, the Cardinal criticized the role of observer groups. In a February 26 sermon, he implied that the U.S. Embassy had meddled "abusively, inconceivably and inadmissibly" in the 1994 elections. He added that the U.S. Embassy was financing the Citizen Participation (Participación Ciudadana) project that he concluded would not be confined to neutral observation. (See Section D below.) The Cardinal asserted in this sermon that Dominicans "reject categorically any disrespectful foreigners."

Nevertheless, in an April 24 meeting with presidents Carter and Betancur, the Cardinal said that he supported their presence and that



of other international and domestic observers. He also indicated that he was most concerned about the level of violence during the electoral process. He added that he and his bishops were educating voters on the new *colegio cerrado* system. (See Chapter 4 below.)

### **C. Action Group for Democracy (Grupo Acción de Democracia—GAD)**

After the 1994 elections, representatives of the various political, religious, academic, labor and business sectors in Dominican society joined to form the GAD to strengthen democracy in the Dominican Republic. Its members witnessed the signing of the Pact for Democracy in 1994. The nonpartisan group included 21 organizations. The following civic leaders were members of the GAD's executive committee during the 1996 electoral period: Mons. Agripino Núñez Collado, rector, PUCMM; Lic. Radhamés Mejía, vice rector, PUCMM; Adalberto Martínez, president, Dominican Evangelic Fellowship; Leopoldo Herrera, secretary general, General Dominican Labor Union; Rafael Toribio, rector, Technological Institute of Santo Domingo; Eduardo Latorre, executive director, Dominican Development Foundation; José Manuel Paliza, president, National Council of Private Business; Manuel Bergés Chapani, president, Institutional and Justice Foundation; and José Oivedo, executive director, GAD.

GAD played an active role in the 1996 electoral process. It solicited the names of potential pollworkers, calling on universities around the country to submit lists of individuals to be considered as pollworkers. The group also facilitated the organization of civic groups in the 40 municipalities that had experienced problems during the 1994 elections. Each of these groups organized activities to increase dialogue and strengthen democratic institutions. GAD undertook civic education programs to motivate citizen participation in the election and supported Participación Ciudadana's domestic observation and PVT activities.

Furthermore, GAD promoted a Governability Pact in which all five presidential candidates pledged, among other promises, to conduct a peaceful and open campaign. The Pact underscored that a new president and vice president would be elected according to the articles of the 1994 Constitution, committed the presidential and vice-presidential candidates to accepting the results of the election, and

obligated the presidential candidates to support the newly elected president in his efforts to pursue GAD's 10 priority public policy issues that the candidates had previously agreed to support during a meeting with GAD in March 1996. These policies included: implementing programs to fight poverty, restructuring the education system and improving the quality of health care.

### **D. Citizen Participation (Participación Ciudadana)**

Participación Ciudadana is a civic organization originally established in October 1993 to create a forum for ongoing discussion about Dominican judicial reform. After the 1994 elections, Participación Ciudadana sponsored a conference on the role of civil society during an electoral crisis, bringing together prominent citizens and civic groups dedicated to the consolidation of democracy. From this conference, an agenda was developed to end future electoral fraud.

For the 1996 election, Participación Ciudadana planned to conduct a nationwide domestic election observation and parallel vote count program, the first time in the country's history that nonpartisan domestic observers had the opportunity to take part in the electoral process. The group hoped to promote the nonpartisan participation of thousands of Dominicans, and thereby, help ensure a transparent electoral process.

In January 1996, the JCE approved a resolution to permit domestic and international election observers. Earlier, in anticipation of the JCE's endorsement of observers, Participación Ciudadana had established the Network of Electoral Observers (Red Ciudadana de Observadores Electorales) to train more than 4,000 volunteers for pollwatching and independent vote counting responsibilities. However in its ruling, the JCE limited to 1,140 the number of observers it would accredit for Participación Ciudadana.

In response, Participación Ciudadana, through the Red Ciudadana de Observadores Electorales, deployed 1,140 officially accredited observers, but also organized the remainder of its trained volunteers to act as "observing voters" (*volantes observadores*). While the accredited observers witnessed the entire process, 3,000 observing voters noted qualitative observations—such as the time the polls opened, the presence of voting materials and the secrecy of the vote—while they waited in line to vote. With observations collected from both accredited and voting observers, Participación Ciudadana

was able to evaluate all aspects of the process. Because observers reported to Participación Ciudadana headquarters throughout the day about the quality of polling, the group was also able to announce before the polls closed that the voting process was generally free from irregularities.

Quantitative observations from the accredited observers took the form of a parallel vote tabulation (PVT) or "quick count." A PVT is a method for monitoring the tabulation of election results based on the actual counts from polling sites. A quick count relies on a sample of polling sites based on a random statistical selection to project the election outcome within a set margin of error. PVTs verify the accuracy of the results reported by the electoral authorities. Properly implemented, PVTs can help to: deter fraud by increasing the prospect that manipulation during the tabulation process will be discovered; detect fraud when it is attempted; suggest a "true" vote count by which to verify official results; and enhance the confidence in, and acceptance of, official results if they are consistent with the PVT.

Although some Dominicans had expressed doubts about the impartiality of Participación Ciudadana before the election, many of these uncertainties were alleviated by the group's first-round qualitative and PVT reports. Qualitative reports disclosed that: the voting tables opened on time; the major political parties fielded pollwatchers at more than 90 percent of the tables; individuals who had voting cards but whose names were not present on the electoral registry presented themselves to vote at 14 percent of the sample tables; and other information about the voting process.

Because Red Ciudadana de Observadores Electorales observers had been present at voting tables throughout the country on election day and found few irregularities, Participación Ciudadana was able to report with confidence that its PVT registered a 0.5 percent margin of error. The PVT sample contained 600 polling tables, including 225,800 voters. The final PVT results paralleled the JCE's official results: PRSC (JCE, 14.99 percent; PVT, 15.3 percent), PRD (JCE, 45.93 percent; PVT, 46.1 percent), PLD (JCE, 38.94 percent; PVT, 38.4 percent), and ASD (JCE, 0.13 percent; PVT, 0.1 percent).

For the second-round balloting, Participación Ciudadana's PVT again reported on the qualitative and quantitative aspects of the process, and it played a role in building confidence in the JCE's results. On election day, it reported that: the average table opened at

5:46 a.m.; political party delegates were present at 97 percent of the tables; no irregularities occurred at more than 88 percent of the tables; no one irregularity occurred at more than 2 percent of the tables; as well as other information about the process. The day following the election, Participación Ciudadana released its results of the second-round election: PRD (JCE, 48.75 percent; PVT, 49.01 percent), PLD (JCE, 51.25 percent; PVT, 50.99 percent).

### **E. International Observer Groups**

In addition to the NDI/Council delegation, the OAS and the Inter-American Institute for Human Rights (Instituto Interamericano de Derechos Humanos—IIDH), as well as other international organizations, sponsored election observation delegations.

OAS Secretary General and former Colombian President César Gaviria led delegations of more than 25 observers to each of the elections. The IIDH also organized a 20-member observer delegation to each round. They included electoral officials from various countries throughout the hemisphere. The NDI/Council maintained close communication with these and other observer groups to coordinate efforts and ensure maximum coverage of the process.

- new voter lists used by officials on election day to be posted publicly well in advance of election day and to remain posted for a reasonable time; and
- a new closed college (*colegio cerrado*) voting system (discussed below) instituted to protect against double voting.

#### A. Election-Day Procedures

In the Dominican Republic, a voting location comprises one or more polling stations or "tables," each of which employs a president, a secretary, two pollworkers and a substitute for the secretary. In 1996, election-day procedures were dictated by a new closed college (*colegio cerrado*) system. The virtually untested process had been briefly used in Puerto Rico in the 1970s.

The voting system is deemed "closed" because voters are requested to arrive during a designated time period, sign in, and remain in line at the voting table during the entire sign-in period. The voting process was closed to any voter who was not in line within the prescribed timeframe. Since voters were isolated in this manner, there was no opportunity for double voting, a practice that had plagued earlier polls and one that the JCE sought to end with the closed college system. Once the sign-in period ended, voting commenced in the order that voters signed in.

There were 9,946 voting tables for both rounds of the election. While the law permitted each table to encompass up to 600 voters, most tables comprised approximately 400 voters. When voter lists at tables contained more than 600 names, the excess voters were transferred to nearby tables with fewer names. Voter identification cards indicated the table to which a voter was assigned. The JCE provided the political parties with the voter list to allow them to inform their supporters of the table changes. The JCE also furnished the voter list to the JMEs to allow them to inform citizens of such table changes.

On both May 16 and June 30, voters cast their ballots in two shifts determined by gender; women voted in the morning; men voted in the afternoon. Women signed in from 6:00 a.m. to 8:30 a.m., after which no additional women were permitted to sign in. After the last voter in the morning and afternoon had signed in, the table secretary drew a line under the last name on the sign-in sheet (Special Form of Present Voters or Formulario Especial de Concurrentes) and stamped

## Chapter 4

# The 1996 Electoral Framework

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The 1996 presidential election was organized according to a dramatically different framework than previous Dominican polls. As a result of the serious problems experienced during the 1994 elections, the subsequently adopted Pact for Democracy included several constitutional reforms designed to improve the electoral process. In addition to the reforms outlined in the previous section, other changes instituted by the Pact included:

- a reconstituted JCE, of which all board members were to be approved by each of the major political parties;
- a reliable computer system that could guarantee the accuracy of the voter list and ensure it would be managed in a transparent manner;
- access to nearly all stages of the electoral process by political parties as well as domestic and international observers;

a seal on the sheet. The president and secretary, as well as the political party delegates, then signed the sheet to ensure that no additional names could be added to the list. Women voted from 8:30 a.m. to 1:00 p.m., or after the last voter cast her ballot. Once the morning shift finished, male voters, following the same process as used for women, signed in from 1:00 p.m. to 3:30 p.m. Men voted from 3:30 p.m. to 6:00 p.m., or until after the last man cast his ballot. The JCE conducted the two shifts, to avoid voter congestion and to allow one household member to remain with the family while the other voted.

Voters were instructed to remain in line at the polls from the time they arrived at their table for sign-in until they voted. Voting took place in the order in which voters were entered on the Special Form, except in the case of women who were elderly, pregnant or accompanied by small children, who were permitted to vote first. Once the prospective voter's name was identified on the Special Form, he/she was provided a ballot that had been stamped by the election officials. The voter was then directed to a booth to mark his/her ballot. The voter folded the ballot, returned to the table, presented the ballot to the table president to be stamped with an official seal and signed, after which he/she deposited the ballot in the ballot box.

Following the balloting procedure, the voter's index finger was marked with indelible ink to discourage duplicate voting. The secretary of the table then stamped or wrote the word "voted" next to the voter's name on the voter list.

A pollwatcher from each of the major parties was allowed to be present at each table. Political party pollwatchers, armed with a copy of the voter list that had been supplied to them by their respective party, kept track of voters who arrived to cast their ballot at the designated location.

Dominican law allowed table officials and/or political party pollwatchers to protest the vote of a prospective voter and request that she or he cast a tendered ballot. Anyone challenging a vote needed to present evidence that the prospective voter was: not the person that he/she alleged to be; younger than the legal voting age; or not a citizen of the Dominican Republic; or otherwise prove voter ineligibility according to the constitution. Each tendered ballot was sealed in a special envelope. In order for a tendered ballot to be eligible to be counted, the challenger and the voter had to appear before the JME the next day to clarify the issue. If either the challenger or the voter failed

to appear, the voter forfeited his/her case. If a person who attempted to vote was determined not to be a Dominican citizen, his/her ballot was nullified and the person was sanctioned.

At 6:00 p.m., or after the last inscribed voter cast his ballot, tabulation (*escrutinio*) began, a process that pollworkers and party pollwatchers were authorized to witness. The polling official opened the ballot box, emptied the ballots onto the table, counted the ballots, and compared that total to the number of ballots on the Special Form. At the same time, each ballot was examined to determine if it did not possess a seal and the president's signature, which, if not present, nullified the ballot. If the number of ballots in the box exceeded the number on the Special Form, officials randomly selected and burned the surplus number of ballots. The secretary then opened the ballots, read the result of each ballot and passed it to the president, who showed it to the party delegates. After all ballots had been counted, the secretary filled in the table tally sheet (*acta*), which was signed by the secretary, president and party delegates. A copy of the tally sheet was then provided to each of the party delegates present at the table, posted at the entrance to the polling station (although this did not occur in a significant number of the polling sites) and delivered to the JME. The JMEs entered into computers the results of each table, which were periodically sent by computer modem to regional computing centers and then to the JCE's central office in Santo Domingo.

## **B. The JCE and Other Election Officials**

In past elections, JCE board members were selected through party nominations, which were then ratified by the legislature. The nature of the selection process prompted political parties and other Dominican groups to view the JCE as a body with partisan tendencies.

In 1995, the selection process changed and JCE board members were selected from lists submitted by nongovernmental groups, such as universities, associations, clubs and churches. The political parties were provided an opportunity to review the final list and file objections against any nominee. Those individuals against whom the political parties registered legitimate complaints were eliminated from the list. The legislature then approved the final list of JCE officials.

A similar process was used to select JME board members, as well as polling station officials; in this case the nongovernmental groups



sent their nominations to the JCE for review. The political parties could review the final list of potential JME and polling table officials, and file objections to any nominated individuals. The JCE made the final selections. The JCE instructed more than 50,000 table officials in training sessions held throughout the country.

## *Chapter 5*

# **The May 16, 1996 First-round Election**

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## **A. Pre-election Period**

As early as 1995, it was clear that the 1996 election would occur under circumstances different from those in 1990 and 1994. In 1995, the political parties selected their presidential candidates, two of whom represented new choices: for the first time in Dominican history, the PRSC and PLD nominated presidential candidates other than Joaquín Balaguer and Juan Bosch.

A new JCE was also appointed in 1995 through an elaborate selection process that stressed transparency and nonpartisanship. New board members were perceived as politically independent, professional and committed to organizing democratic polling. The JCE garnered broad support from political parties, the government, civic groups and the Catholic Church. It consulted regularly with the various political actors and attempted to respond to their concerns about the electoral

process. JME board members also established a reputation for professionalism and independence. Although some raised questions during the pre-electoral period about the impartiality of JME staff secretaries, who managed the day-to-day work of the JMEs, irregularities at the JMEs were not evident on election day.

Also in marked contrast to previous elections, civic organizations actively participated in helping to ensure a transparent electoral process. In the past, political parties, nongovernmental organizations and the Church were involved primarily after irregularities had already occurred. In early 1995, the broad-based civic group, Participación Ciudadana, began preparing to: conduct a civic education campaign to promote participation in the election; recruit a large network of domestic monitors to observe the voting process; and organize a parallel vote tabulation. In addition, the GAD undertook initiatives to assure a peaceful electoral process. These activities, which were missing in previous Dominican elections, did much to increase citizen participation in the election process and acceptance of the results.

### **1. NDI/Council Pre-election Mission**

The NDI/Council's pre-election delegation that visited the Dominican Republic in late April found an animated campaign with political parties and candidates actively engaged in holding large political rallies around the country. Public spaces displayed campaign materials, and candidate messages appeared regularly on radio and television, and in print media. Political parties reported an open campaign environment, which allowed for freedom of expression and movement as well as access to the press. The media also appeared to enjoy freedom of political reporting. (See Appendices B and C.)

Political party leaders were optimistic that the closed college system would deter multiple voting; however, they were concerned that the complicated new procedures could impede the process and discourage prospective voters from visiting the polls. Some Dominicans told the NDI/Council pre-election delegation that Dominicans may find it difficult to understand the voting system, especially the process of dividing election day into a morning voting period for women and an afternoon balloting period for men; it is customary for families to vote together. Furthermore, Dominicans expressed concern that the system would increase absenteeism among women who would remain at home to take care of their children and

among citizens of higher socio-economic classes who may not be willing to wait in line for one to three hours. It was also mentioned that the long lines engendered by the closed college system may lead to impatience and possible tensions at the polling stations. Vivid memories of the 1994 electoral process prompted fears that any irregularity in the election would be interpreted, rightly or wrongly, as another attempt to manipulate the process, and could be used by one of the contenders to dispute the results.

The NDI/Council pre-election delegation encouraged the political parties, President Balaguer, the JCE, Cardinal López Rodríguez and Participación Ciudadana to increase their voter education efforts in the weeks leading up to the election. President Carter asked the Cardinal to continue to recommend that the clergy use their weekly sermons to inform their parishioners about the electoral process.

During the pre-election period, Participación Ciudadana expressed concern that little publicity had been focused on the voter registry (*padrón*). Representatives of the group believed that many Dominicans would be unaware of changes in their voting sites and/or table location because the list had not been widely published in advance of the election. While the NDI/Council pre-election delegation recognized that the broadest possible publication of the voter list is always desirable, it noted that the registry listed by tables, had been provided to the political parties and was available to the citizens at each JME. The NDI/Council delegation encouraged greater voter education efforts to address this issue.

The JCE's decision to limit the number of accredited domestic observers to 1,140 represented another point of concern during the pre-electoral period. Participación Ciudadana had trained more than 3,000 observers, and the limit restricted its ability to fully mobilize its election observer efforts. While the NDI/Council delegation urged greater flexibility on this issue, the JCE believed that the approved number of observers was sufficient to adequately monitor the election.

Access to the JCE computer center had been a point of contention in past elections. The NDI/Council delegation found that the major political parties were allowed to send a liaison and a technical representative to the JCE; however, access to the computer facilities continued to be limited. The PRSC and the PLD were generally satisfied with their access to the JCE and the attention provided to them by JCE board members. The PRD, on the other hand, believed

that the political parties had not been provided sufficient access to the JCE computer center. It was widely believed that names of voters had been improperly removed from the electoral registry in 1994 through tampering inside the computer center. The NDI/Council pre-election delegation expressed concern about the lack of direct access to the JCE's computer center and requested that the JCE open the center to each party's technical representative, as well as to computer specialists from international observer delegations. The JCE refused to grant the request and stated that allowing such access would jeopardize the JCE's integrity. The delegation urged that the JCE reconsider its position in order to further enhance confidence in the process, but the JCE stood firm in its decision to bar access.

None of the candidates expressed major concerns regarding violence during the campaign. Compared with previous elections, the level of political violence decreased during the 1996 electoral process. Nevertheless, the NDI/Council pre-election delegation pointed to a series of politically motivated deaths and encouraged Dominicans to participate in the process in a peaceful manner.

With hopes of remedying one of the most serious problems that plagued the 1994 elections, the JCE updated the voter registry. At various stages throughout the process, the JCE provided periodic reports and copies of the voter list to the political parties allowing them to audit the list and make recommendations. The PRD and the PLD conducted door-to-door audits of parts of the list, and the PRSC analyzed a print-out. The PRD and the PRSC indicated that the voter registry did not particularly concern them and concluded that any errors in the electoral registry would affect the results only negligibly. The PLD, however, denounced the electoral registry in late April, alleging that it improperly included thousands of Haitians. They contended that as much as 20 percent of the voter registry comprised such non-Dominican citizens.

In late April, the PLD indicated that they would instruct their party pollwatchers to challenge the vote of anyone who appeared to be Haitian, forcing the prospective voter to cast a tendered ballot. The NDI/Council pre-election delegation expressed deep concern that such action could be discriminatory and viewed as racist. In the delegation's subsequent meeting with the JCE, the JCE contended that only in exceptional cases in which a voter's documents were perceived to be

questionable, could the vote be challenged and the prospective voter asked to cast a tendered ballot.

In a public response to the situation, the JCE asserted that several measures had been implemented to prevent the presence of non-Dominican citizens on the registry. Furthermore, the JCE contended that while the PLD had been provided ample time to present evidence of their allegations, they failed to provide adequate documentation to support their claims. Since the deadline had passed and precautions had been taken to ensure the integrity of the electoral registry, the JCE reported that it did not plan to alter the voter list.

This matter led an outpouring of articles and public discussion regarding Dominican citizenship requirements, the status of the electoral registry, and the issue of race in the country. At a campaign rally the week before the election, President Balaguer called on the country to vote against foreign intervention and foreign plans to unify Haiti and the Dominican Republic into one nation. The government also began massive efforts to repatriate illegal Haitians living in the Dominican Republic.

Fernández requested that the government halt repatriation activities in order to avoid misrepresenting the situation as a racial issue. In Fernández' view, the Dominican Republic did not have a racial problem, but rather a social problem. It was also alleged during this period that the PLD would challenge prospective voters based on the color of their skin. The PLD rapidly clarified its position and stated that the party never intended to challenge the vote of any Dominican based on race.

In response, the JCE President asserted that no Dominican would be denied the right to vote nor would any non-Dominican be allowed to cast a ballot. Moreover, if a prospective voter were to be challenged, he/she would have the option of casting a tendered ballot or of not voting. The JCE president indicated that the constitution clearly establishes the criteria for denying a person the right to vote including: criminal delinquency, failing to meet the legal voting age, noncitizen status or presence on the JCE's list of ineligible voters.

## **2. The Week Preceding the Election**

In the weeks before the election, disputes arose about whether blank ballots would be considered valid or invalid votes. All of the political parties, except the PRD, asked that blank ballots be ruled

valid, which would mean that although a blank ballot would not be counted toward any one candidate, it would be considered as part of the total number of valid votes. With this interpretation, any one candidate would find it more difficult to obtain the necessary 50 plus 1 percent of valid votes cast to win the election. The JCE ruled that blank votes would be considered null.

Three days before the election, President Balaguer replaced the national police chief and the secretary of the armed forces. While the changes were constitutionally permissible, the timing of the personnel changes led to accusations of possible manipulation and concern about the management of the police on election day. The JCE president contended that President Balaguer possessed the constitutional right to make such changes and that they would not interfere with the structure or logistical operation of the Military Electoral Police. The constitution mandates that during the electoral period the JCE controls the armed forces including authority over all police and military.

In the days preceding the election, a Gallup-Rumbo poll showed Peña Gómez with 46 percent of the vote, Leonel Fernández with 37 percent and Jacinto Peynado 15 percent, with 2 percent undecided. These results corresponded almost exactly to the JCE's final results on election day. Polls conducted throughout the pre-electoral period, beginning as early as May 1995, predicted that Peña Gómez would win the first-round election with less than 50 percent of the vote. The Gallup-Rumbo poll also projected that Leonel Fernández would win the second round.

All candidates encouraged Dominicans to turn out to vote on election day and promised to accept the election results. President Balaguer also stated that the results of the JCE should be respected.

## **B. May 16, 1996 Election**

### **1. The Electoral Process**

Activities began early on election morning. Sign-in of women voters was scheduled to begin at 6:00 a.m. but women arrived as early as 3:30 a.m. Table officials and political party pollwatchers arrived before 6:00 a.m. While prospective voters stood in line outside the voting site, table officials set up their table according to prescribed steps. A military officer or police guard was assigned to each table. Political party representatives and accredited international observers

were also allowed to be present at the tables and observe the entire process.

In most cases, women and men began voting within a half hour after the voting period began. While political parties expressed some concerns about the new closed college system, most voters seemed to understand the process. The NDI/Council delegation received few reports of problems stemming from voter misunderstanding. At most locations, voting finished earlier than the 1:00 p.m. closing time for women and before the 6:00 p.m. closing time for men. (See Appendix D.)

During the day, television stations broadcast coverage of the three main presidential candidates casting their ballots. When Peña Gómez voted, he publicly acknowledged that the electoral process, while not without some difficulties, was progressing well especially considering that the electoral scenario had differed completely two years previously. Peynado and Fernández remarked positively about the development of the electoral process as well. The news stations also reported that President Balaguer, who had not been supportive of the PRSC presidential candidate during the campaign, did not vote on election day.

Furthermore, despite pre-electoral apprehension about racism and the presence of Haitian names on the voter list, this issue did not materialize on election day. There were only 2,399 tendered ballots cast on election day, or less than .1 percent of the total 2,949,098 votes cast.

Few problems were observed during the tabulation process. In most cases, party delegates joined table officials to accompany the tally sheets, the remaining voting materials, and the envelopes for tendered ballots to the JME. The JMEs collected the tally sheets and election materials one-by-one from each table. Once JME officials received a tally sheet, they reviewed it and announced the results to the political party delegates, international observers and others present at the JME.

While political parties expressed concern before the election about access to the computers and possible fraud associated with the transmission of results, few problems actually arose. However, the transmission of the results was not as easy as the JCE had originally envisioned. The system established to receive results was limited in the amount of information that it could accept and process at one time.



Therefore, data from some of the large cities, such as Santiago, could not be transmitted until the early hours of the morning after election day. These delays led to suspicions and accusations of manipulation by the political parties. The problem was later resolved, explained to the political party representatives, and corrected for the second-round polls.

The media enjoyed fewer restrictions in 1996 than in past elections. The electoral law states that the JCE exclusively controls all election-related news broadcast on television and radio during the 24-hour period before and after election day. Previously, the privately owned television and radio channels were allowed to broadcast only JCE programming during the electoral period. For this election, however, the JCE permitted privately owned television and radio channels to broadcast their regular programming as long as they did not discuss the electoral process. They were able to broadcast news on the election only when transmitted by the JCE.

At 10:00 p.m., the JCE began releasing hourly bulletins on the election results, which continued throughout the evening. This systematic and continual release of results represented an important demonstration of the JCE's competence and credibility. The JCE's final results, issued in Bulletin Number 26, on May 21, contained information from 99.97 percent of the voting tables as follows: José Francisco Peña Gómez, PRD and alliances parties, 45.93 percent; Leonel Fernández Reyna, PLD, 38.94 percent; and Jacinto Peynado, PRSC and alliance parties, 14.99 percent; José Rafael Abinader, ASD, 0.13 percent. Since no candidate obtained more than 50 percent of the vote, a constitutionally mandated second-round election was scheduled for June 30 between the two candidates receiving the most votes.

As noted earlier, the quantitative observations of the domestic group Participación Ciudadana coincided with those of the JCE. Participación Ciudadana's qualitative observations confirmed a relatively free and fair election. (See Appendix E.)

## **2. The NDI/Council Delegation and Observations**

The delegation arrived in the Dominican Republic on Sunday, May 12. (See Appendix F.) During their stay, the delegates met with government and election officials, the three principal presidential candidates, leaders of the major political parties, journalists, representatives of the GAD and Participación Ciudadana, and others

involved in the electoral process. Delegation leaders also met separately with President Balaguer, the three main presidential candidates and JCE board members.

The day before the election, the NDI/Council observer delegation separated into 12 groups to observe the election-day processes in regions throughout the country including: Bonao/Villa Altagracia; Barahona; Comendador; Puerto Plata; La Romana; San Cristóbal; San Francisco de Macoris; San Juan; San Pedro de Macoris; Santiago; La Vega; and the Santo Domingo area. The delegates selected the regions and observation routes in coordination with OAS observer teams.

The NDI/Council teams arrived at their respective locations and met with political party leaders, national and local government representatives, and JME officials. The teams heard from local officials about the campaign period, electoral developments at the local level and anticipated irregularities on election day. Some of the concerns raised during these meetings included: access to the JME computers; acts of intimidation; fear of police and military intimidation; and rumors that the political parties would not respect the results.

The teams balanced their observing efforts between urban and rural polling areas as well as among polling sites in various poor, middle-class and affluent locales. NDI/Council observers not only witnessed the process, but also interviewed officials and political party delegates to record all possible concerns and observations. At each site, the observation team completed a polling day report form designed to standardize the observation process. The teams called in their observations periodically to the NDI/Council central office in Santo Domingo. The day after the election, the NDI/Council observer teams reconvened in Santo Domingo to share and compare their observations from the various regions of the country.

The delegation issued a statement that summarized the observations of all teams and contained the conclusions of the entire delegation. The delegation was impressed by the large number of positive developments resulting from the dedicated efforts of Dominican voters and election authorities. Election day was peaceful, except for isolated incidents. The delegation believed that the credibility of the JCE, JMEs and other election officials increased as a result of positive electoral management and that public confidence in the second-round process would likely expand as a consequence of a well-administered first round.

The delegation was struck by the enthusiasm with which Dominicans sought to exercise their right to vote on May 16. Turnout was impressive, especially given concerns raised about the new voting system. Many Dominicans stood for hours to sign in and vote. In addition, polling officials worked long hours to administer their electoral duties. Of 180 polling stations observed by the delegation, only four were deemed to have performed unsatisfactorily. The delegation noted that voters and polling officials were generally well prepared for playing their respective roles in the voting process.

The delegation was encouraged by the JCE's decision to release election results hourly, as well as by the availability of election news that was broadcast by Dominican television outlets, within JCE guidelines, and by foreign cable news channels. The availability of election-related information greatly contributed to public confidence in the election process.

The delegation also praised Participación Ciudadana for its contribution to the process.

The delegation recommended that the JCE perfect aspects of the process in the six weeks leading to the second-round polls. In addition, the delegation encouraged the JCE to: promote the peaceful participation of Dominicans in political activities; remove the restriction on the number of domestic observers allowed to monitor future elections; take steps to allow prospective voters denied from casting their ballot on May 16 because they were listed as deceased to vote on June 30; and further consider allowing political party technical representatives, as well as representatives of civic groups and international observers, full access to the JCE's computer center. The delegation also encouraged the government, political parties, civic organizations and religious bodies to take further steps to reassure the public that the June election would be administered in a peaceful environment. (See Appendices G and H.)

## *Chapter 6*

# **Second-round Election Period: May 17 to June 30, 1996**

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## **A. Interim Period**

### **1. National Patriotic Front (Frente Patriótico Nacional)**

Immediately following the May 16 election, PLD leaders initiated negotiations with the PRSC to secure a formal agreement that would ensure them PRSC votes. On Sunday, June 2, President Balaguer of the PRSC and former President Juan Bosch of the PLD signed the National Patriotic Front (Frente Patriótico Nacional), an agreement, that among other issues, espoused the election of the PLD candidate. Despite opposing one another for the last 30 years and Bosch's continued accusation that President Balaguer assumed power illegally in 1990, Balaguer and Bosch joined to support the PLD's presidential

candidate, Leonel Fernández. The PRSC presidential candidate in the May election, Jacinto Peynado, however, declined to support any candidate.

The text of the Front document espoused in general terms the importance of consolidating democracy and providing food, the right to work, education, shelter, and public health care to the Dominican people. It stated that the PLD candidate represented the best vehicle for assuring a promising future to the Dominican people. The document also suggested that, in the interest of protecting the sovereignty and independence of the country from non-Dominican hands, all voters should cast their ballot for Leonel Fernández.

In response to the Front, Peña Gómez and other PRD leaders asserted that Fernández was immorally accepting Balaguer's support and the use of government resources. In addition, they denounced as racist the Front's reference to the protection of Dominican independence from "non-Dominican hands."

## **2. Detentions of Citizens and Purchase of Voter I.D. Cards**

The campaign grew tense and polarized in the period between the first and second rounds. The PLD claimed that the PRD was buying voter identification cards (*cédulas*) from PLD supporters to prevent them from voting. In late May, allegations began to surface that the National Police and the National Army were carrying out a campaign of intimidation against PRD supporters including the confiscation of voter identification cards and the detention of citizens who did not possess their cards.

On June 4, Peña Gómez sent letters to former President Jimmy Carter, JCE President Estrella Sadhalá and OAS Secretary General César Gaviria, in which he reported that the National Police, by orders of the executive branch, had reinstated a Trujillo-era practice of detaining citizens for political reasons. (See Appendix I.) The letter maintained that detainees were PRD supporters and the National Police were confiscating their voter identification cards, thus denying some of his supporters the right to vote. According to Dominican Law 6125, promulgated in 1962, citizens who do not carry their voter identification cards can be detained in prison from five to 30 days.

On June 5, the JCE responded to the letter from Peña Gómez, released an in-depth analysis of Law 6125 and determined that subsequent Law 8-92 overturned parts of the original law and

complicated a definitive interpretation. However, it appeared that Law 6125 did authorize the police to detain individuals not in possession of their voter identification cards. JCE President Sadhalá stated that the election commission's investigation, which was conducted by its JME representatives, revealed that people had been detained who, when asked for their voter identification card, could not produce it. He added, however, that his study found no indication that the National Police were intentionally detaining members of specific political parties. He recommended that citizens carry copies of their voter identification cards rather than the actual card in order to safeguard their ability to vote on June 30. He also emphasized that any Dominican engaging in the purchase or sale of voter identification cards should be prosecuted.

On June 6, President Carter responded to the detentions by sending a letter to President Balaguer in which he expressed concern about reports of confiscated voter identification cards and politically motivated detentions. The letter stated on the eve of an election, any police action that could appear to have political motivation "calls into question the commitment of the governing authorities to a genuinely free and fair election." Both candidates, as well as the JCE, also received a copy of the letter to President Balaguer. (See Appendix I.)

On June 7, Fernández requested that National Police Chief Enrique Pérez y Pérez stop the detentions. Fernández contended that the arrests had affected Dominicans of all persuasions, including members of the PLD.

Two days after receiving Carter's letter, President Balaguer ordered that the arrests cease and that regional police discontinue the practice of arresting citizens for not carrying their voter identification card. President Balaguer also requested that the police apply the law "with rigor and impartiality" when there was concrete evidence that anyone was violating the law that bans a person from possessing a voter identification card other than his/her own. In addition, the National Police stated that it would investigate any cases of excessive detentions and punish guilty officers accordingly.

On June 11, Balaguer replaced National Police Chief Pérez y Pérez with Nazir Tejada, who led the electoral police during the 1994 elections. Pérez y Pérez had been named chief of the National Police less than a month earlier. President Balaguer reiterated that the government would not tolerate the use of excessive force against



Dominican citizens and called on the chief of police to discontinue the detention of individuals based on issues related to voter identification cards. New Police Chief Nazir Tejada, said the voter identification card issue "has been put aside, annulled; the detentions have been annulled and they will not be repeated."

This same day, Cardinal López Rodríguez, who had expressed support for international observers during the April visit of presidents Carter and Betancur, accused Carter of interfering in Dominican affairs. In addition, he said that the purchase of voter identification cards was a "more immoral and condemnable practice than the police practice of detaining individuals, asking them for their voter identification cards and arresting those who do not possess it." Furthermore, he suggested that the Dominican Republic refuse to invite international monitors to observe the June 30 election and, if they were invited, he recommended that their duties be limited and that they remain in their hotels. The Dominican secretary for international affairs also criticized President Carter for his letter to President Balaguer, suggesting that while observers pretend to be neutral, they are partisan in reality. He asserted that the letter interfered in domestic affairs.

### **3. JCE Changes and Other Electoral Developments**

After the May 16 first-round election, the JCE considered several electoral changes to improve the process in the second round. The JCE adjusted the voter sign-in process to reduce confusion and rearranged or relocated some of the polling stations that had suffered from overcrowding during the first round.

The official results from the May 16 election included 43,281 null votes or 1.54 percent of the total ballots cast. A large majority of the null votes were attributed to ballots that lacked the signature of the table president. During the first round, the table president signed the ballot only after the voter marked and folded it. It was thought that many voters simply forgot to bring their ballot back to the table president to be signed before depositing it in the ballot box. Some charged that partisan table presidents purposely omitted their signature when they knew the preference of the voter opposed their own. On June 20, the JCE announced that table presidents could sign the ballot before handing it to the voter or after the person voted in order to avoid such a large percentage of null votes in the second round.

In mid-June, Participación Ciudadana, which performed a PVT or "quick count" in the first round, requested that the JCE increase the number of accredited domestic observers from 1,140 to 1,800. It contended that the division of election-day voting between men and women limited their statistical sample to 600 tables. They added that additional domestic observers and a larger sample would increase the accuracy of the "quick count," which could prove important in detecting fraud in a closely contested race. Despite Participación Ciudadana's appeal, the JCE ruled against increasing the number of accredited domestic observers, citing the importance of maintaining the same number of observers as participated in the first round.

The official voter registry excluded some eligible voters who were listed as deceased, many of whom were barred from voting when they arrived at their polling station on May 16. The PLD filed a paper with the JCE arguing that the "deceased-living" should not be able to vote, not even with a tendered ballot, in the second round because their voting could generate conflicts. The JCE decided to reaffirm its position from the first round, and ruled that those listed as deceased on the voter registry would not be able to vote in the second round.

Throughout the interim period, Gallup-Rumbo published polls projecting the results of the election. A poll released on June 12 after the signing of the Front indicated that the race was a statistical dead heat. In the poll, Fernández and Peña Gómez obtained 50 percent and 49 percent respectively with a margin of error of 3 percent. In a second poll published on June 19, Fernández showed a slight lead with a projected 51 percent to Peña Gómez's 47 percent. The margin of error was 3 percent with 2 percent of those polled declining to answer.

The day before the election, the JCE closed Channel 6 Television for illegally broadcasting political/electoral news. Circuito Corporan, a radio network that supported Peña's candidacy, accused Channel 6 of broadcasting messages in support of the PLD. Dominican law bans private media from broadcasting political/electoral news within 24 hours of an election.

## **B. June 30, 1996 Election**

### **1. The Electoral Process**

The June 30 electoral process in many ways mirrored its May 16 counterpart. However, in contrast to the first-round balloting,



President Balaguer voted, which was interpreted as a clear expression of support for PLD candidate Leonel Fernández. In addition, there were clearly fewer women in line at the beginning of the sign-in process in June than had been the case for the May election. It was difficult to determine whether this disparity could be attributed to a familiarity with the process or a lower voter turn out.

On election day, the JCE provided the pollworkers a sheet of 10 reminders to clarify aspects of the process that had caused confusion during the first round. By distributing the explanation, the JCE sought to avoid similar disorder on June 30. This list included, among others, the following points:

- the electoral registry is the only official document that determines the right to vote;
- the table president must sign the ballot before or after it is deposited in the box; and
- each party may have only one delegate and one alternate at each table (*colegio*).

Some NDI/Council delegates noted that pollworkers used experiences gained during the first round to improve the efficiency of their table. During the first round, at sites with many tables, pollworkers encountered problems with maintaining organized lines. This commotion impeded the effort to ensure that voters cast their ballots in the same sequence in which they signed in. To avoid this problem on June 30, some table presidents numbered voter identification cards with a removable numbered sticker during sign-in so that, if necessary, the voters could be called sequentially.

Despite a generally well-administered and peaceful election day, some problems arose:

- Some of the ballots printed for the second round contained imperfections. Early on election day, unconfirmed reports circulated that votes cast on imperfect ballots would be considered null. However, the official JCE television and radio channels debunked this rumor. Furthermore, Article 135 of the JCE code provided that ballots with imperfections caused by a printing error would not be considered null.
- Before election day, PRD officials claimed that the tables were being stocked with markers filled with disappearing ink. They asserted that if a voter cast his/her ballot at 9:00 a.m., the mark

on the ballot would disappear before the tabulation. No evidence emerged to substantiate this claim.

- Election day was marred by a few incidents of scattered violence and intimidation. In the capital, shots were fired when party delegates at one polling site were prohibited from accompanying the ballot box to the JME in Santo Domingo. Delegates notified JCE authorities who expressed their commitment to resolving the situation. In Azua, a small town in the center of the country, tensions mounted after reports confirmed the murder of a PRD delegate on the eve of the election.

The NDI/Council delegation concluded that JCE and JME officials seriously considered all allegations of electoral irregularities and addressed them in an expedient manner. For example, the NDI/Council leadership received word on election day from one of the candidates that a ballot box had been stolen from a table in Santo Domingo. A team visited the table to investigate and found that the table president had never arrived with the election materials, including about 500 unmarked ballots. The four other pollworkers kept in constant communication with the JCE to decide how to handle the situation. By 11:00 a.m. the women in line had grown very agitated, and the JCE agreed that the secretary of the table and a representative from each of the parties should obtain another set of materials from the JCE. With the JCE's permission, the secretary conducted sign-in and voting simultaneously. Later the NDI/Council team spoke with the JME president who had located the box and had requested that the National Electoral Police find and detain the table president who never appeared at his table. All of the pollworkers and electoral officials worked together to resolve a difficult situation.

The JCE released their first bulletin of results at 10:00 p.m. on election night and subsequently issued another seven bulletins throughout the early morning and afternoon of the next day. Fernández held the lead during the entire reporting period. The final results, contained in Bulletin 8 on July 1, reported that Fernández had won with 51.25 percent compared to Peña Gómez's 48.75 percent. (See Appendix K.)

## **2. The NDI/Council Delegation and Observations**

The NDI/Council observer delegation for the second-round polls arrived in the Dominican Republic on Thursday, June 27. (See

Appendix L.) The delegation was briefed on the Dominican electoral process and significant campaign issues during meetings with both Fernández and Peña Gómez, representatives from the JCE and Participación Ciudadana, and political analysts. The delegation leaders met separately with President Balaguer, the two presidential candidates, the JCE and GAD representatives.

On June 29, the delegation divided into 14 teams and deployed to the country's 12 administrative regions: the National District, San Cristobal, Azua, San Pedro de Macoris, La Romana, La Vega, San Francisco de Macoris, Santiago, Barahona, San Juan de la Maguana, Puerto Plata and Comendador. Each team met with local JME, PLD and PRD representatives.

The delegation visited 527 polling sites in rural and urban areas throughout the country. At each site, the observation team filled out a polling day report form prepared for this purpose. Of these 527 sites, only six were deemed to have performed unsatisfactorily. Political party delegates from the PLD and PRD were present at nearly 100 percent of the polling sites visited. Very few complaints were expressed by the pollworkers or the political party representatives. Overall, election day was peaceful except for a few minor incidents.

In its post-election statement on July 1, 1996, the NDI/Council delegation reported that:

The election process, while not without problems, represents an important step forward for the democratic process in the Dominican Republic. The sense of public service and guardianship of the democratic process that was demonstrated in this election...marks an important juncture in the development of Dominican democracy. (See Appendices M and N.)

The delegation was encouraged by the JCE's rapid processing and hourly release of election results, as had been undertaken during the first round. By processing and releasing all results (except for 33 of the 9,946 election tables that could not report due to administrative problems) by 4:30 a.m., the JCE greatly enhanced confidence in its procedures.

The delegation was also encouraged by the domestic election monitoring network, La Red Ciudadana de Observadores Electorales, coordinated by Participación Ciudadana. Participación Ciudadana

positioned approximately 1,140 observers (the maximum permitted by the JCE) at polling stations throughout the country. During election day, it held two press conferences at 4:00 p.m. and 10:00 p.m. to discuss its qualitative findings about the voting process. Participación Ciudadana, again conducted a PVT to enhance public confidence in the official election results. Although the PVT results were not released on election day, they fell within 0.26 percent of the official results. (See Appendix O.)

### **3. Post-election Developments**

In a meeting with leaders of the delegation the night of the election, Peña Gómez acknowledged that his candidacy had been a victim of attacks by Balaguer, whom he asserted had also used state resources to support the candidacy of the Leonel Fernández. Nonetheless, Peña Gómez pledged to accept the results if existing trends continued and he lost the election, and vowed that the PRD would continue to work to establish democracy by acting as a constructive opposition. In a subsequent meeting, Fernández stated that he admired and respected Peña Gómez for strengthening and contributing to Dominican democracy during a lifetime of political activity.

The next day both candidates were true to their word. At about noon the day after the election when virtually all votes had been counted, Peña Gómez called Fernández to congratulate him on his victory. In a press conference that same day, Peña Gómez publicly acknowledged his defeat and reiterated his impressions of the election. During a July 1 lunch with the NDI/Council delegation, Fernández commended Peña Gómez as a national hero and compared him to Mohandas Gandhi of India who made tremendous contributions to his country. (See Appendix P.) Fernández stated that the Dominican Republic needed a government of national unity in which all sectors of Dominican society could participate. He asserted that no party would be able to resolve the problems of the country in an isolated fashion. In addition, he congratulated the Dominican people for the demonstration of civic-mindedness on June 30.

In the weeks following the election, Fernández, along with high-level members of the PLD, traveled to Europe and New York to meet with political leaders and prominent Dominicans to bolster economic support for the Dominican Republic. Subsequently, Fernández and

members of the PLD met with leaders of the PRSC and PRD, as well as representatives of other sectors of Dominican society, to discuss the Fernández administration's proposed government plan and cabinet appointments.

Peña Gómez stated that he was very proud of the PRD's role in the electoral process and that the party would provide the new government a "honeymoon" period of three months from inauguration day to begin to implement its programs. Peña Gómez also asserted that the PRD would closely watch the new government's actions and take on an active role as an opposition party.

## *Chapter 7*

# **Conclusions**

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On August 16, 1996, Dr. Leonel Fernández was inaugurated as the 100th president of the Dominican Republic, replacing Joaquín Balaguer who served more than 22 of the last 30 years as the country's president. The inauguration ceremony and the 1996 electoral process represented an important turning point in the Dominican democratic process. In a significant break from previous elections during the last three decades, the 1996 electoral process enjoyed public confidence.

The Dominican experience illustrates that electoral crises can be overcome if parties, along with religious and civic leaders, demonstrate the political will to carry out negotiations in a spirit of cooperation and compromise. The international community also assisted these efforts, helping to expose the electoral manipulation and calling consistently for appropriate remedial action.

The presidential election held on May 16, 1996 resulted from a political compromise following the disputed 1994 presidential contest. The decision to hold an early presidential election was an extraordinary step that allowed the political process to move quickly

beyond the 1994 election trauma. The decision to reconstitute the JCE provided the basis for building trust in an institution that had lost credibility among the political actors and the public. On this basis, the JCE was able to take strong actions that established its independence and impartiality. Cleansing the electoral lists and instituting other modifications to the election system, including timely and regular release of election results, helped build public confidence. Civic and religious leaders also increased their efforts to ensure genuine democratic elections. Their active participation provided a crucial element for enhancing public confidence in the 1996 electoral process.

The 1996 election also set the stage for enacting further reforms that can improve future electoral processes in the Dominican Republic. NDI and the Council hope that the political parties consider appointing a commission with a mandate to institutionalize recent gains made in the Dominican election process and to address such issues as the appropriate use of state resources in elections, media guidelines for election campaign coverage and other important matters.

President Leonel Fernández represents a new generation of leadership, and has committed his administration to renewed political and economic development in the Dominican Republic. His inauguration speech, which called for reconciliation and unity of purpose, demonstrated a positive sign of this commitment. The contributions of Dr. José Francisco Peña Gómez must also be recognized. His statesmanship, and deep and abiding dedication to democracy, is a source of inspiration. NDI and the Council are hopeful that this election process will usher in a new democratic era for the Dominican Republic.

The Dominican legislature, currently controlled by the PRD and the PRSC, will surely be addressing important legislation affecting public policy issues. Conciliation and collaboration among the political parties will be necessary to further economic and political reforms that enjoy the support of the citizenry. Moreover, lawmakers must prepare for congressional elections in 1998. For their part, NDI and the Council pledge continuing support for Dominican efforts to help consolidate the gains achieved during the election.

## **APPENDICES**



*Appendix A***NDI Interim Report  
on the May 16, 1994 Elections**

This interim report, issued on the eve of the August 16 presidential inauguration, assesses the May 16 elections in the Dominican Republic. The National Democratic Institute for International Affairs (NDI) organized an international delegation to observe the elections in order to demonstrate support for democracy in the Dominican Republic and to provide the international community with an objective assessment of the Dominican electoral process.

The NDI observer delegation visited polling sites in areas throughout the Dominican Republic on election day. On May 18, two days after the elections, the delegation issued a preliminary statement, that highlighted irregularities that marred the electoral process. The delegation withheld a final assessment of the process, pending release of the final results and an evaluation of the election-related complaints filed by the various political parties with appropriate Dominican authorities.

This report discusses the international delegation's observations as well as the events that have occurred since election day. NDI will issue a final report on the 1994 Dominican election process, including conclusions and recommendations, in the near future.

**I. Summary**

On August 2, 1994 the Central Election Board of the Dominican Republic (Junta Central Electoral—JCE) declared incumbent President Joaquín Balaguer the winner of the May 16, 1994 presidential election. The JCE stated that President Balaguer's victory over Dr. Jose Francisco Peña Gómez was by a margin of 22,281 votes (approximately 0.74 percent of the valid votes cast).

After reviewing 15 percent of the polling station lists, the Verification Commission, which was set up by the JCE to investigate the irregularities that occurred on May 16, estimated that up to 45,000 voters were disenfranchised on election day. A review of the challenged ballots ruled valid and counted by the JCE showed that approximately 75 percent were cast for Peña Gómez and more than 80 percent for the opposition candidates, which suggests that

disenfranchised voters were disproportionately opposition supporters. The JCE, however, ignored the fact that the margin of victory was smaller than the number of voters disenfranchised and that opposition supporters were disproportionately affected.

Given the closeness of the vote and the widespread irregularities, the legitimacy of the May 16 elections must be called into question. The Dominican authorities failed to fulfill their mandate to organize an electoral process that ensured that the will of the citizenry would be expressed.

The major political parties, including their presidential candidates, have now agreed in a "Pact for Democracy" that new elections can overcome the problems of the May 16 polling. Under the Pact, new elections are to be held on November 15, 1995, with the winner to serve the remainder of President Balaguer's four-year term. Such elections must be accompanied by meaningful reforms that will prevent the reoccurrence of the serious irregularities that have beset previous electoral exercises in the Dominican Republic. The international community should support these reforms and help ensure that they are implemented in preparation for the new elections.

**II. Introduction**

The Dominican Republic held national elections on May 16, 1994. Voters were to elect a president, congress and local officials. The three main presidential candidates were all well-known figures who have participated in past elections: incumbent President Joaquín Balaguer Ricardo, Social Christian Reformist Party (PRSC); former President Juan Bosch Gaviño, Dominican Liberation Party (PLD); and José Francisco Peña Gómez, Dominican Revolutionary Party (PRD).

This was NDI's second international observer delegation to the Dominican Republic. NDI observed the 1990 polling as part of a joint delegation with the Carter Center of Emory University led by former President Jimmy Carter. The May 1990 election was the closest presidential contest in Dominican history up to that time. It also was one of the country's most disputed elections. President Balaguer defeated Juan Bosch by 1.2 percent (24,470 votes), and the results were not certified until two months after the balloting. The NDI/Carter Center delegation concluded that aspects of the elections were flawed, but there was not adequate documentation to substantiate charges that the irregularities necessarily changed the outcome.

For the 1994 electoral process, NDI sent a five-member international delegation to the Dominican Republic from April 19-23 to assess the pre-election environment and preparations for the elections. NDI then organized a 26-member international delegation to observe the May 16 elections. The delegation was led by former U.S. Representative Stephen J. Solarz and included parliamentarians, political party leaders, regional specialists and election experts from Europe, the Middle East, Central America, North America and South America.

The delegation noted that during the campaign the contesting political parties were able to communicate freely with the electorate through the news media, rallies and other avenues. In another positive development, a Pact of Civility was signed by most of the major presidential candidates and formally witnessed by a commission of prominent Dominican leaders (the Dominican Commission to Comply with the Pact of Civility, or "Civility Commission"), in which the candidates promised to respect the official electoral results and refrain from declaring victory prematurely.

The delegation also noted that several measures had been taken to reform the Dominican electoral process following the 1990 elections. These included: expanding the JCE from three to five members and including members nominated by all of the three principal parties represented in the National Congress; expanding the number of polling sites; and instituting a new identity card system. The JCE also accepted technical assistance from the Organization of American States (OAS) and the International Foundation for Election Systems (IFES) in order to better implement electoral reforms. However, it has become apparent that the technical improvements were not sufficient to guarantee genuine, democratic elections.

The NDI delegation arrived in the Dominican Republic on Thursday, May 12. On election day, members of the delegation visited polling stations and municipal electoral boards in rural and urban areas in 10 regions throughout the nation and also monitored activities at the JCE. The regions observed by the delegation included: Barahona; Comendador; Puerto Plata; La Romana; San Francisco de Macoris; San Juan; San Pedro de Macoris; Santiago; La Vega; and the Santo Domingo area. These regions and the polling sites chosen by the delegation's teams were coordinated with the observer delegations

sponsored by the OAS and IFES. The NDI delegation was in continuous communication with these other observer groups.

### **III. Election Day**

The Dominican people demonstrated great enthusiasm in seeking to vote on May 16. More than 87 percent of eligible voters came to the polls. Thousands of prospective voters lined up beginning hours before the 6 a.m. scheduled opening of the polls, and large numbers of voters endured long waits in order to cast their ballots. The record turnout and the enthusiasm of the prospective voters added weight to the obligations of officials to conduct a free and fair electoral process.

On election day, the NDI delegation observed that the JCE had issued two different voter lists: one supplied to the election officials at the polling sites (official lists) and the other distributed by the JCE to the political parties at an earlier date (political parties lists). Many of the names that were present on the political parties lists did not appear on the official lists used at the voting tables, although no legal way exists for a name to have been deleted before the official lists were printed. As a consequence, many prospective voters who arrived at the polls with valid voter cards (*cedulas*) were turned away without being permitted to vote.

The NDI delegation noted in its preliminary post-election statement that the main opposition parties, the Dominican Revolutionary Party (PRD) and the Dominican Liberation Party (PLD), claimed that a disproportionate number of those disenfranchised individuals identified themselves to party delegates as PRD or PLD supporters. In many instances, the NDI delegation was able to confirm that a disproportionate number of cases did affect opposition parties. This conclusion was based on direct observation of disenfranchisement and was confirmed by PRSC pollwatchers and election officials who corroborated claims made by the PRD and PLD. In several locations, especially in Santiago, the country's second-largest city, large numbers of frustrated would-be voters were gathering in the streets and violence appeared to be a real prospect.

Concerned about voter disenfranchisement, political party leaders, members of the Civility Commission and the leaders of the NDI, OAS and IFES delegations urged the JCE to rectify the situation.

The JCE eventually decided to extend the voting from 6 p.m. to 9 p.m. and allow citizens with valid voting cards, but whose names

did not appear on the official voter lists, to cast challenged ballots (*votos observados* or observed votes). The resolution announcing these modifications was broadcast on television at approximately 6:10 p.m.—after the polls closed—which substantially negated its impact. Many polling sites did not remain open after the scheduled closing, because they did not receive news of the resolution in time, and many voters were unable to return to the polling sites.

Some election officials who received news of the resolution before closing their tables kept their polls open for the extra period of 6 p.m. to 9 p.m. to allow voting by challenged ballots. Approximately 17,000 challenged ballots were cast on election day; presumably, the majority of those belonged to individuals who had been turned away earlier.

Two days after the elections, the NDI delegation issued a preliminary statement concluding that, while it was impossible at that point to quantify the disenfranchisement phenomenon, its apparent magnitude and distribution indicated that the disenfranchisement could affect the outcome of the elections. While it did not rule out the possibility of computer or human error, the delegation noted that the pattern of disenfranchisement—which affected predominately votes for opposition parties—suggested the real possibility that a deliberate effort was made to tamper with the electoral process. According to the last set of preliminary election results released by the JCE on May 18, Balaguer was leading Peña Gómez by 30,966 votes.

Among other concerns highlighted by the NDI delegation in its preliminary statement were the following:

- The delegation noted with regret the serious incidents of violence that resulted in a number of deaths during the election campaign. Tension over the possibility of violence heightened after election day as a consequence of doubts raised by the irregularities.
- Before the elections, voters reported many instances where they encountered difficulties in obtaining their new *cedulas* and in correcting mistakes on the cards that they had received. Reportedly, more than 200,000 *cedulas* were not distributed by election day, thus potentially preventing a significant number of prospective voters from exercising their franchise. This issue has not been addressed by election authorities in the post-election period, which further clouds the election picture.

- There were problems at polling sites (*mesas electorales*) in adding the results entered onto tally sheets (*actas*), which created problems with entering *mesa-by-mesa* tabulations into computers at the Municipal Electoral Boards (*Juntas Municipales Electorales—JMEs*). This situation created delays in consolidating national results and raised questions about the effectiveness of the JCE's computerized tabulation process. The JCE ordered a re-tabulation of the *acta* vote tallies in order to compile more accurate election results. The reduction of the vote margin from approximately 30,966 to 22,281 may be the result of this re-tabulation. Until the JCE explains the method by which it reached its final vote count, however, there will continue to be uncertainty regarding the basis for its vote totals.

The delegation urged the appropriate Dominican authorities to investigate the nature and extent of the disenfranchisement in order to establish: (a) why so many voters obtained *cedulas* but their names did not appear on the official voter lists; (b) who may have been responsible for this phenomenon; and (c) what steps were necessary to correct the situation.

#### **IV. Post-election Developments**

On June 7, the JCE set up an *ad hoc* commission, known as the "Verification Commission," to investigate the irregularities that occurred on election day. The principal mandate of the Commission was to verify the complaints received by the JCE regarding the voter lists. The Commission, chaired by the JCE director of elections, was asked to report to the JCE but was not given authority to recommend specific remedial actions.

On July 12, the Verification Commission released its final report that recognized the existence of two different voter lists. One, the official list, was distributed to the polling sites. The other, the political parties list, was distributed at an earlier date by the JCE to the not appear on the official lists, while they did appear on the political parties lists. Furthermore, it reported that the *cedula* numbers of the disenfranchised voters appeared on the official lists, but with different names.

The Verification Commission received evidence from each of the political parties concerning the vote count, the disenfranchisement of



voters and other areas within its mandate. The Commission and its international technical advisors, associated with IFES and OAS, examined the evidence presented as well as the JCE's computer data bases and systems. This process, however, did not include a comprehensive comparison of the actual lists used on election day by officials with those used by the political parties. This evidence was based on an analysis of approximately 15 percent of the polling sites.

The Commission assessed the work done by the political parties to compare the political parties lists with the official lists from the different polling locations. The Commission was able to investigate the lists from slightly more than 1,400 polling sites out of approximately 1,900 lists submitted by the political parties. The Commission concluded on the basis of this limited review that there were as many as 45,000 disenfranchised voters. While finalizing their report to the JCE, the Commission received additional lists from the PRD. Presumably, these lists demonstrated a number of additional cases of disenfranchised voters. However, the Commission stated that it was then too late to evaluate these lists.

In an attempt to determine the origin of the names that appeared on the official list in place of the names of the disenfranchised voters, the Commission selected a sample of 321 polling sites and investigated the names substituted for the disenfranchised individuals. The Commission found that 40 percent of the substituted names were somewhere on the JCE's master file, while 60 percent of the names did not appear on any of the JCE's lists, including the master voter registry file, the file of ineligible voters and the file of canceled cards, deceased persons and military personnel. This 40 percent of the missing names had been moved to lists at another voting site (a possible computer error), while 60 percent of the missing names had been replaced by fictitious names not found in the data base (an unlikely computer error).

The 45,000 figure for disenfranchised voters calls into question the official results of the elections, which was based on a 22,281-vote margin of victory. The result is even more questionable however, when the pattern of the disenfranchisement is considered. According to the JCE results from counting the challenged ballots, 74.70 percent was cast for the PRD; and only 16.06 percent was cast for the PRSC, with the PLD and other parties garnering the balance.

In addition to recognizing and quantifying the disenfranchisement problem, the Verification Commission investigated the possible causes. While this issue may not have been central to finding a solution to the immediate Dominican political crisis, it could affect the credibility of future Dominican elections. The Verification Commission's report does not find conclusive evidence to explain the disenfranchisement. A thorough and impartial investigation should be carried out to determine whether the voter lists were intentionally altered. Appropriate legal action should be taken against any individual found to be responsible for any alterations of the lists.

Among the troubling issues that the Verification Commission's report fails to settle are:

- Why party representatives and international technical consultants were denied access to the JCE's computer center at the approximate time that the official lists were produced for use at the polling sites on election day.
- How the names of the voters on the official lists were replaced by fictitious names in 60 percent of disenfranchisement cases.
- Why the disenfranchisement disproportionately affected the opposition parties.

## **V. Conclusion**

The official results of the elections announced by the JCE on August 2 cannot be accepted as an accurate reflection of the will of the Dominican electorate. According to the Verification Commission's estimate, up to 45,000 voters were denied the opportunity to vote, while the margin of victory as announced by the JCE was only 22,281 votes. Furthermore, most of the disenfranchisement appears to have affected voters supporting the major opposition parties.

Dominican electoral authorities did not fulfill their obligations to the Dominican people and the international community to thoroughly investigate election irregularities and take appropriate and timely remedial action. While the JCE took post-election steps, such as creating the Verification Commission, it did not move quickly and decisively to investigate all electoral problems and to order remedial actions necessary to address these problems. Moreover, the work of the Verification Commission, just as the complaints of the political parties lodged with the JCE, was ignored in the JCE's final decision.



This situation creates the impression that the JCE may not have acted in good faith. Certainly, the JCE failed to ensure a sound election process.

Under the Pact for Democracy, new elections are now being supported by all of the major political parties as the only acceptable solution to a seriously flawed election process. NDI commends this agreement and all of those who worked to reach it. Without new elections, the right to political participation guaranteed to every citizen under Dominican law and the Inter-American Convention on Human Rights would have been violated. In addition to new elections, however, meaningful electoral reforms must be put in place. Among these reforms are the following, some of which are included in the Pact for Democracy:

- a reconstituted JCE, of which all members are approved by each of the major political parties;
- a reliable computer system that can guarantee the accuracy of voter lists and that is operated in a transparent manner;
- new voter lists posted and otherwise made public in a timely manner so that citizens may review them and petition to have their names added;
- the final voter lists used by officials on election day to be posted publicly well in advance of election day and remain posted for a reasonable time; and
- access to all stages of the electoral process be accorded to political parties as well as domestic and international observers.

The fact that more than 87 percent of the electorate turned out to vote on May 16 underscores the support of the Dominican people for democratic institutions and practices. The international community should continue to focus its attention on the democratic process in the Dominican Republic in order to help ensure that the electoral agreement is maintained and that election reforms are implemented. If the Pact for Democracy or meaningful reforms are not carried out, the international community should take steps to address the breakdown of democratic processes in the Dominican Republic. The OAS should consider invoking Resolution 1080 in order to take appropriate action. NDI recognizes, however, that it is the Dominican people who will ultimately judge the electoral process and the legitimacy of the resulting government.

***Appendix B***

**Pre-election Arrival Statement**

**Arrival Statement of Honorable Jimmy Carter and Honorable Belisario Betancur on Behalf of a Joint Delegation of the Council of Freely Elected Heads of Government/Carter Center and the National Democratic Institute for International Affairs**

*April 24, 1996  
Santo Domingo, Dominican Republic*

**President Jimmy Carter:** On behalf of my friend and colleague, President Belisario Betancur of Colombia and the rest of our delegation, I would like to say how pleased we are to be in Santo Domingo Today on a pre-election observation mission.

We are here because we were invited to observe the election by the presidential candidates of the three major political parties and by the Central Elections Board (Junta Central Electoral). We were so impressed by the invitations and the wide support of the Dominican people that we altered our plans to come here, to listen to Dominican leaders, and to assess the state of the electoral climate and procedures.

We are here representing two organizations, the National Democratic Institute for International Affairs and the Council of Freely Elected Heads of Government, based at The Carter Center and composed of 26 current and former presidents and prime ministers. Our two groups have monitored more than 50 elections throughout the world, including those in the Dominican Republic in 1990 and 1994.

Let me ask President Betancur to introduce the members of our delegation and make some remarks and then I would like to offer a comment.

**President Belisario Betancur:** Thank you, President Carter. I am pleased to be working with you again. In December 1994, President Carter and I co-chaired a conference of political parties in Panama that helped them to develop a national consensus on some difficult but critical issues. This was intended to lay the foundation for a more effective democracy. It was a great success.

We are here for a similar reason. We care about democracy everywhere in the Americas. Dominican democracy can only be built

by the citizens of this great country, but we are here to reinforce your aspirations.

Let me introduce our colleagues: Robert Pastor is Executive Secretary of the Council of Freely Elected Heads of Government, and he is also a professor at Emory University and a Fellow at the Carter Center. Santiago Canton is NDI's director of Latin America and the Caribbean. Jose Octavio Bordon was a senator in Argentina and a presidential candidate. Curt Cutter is a senior consultant of NDI and an expert with extensive experience in the region. Becky Castle is the program coordinator for The Carter Center's Latin American and Caribbean Program; and Kate Kelsch is the NDI program officer for Latin America and the Caribbean.

Today and tomorrow, we will have a very full schedule. We will meet with President Balaguer; the presidential candidates of the three major political parties; the Central Elections Board; local election monitoring groups; leaders from business, the Church, the press and labor; and others. We hope to learn a lot.

In the new hemisphere of democracies, democrats of all countries have an obligation to be helpful to each other. It is with this spirit that we have come here today to assess the preparation for the presidential election, consult and learn from leaders of this country, and offer our comments.

**President Jimmy Carter:** We do not represent any government. Our group today comes from three nations, and the Council of Freely Elected Heads of Government is an independent and bipartisan group composed of leaders from 17 countries in the Americas.

The Council and NDI have had experience with the last two presidential elections in the Dominican Republic. In both instances, we were not shy to raise our voices when we found problems, but the parties and the people of the Dominican Republic—not us—provided the evidence to judge the election.

We believe the election on May 16 could be a pivotal one for this country. We hope that it will be the one in which questions about the fairness of past elections will finally be answered in the affirmative, and that all Dominicans—whether they win or lose—will accept the process and the results and will join together to celebrate their democracy.

## Appendix C

### Dominican Press Coverage of Pre-Election Mission

April, 1996

HOY - Viernes 19 de abril de 1996

## Ex-presidentes Carter y Betancur evaluarán el proceso electoral

Por PEDRO GERMOSÉN  
Redactor de Hoy

LOS EX PRESIDENTES Jimmy Carter, de los Estados Unidos; y Belisario Betancur, de Colombia, encabezarán una delegación que visitará el país entre el 24 y el 26 de este mes para evaluar el ambiente electoral, mediante reuniones con el presidente Joaquín Balaguer y los principales candidatos presidenciales.

Ambos ex mandatarios, invitados por la Junta Central Electoral (JCE), vendrán en representación del Consejo de Jefes de Gobierno Libremente Eleptos, del Centro Carter, y del Instituto Nacional Democrático para Asuntos Internacionales. Carter y Betancur vendrán acompañados de la ex primera dama norteamericana Rosalynn Carter, de Robert Pastor, secretario ejecutivo del Consejo, y Santiago A. Canton, director para América Latina y el Caribe del referido Instituto.

También de José O. Bordon, ex candidato a la Presidencia de Argentina; Curt Cutter, asesor senior del Instituto; Becky Castle, coordinadora de Programas del Centro Carter; y Kate Kelsch, oficial de programas para América Latina y el Caribe del Instituto.

"LA MISIÓN está siendo organizada conjuntamente por el Centro Carter y el Instituto en respuesta a invitaciones de la Junta Central Electoral (JCE), y los líderes de los tres partidos políticos principales para observar las elecciones presidenciales del 16 de mayo", expresa una comunicación de ambas entidades.

"Estamos muy conformes de haber recibido las invitaciones", dijo el ex Presidente Carter, quien planea reunirse con el Presidente Balaguer, líderes partidarios y miembros de la JCE, expresa el boletín de prensa.

"Demuestra", añadió Carter, un gran interés en iniciar elecciones más limpias y justas que sea posible. "La nota informativa destaca que 'el propósito de la misión pre-eleitoral de abril es evaluar el actual ambiente político y electoral.'"

RECUERDA que el Consejo de Jefes de Gobierno Libremente Eleptos, del Centro Carter, y el Instituto, observaron conjuntamente las elecciones dominicanas del 1990 y al censo de resultados, "la misión de observación no recibió evidencia adecuada que pudiera haber modificado el resultado electoral."

Añade que el Instituto también envió una misión de observación para las elecciones de 1994.

"En esta oportunidad, la delegación estará que las irregularidades observadas pudieran haber afectado el resultado de las elecciones", señala.

"Partidos de la oposición, incluyendo al PRD y al PLD, sostuvieron que a un número desproporcionado de sus simpatizantes se le negó el derecho de votar", expresa.

"Luego de una serie de negociaciones, el Presidente Balaguer y la oposición firmaron el 'Pacto por la Democracia', recuerda, el cual, añade, establece un nuevo procedimiento de votación, nuevas elecciones presidenciales en dos años y una segunda vuelta si ningún candidato obtiene la mayoría absoluta de los votos.

"Las elecciones del 1996 representan un paso importante en la consolidación de la democracia en la República Dominicana", dijo Robert Pastor, según el boletín. "Como observadores internacionales independientes, queremos informarnos sobre el proceso por medio de los líderes dominicanos, y reforzar los esfuerzos locales para asegurar que la elección es aceptable para todos", significó. "La comunidad internacional apoya fuertemente los esfuerzos en la República Dominicana para aumentar la confianza pública en el proceso electoral", dijo Santiago A. Canton, del Instituto Nacional Democrático. "Creemos que la presencia de observadores, tanto internacionales como dominicanos, va a contribuir para garantizar la transparencia del proceso", expresó.

## El Siglo

VIERNES 26 DE ABRIL DE 1996

## Ex presidente Carter:

## JB prometió apoyo total a los comicios

Por Juana Rubio  
EL SIGLO

El presidente Joaquín Balaguer garantizó al ex presidente Jimmy Carter su apoyo total al proceso electoral y le dio seguridades de que cursará las invitaciones a la Organización de Estados Americanos para que envíe sus observadores a los comicios del mes próximo.

La información la ofreció el propio Carter quien reveló que iguales garantías recibió del presidente de la Junta Central Electoral, doctor César Estrella Sahdalá.

Previo que si el proceso electoral sigue así con ahora las elecciones serán limpias y correctas.

Carter habló en una rueda de prensa antes de abandonar el país en un vuelo privado que salió de la terminal del Aeropuerto Internacional Las Américas a las 3:15 de la tarde.

"Esta mañana, tanto en la Junta Central Electoral, como al

Presidente Balaguer nos han asegurado que esas invitaciones van a ser cursadas", expresó Carter cuando se le consultó sobre las versiones de retención por el Poder Ejecutivo de las invitaciones a los delegados del organismo regional.

Informó que en el encuentro con los miembros de la JCE recibió un dossier de documentos oficiales, no confidenciales relacionados con todas las decisiones adoptadas por el tribunal respecto de las votaciones.

Carter se interesó sobre temas tales como la comprensión de los ciudadanos de los colegios cerrados y la existencia de ciudadanos extranjeros en el padrón de electores.

Señaló que los jueces del tribunal de elecciones le aseguraron que han iniciado una campaña masiva de educación sobre los colegios cerrados y que quienes sufragan bajo duendes de su ciudadanía lo harán

observado. Ese sufragio observado se dilucidará al día siguiente en presencia de quien pidió que se le observara.

En cuanto al Pacto por la Democracia, dijo que sirvió para corregir las discrepancias que fueron observadas en 1994 y las hizo parte de una nueva disposición constitucional.

"No podemos anticipar las cosas que pudieran acontecer en el próximo proceso electoral. Pero sin embargo, nosotros confiamos en que de continuar el curso de las cosas, las elecciones serán claras y transparentes, y cualquier discrepancia podrá ser observada y corregida durante el proceso", dijo Carter.

Al término de su visita de dos días en misión de observación pre-eleitoral, Carter dijo que no está de acuerdo con dos aspectos de las conversaciones que sostuvo con los líderes dominicanos: el reducido número de observadores y la prohibición a penetrar al Centro de Cómputos de la JCE.

Entre las observaciones que hicimos a la Junta Central Electoral, estuvo nuestra intención de que podría haber un mayor número de observadores electorales, igualmente que pudiera haber cierto tipo de acceso al Centro de Cómputos.

## Carter transmite a la JCE observaciones de partidos en torno al padrón electoral

Por PEDRO ANGEL MARTINEZ  
Redactor de Hoy

EL EX-PRESIDENTE de Estados Unidos, Jimmy Carter, hizo ayer varias observaciones en torno al padrón electoral o lista de votantes, al presidente de la Junta Central Electoral (JCE), César Estrella Sahdalá.

Las observaciones fueron expresadas a Carter por los partidos políticos y transmitidas por éste al presidente del organismo. Se refieren a la cantidad de extranjeros que supuestamente aparecen en el padrón, a la limpieza de ese documento y a los colegios cerrados.

Las inquietudes del ex-mandatario estadounidense fueron expresadas ayer en una visita que giró a los jueces del tribunal electoral en la sede de la JCE. Llegó a las 8:55 de la mañana y se retiró 33 minutos más tarde.

Carter fue acompañado del ex-presidente de Colombia, Belisario Betancur, y el ex-candidato presidencial de Argentina, José O. Bordón, entre otros.

Según Estrella Sahdalá, el contenido de la conversación, que se realizó a puertas cerradas, fue la siguiente:

Carter y su comitiva solicitaron información relativa a todo el proceso electoral y manifestaron la importancia de que se celebren unos comicios limpios.

EL EX-MANDATARIO afirmó que la JCE cuenta con credibilidad internacional y que las elecciones eran trascendentes para el país.

No mostró queja por el supuesto retraso en la invitación de los observadores electorales, aunque habló sobre el tema.

Manifestó inquietudes expresadas por los partidos políticos, referentes a la limpieza del padrón, en torno a supuestas apariciones de extranjeros en ese documento y a los colegios cerrados.

Informó que no vendrá el 16 de mayo porque tiene compromisos en otros países y quiso hacer una visita previa.

No se refirió nada relativo al presidente Joaquín Balaguer.

Todo se circunscribió a la participación de las organizaciones que Carter representa y al proceso electoral.

LAS RESPUESTAS DE ESTRELLA Sahdalá a las inquietudes de Carter, de acuerdo a sus informaciones, fueron éstas:

Se limpió el padrón a petición de los partidos, que desde el 31 de agosto tuvieron tiempo para hacer observaciones. Se entregó un segundo padrón el

14 de diciembre y le dimos hasta el día 8 de este mes para que realizaran nuevas observaciones.

Después del 8 de este mes, ya no se podía hacer nada en el padrón; es decir, realizar modificaciones, porque ya no había tiempo para eso y si se introducían cambios, significaba no preparar el padrón.

Informó al ex-mandatario que no iba a haber observadores políticos en el Centro de Cómputos de la Junta, sino observadores técnicos. Los observadores -añadió- fueron los responsables de las dificultades de las elecciones pasadas.

LO QUE CARTER QUISO decir cuando expresó que las elecciones eran trascendentes para el país, es lo mismo que decimos nosotros (el presidente de la JCE), que aquí se están preparando algo más que unas simples elecciones, por las situaciones que la antecedieron.

En las elecciones pasadas hubo una situación que generó acortamiento del actual período presidencial, la firma de un pacto, una modificación constitucional y la designación de una nueva JCE.

Con el tema de las declaraciones tardías, de las cuales se decía que en muchos casos pertenecían a extranjeros, comentó que era una decisión a tomar entre todos, y al final, los partidos que pedían la ex-

clusión de éstos en la lista de votantes, fueron los que dijeron que los volvíamos a poner.

EL GRUPO LO COMPONEN Robert Pastor, secretario ejecutivo del Consejo de Jefes de Gobierno Libremente Electos; Santiago A. Cantón, director para América Latina y el Caribe del Instituto Nacional Democrata para Asuntos Internacionales (NDI); Curt Cutter, asesor senior del NDI; Becky Castile, coordinadora de Programas del Centro Carter; Kate Kelsch, oficial de Programas para AL y el Caribe del NDI, y Daren Nance, representante del NDI en el país.

Appendix D

Ballot Used for May 16, 1996 Election



Appendix E

Participación Ciudadana Reports  
from May 16, 1996 Election

# Boletín de la Red

ORGANO DE LA RED CIUDADANA DE OBSERVADORES ELECTORALES • Nº 10 • MAYO/JUNIO, 1996

## EL CONTEO RAPIDO DE LA RED

Resultados preliminares de la observación electoral de Participación Ciudadana.

El 28 de abril de 1996, directivos de Participación Ciudadana se entrevistaron con el Dr. César Estrella Sabadilla y demás jueces de la Junta Central Electoral para conversar sobre el proyecto de observación electoral que auspiciara esa agrupación cívica no partidista, y presentársela a su Directora Ejecutiva, Carmen Amelia Cedeno. La Red Ciudadana de Observadores Electorales daba sus primeros pasos.

Un año después, la Red realizó con éxito su ensayo general de observación electoral, integrando a miles de voluntarios.

El 16 de mayo de 1996, el laborioso y tenaz esfuerzo de los 5 mil voluntarios de la Red, culminó con la primera experiencia de participación de la sociedad civil en la defensa de su derecho a escoger de manera libre, democrática y transparente los candidatos presidencial y vicepresidente de su preferencia.

Este reporte es un reconocimiento al esfuerzo civilista de los tres millones de ciudadanos y ciudadanas que concurrieron a las urnas, y muy especialmente a la perseverancia y generosidad de los 5 mil voluntarios y voluntarias de la Red, sin los cuales no hubiera podido ser redactado.

### La muestra y los Resultados de la Votación

La muestra diseñada por la Red para realizar el conteo rápido del 16 de mayo fue seleccionada de manera aleatoria sistemática a partir de los 9 mil 946 colegios electorales. El tamaño de la muestra seleccionada fue de 600 colegios electorales, que permitían contabilizar el voto de 225 mil 800 electores. Luego de su selección, los colegios muestrales fueron clasificados en tres estratos geográficos: Distrito Nacional, Resto Urbano y Resto Rural. El número promedio de electores del total de los colegios del país es de 377, y de los colegios de nuestra muestra es 376, lo que arroja una diferencia de sólo 0.265 %.

El 16 de mayo los observadores de la Red transmitieron información de 548 colegios de la muestra (552 en la tanda de la mañana y 548 en la de la tarde) para una



Los jueces no optan para votar, por lo común son la mayoría de edad, ofrecen un valioso aporte en la recepción de los reportes, el día de la elección. En la foto: Jueces entre otros, Mercedes Toranzo, Poliana Pina, Araci Baez, Edith Herrera y Agripa Rodríguez.

En cumplimiento de las disposiciones emitidas por la JCE, y como hablamos prometido a la ciudadanía, dicha información no fue divulgada al público el día de las elecciones, a pesar de la certidumbre que tenemos de que respondía a una proyección correcta, realizada por métodos científicos, del resultado electoral.

A las 10:00 p.m. del 16 de mayo, Participación Ciudadana contaba con resultados preliminares que le fueron entregados al sacerdote y economista José Luis Alemán en sobre lacrado. Un segundo conteo con una cantidad mayor de colegios se depositó dos horas más tarde en manos del Presidente de la Junta Central Electoral, César Estrella Sabadilla y demás jueces titulares. Dado que las tendencias no variaron significativamente entre uno y otro conteo, el Centro de Cómputos de la Red Ciudadana de Observadores Electorales suspendió sus trabajos esa noche, finalizando el día 19 de mayo.



Los resultados del conteo rápido, entregados al Presidente de la Junta Central Electoral en momentos en que todavía la población se preguntaba si habría seguridad a vuelta o cuál partido quedaría en primer lugar, se muestran en el cuadro siguiente:

PARTIDO	TOTAL	DISTRITO NACIONAL	RESTO URBANO	RESTO RURAL
PRSC	15.4	10.2	14.8	19.5
PRD y Aliados	45.9	47.5	45.8	44.7
PLD	38.6	42.0	39.2	35.7
ASD	0.1	0.2	0.1	0.1

FUENTE: Cuentas provisionales. Participación Ciudadana, 12:30 a.m., 17 de mayo.

Como consta en el cuadro sobre los resultados de las votaciones, el esfuerzo técnico y humano de la Red logró una alta precisión en el conteo rápido. Efectivamente, la comparación con los datos provisionales publicados por la JCE revela un margen de error inferior al 0.5%.

El formulario utilizado por nuestros observadores permitió recopilar información cualitativa y cuantitativa sobre las diferentes fases del proceso de votación tanto en la tándem de la mañana como en la de la tarde (instalación de los colegios electorales, inscripción, votación y resultados del escrutinio). Las tablas que presentamos en este reporte ofrecen una síntesis de las informaciones más relevantes que comentaremos muy brevemente. Fueron elaboradas el 19 de mayo, luego de la depuración final de la base de datos.

TOTAL DE VOTOS POR ORGANIZACIÓN POLÍTICA Y ALIADOS				
ESTRATOS				
PARTIDO	DISTRITO NACIONAL	RESTO URBANO	RESTO RURAL	TOTAL
PRSC	10.1%	14.7%	19.5%	15.3%
PRD	47.1%	45.9%	45.2%	46.1%
PLD	42.0%	39.3%	35.2%	38.4%
ASD	0.2%	0.1%	0.1%	0.1%
Total	20.5%	22.5%	41.0%	100.0%

548 Colegios Presenciales

TOTAL DE VOTOS POR ORGANIZACIÓN POLÍTICA Y ALIADOS

PARTIDO		JCE 1	RED DE OBSERVADORES 2
		Total	Total
PRSC		14.99%	15.60%
PRD		45.93%	46.1%
PLD		38.04%	38.4%
ASD		0.13%	0.1%

FUENTE: Cuentas Provisionales (JCE), Red Nacional Electoral No. 26, 21 de mayo de 1996.

Comparación final, Participación Ciudadana, 19 de mayo de 1996.

## Sobre la Observación Cualitativa

Los datos cualitativos sobre los colegios comprendidos en la muestra de la Red evidencian que la jornada electoral del 16 de mayo fue un excelente ejemplo de organización, eficiencia y transparencia en el trabajo de los organismos electorales. De acuerdo con estos datos, se logró el 100% de instalación de los colegios electorales (el 81.7% con sus 5 miembros titulares) y el cumplimiento de los horarios establecidos para el inicio de las diferentes fases del proceso de votación. También indican que el número y tipo de irregularidades detectadas no afectaron la legitimidad e idoneidad del proceso de votaciones.

Por otro lado, también los partidos políticos cumplieron con su rol de vigilancia ya que en el 90% de los colegios muestrales hubo 3 ó más delegados, evidenciando un alto grado de participación de las tres principales organizaciones partidistas. Los datos por partidos políticos específicos indican que el PRD acreditó delegados en una proporción mayor de colegios de la muestra (97.3%) en comparación con el PLD (95.31%) y el PRSC (91.9%).

Con relación a las irregularidades detectadas hay que llamar la atención sobre dos en particular. Por un lado, en un 14% de los colegios muestrales de la tándem de la mañana, se presentaron electoras que no pudieron inscribirse por no figurar en el padrón (aun cuando su cédula de identidad y electoral indicaba que debían votar ahí). En segundo lugar, en el 16.3% de los colegios muestrales tampoco pudieron inscribirse electores por aparecer en la Lista de Inhabilitados para Votar.

Participación Ciudadana sugirió en múltiples oportunidades la conveniencia de publicar tanto el padrón como la *Lista de Inhabilitados para Votar*. Esperamos que las dificultades que impidieron llevar a cabo esta labor puedan ser superadas antes de la segunda vuelta. Por nuestra parte, reiteramos la disposición de la Red de Observadores de contribuir a esta importante tarea de orientación ciudadana.

La observación electoral ha sido una demostración de alto espíritu cívico de los 5 mil voluntarios de la Red Ciudadana de Observadores Electorales. Participación Ciudadana agradece y felicita a los mil 34 observadores y observadoras acreditados por la JCE, a los 3 mil voluntarios-observadores, a los 482 coordinadores y supervisores municipales y zonales, y a los 314 voluntarios que

participaron en otras tareas (telefonistas, digitadores, relacionistas, etc.).

Con la labor realizada por la Red Ciudadana de Observadores Electorales se demostró la capacidad de la sociedad civil de participar de manera responsable en la definición del destino colectivo, y de hacerlo sin que queden dudas respecto a su vocación pluralista.

## RED CIUDADANA DE OBSERVADORES ELECTORALES

Resultados de la Observación Cualitativa

PARTICIPACIÓN CIUDADANA				
RESULTADOS DE LA OBSERVACIÓN CUALITATIVA				
Porcentaje de Colegios	Total País	Distrito Nacional	Resto Urbano	Resto Rural
Horario Promedio de Instalación	5:48 AM	5:51 AM	5:44 AM	5:49 AM
Horario Promedio de Inicio de la Votación (mañana)	6:19 AM	6:25 AM	6:13 AM	6:20 AM
Horario Promedio de Inicio de la Votación (tarde)	8:36 PM	8:39 PM	8:35 PM	8:34 PM
Horario Promedio de Inicio del Escrutinio	5:21 PM	5:07 PM	5:26 PM	5:28 PM
Tasa de Inscripción de las Mujeres	74.7%	73.8%	72.4%	78.0%

	Total País	Diente Nacional	Paso Urbano	Paso Rural
Todos los colegios muestreales con:	100.0%	100.0%	100.0%	100.0%
% de los miembros	81.7%	93.0%	86.0%	91.5%
Titulares y Electores de la	17.6%	35.6%	10.4%	7.7%
Miembros				
Solo con electores de la	0.7%	1.1%	0.6%	0.5%
Participación delegados				
políticos: menos de uno	89.6%	86.1%	90.2%	92.3%
por 3 o más delegados				
políticos				

Dirección Técnica de la Red  
Ciudadana de Observadores Electorales  
Santo Domingo, 20 de Mayo 1996

LA MESA SE INSTALÓ CON:

Participación Ciudadana, 19 de mayo de 1996

0.76%

0.7%

Fuente: Participación Ciudadana, 19 de mayo de 1996.

Todos los miembros titulares.  
81.7%



*Appendix F*

**International Delegation**

**Council of Freely Elected Heads of Government and the National  
Democratic Institute for International Affairs**

*May 16, 1996 First-Round Presidential Election  
Dominican Republic*

**Delegation Co-leaders**

Belisario Betancur  
Former President of Colombia  
COLOMBIA

Ramiro de Leon Carpio  
Former President of Guatemala  
GUATEMALA

**Delegates**

Emilio Alvarez Montalvan  
Professor  
The Catholic University  
NICARAGUA

Pamela Carter  
Attorney General  
State of Indiana  
UNITED STATES

Carlos Bascuñan  
Deputy Director  
Corporation of Justice and  
Democracy  
CHILE

Fidel Chavez Mena  
Former President of the  
Christian Democratic Party  
EL SALVADOR

Santiago Canton  
Director for Latin America and  
the Caribbean Programs  
National Democratic Institute  
UNITED STATES

Bruce Clark  
County Clerk  
Kankakee County  
UNITED STATES

Andrew Crawley  
Deputy Director  
Institute for European-  
Latin American Relations  
SPAIN

David Carroll  
Associate Director of Latin  
America  
The Carter Center  
UNITED STATES

Curtis Cutler  
President  
Interworld Consultants  
UNITED STATES

Ana Guadalupe Martinez  
Vice President  
Legislative Assembly  
EL SALVADOR

Rodolfo de la Garza  
Professor  
Department of Government  
University of Texas at Austin  
UNITED STATES

Patrick Merloe  
Senior Associate for Election  
Processes  
National Democratic Institute  
UNITED STATES

Juan del Aguila  
Professor  
Emory University  
UNITED STATES

Christopher Mitchell  
Director  
Latin American Studies  
New York University  
UNITED STATES

Rita Di Martino  
Vice Chairperson  
New York State Republican  
Committee  
UNITED STATES

Azie Taylor Morton  
President  
Exeter Capital Asset  
Management  
UNITED STATES

Julio Faesler  
President  
Council for Democracy  
MEXICO

Doodnought Singh  
Chairman  
Guyana Election Committee  
GUYANA

Johnathan Hartlyn  
Professor  
University of North Carolina at  
Chapel Hill  
UNITED STATES

Yasuo Yoshioka  
Representative  
Itoche Inc./Carter Center  
JAPAN

Guillermo Linares  
Councilmember  
City of New York  
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NDI Program Officer for Latin  
America

Darren Nance  
NDI Field Representative for  
Dominican Republic

*Appendix G*

**Preliminary Statement on May 16, 1996 Election**

**NDI/Council of Freely Elected Heads of Government  
International Observer Delegation**

*May 18, 1996*

*Santo Domingo, Dominican Republic*

The international observer delegation sponsored by the National Democratic Institute for International Affairs (NDI) and the Council of Freely Elected Heads of Government, based at the Carter Center, is pleased to offer this Preliminary Statement on the May 16 presidential election in the Dominican Republic.

Our delegation, comprised of 27 members from 11 countries, was led by H.E. Belisario Betancur, former President of Colombia, and H.E. Ramiro de León Carpio, former President of Guatemala, and included parliamentarians and other elected officials, political party and civic leaders, election experts and regional specialists. The delegation was invited to observe the election by the Central Election Board (JCE) and the three major presidential candidates. We were also welcomed by civic and religious leaders. Our delegation came to witness the election. We did not seek to supervise or certify the election. Ultimately, it is the Dominican people who will judge the election process.

The primary purposes of the delegation were to demonstrate the international community's continued support for the democratic process in the Dominican Republic and to provide the international community with an objective assessment of the May 16 election. We also sought to learn from the Dominican people about the nature of the electoral process and its implications for the further development of the Dominican Republic's democratic institutions.

Our delegation was in close communication with other international delegations that observed the May 16 election process. In addition, members of the delegation will remain in the Dominican Republic to monitor post election-day developments, and staff from NDI will remain in the country to observe activities leading up to the second round run-off election on June 30. These developments will be

important for informing the international community about the evolving character of the Dominican electoral process. NDI and the Council will send another international delegation to observe the June 30 constitutionally mandated second round election. That delegation will be joined by former President Jimmy Carter.

NDI and the Council sent a pre-election assessment delegation to the Dominican Republic in April 1996, which was led by former Presidents Carter and Betancur. The Council and NDI staff have been in the country since mid-April in order to observe the election process and to prepare for this delegation's activities. NDI sent an international observer delegation to the 1994 elections in the Dominican Republic, and the Carter Center and NDI sent a joint observer delegation to the 1990 election as well.

This delegation's mandate included the examination of three distinct aspects of the election process: the campaign; election-day proceedings; and the tabulation of results to date. This statement is a preliminary assessment of these issues. A more detailed report will be issued by NDI and the Carter Center following the June 30 second-round election. In addition to its direct observations, the delegation also relied on the findings of the Council/NDI pre-election assessment delegation and on information gathered during the entire pre-election period by the Carter Center and NDI.

The delegation arrived in the Dominican Republic on Sunday, May 12. During our stay we met with government and election officials, the three main presidential candidates and leaders of the major political parties, journalists, representatives of the Action Group for Democracy (a coalition of religious, labor, business and other Dominican leaders), Participación Ciudadana (the national election monitoring group) and others involved in the electoral process in Santo Domingo and in eleven other regions around the country. The delegation's leaders also met separately with President Joaquín Balaguer, the three main presidential candidates and with members of the JCE. On election day, members of the delegation visited more than 180 polling stations and municipal electoral boards (JMEs) in rural and urban areas throughout the nation.

## **The Pre-election Period**

The delegation noted that several reforms were agreed upon formally after the controversial 1994 elections, including:

- a reconstituted JCE, with all board members approved by each of the major political parties;
- a reliable computer system that could guarantee the accuracy of voter lists and ensure it would be operated in a transparent manner;
- access to all stages of the electoral process for political parties as well as domestic and international observers; and
- new voter lists used by officials on election day to be posted publicly well in advance of election day and to remain posted for a reasonable time.

Most of these reforms were enacted. A new JCE was instated in early 1995, and a series of positive developments created an improved atmosphere for the May 16 election. The following are among these developments.

- Political parties, the government, civic groups, the Catholic Church and other religious bodies expressed broad support for the JCE. The JCE consulted with the various political actors and made efforts to respond to their concerns about the electoral process.
- The political parties, with an exception discussed below, stated that the updated electoral registry remedied many of the flaws of the previous lists. The JCE gave all political parties the opportunity to scrutinize and make recommendations to the JCE concerning the registry.
- Civic organizations actively helped to ensure a more transparent electoral process. A broad-based civic group, Participación Ciudadana, conducted a civic education campaign and organized a large network of domestic monitors in order to observe the voting process and conduct a parallel vote tabulation (PVT). In addition, the Action Group for Democracy conducted civic education and worked to assure a peaceful electoral process.
- The presidential candidates and political parties actively campaigned around the country and communicated with the

electorate through the news media, rallies and other means. In addition, the media enjoyed freedom of political reporting.

The political parties raised fewer concerns about misuse of government resources to gain electoral advantage than has been the case in past elections.

A short time before the election, the Partido de la Liberación Dominicana (PLD) claimed there was a possibility that approximately 170,000 Haitians who were not eligible to vote could appear on the electoral registry. PLD representatives stated that the party intended to challenge prospective voters who it believed to be Haitians without voting rights. The delegation was pleased to note that the PLD later made important efforts to reduce tensions regarding this issue, particularly during the final week of the campaign and on election day, when its delegates did not challenge prospective voters on this basis.

### **Election Day**

The delegation was impressed by a large number of positive developments on May 16, resulting from the dedicated efforts of Dominican voters and election officials. Election day was peaceful, except for isolated incidents. The credibility of the JCE, JMEs and other election officials was heightened as a result of the positive electoral process, and public confidence in the process leading to the June 30 second round is likely to increase as a consequence of these developments.

The delegation was struck by the enthusiasm with which Dominicans sought to exercise their right to vote on May 16. The turnout was impressive, especially given concerns raised about the new voting system. Many stood for hours in long lines waiting to sign in at their polling station and to vote. In addition, polling officials worked long hours and put forth great efforts to discharge their electoral duties. Of the 180 polling stations observed by the delegation, only four were found not to have performed satisfactorily. The delegation noted that voters and polling officials generally were well prepared for the voting process.

Political party delegates were present at the polling stations throughout the country. Party delegates received signed copies of the official tally sheets (*actas*) after counting was completed at the voting stations (*colegios electorales*) and were generally allowed to scrutinize the tabulation processes at the JMEs and at the JCE. In addition,

international observers were welcomed by election officials, party delegates and prospective voters.

We were encouraged by the role played on election day by the national election monitoring network coordinated by Participación Ciudadana. This Dominican civic organization placed approximately 1,140 observers at the polling stations (the maximum allowed by the JCE) and trained many more to observe the process. In addition, Participación Ciudadana conducted a parallel vote tabulation to enhance confidence in the official election results.

The delegation also was encouraged by the JCE's hourly release of election results, as well as by the availability of news concerning the election that was broadcast by Dominican television outlets, within JCE guidelines, and by outside cable news channels. The availability of election-related information greatly contributed to public confidence in the orderly development of the election process.

### **Additional Observations**

The delegation recognizes that there is no perfect election system and notes the significant improvements in the Dominican electoral process. The delegation also wishes to highlight its appreciation for the openness and seriousness of the election officials, political party representatives and representatives of civil society with whom it met. In light of these positive factors and in the spirit of international cooperation, the delegation respectfully offers the following additional observations. In the six weeks leading to the second round, the JCE has an opportunity to fine tune the election process and to overcome problems encountered at some polling stations (*colegios electorales*), for example, by encouraging polling station officials to instruct voters to create more orderly lines that would help to relieve dangerous conditions at crowded locations.

**Election Violence:** While the pre-election environment and election day were relatively peaceful, the delegation deeply regrets the politically motivated deaths associated with the election and encourages Dominicans to participate in future political activities without resorting to violence.

**Limit on Dominican Election Observers:** The delegation also took note that the JCE limited the number of national observers from civic organizations to 1,140. The domestic civic group Participación Ciudadana trained more than 3,000 observers, but this restriction on

the number of Dominican observers limited the group's ability to make full use of these individuals. It is natural for the JCE to take measures to maintain orderly processes at the voting stations. Placing a limit on domestic civic observers, however, seems unnecessary. The delegation hopes the restriction will be removed by the JCE in order to allow for the increased civic participation of Dominicans in monitoring election processes in the future.

**Voters Erroneously Listed as Deceased:** The delegation observed a number of prospective voters who arrived at polling stations to find out that they were not allowed to vote because they were listed as being deceased. While this did not affect large numbers of prospective voters, the delegation recommends that steps be taken to find a way to allow such persons to vote. One option would be to use the procedure employed by one JME observed by the delegation, which allowed such persons to cast "observed votes."

**Added Transparency:** The NDI/Council pre-election assessment delegation expressed concern because the political parties were not provided full access to the JCE's computer operations. While concerns have not arisen regarding these operations for the May 16 election, greater transparency in the computer facilities could significantly help to raise public confidence in the election process for the second round on June 30. Further consideration seems appropriate for allowing full access to the JCE's computer center for political party technical representatives as well as for such representatives of civic groups and international observers.

The delegation also notes that transparency varied regarding access given to political parties at JME computer centers. The practice at one JME observed by the delegation provided a positive example that could be employed by other JMEs. Political party delegates reviewed their copies of tally sheets (*actas*) from each polling station (*colegio electoral*) as JME officials read out the official copies. This allowed the party delegates to monitor the results before they were sent to the JME computer room. Party technical representatives were allowed in the computer room to observe the data entry and transmission to the JCE. This greatly increased the parties' confidence in the tabulation process.

## **Conclusion**

Given that tensions among the population are common following vigorous election campaigns and noting that a constitutionally mandated second round run-off election is now set for June 30, the delegation encourages the government, political parties, civic organizations and religious bodies to take further effective steps to assure the public that the election process will be carried out in a peaceful environment. The efforts of the Action Group for Democracy and others concerned with a peaceful election process are an important factor in this regard. The delegation hopes that government and political leaders will join the Action Group in making such public assurances.

The delegation would like to emphasize its appreciation for the positive work accomplished by the JCE, other electoral officials, the political parties, the Action Group for Democracy and Participación Ciudadana in this election. The cooperation among these entities contributed to public confidence and to a significantly improved election process. The delegation applauds their efforts and hopes that their diligent approach will continue for the second round on June 30.

The delegation wishes to express its sincere appreciation to government leaders, JCE members and other electoral officials, the presidential candidates and the Dominican people for their warm hospitality. NDI staff will remain in the Dominican Republic to follow post-election developments and to prepare for our joint international observer delegation to the second round run-off election on June 30.



## Dominican Press Coverage of First-Round Delegation

May 1996

JUSTIN DIARIO - Sábado 18 de mayo de 1996

# Betancur alaba proceso electoral RD

**Por Santos Aquino Rubio**

El jefe de la misión de observadores del Centro Carter y del Instituto Democracia Nacional aseguró que el proceso electoral dominicano le ha dado una lección de democracia al mundo, especialmente a América y el Caribe, al tiempo que informó que pa- ra la segunda vuelta que tendrá lugar el 30 de junio próximo estará presente el ex-presidente Jimmy Carter.

**Cartier.** Belisario Betancur sostuvo que la metodología de guerra en práctica por las autoridades electorales de Belisario Betancur, presidente de Guatemala, fue adoptada por otros países, mientras que Raúl León Carpio, expresidente de Guatemala, aseguró que no se ha realizado en el área un certamen de esa naturaleza y con tanta armonía y eficacia.

Belancur, ex-presidente de Colombia y jefe de la Misión de observadores del Centro Carter y del Instituto de Estudios de la Democracia, dijo que el proceso electoral en marcha de prensa había sobre un hotel de la capital, en compañía del ofrecida en un hotel de la capital, en compañía del ex-gobernante de Guatemala, Ramiro de León Carpio, y los demás invitados, que son 25.

Beaucour elogió la modalidad de votación puesta en práctica por la Junta Central Electoral, así como la decisión de poner a votar los hombres y las mujeres por separado.

El ex-mandatario colombiano que esa metodología utilizada por los dominicanos es exportable y que así lo ha hecho saber tanto a los líderes políticos como a los miembros del tribunal colegiado. Sostuvo que es preciso felicitar al pueblo dominicano por el comportamiento, la conducta, el orden y la credibilidad puesta en la democracia y expresó que aunque seguirán haciendo algunas recomendaciones, éstas no serán de fiar.

Benjamin Franklin resaltó el rol de las mujeres en el proceso de la democracia. A quienes elogió por acudir majestuosamente a la urna, a quienes observaron una conducta superior a la de los hombres, porque a su juicio, capacitaban la fe en la democracia.

## Segunda vuelta

Segunda y de una manera más directa, el jefe de la misión de observadores del Centro Carter y del Instituto Democrático Nacional dijo que los resultados preliminares de las votaciones indican que habrá una segunda vuelta y aunque están de acuerdo en que esos 45 días constituirán un período muy delicado y requerirán del tipo de los dominicanos, "tenemos la seguridad de que se repetirá ese comportamiento".

Dijo que por esa razón mantendrán una oficina permanente hasta el nuevo proceso y que regresarán para ese certamen, esta vez encabezados por el ex presidente norteamericano Jim. v. Carter.

## Los delegados

**Los delegados**  
Beauric dijo que otro aspecto de consideración en el proceso lo constituyó el comportamiento de los delegados de los distintos partidos, quienes colaboraron entre sí, significando que creían en la transparencia del proceso y fomentó también a los partidos por el comportamiento observado. "Los dominicanos están haciendo historia y han establecido su propia contribución en el proceso".

Realizó también el trabajo realizado por los integrantes de la ICE y la capacidad y honestidad con que organizaron y llevaron a cabo las elecciones, lo que el papel jugado por la Red Nacional de Observadores Electorales, que auspicia Participación Ciudadana.

Habla de Leon Carpio

**Había de León** *El presidente de Guatemala y miembro de la misión dijo que su misión su papel se circunscribe a observar el proceso, pero que ha quedado impresionado con el evento. "No conozco otro país que se haya celebrado con la magnitud y efecuencia de este"*

Agregó que la conducta exhibida por los dominicanos en el proceso sirvió de ejemplo al mundo y a los países de América Latina y el Caribe, porque ha sido una catedral de la República Dominicana a los demás países.

Observadores felicitan a dominicanos por lo ejemplar de las elecciones

Por Lito Santana  
EL SIGLO

La misión de observadores internacionales, iniciada por el Consejo de Jefes de Gobierno Libremente Electos, el Instituto Nacional Democrático para Asuntos Internacionales y la Delegación Internacional de Observadores Electorales, felicita a todo el pueblo dominicano por lo elemental que resultó el proceso electoral que culminó con las votaciones de este jueves.

Hablando a nombre de los observadores, el señor Belisario Betancourt, ex presidente de Colombia, afirmó que la República Dominicana ha dado un buen ejemplo de participación democrática, añadiendo, masivamente a las urnas en las pasadas elecciones.

Betancourt afirmó que como observadores del proceso están sumamente satisfechos, porque en realidad ellos no están ni superintendiendo ni llevando a cabo el proceso electoral, sino que es el pueblo el que se da su democracia, como se la dio el pueblo dominicano convirtiéndose en ejemplo para los pueblos de todo el Continente.

«Nos llevamos la impresión de que la surgido un nuevo producto de exportación en la República Dominicana y es la metodología electoral, porque hasta ayer en la materia había toda clase de dudas sobre la eficacia de la metodología que se inventaron los dominicanos, la cual fue una creatividad de los dominicanos, como son los colegas que son en casi todas es una experiencia muy satisfactoria», dijo Betancourt.

Almire explicó que en medio del proceso de presentación de los candidatos, los jueces de la Sala IV de la Corte Electoral, en un momento de la jornada electoral.

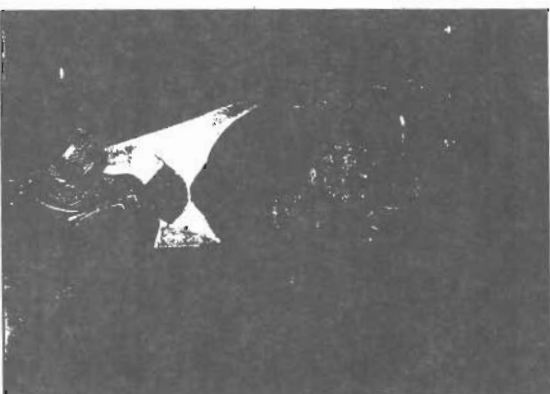
De modo que nuestras felicitaciones corresponden principalmente al pueblo dominicano, que con patriotismo, que conciencia, que orden, que ganas de votar, que credibilidad en la democracia, de manera que al voto hecho de participar en un sufragio, no importa si no resultará un ganador es ya un triunfo, dijo el representante de los observadores.

Aseguraron que estarán presentes en la segunda ronda de las votaciones del 30 de junio y

# Stig

Sábado 18 de mayo de 1996

## Appendix H 77



Belleardo Bellinçani

que una delegación permanecerá en el país hasta esa fecha. Esperan que de nuevo la Junta Central Electoral saldrá afuera en ese nuevo proceso por el que atestiguará la democracia en la República Dominicana.

Resultó una sorpresa para los presentes que los representantes de la misión de observadores se mostrarán seguros de la realización de una segunda vuelta en las elecciones cuando la Junta Central Electoral no había dado su informe definitivo y al momento de la rueda de prensa solo se había computado poco más del 50 por ciento de los votos emitidos.

*Appendix I*

**Peña Gómez's Letter to President Carter**

Unofficial Translation

June 4, 1996

Mr. Jimmy Carter  
Former President of the United State of America  
President of The Carter Center  
Atlanta, Georgia, USA

Distinguished Mr. President and friend,

From the moment that the final results of the May 16 election were known, government authorities, using the new police leadership, unleashed a terrible, repressive campaign—characterized by unjustified imprisonment—against hundreds of activists and supporters of the Santo Domingo Accord and particularly of the Dominican Revolutionary Party.

This hateful practice, contrary to the constitutional right of freedom of movement and to Article 95, second paragraph of the electoral law, is designed to strip our party members of their personal documents, so that they cannot vote again on June 30. Keeping in mind that The Carter Center was a qualified and truthful observer on May 16, and given that the electoral and observation processes are indivisible, as the Presidential Candidate of the Santo Domingo Accord, I wanted to make you aware of this anomalous situation.

The Dominican Revolutionary Party and the Santo Domingo Accord not only reiterate our profound democratic and civic nature, but also reassert a long tradition of defense of public liberties, of the fundamental rights of Dominicans and of the necessity of conducting a free, clear and transparent second electoral round.

With highest regard and sentiments of respect and consideration,

Dr. José Francisco Peña Gómez  
President, Dominican Revolutionary Party

*Appendix J*

**President Carter's Letter to President Balaguer**

THE  
CARTER CENTER



June 6, 1996

To President Joaquín Balaguer

I have learned today of reports in the Dominican Republic that the police are detaining certain individuals who are not carrying their cédulas. I am very concerned about these reports, and about allegations that the police are confiscating the cédulas of some persons who possess them.

Given the serious implications of these reports, I request that you look into this matter on an urgent basis, and advise me about what is occurring. On the eve of an election, any police action that could appear to have political motivation calls into question the commitment of the governing authorities to a genuinely free and fair election.

As we discussed during my visit in April, I will be co-leading a team from the Council of Freely Elected Heads of Government and the National Democratic Institute for International Affairs (NDI) to observe the June 30 second round, along with former Presidents Belisario Betancur of Colombia, Ramiro de León Carpio of Guatemala, and former Prime Minister Joe Clark of Canada.

I sincerely hope that these recent reports will not taint the positive electoral process that the Council/NDI team observed during the May 16 first round, nor disrupt a fair and open process during the second round. I look forward to your reply.

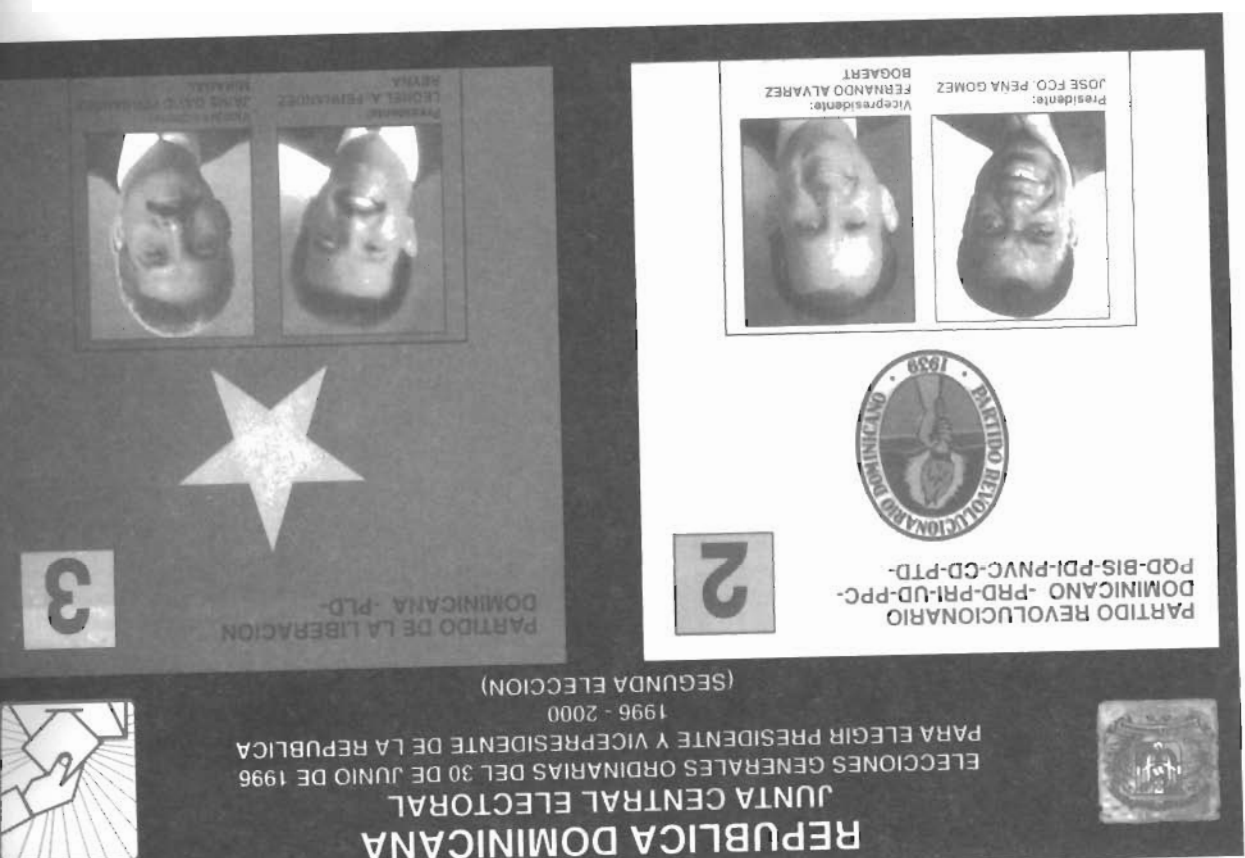
Sincerely,

cc: Dr. César Estrella Sadhalá  
Dr. José Francisco Peña-Gomez  
Dr. Leonel Fernández

President Joaquín Balaguer  
Santo Domingo, The Dominican Republic

Appendix K

Ballot Used for June 30, 1996 Election



Appendix L

International Delegation

Council of Freely Elected Heads of Government and the National Democratic Institute for International Affairs

June 30, 1996 Second-Round Presidential Election  
Dominican Republic

Delegation Leadership

Belisario Betancur  
Former President of Colombia  
COLOMBIA

Ramiro de Leon Carpio  
Former President of Guatemala  
GUATEMALA

Jimmy Carter  
Former President of the United States  
UNITED STATES

Claudine Schneider  
Former Congresswoman  
State of Rhode Island  
Chairperson, Renew America  
UNITED STATES

Joe Clark  
Former Prime Minister of Canada  
CANADA

John Sununu  
Former Governor,  
State of New Hampshire  
Former Chief of Staff to  
President Bush  
UNITED STATES

Delegates

Lourdes Alvarado Espino  
Professor  
University of Panama  
PANAMA

Charles N. Andrae III  
President of Andrae and Associates  
UNITED STATES

Carlos Bascuñan  
Deputy Director  
Corporation of Justice and  
Democracy  
CHILE

Col. Jay A. Cope (Ret.)  
Senior Fellow  
Institute for National Strategic  
Studies  
UNITED STATES

Zabdiel A. Blackman  
Treasurer of Sydney B. Bowne  
& Son  
UNITED STATES

Michael G. DeGroote  
President of Westbury Ltd.  
BERMUDA

José O. Bordon  
Former Senator  
ARGENTINA

Julio Faesler  
President of the Council for  
Democracy  
MEXICO

Eddie Charles Brown  
Senior Consultant  
National Democratic Institute  
UNITED STATES

Johnathan Hartlyn  
Professor  
University of North Carolina at  
Chapel Hill  
UNITED STATES

Santiago A. Canton  
Director for Latin America  
and the Caribbean  
National Democratic Institute  
UNITED STATES

Guillermo Linares  
Councilmember  
City of New York  
UNITED STATES

Pamela Carter  
Attorney General  
State of Indiana  
UNITED STATES

Maureen McTeer  
Faculty of Law  
University of Calgary  
CANADA

Fidel Chavez Mena  
Former President  
Christian Democratic Party  
EL SALVADOR

Patrick Merloe  
Senior Associate for Election  
Processes  
National Democratic Institute  
UNITED STATES

Bruce Clark  
County Clerk  
Kankakee County  
UNITED STATES

Christopher Mitchell  
Director  
Latin American Studies  
New York University  
UNITED STATES

Marvin Saballos Ramirez  
Executive Director  
Civic Group, Ethics and  
Transparency '96  
NICARAGUA

Margaret Pastor  
Consultant  
The Carter Center  
UNITED STATES

Michael Shifter  
Program Director  
Inter-American Dialogue  
UNITED STATES

Robert Pastor  
Executive Secretary  
Council of Freely Elected  
Heads of Government  
UNITED STATES

Kenneth Wollack  
President  
National Democratic Institute  
UNITED STATES

Seng Romn  
Chairman  
Electoral Commission  
FUNCINPEC Party  
CAMBODIA

Yasuo Yoshioka  
Representative  
Itoche Inc./The Carter Center  
JAPAN

Julio Isaac Rovi Fong  
Professor  
University of Panama  
PANAMA

**NDI/Council Staff**

Becky Castle  
The Carter Center Program  
Coordinator of  
Latin America

Kathryn O'Kane  
NDI Regional Assistant for  
Latin America

Kathie O'Neill  
NDI Logistics Coordinator

Cara Hesse  
NDI Program Officer for  
Guyana

Nathan Tibbis  
NDI Logistics Manager

Catherine Kelsch  
NDI Program Officer for Latin  
America

Darren Nance  
NDI Field Representative for  
Dominican Republic

*Appendix M*

**Preliminary Statement on June 30, 1996 Election**

**NDI/Council of Freely Elected Heads of Government  
International Observer Delegation**

*July 1, 1996*

*Santo Domingo, Dominican Republic*

The international observer delegation sponsored by the National Democratic Institute for International Affairs (NDI) and the Council of Freely Elected Heads of Government, based at the Carter Center, is pleased to offer this Preliminary Statement on the June 30 presidential run-off election in the Dominican Republic.

Our delegation, comprised of 38 observers from 13 countries, was led by: former Presidents Jimmy Carter, of the United States; Belisario Betancur, of Colombia; Ramiro de León Carpio, of Guatemala; former Prime Minister of Canada, Joe Clark; former United States Congresswoman Claudine Schneider; and former Governor of New Hampshire and White House Chief of Staff, John Sununu. The delegation also included parliamentarians and other elected officials, political party and civic leaders, election experts and regional specialists. The delegation was invited to observe the election by the Central Election Board (JCE) and the two presidential candidates. We were also welcomed by civic and religious leaders. Our delegation came to witness the election. We did not seek to supervise or certify the election. Ultimately, it is the Dominican people who will judge the electoral process.

The primary purposes of the delegation, like its predecessor delegation to the May 16 first round, were to demonstrate the international community's continued support for a genuine democratic process in the Dominican Republic and to provide the international community with an objective assessment of the June 30 election. We also sought to learn from the Dominican people about the nature of the electoral process and its implications for the further development of the Dominican Republic's democratic institutions.

Our delegation was in close communication with the Organization of American States (OAS) and other groups that observed the June 30



election process. Staff from NDI have been continuously in the Dominican Republic since April and will remain in the country to follow post-election developments. These developments will be important for informing the international community about the evolving character of the Dominican electoral process.

NDI and the Council organized a 27-member international election observer delegation to the May 16 first round of the presidential election process. That delegation, which was led by former Presidents Betancur and de León Carpio, issued its Preliminary Statement on May 18, 1996. NDI and the Council also sent a pre-election assessment delegation to the Dominican Republic in April 1996, which was led by former Presidents Carter and Betancur. NDI sent an international observer delegation to the 1994 elections in the Dominican Republic, and the Carter Center and NDI sent a joint observer delegation to the 1990 elections as well.

This delegation's mission included the examination of three distinct aspects of the election: the campaign; election-day proceedings; and the tabulation of results to date. This statement is a preliminary assessment of these issues. We note that the resolution of any electoral complaints that might be lodged has yet to be completed. A more detailed report will be issued by NDI and the Carter Center at a later date. In addition to its direct observations, the delegation also relied on the findings of the Council/NDI observer delegation to the May 16 first round, the Council/NDI pre-election assessment delegation and on information gathered by the Carter Center and NDI during the entire pre-election period and period between the first and second rounds.

The delegation arrived in the Dominican Republic on Thursday, June 27. Many of the delegation's members also observed the first round on May 16. During our stay we met with government and election officials, the two presidential candidates, journalists, La Red Ciudadana de Observadores Electorales/Participación Ciudadana (the national election monitoring group) and others involved in the electoral process in Santo Domingo and in 11 other regions around the country. The delegation's leaders also met separately with President Joaquín Balaguer, the two presidential candidates, with the JCE and with representatives of the Action Group for Democracy (a coalition of religious, labor, business and other Dominican leaders). On election day, members of the delegation visited more than 500 polling stations

and municipal electoral boards (JMEs) in rural and urban areas throughout the nation.

The election process, while not without problems, represents an important step forward for the democratic process in the Dominican Republic. The sense of public service and guardianship of the democratic process that was demonstrated in this election—by the members of the JCE and JMEs, by officials at the voting stations (*colegios electorales*), by both of the Presidential candidates, by the political party delegates and Dominican civic organization leaders and national election monitors, and most of all by the voters themselves—mark an important juncture in the development of Dominican democracy.

The election provides a moment of justified national pride and sets the stage for actions that can enhance even further the election process in the future. The delegation sincerely hopes the political parties that participated in the second round will take advantage of the unique opportunity presented by this election to form a commission with a mandate to find ways to institutionalize recent gains made in the Dominican election process and to address further matters such as the appropriate use of state resources in elections, including appropriate access to state media, media guidelines for election campaign coverage and other important electoral issues.

### **The Pre-election and Interim Election Periods**

The delegation, like our predecessor delegation, noted that several reforms were agreed upon formally after the controversial 1994 elections, including:

- a reconstituted JCE, with all board members approved by each of the major political parties;
- a reliable computer system that could guarantee the accuracy of voter lists and ensure it would be operated in a transparent manner;
- improved access to the electoral process for political parties and access for domestic election observers;
- new voter lists used by officials on election day to be posted publicly well in advance of election day and to remain posted for a reasonable time; and

## 88 1996 Presidential Election in the Dominican Republic

- a new inscription and voting process on election day at the *colegios electorales*.

Most of these reforms were enacted. A new JCE was instated in early 1995, and a series of positive developments created an improved atmosphere for the May 16 election. Our predecessor delegation was impressed by a large number of positive developments on May 16, resulting from the dedicated efforts of Dominican voters and election officials. These developments were described in that delegation's May 18 Preliminary Statement.

Since the May 16 first round, the election environment has remained generally positive. NDI and the Carter Center expressed concern early in June over reports in the Dominican Republic that the police detained certain individuals who were not carrying their identity cards (*cédulas*) and over reports that police were confiscating *cédulas* from some people. Reports that *cédulas* were being purchased also caused concern. The delegation noted that the JCE and the government took steps to address these matters.

There were reports of isolated incidents of violence in the interim election period. There were also reports from credible sources that sums of money were used to buy influence among some voters and that state resources were used for partisan purposes. Nonetheless, there were numerous positive developments during this time as well.

- The following are among these developments.  
The JCE took steps to improve the election process, partially in response to suggestions put forth by the political parties, civic groups and international observer delegations to the May 16 first round. These steps included, among others, providing that ballots could be signed by the president of the table before handing them to voters on election day in order to reduce the number of annulled ballots, adjusting the inscription process, attempting to reduce confusion during the inscription process, attempting to arrange the polling stations in order to reduce crowding and confusion, as well as assigning electoral supervisors to circulate among polling stations in order to address problems.
- Political parties, the government, civic groups, the Catholic Church and other religious bodies continued to express broad support for the JCE.

- Civic organizations continued to help actively to ensure a more transparent electoral process. A broad-based civic group, La Red Ciudadana de Observadores Electorales/Participación Ciudadana, continued its civic education campaign and continued to organize a large network of domestic monitors in order to observe the voting process and conduct a parallel vote tabulation (PVT) as it did successfully for the May 16 first round. In addition, the Action Group for Democracy continued its civic education and worked to assure a peaceful electoral process.

- The presidential candidates and political parties once again actively campaigned around the country and communicated with the electorate through the news media, rallies and other means.

### Election Day

Election day was peaceful, except for isolated incidents. The credibility of the JCE, JMEs and other election officials was further heightened as a result of the positive electoral process.

The delegation was struck by the enthusiasm with which Dominicans sought to exercise their right to vote on June 30. The turnout was impressive. The sense of civic pride in exercising the right to vote—and in protecting the integrity of the election process—exhibited by the voters, as well as by election officials, political party delegates and Dominican election monitors was inspiring. The delegation was also taken by the expression of appreciation for the role of international observers it received from so many Dominicans on election day.

Once again on June 30 many voters stood for hours in long lines waiting to sign in at their polling station and to vote. In addition, polling officials worked long hours and put forth great efforts to discharge their electoral duties. They, as well as political party delegates and Dominican election monitors, exhibited professionalism and effectiveness in discharging their respective tasks. Of the approximately 525 polling stations observed by the delegation, only six were found not to have performed satisfactorily.

For the second round, as in the first, political party delegates were present at the polling stations throughout the country. In virtually all of the voting stations that we observed, delegates were present from both political parties. Party delegates appeared well prepared for their responsibilities and acted in a cooperative manner toward each

other and toward electoral officials. They received signed copies of the official tally sheets (*actas*) after counting was completed at the voting stations (*colegios electorales*) and were generally allowed to scrutinize the tabulation processes at the JMEs and at the JCE. In addition, international observers were welcomed once again by election officials, party delegates and prospective voters.

The delegation was further encouraged in the second round by the role played on election day by the national election monitoring network La Red Ciudadana de Observadores Electorales coordinated by Participación Ciudadana. This Dominican civic group once again placed approximately 1,140 observers at the polling stations (the maximum allowed by the JCE). In addition, it conducted a parallel vote tabulation (PVT) to enhance public confidence in the official election results. This was demonstrated at its two press conferences on election day to review its qualitative findings about the voting process and by its turning over to the JCE the results of its vote tabulation.

The delegation also was encouraged by the JCE's rapid processing of election results and by its hourly release of results, as was done in the first round. By processing and releasing all results except for the 33 remaining *colegios electorales* (out of the 9,946 total) by 4:30 a.m., the JCE greatly enhanced confidence in its procedures. We also noted the availability of news concerning the election that was broadcast by Dominican television outlets, within JCE guidelines, and by outside cable news channels. The availability of election-related information contributed to public confidence in the orderly development of the election process.

The delegation recognizes that there is no perfect election system and notes the significant improvements in the Dominican electoral process since the controversial 1994 elections. At the same time, certain features of the June 30 election caused concern for the delegation.

While the interim election environment and election day were relatively peaceful, the delegation deeply regrets the politically motivated deaths and other isolated incidents of violence and intimidation associated with the election. We join with the vast majority of Dominicans who hope future political activities will take place in this country without violent incidents.

The delegation noted that television Channel 6 broadcast programming on election eve that appeared to constitute political

campaigning in violation of the electoral regulations. The delegation also witnessed instances of campaigning at several *colegios electorales*.

We observed instances of printing flaws in ballots at several locations and appreciated the speedy ruling by the JCE that such ballots, if used by the voters, should not be counted as annulled votes.

The delegation noted that election officials in many places took steps to reduce serious crowding and confusion where numerous *colegios electorales* were placed in one location. Crowding remained a problem, however, especially given the limited facilities available for polling. The new closed voting system (*colegios cerrados*), which requires voters to remain for long periods after signing in and before voting, adds to this problem. The delegation hopes that this issue will receive serious consideration in the JCE's post-election analysis.

The delegation also took note that the JCE continued to limit the number of national observers from civic organizations to 1,140. The domestic civic group La Red Ciudadana de Observadores Electorales/ Participación Ciudadana initially trained more than 3,000 observers, but the restriction on the number of Dominican observers limited the group's ability to fully mobilize the public's interest in citizen participation. In addition, given the predicted closeness of the second round, it would have been best if a larger number of nonpartisan civic observers had been allowed. This could have enhanced their parallel vote tabulation as well as generally helped to enhance public confidence in the election.

Problems exist in every election. The delegation, however, did not observe, nor did it receive evidence that electoral problems in this election were of a magnitude that would materially affect the results. The problems observed also did not appear to disproportionately affect either of the candidates in the second round. In addition, the irregularities that would materially affect the outcome of the election.

## Conclusion

The delegation would like to emphasize its appreciation for the efficient and professional work accomplished by the JCE, other electoral officials, the political parties, the Action Group for Democracy and La Red Ciudadana de Observadores Electorales/ Participación Ciudadana in this election. The cooperation among these

entities contributed to public confidence and to a significantly improved election process.

The delegation wishes to express its sincere appreciation to government leaders, JCE members and other electoral officials, the presidential candidates and civic and religious leaders with whom it met and to the Dominican people for their warm hospitality.

Dr. Leonel Fernández represents a new generation of leadership, and the delegation wishes him every success in his important efforts to advance economic and political development in the Dominican Republic. The delegation recognizes the contributions of Dr. José Francisco Peña Gómez to this country. His statesmanship, and deep and abiding dedication to democracy is a source of inspiration. We are hopeful that this election process will usher in a new democratic era for the Dominican Republic and bring democracy one step closer to becoming a hemispheric reality.

## Appendix N

### Dominican Press Coverage of Second-Round Delegation

June/July 1996

USIN DUARTE - Domingo 30 de junio de 1996

# Garantizan que Se acogerán al fallo de la JCE

## Con el presidente Balaguer

El presidente Joaquín Balaguer y los candidatos presidenciales José Francisco Peña Gómez y Leonel Fernández garantizaron ayer que se acogerán al veredicto de la Junta Central Electoral y que una vez el organismo declare al ganador de la segunda vuelta electoral trabajarán por el bienestar y desarrollo de la nación.

En la posición del jefe del Estado y de los dos candidatos que se disputan hoy la primera magistratura de la nación para el período constitucional 1996-2000 le fue comunicada personalmente por cada uno de ellos a los ex presidentes de Estados Unidos, Jimmy Carter, y de Colombia, Belisario Betancur, durante reuniones por separado ayer.

Carter y Betancur informaron sobre los resultados de sus reuniones con los líderes políticos luego de un encuentro con el presidente Joaquín Balaguer.

El ex presidente norteamericano dijo que el mandatario le expresó su confianza en la honestidad, confianza e integridad en los jueces de

la Junta Central Electoral y que, en consecuencia,

aceptará el resultado emanado de las urnas.

Señaló que esa misma impresión la pudo obtener de los dos candidatos, quienes se reunieron por separado en la mañana de ayer.

Balaguer dijo que estaba agradecido del papel desempeñado por Carter en el actual proceso electoral, mientras que el ex presidente norteamericano respondió que se siente agradecido de que el presidente Balaguer haya propiciado unas elecciones elogiadas por el mundo entero.

Tras salir del despacho del jefe del Estado y en medio de extraordinarias medidas de seguridad, el ex presidente norteamericano expresó su satisfacción por la consolidación de la democracia ante el actual proceso.

Fue una muy buena reunión con el presidente Balaguer. Como ustedes ya saben él expresó que se confía en el proceso electoral que discutió mañana y que se acatará las decisiones de la Junta y la decisión del pueblo independientemente de quién gane, dijo Carter.

Agregó que 'nos sentimos muy complacidos de haber tenido la oportunidad de reunarnos con el presidente Balaguer'.

Manifestó que 'hasta ahora nos hemos reunido con unos cuantos dirigentes y también con ambos candidatos presidenciales y con el presidente y en general el ambiente en el país es que las elecciones serán honestas, serán transparentes y todo el mundo ha expresado la decisión y el compromiso de que van a aceptar esa decisión (de la JCE) y que después de las elecciones todo el mundo se compromete a trabajar por el bien del país'.

Carter concluyó sus declaraciones señalando que 'esperamos que todo el mundo ejerza su derecho al voto, incluso ustedes los periodistas'.

De su lado, el ex presidente colombiano Belisario Betancur, quien junto a Carter encabezaba la delegación del Consejo de Jefes de Gobierno Libremente Electos, que opera desde el Centro Carter, y el Instituto Nacional Democrático para Asuntos Internacionales, dijo que los problemas que se han planteado para la segunda vuelta electoral son mínimos, mucho menos que los de la primera vuelta en mayo pasado.



## Appendix O

aunque el país tiene los recursos  
denciales fuertes y capaces".

on June 30, 1996 Election

ORGANO DE LA RED CUIDADANA DE OBSERVADORES ELECTORALES • N° 12 • JULIO/AGOSTO, 1999

# La Observación Electoral en la Segunda Vuelta

El 30 de junio de 1996 la *Red Ciudadana de Observadores Electorales*, auspiciada por *Participación Ciudadana*, movimiento cívico no partidista, participó nuevamente en la vigilancia del proceso de votaciones. Este informe comunicaba constata la decisión efectiva de 427,366 electores (11.4% del total empadronado), de los cuales 329,502 ejercieron el derecho al sufragio y 97,864 no asistieron a las urnas. (ver cuadro 1).

La *tasa de abstención* electoral para la segunda vuelta (22.90%) fue 4.0 puntos porcentuales más alta que la computada en la muestra para las elecciones del 16 de mayo (19.0%). (ver cuadro 1).

La distribución por estrato de los districcionistas revela la participación mayor de los electores rurales (80.8%), frente a los del Distrito Nacional y del resto de las ciudades del país (75.4 y 74.6%, respectivamente).

Para la segunda vuelta electoral, y con la finalidad de reducir el margen estadístico de error, la muestra del censo rápido de los resultados fue aumentada de 600 a 1,200 colegios electorales, siguiendo los mismos procedimientos de diseño anteriores: selección aleatoria y sistemática e igual intervalo (aproximadamente uno de cada 16 colegios electorales).

La decisión tomó en consideración que en la ocasión sólo participaban dos candidaturas y que, de acuerdo con los resultados de las encuestas de preferencia electoral, podían esperarse resultados con muy escaso margen de diferencia porcentual.

Tal como se hizo en la primera vuelta, Participación Ciudadana entregó a las 10:00 p.m. y en sobre lacrado, los resultados del conteo rápido de las votaciones al sacerdote y economista José Luis Alemán, tesgero de la Sociedad Civil, durante la rueda de prensa celebrada el 30 de junio. También un segundo conteo con una cantidad ma-

**Cuadro 1**

**Distribución de la muestra del censo rigido de la Red de Observadores según número de electores, votos omitidos y tasa de abstención. 1ra. y 2da. vuelta electorales.**

	1ra. Vuelta		2da. Vuelta	
	Total	%	Total	%
Total Electores	205,091	100.00	421,366	100.00
Total Votos Emitidos	166,149	81.01	323,502	77.10
Válidos	162,561	97.84	326,429	99.07
Nulos	2,772	1.67	2,519	0.76
Observados	816	0.39	554	0.17
Abstención	38,942	18.99	97,864	22.90

1. Esta vez se eligió el colegio al centro de dicho intervalo y no al final—como se hizo en la primera vuelta—para reducir al mínimo el número de colegios que podrían salir repetidos.

Boletín #12 • Página 2

Por de colegios se depositó a medianoche en manos del Presidente de la Junta Central Electoral, César Estrella Sadahí y demás jueces titulares.

Los resultados entregados a la Junta Central Electoral muestran una precisión mayor que la lograda en el conteo rápido realizado durante la primera vuelta. Efectivamente, como se observa en el cuadro 2, la comparación del conteo de la Red con los datos provisionales de las votaciones publicadas por la JCE revela una diferencia de sólo 0.26%.

Cuadro 2

Porcentajes de votación por Organización Política. Computos de la Junta Central Electoral y Conteo Rápido de la Red de Observadores. 2da. Vuelta.

Partido	Junta Central Electoral	Red de Observadores	Diferencia
PRD	48.75%	49.01%	+0.26%
PLD	51.25%	50.99%	-0.26%

Fuente: Computo Provisional de la JCE. Boletín Nacional Electoral No. 05. Resultados provisionales de la muestra del conteo rápido, medianoche del 30 de junio. Participación Ciudadana, 2da. vuelta electoral.

Cuadro 3

Resultados de las votaciones por organizaciones partidarias y estratos. Conteo rápido de la Red de Observadores. 30 de junio de 1996.

Partido	TOTAL	DISTRITO NACIONAL	URBANO	RURAL
PRD	160,407	51,191	49,501	59,693
	48.96%	50.85%	48.79%	49.27%
PLD	167,222	49,473	52,099	45,240
	51.04%	49.15%	51.20%	50.73%
TOTAL	327,629	100,664	101,570	125,393
ESTRATOS	100.00%	100.00%	100.00%	100.00%

Fuente: Formulario Relatorio, 1,127 Colegios Procesados.

Al igual que en la primera vuelta, los colegios muestrales seleccionados fueron posteriormente clasificados en tres estratos: Distrito Nacional, Resto Urbano y Resto Rural.

Originalmente habíamos programado incluir en la cobertura de la muestra muestra los aspectos cualitativos del proceso de votaciones. Lamentablemente esto no fue posible porque para ello se requería que la JCE aprobara un aumento del número de observadores acreditados, solicitud que fue hecha por Participación Ciudadana pero desestimada por el organismo electoral.

Red Ciudadana de Observadores Electorales

La distribución de los cómputos finales del conteo rápido por organizaciones partidarias y estratos indica que la diferencia geográfica decisiva para el triunfo poldista fue la votación de las áreas rurales, donde esta organización obtuvo aproximadamente 5 puntos porcentuales más que el PRD.

2. LA OBSERVACION CUALITATIVA DE LA JORNADA ELECTORAL

Los 600 nuevos colegios que permitieron aumentar el tamaño de la muestra en la segunda vuelta sólo fueron observados durante la tarde de la tarde para tomar los resultados del escrutinio, es decir para los aspectos del conteo rápido. Para la observación cualitativa de los principales aspectos del proceso de votaciones, tanto en la tarde de la mañana como de la tarde, se utilizó la muestra de 600 colegios electorales seleccionada para la primera vuelta (muestra "vieja").

Los datos para el reporte de los aspectos cualitativos de la observación electoral provienen de la información registrada a través de tres formularios: "los utilizados para la vigilancia de los colegios electorales" ("relatorio" y "observación") y un tercero para la observación de los "hechos de votación".

Los aspectos cualitativos a observarse el 30 de junio fueron revisados tomando en consideración las dificultades que se presentaban en la primera vuelta y las disposiciones acordadas por la JCE.

En efecto, durante la primera vuelta electoral se presentaron irregularidades y dificultades en el proceso de votaciones que afectaron a unos 50,000 electores. A esta cifra habría que agregar los 45,000 votos que fueron anulados, principalmente por falta de firma del presidente del colegio electoral.

En su informe cualitativo, la Red de Observadores Electorales sugirió a la JCE medidas correctivas ya que este número de electores podría ser muy significativo en una segunda vuelta. Antes de la segunda vuelta electoral, la JCE tomó varias medidas a fin de superar las principales dificultades, además de desarrollar una mejor campaña de orientación electoral a través de espacios televisivos. Entre los correctivos implementados se destacan:

Red Ciudadana de Observadores Electorales

-Disponer que la legitimación de la boleta electoral mediante la firma del presidente del Colegio Electoral, pudiera hacerse, a discreción de éste, al momento de entregarse al elector, antes del marcado, o después del marcado y doblado. Esta disposición buscó reducir la elevada cantidad de votos anulados en la primera vuelta (45,120) por falta de firma del presidente.

-Reiterar las disposiciones sobre el cumplimiento estricto de los horarios de las diferentes fases del proceso de votaciones, principalmente de la inscripción.

Lamentablemente la JCE no dio oportunidad de recibir a los ciudadanos y ciudadanas que en la primera vuelta aparecieron erróneamente en la Lista de Inhabilitados para Votar, como recomendó la Red en su informe, dejándolos excluidos del derecho al sufragio.

A posteriori se evidenció la importancia de nuestras recomendaciones y de las medidas correctivas que implementó la JCE para la segunda vuelta. En efecto, la suma de los votos anulados y de los electores que de acuerdo con las proyecciones de la Red de Observadores fueron afectados por irregularidades durante las votaciones en la primera vuelta, fue de 95,000 votos. Se trata de una cifra mayor a la diferencia que logró el candidato vencedor en la segunda vuelta electoral (aproximadamente 71,000 votos).

2.1 La observación de los colegios electorales cerrados

Los dos formularios utilizados por los miembros de la Red para observar los colegios electorales suministraban diferentes tipos de información cualitativa. El formulario de "Relatorio" permitía registrar la cantidad de colegios electorales que presentaban dificultades o irregularidades y era transmitido por los observadores y procesado el mismo día de las elecciones. El formulario "Qué observé en el Colegio electoral", más amplio y complementario del anterior, permitía cuantificar la cantidad de electores afectados por las anomalías y fue remitido y procesado con posterioridad a la jornada electoral. Las tablas que presentaremos en este informe permiten comparar los resultados de ambas observaciones.

3. Ni siquiera se les permitió votar observado. La Junta sometió a la contemplación de los dos partidos contendientes la misión de esta urgencia pero no hubo consenso. El PRD cubrió de acuerdo con la legislación y el PLD en contra.

Dispuso un par de días de todos los miembros en el Formulario Especial de Contingencia antes de pasar la raya de cierre, a fin de evitar que elecciones presenciales fueran anuladas de la inscripción. Esta disposición fue superada por el PLD.

-Decir al primer vocal, o persona autorizada para recoger las actas de los electores en la fila de inscripción, de una mejor identificación.

Cuadro 4

Instalación del Colegio Electoral

Colegios instalados en:	1ra. Vuelta	2da. Vuelta
Todos los miembros titulares	81.70%	85.69%
Titulares y electores de la fila	17.60%	13.78%
Sólo con electores de la fila	0.70%	0.53%

Fuente: Formulario Relatorio, Fases de la Muestra.

Sin embargo, la significativa reducción de la proporción de colegios de la muestra que presentaron irregularidades o dificultades, fue el aspecto más relevante de la observación de esta segunda jornada, lo que evidencia un

sultados de la observación realizada en la primera y segunda vueltas electorales.

Con relación a la primera vuelta, se destaca una mejor organización del proceso de votaciones, y una mayor asistencia de miembros de colegios y participación de delegados políticos. En efecto, al igual que el 16 de mayo, se logró un 100% de instalación de los colegios pero esta vez un mayor número de éstos (86%) funcionó con todos los miembros titulares y más del 97% contó con la presencia de delegados políticos de los dos partidos (Cuadro 4). El Distrito Nacional siguió presentando más dificultades para instalar los colegios con todos sus miembros titulares (63.3% en la primera vuelta y 70.2% en la segunda).

Se logró también un mayor control en el cumplimiento de los horarios, aunque todavía se manifestó la tendencia a iniciar determinadas fases del proceso de votación antes de la hora establecida por la JCE. Así, por ejemplo, alrededor del 78.0% de los colegios de la muestra había comenzado la inscripción masculina antes de la 1:30, y el 76.0% había iniciado el escrutinio antes de las 6 P.M. Es posible empeño que estas cifras revelen una mayor agilidad en el procedimiento de votaciones como consecuencia de la experiencia lograda en la primera vuelta tanto por los miembros de colegios como por los electores.

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proceso de votación más ídneo aún que el de la primera vuelta electoral.

Los datos comparativos de los resultados de la primera y segunda vueltas revelan una reducción en la *proporción de colegios* que registraron anomalías durante la inscripción de la mañana y, en cantidad menor, durante la votación de la tarde y el escrutinio. (Cuadro 5).

Pero lo más importante es destacar la disminución en la *cantidad de electores* afectados por dificultades o irregularidades: descendió de 50,000 electores en la primera vuelta a sólo 10,348 en la segunda (ver proyecciones que aparecen en el cuadro 6).

Red Ciudadana de Observadores Electorales

valores "relativos" ubicados en el colegio electoral, debían observar como transcurrió el proceso de votaciones en el conjunto del local de votación.

Los datos de los cuadros *presentados más adelante* son el resultado del trabajo de nuestras supervisoras de local en la primera y segunda vueltas electorales.

Esta información completa los anteriores, reiterando la idoneidad del proceso de votaciones, manifestada en el cumplimiento de las disposiciones establecidas por la JCE para el funcionamiento de los organismos electorales durante la jornada electoral. Destacamos por ejemplo, que en más del 75.0% de los locales se usó el *padrón electoral*.

Cuadro 5  
Tipo de anomalías durante inscripción de las mujeres, votación de los hombres y escrutinio

	1ra. Vuelta		2da. Vuelta	
	Número Colegios	% sobre total Colegios	Número Colegios	% sobre total Colegios
Ninguna anomalía en inscripción mujeres	356	69.9	501	88.4
Se ignoró la inscripción a personas que estaban en la fila antes de la hora oficial de cierre	23	4.5	8	1.4
No se inscribieron electores después del cierre	35	6.3	31	3.7
No se inscribieron electores por no firmar en el padrón	75	13.6	19	3.4
No se inscribieron electores por aparecer en la Lista de Inhabilitados para Votar	90	16.3	27	4.8
Ninguna anomalía en votación hombres y escrutinio	477	78.3	477	87.7
Se usó la votación sin terminar con la lista de miembros presentes en el Colegio Electoral	22	4.0	18	3.2
Hubo electores que se retiraron del local de votación por no votar observado	30	5.5	18	3.2
El escrutinio se hizo sin la presencia de todos los miembros del Colegio	11	2.0	2	0.4
Durante el escrutinio se refirió a delegados políticos	14	2.6	4	0.7
El escrutinio se realizó sin la presencia del observador	7	1.3	5	0.9
Delegados intervinieron en las funciones de los miembros del Colegio	64	11.7	43	7.5
Miembros de las fuerzas de seguridad intervinieron en las funciones de los miembros del Colegio	8	1.5	7	1.2
Se alteraron los resultados del escrutinio	7	1.3	1	0.2

Fuente: *Formulario de Relato. Número de colegios recibidos.*

*Tienda de la Mañana 552, primera vuelta 567, segunda vuelta.*

*Tienda de la Tarde: 545, primera vuelta 571, segunda vuelta.*

2.2 La observación de los locales de votación.

La observación de los locales de votación fue una *tarea* realizada por las observadoras-supervisoras de la Red, quienes, además de *monitorear* y *apoyar* el trabajo de los obser-

ral en sitio visible para la consulta de los electores, las diferentes fases del proceso de votaciones transcurrieron sin problemas, la *seguridad* del local fue adecuada y se fijó

4. Originalmente en cada colegio electoral de la muestra debían incorporarse 4 observadores: dos como "relatores" y dos como supervisoras, locutores en la mañana y mujeres en la tarde, para que también las miembros de la red pudieran votar.

Como consecuencia de la reducción drástica del número de acreditaciones otorgadas por la JCE a Participación Ciudadana, fue necesario reducir a dos las observadoras por colegio electoral y se estableció una división por sexo de las tareas, asignando la labor de relatores a los hombres y de supervisoras a las mujeres.

Red Ciudadana de Observadores Electorales

una copia del escrutinio en la parte externa de la mayoría de los colegios electorales (cuadro 7).

Con relación a los principales problemas que se presentaron en los locales de votación (segunda vuelta) las supervisoras destacaron la *desorganización* en las filas (12.0%) y la *lentitud* del proceso de votaciones, principalmente en la tarde de la mañana (11.8%).

En conclusión, los datos cualitativos recopilados por la Red Ciudadana de Observadores Electorales dan cuenta de la *limpieza* y *transparencia* de las diferentes fases del proceso de votaciones y del *comportamiento cívico* de los ciudadanos y ciudadanas, de la JCE, de los miembros de los colegios electorales y de los delegados políticos. En este sentido la jornada del 30 de junio marcó un hito en la historia contemporánea de los procesos electorales en República Dominicana.

Tanto en la *primera* como en la *segunda* vueltas, la experiencia de observación electoral fue posible por el alto espíritu cívico de los voluntarios y voluntarias de la Red de Observadores Electorales. Participación Ciudadana agradece y felicita a todos ellos: a los mil 34 observadores y observadoras acreditados por la JCE, 3 mil observadores-voluntarios, 483 coordinadores y supervisoras municipales y zonales, y a los 349 voluntarios que participaron en otras tareas (teléfonos, digitadores, relacionistas, etc.).

Estos hombres y mujeres de las más diversas edades y extracción social, decidieron hacer valer el derecho democrático a la participación y el respeto a quienes la reclaman, desafiando todos los obstáculos, que fueron numerosos. Con su *gesto* sembraron una semilla que habrá de fructificar en favor de una convivencia y una cultura verdaderamente democrática. A todos ellos y ellas, nuestro más profundo agradecimiento y compromiso de solidaridad.

Dirección Técnica de la Red de Observadores  
Santo Domingo, D.N. 26 de julio, 1996

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Cuadro 6

Proyección del total de electores afectados por algún tipo de irregularidad o dificultad (ambas tardes de votación).

Tipo de irregularidad o dificultad	Proyección País <sup>1</sup>	
	1ra. Vuelta	2da. Vuelta
Inscripción		
No se inscribieron estando en la fila a la hora oficial de cierre	1,296	483
Fueron inscritos después del cierre	14,667	2,873
No pudieron inscribirse porque no aparecieron en un padrón de ese colegio	8,438	1,528
No pudieron inscribirse porque aparecieron en la Lista de Ciudadanos Inhabilitados para Votar	7,164	3,139
Votación:		
Afectados por el cierre de la votación antes de concluir con la lista de inscripciones presentes	16,377	1,810
Se retiraron del acto de votar para no hacerlo observado	1,395	515
Total personas afectadas	49,332	10,348

Fuente: *Formulario "Que Observé en el Colegio Electoral".*

<sup>1</sup> El factor de expansión utilizado fue 16.01. Se obtuvo dividiendo el total de electores del país (Padrón: 3,790,502) entre el total de electores de la muestra (235,800).

Cuadro 7

Observación de los locales de votación (% sobre total de locales)

	1ra. Vuelta	2da. Vuelta
El padrón se usó en sitio visible	79.2%	77.0%
Los colegios electorales del local se inscribieron sin problemas	80.7%	88.2%
La inscripción de las mujeres transcurrió sin problemas	77.7%	80.3%
La votación de las mujeres transcurrió sin problemas	72.6%	77.7%
La inscripción de los hombres transcurrió sin problemas	80.0%	81.5%
La votación masculina transcurrió sin problemas	75.5%	80.7%
El escrutinio transcurrió sin problemas	87.8%	92.8%
La seguridad en el local fue adecuada	96.1%	97.0%

Fuente: *Formulario "Que Observé en el Local de Votación".*

Número de locales de votación:  
1ra. Vuelta: 384 Tienda Mañana, 354 Tienda Tarde.  
2da. Vuelta: 525 Tienda Mañana, 542 Tienda Tarde.

Appendix P

Dominican Press Coverage of Post-Election Period

USTIN DIARIO - Lunes 1 de julio de 1996

# Carter y Betancur califican las votaciones de ejemplar

Jimmy Carter y Belisario Betancur, ex presidentes que observan las elecciones dominicanas coincidieron en que el proceso de votación en la segunda vuelta transcurrió de manera ejemplar.

Sin embargo, ambos estimaron que era muy prematuro adelantar juicios definitivos sobre el proceso electoral.

El ex presidente de los Estados Unidos, al ser entrevistado brevemente mientras asista a una rueda de prensa de Participación Ciudadana en el hotel V Centenario, dijo que lo que había visto, hasta ese momento, le parecía que todo iba bien.

De su lado, el ex presidente de Colombia, Belisario Betancur señaló que las anomalías comprobadas por los miembros de la Delegación Conjunta del Consejo de Gobiernos Libremente Elegidos y del Instituto Nacional Democrático, 'son irregularidades adjetivas y episódicas que no afectan fundamentalmente el proceso'.

Calificó de admirable, envidiable y pedagógico el proceso electoral dominicano, afirmando que la comisión pudo apreciar irregularidades en la impresión de las boletas, que de acuerdo a su experiencia como dueño de una empresa editorial en su país, son puramente tipográficas.

Nosotros consideramos, como lo acaba de decir Participación Ciudadana, que estas anomalías hasta este momento no parecen delatar un proceso sistemático intencional o de perturbación.

Como una forma de avalar su opinión dijo que ha asistido muchas veces como observador y más de cuatro veces fue candidato presidencial en su país donde ha sido víctima de desfiguraciones electorales, que no se parecen en nada a las registradas aquí, las que reiteró son episódicas.

## Dominicans Vote in Race-Tinged Presidential Election

WASHINGTON POST  
July 1, 1996

By Douglas Parah  
Washington Post Foreign Service

SANTO DOMINGO, June 30—Millions of Dominican voters went to the polls today to choose a successor to long-time President Joaquin Balaguer in a close contest marred by vicious personal attacks and racial tension.

Voters waited for hours in the blistering sun to cast their ballots. In an effort to minimize fraud, women voted in the morning and men in the afternoon, and voters' fingers were marked with indelible ink. There are about 3.7 million eligible voters in the Dominican Republic, which shares the island of Hispaniola with Haiti.

The candidates in the polarizing contest are: Leonel Fernandez, 42, a relative newcomer to politics who grew up in the United States, preaches free-market economics and is backed by Balaguer.

Jose Francisco Pena Gomez, 59, a populist and fiery speaker who narrowly lost presidential races in 1990 and 1994.

Official returns gave Fernandez a narrow lead in what polls show will be a very tight race. With 79 percent of the vote counted, the National Electoral Council showed Fernandez with 51.3 percent of the vote and Pena Gomez with 48.7 percent.

In a country where race is a significant issue, Fernandez is of mixed race and Pena Gomez is black. The two men survived a first-round vote in which no candidate won the majority necessary for outright victory. Pena Gomez won 46 percent of the vote and Fernandez 39 percent. The latest pre-runoff polls showed voters favoring Fernandez slightly.

Both candidates have promised to respect the results if the vote is fair. Unlike past election oversight bodies, the Central Electoral Board is widely respected and viewed as impartial. "Everything depends on how people see the

process," said former president Jimmy Carter, who is here as an observer after having monitored previous Dominican elections. "The faith in the [board], the chemistry of what is happening, is the real milestone here," he said. Carter said he also extracted a pledge from Balaguer, who has been accused of manipulating elections in the past, to respect the results.

While Fernandez draws most of his support from the upper and middle classes, which tend to be more light-skinned, Pena Gomez is popular among the largely darker-skinned poor. Fernandez came from a middle-class family and went to elementary and high school in New York. Pena Gomez rose to prominence from absolute poverty.

Because of the closeness of the race and past incidents of fraud, several hundred international observers as well as about 2,000 Dominican observers monitored the vote. The Citizen Observer Network, a national monitoring group, said that it had detected "difficulties and anomalies" in the voting but that "for now, these anomalies do not indicate any systematic problems." Pena Gomez lost the 1994 election to Balaguer by 20,000 votes amid widespread charges of vote tampering.

"We will not let that happen again," said Gladys Gonzalez, heading an umbrella to ward off the sun after standing in line to vote for five hours in the poor neighborhood of Guantecanes. "The only way Pena Gomez can lose is if there is more fraud. They will try to steal the election."

Not so, said Isabel Velasquez, 24, who was monitoring the voting for the Fernandez camp. "Fernandez is young; he represents a new chance for the country to move into the future; the old politicians are lost."

But some said Fernandez's alliance with Balaguer, who is 89 and has been a resident for 22 of the last 30 years, runs the candidate's claim to the mantle of fresh leadership. "I could never vote for him after he got support from the Old Man," said Jaime Santiago, a taxi driver.





## The Carter Center

The Carter Center brings people and resources together to prevent and resolve conflicts, enhance freedom, and improve health worldwide. It is guided by the principle that people, with the necessary skills, knowledge, and access to resources, can improve their own lives and the lives of others. Founded in 1982 by Jimmy and Rosalynn Carter in partnership with Emory University, the nonprofit Center undertakes action-oriented programs in cooperation with world leaders and nongovernmental organizations (NGOs). In this way, the Center has touched the lives of people in more than 65 countries.

The Center's programs are directed by resident experts or fellows, some of whom teach at Emory University. They design and implement activities in cooperation with President and Mrs. Carter, networks of world leaders, other NGOs, and partners in the United States and abroad. Private donations from individuals, foundations, corporations, and others support the Center's work.

The Center is located in a 35-acre park two miles east of downtown Atlanta. Four interconnected pavilions house offices for the former president and first lady and most of the Center's program staff. The complex includes the nondenominational Cecil B. Day Chapel, other conference facilities, and administrative offices. The Jimmy Carter Library and Museum, which adjoins The Carter Center, is owned and operated by the National Archives and Records Administration of the federal government and is open to the public. The Center and Library facilities are known collectively as The Carter Presidential Center.

More information about The Carter Center, including Center publications, press releases, and speeches, is available on the World Wide Web at: [http://www.emory.edu/CARTER\\_CENTER](http://www.emory.edu/CARTER_CENTER).

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## The Council of Freely Elected Heads of Government

The Council of Freely Elected Heads of Government is a group of 30 current and former heads of government from throughout the Americas. The Council was established in November 1986 at a meeting chaired by former U.S. Presidents Jimmy Carter and Gerald Ford on "Reinforcing Democracy in the Americas" at the Carter Center. The Council's goals are to reinforce democracy in the Americas, help resolve conflict in the hemisphere, and advance regional economic cooperation.

The Council has been a pioneer in mediating and observing elections. The Council or its representatives have observed 17 elections in 10 countries: Panama (1989, 1994), Nicaragua (1989-1990, 1996), the Dominican Republic (1990, 1996), Haiti (1987, 1990, 1995), Guyana (1990-1992), Suriname (1991), the United States (1992), Paraguay (1993), Mexico (1992, 1994, 1997) and Jamaica (1997). The elections in Nicaragua and Haiti were the first free elections accepted by all parties in the two nations' histories, and in Guyana, the first such elections in 28 years. Since the elections, the Council has worked to help consolidate democracy in Guyana, Nicaragua, Panama, and Haiti. In addition to reinforcing democracy, the Council has supported efforts to resolve the debt crisis of the 1980s, and to promote freer trade in the 1990s.

The Council is based at the Latin American and Caribbean Program of the Carter Center of Emory University. Dr. Robert Pastor, a Carter Center fellow, is executive secretary of the Council; Dr. Jennifer McCoy, is director designate; Dr. Shelley McConnell is associate director; Ms. Becky Castle is program coordinator; and Tanya Mujica is program assistant.

## National Democratic Institute

The National Democratic Institute for International Affairs (NDI) is a nonprofit organization working to strengthen and expand democracy worldwide. Calling on a global network of volunteer experts, NDI provides practical assistance to civic and political leaders advancing democratic values, practices and institutions. The Institute works with courageous democrats who are struggling to promote peaceful political reform. It establishes partnerships with political leaders who have begun the difficult task of building stable pluralistic institutions and creating better lives for their citizens.

Democracy depends on legislatures that represent citizens and oversee the executive, independent judiciaries that safeguard the rule of law, political parties that are open and accountable, and elections in which voters freely choose their representatives in government. Acting as a catalyst for democratic development, NDI bolsters the institutions and processes that allow democracy to flourish.

**Build Political and Civic Organizations:** NDI helps build the stable, broad-based and well-organized institutions that form the foundation of a strong civic culture. Democracy depends on these mediating institutions, which link citizens to their government and to one another by providing avenues for participation in public policy.

**Safeguard Elections:** NDI promotes open elections by helping countries improve electoral codes and assisting political parties and civic groups with conducting voter education campaigns. NDI is a world leader in election monitoring, having organized international delegations to observe polls in dozens of countries, helping to ensure that results reflect the people's will.

**Promote Openness and Accountability:** NDI responds to requests from leaders of government, parliament, political parties and civic groups seeking advice on matters from legislative procedures to constituent service to the balance of civil-military relations in a democracy. NDI works to build legislatures and local governments that are professional, accountable, open and responsive to their citizens.

International cooperation is key to promoting democracy effectively. It also conveys a deeper message to new and emerging democracies that while autocracies are inherently isolated and fearful of the outside world, democracies can count on international allies and an active support system. Headquartered in Washington D.C., with field offices in every region of the world, NDI complements the skills of its staff by enlisting volunteer experts from around the world, many of whom are veterans of democratic struggles in their own countries and share valuable perspectives on democratic development.

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## Selected NDI Publications from Latin America and the Caribbean

- *Pre-Election Report: The May 16, 1996 Presidential Election in the Dominican Republic*
- *Interim Report on the May 16, 1994 Elections in the Dominican Republic*
- *El Salvador: A Look at Local Government (1995)*
- *Perspectivas Sobre el Rol de los Partidos Políticos y los Comités Cívicos en Guatemala (1997)*
- *Findings of the Guyana Parliamentary Library - Assessment Mission (1996)*
- *Local Democracy in Guyana - An Institutional Assessment (1995)*
- *Guyana: Building Effective Local Governance (1995)*
- *1994 Local Elections in Guyana and the Electoral Assistance Bureau*
- *Media Objectivity in Mexico and Media Monitoring Activities of the Mexican Academy of Human Rights (English/Spanish, 1997)*
- *Justicia Militar: Una Visión Comparada: Ponencias de Invitados Especiales Curso-Seminario Relaciones Civiles-Militares (1996)*
- *Civil-Military Relations in Nicaragua (English/Spanish 1995)*
- *Civil-Military Relations in Nicaragua (1993)*
- *Democracy and Political Parties in Paraguay (English/Spanish 1997)*
- *Actitudes Hacia Los Partidos Políticos en America Latina (1995)*
- *Serie Investigaciones Legislativas Las Comisiones Legislativas Monografía No. 2 (1996)*
- *Towards a New Relationship: The Role of the Military in a Democratic Government (1989)*