

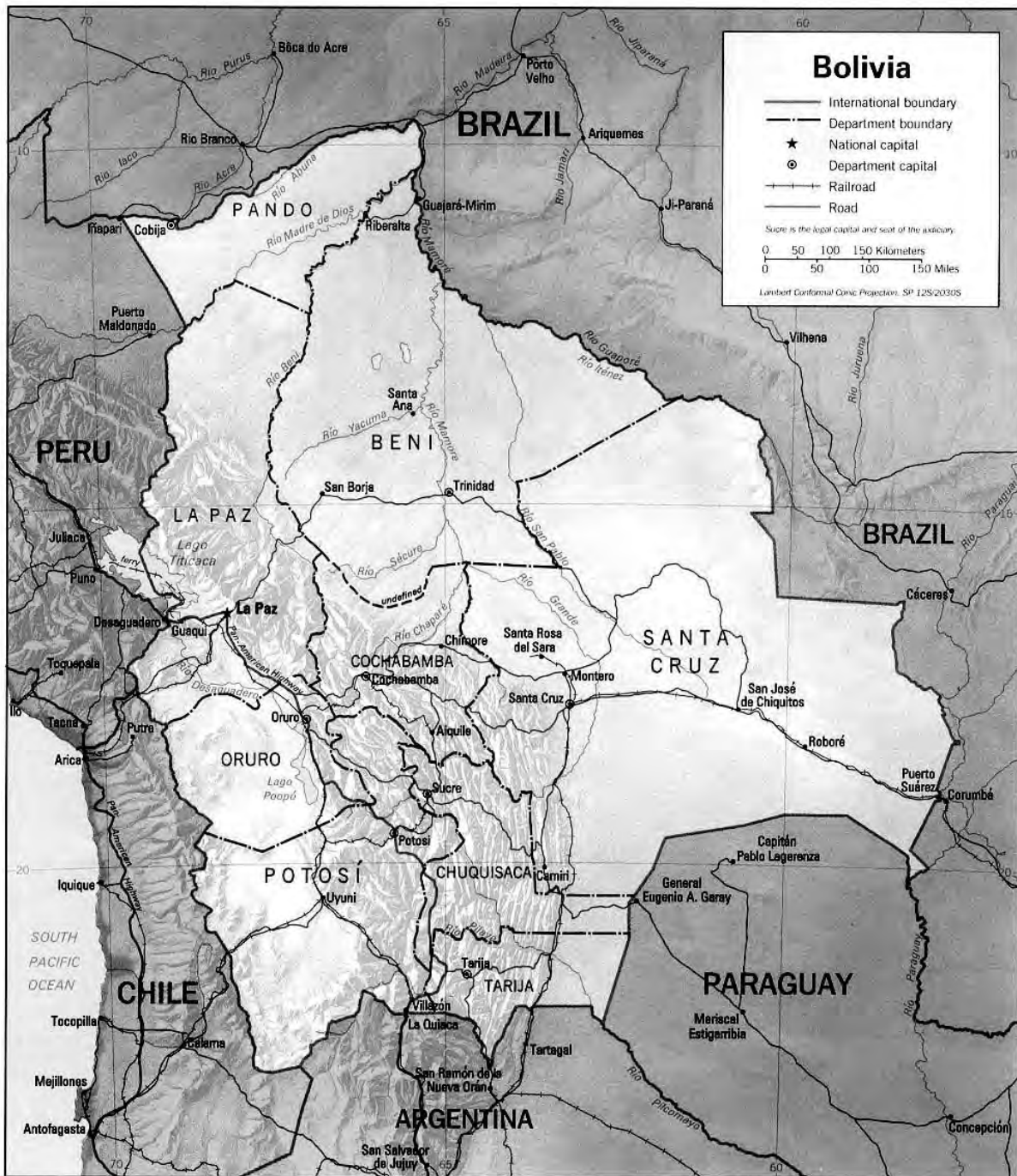
THE
CARTER CENTER



OBSERVATION MISSION
OF THE BOLIVIA
VOTER REGISTRATION
2009

FINAL REPORT

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THE
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EXECUTIVE SUMMARY

The Dec. 6, 2009, presidential and legislative elections were the first elections held under the new constitution of the Plurinational State of Bolivia. The high rate of citizen participation in the voter registration process and the general elections confirmed that the Bolivian people have a strong commitment to democratic life and that elections are regarded as a legitimate means to settle differences.

The Carter Center mission in Bolivia was targeted, focusing on long-term observation of the voter registration process. As such, the mission did not conduct a comprehensive assessment of the entire electoral process. The Carter Center opened a field office in La Paz that operated from Aug. 15 to Dec. 15. During this time, voter registration was assessed through direct observation, as well as technical and legal analysis. The mission also included a limited observation of the Dec. 6 general elections. The mission was conducted in accordance with the *Declaration of Principles for International Election Observation*. This report covers the findings of The Carter Center mission.

The credibility of the 2009 electoral process, as well as that of future elections, depends to a great degree on the legitimacy of the biometric registry. In only 76 days, the Plurinational Electoral Body (OEP)¹ and the Departmental Electoral Courts (CDEs) registered more than five million Bolivian citizens living in Bolivia and four foreign countries.²

The Carter Center mission found that the biometric registry was conducted in a peaceful environment, characterized by high levels of citizen participation, and that Bolivia's electoral legislation and constitution provide an adequate legal framework for a voter

registration process consistent with Bolivia's international commitments.

The success of the voter registration campaign highlights the remarkable efforts of the OEP and the departmental courts, whose work was characterized by goodwill and a determination to complete the registration in a short period of time. In the lead up to the Dec. 6, 2009, elections, the biometric registry contributed to greater confidence in the voting process and the acceptance of the results.

While the registration campaign was largely successful, a series of difficulties involving the compilation of the voter registry and identification of duplicate records occurred after registration ended, only a week before the elections. These difficulties generated a climate of uncertainty. They also provoked questions about the technical capacity of the OEP to carry out the elections on time with a credible voter registry and to administer electoral processes that comply with national electoral laws and fulfill Bolivia's international obligations.

The Carter Center had access to most stages of the registration process. The Center reported that the OEP and the CDEs worked with determination, goodwill and professionalism. An improved communications strategy would contribute to increasing the legitimacy of the OEP and the voter registration in future elections. However, Center observers had limited access to observe the electronic processing of the registration data. For example, Carter Center observers were unable to obtain information about the speed

The Carter Center mission in Bolivia was targeted, focusing on long-term observation of the voter registration process.

¹ The 2009 constitution changed the name of the National Electoral Court (CNE) to the OEP.

² Argentina, Brazil, Spain, and the United States.



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Registration information for the Bolivia election was posted on the streets in Barcelona, Spain.

and characteristics used to compare data and identify duplicate records.

In addition, The Carter Center and others did not have clear information about the OEP's decision to temporarily withhold and later re-establish the voting rights of 400,671 Bolivians who had registered to vote but whose Bolivian citizenship could not be verified because the Civil Registry did not contain their birth certificates. The OEP required the people in this category, called *observados*, to reinstate their right to vote by presenting their birth certificate to their CDE. By first day of December, 294,049 Bolivians had presented their birth certificates and secured their right to vote. The remaining 106,622 *observados* were

authorized to vote following a unanimous decision by the presidents of the OEP and the nine CDEs. The Carter Center believes a more detailed explanation of the legal basis and rationale for authorizing the remaining *observados* would have increased confidence in the OEP.

Finally, the Center notes that adjustments in the timeline for finishing voter registration made to comply with the electoral calendar, while not an indication of fraud or wrongdoing, may have affected the final quality of the biometric voter registry. Based on the experience gained in the 2009 electoral process, the Center is confident that the OEP will make the best use of its demonstrated capacity to administer electoral processes in the future.



A woman reviews her personal information after registering to vote.



POLITICAL BACKGROUND

The 2009 elections were the second since Bolivia's return to democracy in 1982 in which Bolivians have elected their president in the first round with an absolute majority. While Bolivia has held consecutive democratic elections since 1982, presidents have generally taken office with little popular support. Following the 2002 elections, popular protests pushed President Gonzalo Sanchez de Lozada out of office in October 2003. His appointed successor, former Vice President Carlos Mesa, resigned from office in June 2005. The country was left in a fragile state leading up to the December 2009 elections: the credibility of the political system—including the electoral body, the voting register and the traditional parties themselves—was seriously in jeopardy.

THE 2005 ELECTIONS

In 2005, Evo Morales, a coca leaf farmer of Aymara origin and union leader, was elected president as the candidate for the political party, *Movimiento al Socialismo*, MAS. For the first time in Bolivian history, a democratically elected president won with an absolute majority of 53.7 percent, making Morales Bolivia's first indigenous president. In previous elections, Congress elected the president because no candidate received over 50 percent of the popular vote. MAS also won a majority in the House of Representatives, taking 70 of the 130 seats of the lower chamber.

2006–2009

Since his inauguration in January 2006, President Morales has faced several political crises. In August 2008, he convened a recall referendum in which citizens voted whether he and regional governors should remain in office. Voters supported President Morales



In Oruro, a sign denotes the location of a registration center.

in the referendum with a 68 percent approval rate. President Morales and MAS were also a major force behind the National Constituent Assembly, which was tasked with writing a new constitution recognizing the multi-ethnic and pluri-cultural nature of the country. The constitution was approved by a 60 percent majority in a popular referendum on Jan. 25, 2009, and took effect Feb. 7, 2009.

In April 2009 the transitional electoral law (Régimen Electoral Transitorio, RET) was passed and mandated that elections for president, vice president and members of the Plurinational Legislative Assembly be held on Dec. 6, 2009. In response to demands from the opposition, the law also mandated that a new biometric electoral registry be used for the elections. Opposition parties questioned the accuracy and viability of Bolivia's voter registry, and insisted that the elections should go forward only after a new biometric voter list, complete with digital fingerprints, signature and photographs of each registrant, had been created. They argued that the old registry contained many duplicate records, but excluded many citizens without identification documents (such as birth certificate or a national I.D. card). President



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A billboard in La Paz promotes Evo Morales.

Morales, leaders of MAS and some influential independent analysts initially doubted that the OEP would have the capabilities to produce an entirely new biometric registry on time. This created additional pressure for the electoral body and added tension at the start of the process. The OEP responded by conducting a comprehensive voter registration campaign that effectively registered 5,138,583 voters in Bolivia and abroad.

Given the country's highly polarized socio-political environment, the success of the elections hinged

upon the ability of this new registry to alleviate mutual distrust between various political and regional actors. It also depended on renewing public confidence in Bolivia's electoral process and institutions. The general elections, followed by departmental and municipal elections held on April 4, 2010, are pivotal to the peaceful democratic development of Bolivia since the country's newly elected leaders will implement the legal and institutional structures established in Bolivia's complex new constitution.



CARTER CENTER OBSERVATION MISSION AND METHODOLOGY

The purpose of The Carter Center's voter registration observation mission was to inform and shape the perceptions of both Bolivians and key international actors regarding the quality and legitimacy of the voter registration process. The Carter Center's observation methodology uses assessment criteria based on Bolivia's electoral laws, the constitution and the country's international obligations regarding democratic elections and human rights.

The Center's observation of the biometric registration included three areas of observation and technical analysis: direct observation of voter registration, an analysis of the electoral legal framework in comparison to international obligations for democratic elec-

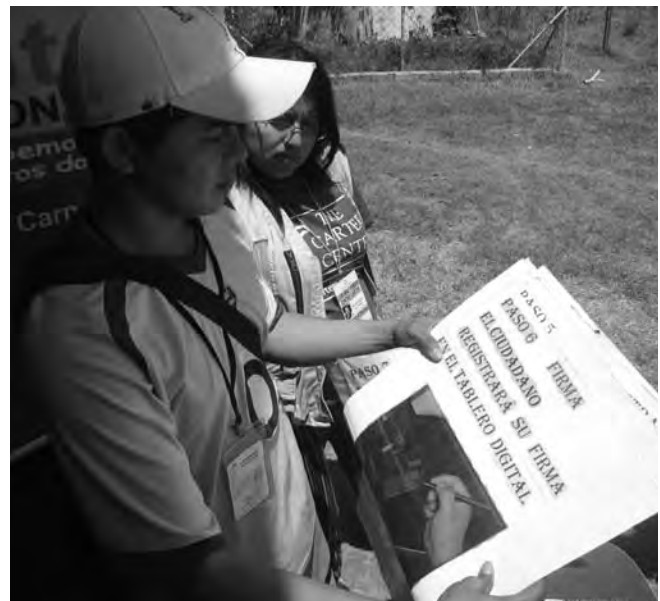
tions, and a technical analysis of encoding, transmitting, storing and processing registration data to create the new voter registry.

DIRECT OBSERVATION OF VOTER REGISTRATION

On Aug. 19, 2009, The Carter Center and the OEP signed a Memorandum of Understanding (MOU) (see Appendix D) which permitted The Center to observe the biometric voter registration process. Field office director Nicolás Fernández-Bravo and deputy field office director Santiago Mariani managed the observation mission from La Paz. Under their direction, three two-member long-term observer teams were deployed throughout the country starting Aug. 19. The long-term observers, with additional support of Atlanta-based staff, observed registrations centers throughout all of Bolivia's nine departments as well as in all four countries where Bolivian citizens living

THE CARTER CENTER IN BOLIVIA

The Carter Center has worked in Bolivia since 2003 with the overall aim of supporting a democratic transformation process that is peaceful, inclusive, and respectful of human rights. From 2003–2007, the Center helped Bolivia to establish access-to-information legislation. Since 2007, The Carter Center has helped build capacity for conflict management by providing comprehensive training to government officials, particularly those in the National Institute for Agrarian Reform. Most recently, the Center organized and led seminars for journalists about freedom of the press, professional journalism, and the role of media in the promotion of peace and stability and in the prevention of social conflict. Although the 2009 observation mission was a separate project, it built on the work and relationships established throughout the Center's tenure in Bolivia.



Maria Luisa Changoluisa (rear), a Carter Center long-term observer, examines educational materials for voter registration in Santa Cruz.



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abroad registered to vote (Argentina, Brazil, United States, and Spain).³

The mission's direct observation methodology included three main elements. First, observers aimed to monitor as many registration centers as possible, covering as much of the Bolivian territory as was feasible. Second, observers focused on seven areas of observation that touched upon social, political and technical aspects of the registration process. These areas were: access to information, transparency, citizen participation and education, the political environment, the functioning of registration centers, the performance of registration officials, and the processing of biometric data. The observers used a standard form to record their observations and submitted a weekly report to the field office director. Third, Carter Center observers paid particular attention to the transmission of registration data that was to be used to create the voter registry for the Dec. 6 elections.

Observers met regularly with members of the Electoral Departmental Courts (CDEs), representatives of political parties and civil society, religious



A pair of Carter Center long-term observers visit a registration center in Coroico.

groups, civic committees, indigenous organizations, academics, union members and leaders, and citizens registering to vote. In addition to submitting weekly reports, long-term observers also wrote comprehensive reports following the conclusion of voter registration and the elections.

LEGAL AND TECHNICAL ANALYSIS

In addition to the long-term observers, the mission included an expert on electronic data processing who focused on the technical aspects of the biometric registration system and helped identify which parts of the registration process the long-term observers should focus on in the field. The technical expert prepared two reports the Center shared with the OEP in order to provide timely feedback to improve the registration process.

The Carter Center mission also included a legal analyst to examine Bolivian electoral law in comparison to Bolivia's international and regional obligations in public international law. This analysis in turn helped long-term observers assess the degree to which the voter registration and other processes met international standards for democratic elections.



A citizen finishes registration by signing a digital pad. To register, she also had her identification document and all 10 fingerprints scanned and her photo taken.

³ The Carter Center conducts election observation missions in accordance with the *Declaration of Principles of International Election Observation and Code of Conduct* that was adopted at the United Nations in 2005 and has been endorsed by 35 election observation groups.



ANALYSIS OF THE ELECTORAL LEGAL FRAMEWORK

Bolivia's electoral processes are conducted on the basis of national legislation and in accordance with its international obligations. The legal framework for the Dec. 6 general elections is established in the 2009 Constitution of the Plurinational Bolivian State (CPEB) and the Transitional Electoral Regime (RET).⁴ Any omissions by the RET are covered under the subsidiary laws of the Electoral Code,⁵ the Law of Political Parties⁶ and the Law of Citizen Groups and Indigenous People.⁷ The Plurinational Electoral Body (OEP) and the Departmental Electoral Courts (CDEs) may also issue special legal provisions to enact the general electoral legislation contained in the CPEB and the RET.

In addition to national electoral legislation, the Bolivian Constitution also recognizes the applicability of the human rights treaties ratified by Bolivia within its territory. Furthermore, it affirms that all rights included in international human rights instruments ratified by Bolivia shall prevail even in cases where they may be more favorable than the ones prescribed by the constitution. Finally, the constitution grants direct application of international treaties ratified by Bolivia to the national legal framework with the rank of law.

LEGAL FRAMEWORK FOR ELECTION ADMINISTRATION

The OEP is the electoral branch of the government, independent of the executive, legislative and judiciary branches. The independence of the electoral branch and the reinforcement of its duties to fully regulate

electoral administration are of major importance for ensuring that the elections are in conformity with Bolivia's international obligations.

As a cohesive unit, the OEP has the overall responsibility of organizing and administering electoral processes, as well as tabulating the results and resolving disputes. The OEP is composed of distinct organizations that have different roles in the administration of elections. Principally, the Supreme Electoral Court (SEC) has seven elected members who are responsible for guaranteeing and protecting political rights. The court is also responsible for organizing and administering the voter registry and the civil registry. The CDEs oversee the administration of voter registration and elections in their district. They are responsible for the implementation of legislation and election procedures established by the SEC. Electoral judges and notaries work within the CDEs to organize and administer registration and elections at each polling station. The electoral judges are responsible for monitoring the legal aspects and functioning of the electoral process at the district level.

Based on its analysis and the legal framework, The Carter Center found that the framework provides a reasonable context for the conduct of democratic elections.

⁴ *Regimen Electoral Transitorio (RET)*, Law no. 4021, April 14, 2009

⁵ *Código Electoral*, Law no. 1984, June 25, 1999, with the amendments introduced by Law nos. 2006, 2028, 2232, 2282, 2346, 2802, 2874, 2874, 3015, 3153

⁶ *Ley de Partidos Políticos*, Law no. 1983, June 25, 1999

⁷ *Ley de Agrupaciones Ciudadanas y Pueblos Indígenas*, Law no. 2771, June 7, 2004.



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EVALUATION OF LEGAL FRAMEWORK AND ITS IMPLEMENTATION DURING VOTER REGISTRATION

Based on its analysis and the legal framework, The Carter Center found that the framework provides a reasonable context for the conduct of democratic elections. The electoral branch appeared to provide the conditions for conducting a transparent, independent and impartial electoral process with a top-down structure capable of organizing elections that express the will of the people.⁸ The constitution provides the foundation of the electoral system and guarantees fundamental rights that are generally in line with Bolivia's international obligations for elections especially, the obligations to promote equality and absence of discrimination.⁹ The RET deepens the legal framework and expounds on the procedures for the electoral system and voter registration and has been appropriately complemented by OEP regulations and administrative rules. Nonetheless, The Center's analysis noted several concerns about the legal framework and its application that might warrant review in order to enhance the exercise of fair and free electoral processes.

Nomination of representatives to the OEP

Since 2007, the OEP has functioned with only three of its five members due to the lack of consensus in Congress over who to nominate as the other two members. While the OEP continued to fulfill its duties, the absence of two members generated concerns about the efficiency and capacity of the court to administer elections and resolve complaints in a timely manner. A complete court would have improved its functioning as it addressed the difficult task of regis-

tering more than five million voters in two and a half months using new technology.

Special districts and indigenous populations

Special Original Indigenous Peasant Districts, *Circunscripciones Especiales Indígena Originario Campesinas* (Special Districts), were created by the new constitution to guarantee representation for indigenous groups in the 130-member Chamber of Deputies. Article 35 of the RET establishes seven reserved seats for pre-identified rural ethnic minorities, with the possibility of grouping together more than one indigenous group in a district.

While the objective of promoting indigenous participation in the legislature is laudable, the criteria for defining the boundaries of special districts, and thus the allocation of seats in the Chamber of Deputies,

is not clearly established in the RET or the constitution. It is good practice for the system of boundary delimitation to be clearly established by law.¹⁰ Special districts for the Dec. 6 elections were determined by



Prior to the election, Carter Center observers met with leaders of an indigenous community in the province of Oruro.

⁸ United Nations Human Rights Committee (UNHRC), General Comment 25: The right to participate in public affairs, voting rights and the right of equal access to public service (Art. 25): 07/12/1996, CCPR/C/21/Rev.1/Add. 7, para. 20.

⁹ United Nations, International Covenant on Civil and Political Rights, 999 UNTS 171 (ICCPR), arts. 2 and 25; Organization of American States (OAS), American Convention on Human Rights, OAS TS 36 (Pact of San Jose, Costa Rica) (ACHR), art. 1; OAS, Inter-American Democratic Charter (Lima, Peru, September 11, 2001) (IADC), para 9.

¹⁰ See for example the good practices articulated by the Venice Commission (Code of Good Practice in Electoral Matters, Opinion no 190/2002, CDL-AD (2002) 13 Or. Fr., adopted by the Venice Commission at its 51st and 52nd sessions, sec II.2.b): "the fundamental elements of the electoral law, in particular the electoral system proper, membership of electoral commissions and the drawing of constituency boundaries, should not be open to amendment less than one year before an election..."



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departmental boundaries rather than proportional representation based on population density. One special district comprising several peasant and indigenous communities was assigned to each of seven departments of the nine constituent departments in Bolivia. This led several indigenous groups to file complaints about the delineation of special districts alleging that the boundary delimitation failed to include some minority groups, and requesting more information about how the districts were determined. Without clear guidelines for establishing special districts it is possible that the political rights of indigenous voters and candidates is restricted.

In addition, the publication of ballots and election materials exclusively in Spanish represents another barrier to the full exercise of the political rights of indigenous populations. It is a recognized good practice that elections materials be available in main minority languages of the country.¹¹ Electoral materials should be available in at least two official languages according to which languages are spoken in each region.¹²

Voting rights of relocated citizens

The Bolivian government's relocation of citizens to the Department of Pando as part of the National Plan of Land and Human Resettlement (*Plan Nacional de Distribución de Tierras y Asentamientos Humanos*), raised concerns among Carter Center observers and others about the motivation for moving settlements in the midst of an electoral process. Opposition members were concerned that the relocation would affect the outcome of the election, particularly with regards to the close races for the Senate. On the other hand, the resettlement also raised questions about the rights of relocated citizens to vote in their new place of residence. This tension could have been avoided if

the relocation of human settlements had temporarily stopped during voter registration and elections.

Electoral calendar

According to the RET, voter registration must conclude at least 90 days before the elections. The domestic and foreign voter registration timeline was established by the OEP on July 13, 2009, and was followed by a series of adjustments. The most significant of which was pushing back the publication of the new biometric voter registry, from Oct. 25 to Nov. 6 and then finally to Nov. 22, 2009. The voter registry was completed only a few days before the elections. This late publication violated the political rights of citizens and political parties that did not have time to review the registry or submit corrections and complaints.

Furthermore, the legal basis for altering the electoral calendar was not explained and remains unclear. Though the modifications to the electoral calendar did not seem to create large logistical problems, it did generate confusion among citizens as they

waited for notices about the start of voter registration abroad and sanctions for failing to register.

Voting abroad

For the first time and in accordance with the new constitution, Bolivians living abroad were granted the right to vote. Citizens living in Argentina, Brazil, Spain and the United States were allowed to participate in biometric voter registration and cast their votes through polling stations administered by the consulates. However, due to the technical complexity

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¹¹ UNHRC, General Comment 25, para. 12.

¹² The 2009 Constitution recognizes all indigenous languages and Spanish to be official languages.



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of implementing biometric registration abroad, the RET stipulated that Bolivians living abroad would make up only six percent of the registered voters from the national electoral registry. Furthermore, no single country could account for more than 50 percent of the overseas registered voters.

While the Center’s mission acknowledges the practical concern for implementing voter registration in four foreign countries, it is also important to recognize that limiting foreign registration to six percent of the national voter registry is a clear violation of the principles of equality and universal suffrage.¹³

In response to such concerns, the Chamber of Deputies passed a law that allowed all Bolivian citizens living abroad to register and vote in the elections. The OEP initially stood by its decision to limit overseas registrants to six percent of the total of expected registration until just 10 days before the registration deadline, when it decided to lift the ceiling. It is likely that this last minute decision caused confusion and was made too late to increase the number of Bolivians voting abroad.

Right to appeal

The Carter Center legal analysis found that the electoral framework does not provide a system that guarantees the rights of citizens to present complaints or solicit a review of OEP decisions. In exceptional cases, in theory, citizens can appeal to the Constitutional Court. The Constitutional Court,



To inform expatriates about voter registration for the upcoming Bolivia elections, posters were displayed in train stations in Barcelona, Spain.



A sign in La Paz promotes Marcela Revollo, female candidate for the lower chamber.

however, was not functioning during voter registration or in the lead up to elections. As such, citizens had no available mechanism to legally challenge any decision of the OEP. The lack of an appeals process left Bolivian citizens unable to demand or protect their fundamental rights. The Carter Center suggests that Bolivians create a functioning system for the adjudication of disputes at all levels, including ordinary courts, special electoral courts, and the Constitutional Court.

¹³ UN, ICCPR, art. 25; OAS, ACHR, art. 23 (b); OAS, IADC, para. 3



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LEGAL ANALYSIS OF WOMEN'S PARTICIPATION

Bolivia's electoral law guarantees equal participation of men and women in electoral processes and national politics in accordance with Bolivia's international commitments.¹⁴ Bolivia first enacted quota legislation in 1997 with amendments in 2001.¹⁵ The 2001 law required that one out of every three candidates on party lists for the lower Chamber must be a woman, and one out of every four candidates to the Senate must be a woman. However, because Bolivia has a Mixed Member Proportional System (MMS), and the quota legislation did not apply to single member districts where only one candidate per party competes for the seat, the 57 percent of legislative seats won in single member districts (as opposed to multimember

districts) are not covered by the quota legislation.

The new constitution replaced the law of quotas, instead establishing an "alternate parity"¹⁶ for women's political participation. Alternate parity means that in the organization of the lists, candidates must alternate by gender by placing a male and a female candidate alternatively in the lists and by having the principal and the alternate from a different gender. In Bolivia, each deputy and senator has an official alternate member who takes over his or her duties if the principal is unable to occupy the seat.

However, the OEP failed to implement regulations to ensure that parity would be respected. As a result, candidate lists for the Plurinational Legislative Assembly did not exhibit gender parity, as the law requires.

Table 1: Female Candidates for the Dec. 6, 2009, Elections

Party	Senate	Multi-member districts	Single-member districts	Total number of candidates (male and female)	Total number of female candidates	Percentage of female participation
MAS	50%	49%	11%	167	52	31%
PULSO	20%	45%	31%	50	16	32%
Alianza Social	42%	43%	17%	119	38	31%
BSD	33%	41%	27%	34	12	35%
UN	44%	51%	21%	133	45	33%
Gente	44%	47%	18%	71	23	32%
PPB-CN	50%	36%	12%	160	47	29%
MUSPA	40%	51%	31%	141	53	38%
TOTAL	40%	45%	24%	875	286	33%

Source: *Coordinadora de la Mujer*

14 UN, ICCPR, art. 3; OAS, IADC, para. 28

15 Quotas to promote women's participation are recognized as one means of ensuring de facto equality between women and men in the political life of their country. Please see, for example, the Committee on the Elimination of Discrimination Against Women's General Recommendation No. 23 (1997), paras. 15 and 29.

16 CPEB, arts. 11.I, 26 and 147



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Carter Center observers noted high participation of women both registering to vote and working at registration centers.

The NGO *Coordinadora de la Mujer*, representing 26 NGOs and 11 social organizations devoted to women's rights, criticized the inadequacy of women's representation on the party lists for the Dec. 6 elections.¹⁷ Table 1 shows the participation of women as candidates in political parties.

In addition, in the newly created special districts (*Circunscripciones Especiales Indígena Originario Campesinas*), women are almost invisible: only BSD and MUSPA presented a single female candidate. It has been argued that in these indigenous districts the local traditions and practices should prevail,¹⁸ excusing them from adhering to the constitutional prin-

ciple of parity between male and female candidates. However, the Law on Citizen Groups and Indigenous Peoples determines a quota of 50 percent for women's representation¹⁹ and the constitution states that in the election of members to the Assembly, parity between men and women must be maintained.²⁰ It

17 For the special circumscriptions, only three of 31 candidates were female.

18 CPEB, art. 26.II.4

19 Art. 8 *Ley de agrupaciones Ciudadanas y Pueblos Indígenas*

20 CPEB, art. 26.I



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is also noteworthy that out of all of the presidential party tickets there was only one woman running for president, that is, Ana Maria Flores (MUSPA).

In light of the distortion that single-districts bring to the application of parity in political representation, women's groups are of the view that the implementation of a proportional electoral system would benefit their objectives. It would eliminate the disincentive inherent in simple majority systems of attempting to present a single "most acceptable" candidate, who is often a man. Also, political parties should promote equal representation of women on their lists.

While the electoral laws provide the basis for increasing the participation of women in political life, respect for the principle of equality requires affirmative action that goes beyond enacting laws.²¹ States have the duty to ensure de facto equality. States have the obligation to promote the advancement of women and can utilize such measures as gender parity in the selection of candidates for political office. In addition, the lack of an appeals system (mentioned above) did not provide

women with judicial means to enforce gender parity. While The Carter Center would have liked to see gender parity adequately enforced by the OEP and forcefully complied by political parties when putting together their lists of candidates for the Plurinational Legislative Assembly, it commends all women who campaigned as principal and substitute representatives.

Despite these challenges, The Carter Center notes the important contribution of women at all levels of the electoral process, from administering the electoral process and polling booths to disseminating information about registration and voting. In addition, many women participated as political party delegates and national observers. In regard to women's participation in the voter registration process, Carter Center observers noted active participation of women as officers

at the CDEs or as operators, notaries, and inspectors at the registration centers. However, the representatives of the CDEs, although elected legally and legitimately, are all men.

While the electoral laws provide the basis for increasing the participation of women in political life, respect for the principle of equality requires affirmative action that goes beyond enacting laws.

²¹ United Nations, Convention on the Elimination of All Forms of Discrimination Against Women, 1249 UNTS 13, (CEDAW), arts. 3, 4, and 7.



OBSERVING THE BIOMETRIC VOTER REGISTRATION

A reliable and accurate voter registry is fundamental to democratic elections and helps provide confidence in the validity of election results. Since 2008, citizens, opposition parties, and the media have expressed concern about the quality of Bolivia’s new voter registry. They claimed that it was incomplete, contained duplicates, and included the names of deceased people. On April 4, 2009, following two recent elections in which the old voter registry was used (2008 August Recall Referendum, 2009 Constitutional Referendum), Congress passed law 4021 which established the legal basis for the creation of a new biometric voter list.

The OEP assumed an enormous challenge. It agreed to register all eligible voters, in two and a half months using new biometric technology. Initially it aimed to register 3.8 million voters, but in the first weeks of the registration campaign it became clear that the OEP would register over a million more voters than it anticipated. The unexpected participation added to the already difficult task of registering a large population dispersed in rural and difficult to access areas. In addition, the OEP also agreed to conduct voter registration for Bolivian citizens living in four foreign countries. The voter registration campaign had a tight time constraint: the new voter registry was legally required to be completed 30 days prior to the Dec. 6, 2009, elections. Thus, as more citizens registered, both in Bolivia and abroad, social and political expectations increased and placed more pressure on the OEP.

The biometric voter registry contains the name of each voter along with digital images of the voter’s fingerprints, photo, and signature. In this way, a biometric voter registry aims to ensure that each person casts only one vote and that the voter registry contains no duplicate records. In theory, each new voter record that entered the registry was going to be compared against every other record in the system, in a process called *depuración* (the purging of repeated and/or

wrong information),²² in order to identify and eliminate duplicates and outdated records. At the end of voter registration, the goal was to create a new voter list (*padrón*) that would restore citizens’ confidence that the election results were a true reflection of the votes cast by the population.

By the end of the registration period, 5.1 million Bolivians registered to vote and 4.8 million Bolivians actually voted on Dec. 6.

OBSERVATION OF VOTER REGISTRATION

Voter registration began on Aug. 1 and closed on Oct. 15. The Carter Center observation mission was initiated on Aug. 19. Observers traveled more than 40,000 kilometers visiting 327 registration centers throughout the country and abroad. A summary of the deployment plan is included in Table 2. Overall, The Center reported large and enthusiastic participation in voter registration, and concluded that the voter registration process was generally conducted in accordance with Bolivia’s international commitments.

By the end of the registration period, 5.1 million Bolivians registered to vote and 4.8 million Bolivians

²² In this report, the process of comparing voter records to one another to cleanse duplicates (*depuración*) will be called “screening.”



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

Table 2: Summary of Carter Center Deployment Plan

	Number of Centers Observed	Areas of Responsibility
Team 1	96	<ul style="list-style-type: none"> • Cochabamba • Oruro • San Salvador de Jujuy (Argentina)
Team 2	90	<ul style="list-style-type: none"> • Sucre • Potosí • La Paz • Tarija • Sao Paulo (Brazil)
Team 3	116	<ul style="list-style-type: none"> • Santa Cruz • Beni • Pando
Special Observation Team 1	12	<ul style="list-style-type: none"> • New York (USA) • Washington, D.C. (USA)
Special Observation Team 2	7	<ul style="list-style-type: none"> • Buenos Aires (Argentina) • Mendoza (Argentina)
Special Observation Team 3	6	<ul style="list-style-type: none"> • Madrid (Spain)

actually voted on Dec. 6. The OEP, the CDEs and registration officials used mobile voter registration stations to reach rural communities and for voter registration stations abroad. The Center found that the registration process was a logistical success, largely free of irregularities, and demonstrating the dedication of electoral officials and citizens to democratic elections.

Transparency and access to registration centers

Registration officials demonstrated commitment to transparency and cooperation with international and national observers. Officials granted Carter Center observers free access to registration centers and departmental courts and facilitated their access to requested information. Carter Center observers noted the extensive efforts of accredited national observers from Transparent Bolivia.²³ The participation of civil society groups helped strengthen citizens' confidence

in their electoral institutions and contributed to a more transparent electoral process.

Registration processes

The training of operators, electoral notaries, and inspectors appeared adequate. Nonetheless, Carter Center observers noted that on several occasions the guidelines provided by the OEP and the individual decisions taken by the CDEs caused confusion and led to inconsistent procedures at sensitive points in the process. For example, citizens received contradictory information about whether they could register to vote at any time or if they had to wait for notification from the electoral courts. Furthermore, the criteria for establishing citizens' place of residence were unclear, causing confusion among citizens as to where they should register to vote.

²³ The right to participate in public affairs is internationally recognized in instruments such as the ICCPR (art. 25 (a)) and the Inter-American Democratic Charter, para. 6.



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION



In La Paz, an old car helps advertise voter registration.

An additional point of confusion involved voters' right to register as a particular ethnicity. Electoral law explicitly provides that voters have the right to be registered as a member of a *nación y pueblo indígena* (nation and indigenous people). However, Carter Center observers reported that officials did not establish standard procedure for asking about and recording ethnicity in each voter's registration record. In fact, they observed several cases where citizens' preferences for registering as a particular ethnicity were denied. The right to register as a particular ethnicity is particularly important given the introduction of special indigenous districts and representatives to the new Plurinational Legislative Assembly.

The option of registering to vote outside of one's residential zone, city or department also caused concern. Members of the opposition raised concerns that citizens residing outside of the department of Pando were registering in Pando and would vote there election day. The Carter Center found that these concerns were warranted given that the number of registered voters in Pando increased 34 percent (from 32,510 to 43,855) compared to the previous voter registry. To determine whether Pando had an unusually high increase in registered voters, it would be necessary to have access to data about the number of citizens who registered outside of their place of residency in other departments.

Registration equipment

In general, the equipment at the registration units operated effectively. However, Carter Center observers noted two minor difficulties present in registration centers: a) fingerprint scanners were not able to capture complete fingerprints in cases of the elderly or of those with worn out fingerprints; b) after every eight to 10 people registered the scanner faced technical problems that made it necessary to restart the machines. These faults affected the speed of registration, but in the end did not constitute a serious obstacle to the satisfactory development of the process. Carter Center observers noted that officials went out of their way to facilitate registration when faced with these difficulties.

Discrimination

During fieldwork, Carter Center observers did not perceive cases of discrimination or intimidation that would suggest the presence of organized strategies *vis-à-vis* groups of citizens to purposefully prevent them from registering.²⁴ However, they did identify a few situations that could have adversely affected particular groups of citizens.



Carter Center long-term observers review educational materials about voter registration. This list includes all the pieces of information that potential registrants should provide to the officials.

²⁴ UN, ICCPR, arts. 2, 25, and 26



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

In Huanuni, Oruro, a mining town with a strong union history, miners were pressured to register to vote in Huanuni and not at their place of residence. This may have caused confusion among voters and could have led some people to register twice. Clearer guidelines and enforcement of registration in places of residence may have avoided this problem.

The resettlement of citizens from the west in the town of Santa Rosa del Abuná, Pando, raised concerns about the right of citizens from other regions to register in Pando. Residents of Santa Rosa del Abuná and the Civic Committee asked the OEP and the National Institute of Agrarian Reform (INRA) responsible for the resettlement to explain the rationale for the resettlement. After reviewing the situation, the OEP ruled that electoral law permitted all eligible voters to register. Thus those recently relocated to Santa Rosa del Abuná were permitted to register to vote. The Carter Center commends the manner in which the OEP resolved the case, but recommends clearer regulations regarding the registration for internal migrants, displaced people, and people living in recently established settlements.

Voter registration abroad

As noted above, for the first time in Bolivian history, Bolivians living abroad in Spain, Argentina, Brazil, and the United States were given the opportunity to register and vote. While the OEP originally placed a six percent cap on the proportion of expatriates to resident Bolivians who could register, that cap was later lifted. The Carter Center observers of expatriate registration reported that civic and electoral education campaigns abroad were not able to effectively inform the Bolivian population about changes to the electoral calendar, the application of penalties for

failing to register, or how to update expired Bolivian identification documents required to register and vote.²⁵ The absence of an information mechanism to clarify doubts and confusions regarding delays contributed to a lack of trust and allegedly reduced the motivation of Bolivians living abroad to register.

Electoral officials

The Center recognizes the goodwill demonstrated by the OEP to assure that all citizens were able to participate in the electoral process. While the OEP showed great dedication to the electoral process, uncertainty and confusion could have been avoided if they had provided clearer and more timely information that could reach the population through the media. In two critical circumstances—the emergence of the screening process and the establishment of the category of “observados”—the OEP issued a number of directives containing useful information, but was unable to distribute them effectively to the press. During the very critical phase one week before the election, the OEP was publicly criticized for not providing sufficient public information about the geographical distribution of the *observados*. This information was included in the directives but did not reach the public sphere on time.

TECHNICAL PROCESSES

While the voter registration process was largely successful, the transmission of voter records, the checking for duplicates and the creation of the final voter list encountered serious technical and logistical diffi-

While the voter registration process was largely successful, the transmission of voter records, the checking for duplicates and the creation of the final voter list encountered serious technical and logistical difficulties. These difficulties may have affected the overall quality of the register.

²⁵ Voter education is recognized as necessary to ensure the effective exercise of electoral rights. UNHRC, General Comment 25, para. 11.



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION



A woman places her hand on a fingerprint scanner. Registration officers reported problems scanning all 10 fingerprints of registrants, particularly those who were elderly.

culties. These difficulties may have affected the overall quality of the register.

The Center's technical expert did not have sufficient access to the primary data processing center in La Paz to fully assess these issues, thereby preventing the mission from completing a comprehensive technical analysis of this aspect of the voter registration process. The observations that follow reflect the information The Carter Center was able to obtain, as well as observations about data transmission from the mission's long-term observers. The Carter Center mission notes three areas of concern.

Storage, custody and transmission of data

Voter registration data was originally intended to be transmitted on-line, in real time to the primary data



Registration included the collection of a citizen's biometric data: 10 fingerprints, a photo, and a digital signature.

center in La Paz using the internet. Mobile registration centers and those that did not have a connection to Internet would send their registration data on compact discs (CDs) daily to one of 50 centralization offices, which would store the information and later send it via internet to the data center.

This transmission scheme was not executed primarily due to: (1) the difficulty in obtaining internet lines with sufficient broad band capacity; (2) technical problems with the software that registration centers/centralization offices would use to communicate with the data center servers; and (3) delays in the setting up of the principal and secondary data centers. Due to these delays, the principal data center, which should have been in operation from Aug. 1, only began to operate on Oct. 15. The secondary data center, with a limited processing capacity, started operations on Sept. 5.

As a result of these limitation and technical difficulties, the OEP implemented a system for the collection of registration data through CDs. The data CDs were collected by inspectors at the registration centers, then stored in the Departmental Electoral Courts, and later sent to the data centers in the city of La Paz.



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A registrant prepares to have her photo taken. Registration equipment included a computer, printer, scanner, digital camera, fingerprint scanner, and digital signature pad.



A registration officer verifies that a citizen's identification matches the information in the voter database.



Bolivians consult the list of "observados" in newspapers.

Using CDs to transmit voter records created two problems. First, in the absence of clear procedures for storing, labeling, sending, and cataloging CDs, it was possible that voter records were lost. Second, the lack of an online data transmission system impeded the correction of voter records and may have created duplicate records. Without the online transmission of data, registration officials could not correct voter records (for example, a misspelled name) in a regional registration center so that the change appeared in the central data center in La Paz. Citizens were advised to

correct their voter records by registering again, thus relying on the screening process to find and eliminate the duplicate record. This may have prolonged the purging process, which already had a tight timeline. For future elections, The Carter Center recommends that the transmission of biometric data be done in such a way that allows the data to be amended and transmitted with greater efficiency and transparency.

Information processing speed

The principal data center was intended to store biometric data for the entire Bolivian population and screen 60,000 data entries per day, while the secondary data center should have been able to screen 10,000 entries per day. According to the information supplied by OEP, however, the secondary data center was not able to screen 10,000 entries during the first weeks of operation. The OEP corrected this problem by adding new servers to the secondary data center and it began processing 50,000 entries on Sept. 5.

The principal data center began processing voter records during the second week of October, less than two months before the election day. The OEP reported that the combined processing speed of both data centers was 150,000–180,000 records a day. The OEP informed The Carter Center that it adopted contingency measures in order to speed up the processing



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and to avoid additional delays in the electoral calendar and the elections scheduled for Dec. 6.

However, the lack of access to information on how this processing speed was attained prevented the Center from being able to fully assess the data processing and the adequacy of the contingency measures. In the absence of clear public information about these issues, the media and general public expressed strong doubts about the screening processes. The Center believes that for future processes greater transparency on procedures for data processing accompanied by a sound communications strategy would help clarify these issues and strengthen confidence on the technical capacities of the all Bolivian electoral management bodies.

Screening for duplicate records

In spite of multiple requests to observe processes at the principle data center, The Carter Center was granted access only once. The Center observed the data center on Oct. 15, at which time 1,812,528 biometric entries had been processed and 13,000 had been identified as possible duplicates. These cases were passed on for verification to the fingerprint experts who confirmed approximately 50 percent as duplicates.²⁶

During field work, Carter Center observers identified four possible causes for duplicate registrations: (1) in the absence of the *online* correction system, citizens registered more than once in an attempt to correct errors in the registers; (2) when faced with the loss of the proof of registration (the registration certificate issued at each registration unit) and the difficulties to obtain a copy, citizens opted for a new registration in order to avoid penalties (i.e., restrictions for banking procedures); (3) pressure exerted by labor unions and/or social groups associated with the mine in Huanuni resulted in persons registered near the mine as well

as at the site of their residence; and (4) citizens who registered more than once, did so to be able to obtain a document with a better photograph.

Unfortunately, due in part to receiving only limited access to technical processes at the data center, The Carter Center mission does not have sufficient information to make a judgment about the accuracy of the reported number of duplications. The screening process would have been more thorough if the data centers had been connected to one another. Instead the data centers functioned as two separate databases, limited to screening voter records within rather than across databases. This resulted in an incomplete screening process that allowed for the possibility of

duplicate records. In order to clarify these questions, for the record, the OEP should provide more information to the public.

Special case: “Observados”

In compliance of article 21 of the law No. 4021 of the RET, the OEP compared the new biometric voter registry with the database of the Civil Registry, which contains national records of all Bolivian citizens. On Nov. 24, the OEP

published a list of 400,671 records that appeared in the biometric registry but did not have supporting documentation (birth certificates) in the Civil Registry. In order to ensure the validity of all records in the biometric registry, the OEP requested that citizens on that list, called *observados*, present their birth certificate to electoral officials in order to secure their right to vote. In fact, many cases of *observados* were due to errors in the civil registry, such as taking a spouse’s last name, and did not necessarily constitute proof that a non-Bolivian or an underage Bolivian had registered to vote.

The publication of a list of 400,671 citizens who needed to personally validate their existence to electoral officials created confusion and extra work during the two weeks leading up to the elections.

²⁶ It is recognized good practice that safeguards be put in place to avoid or minimize multiple registrations. See, for example, practices in the OSCE region (OSCE/ODIHR Election Observation Handbook (5th ed.), p. 42).



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A sign at the Departmental Electoral Court in La Paz informs that all “observados” are permitted to vote.

The publication of a list of 400,671 citizens who needed to personally validate their existence to electoral officials created confusion and extra work during the two weeks leading up to the elections. Election officials in Oruro ignored the OEP’s instructions and gave all *observados* in their department the right to vote on Dec. 6. All other CDEs worked long hours to receive and validate voting rights of citizens on the *observados* list.

In response to these problems, on Nov. 30, the OEP announced that all 400,671 *observados* would be included in the voter registry and able to vote in elections on Dec. 6. The Center supported this decision, recognizing the need for the publication of a complete voter list before the elections.

Pre-election political climate

Carter Center observers had access to all registration centers during the entire registration process. They noted that the political atmosphere leading up to the elections was generally calm. They characterized the OEP and the CDEs as neutral, transparent, and inclusive. Furthermore, observers reported that civic education about registration reached the majority of Bolivians and helped inspire confidence in the legitimacy of the OEP, the CDEs, and the registration process. While the case of the *observados* generated confusion among voters, public announcements by the OEP kept citizens informed on the procedures for securing their right to vote. Overall, observers noted that the success of the voter registration campaign contributed to a calm environment in the period leading up to election day.



OBSERVING THE GENERAL ELECTIONS, DEC. 6, 2009

The culmination of the voter registration campaign was the exercise of the citizens' right to vote in the general elections on Dec. 6. The Carter Center deployed an election observation delegation of 18 observers, from seven different countries. The team was lead by Dr. Jennifer McCoy, director of the Center's Americas Program, and focused on the functioning of the new biometric registry at the polling stations and the general atmosphere that pre-

vailed on election day. It is important to emphasize that given the size of the delegation and the focus on voter registration, The Carter Center did not conduct a comprehensive evaluation of the overall election process.

On Dec. 6, 4.8 million Bolivians went to the polls to elect their president, vice-president, and the members of the Plurinational Legislative Assembly. Voters could choose their leaders among eight politi-

Table 3: Political Parties and Candidates

Political Party	Presidential Candidate	Vice-Presidential Candidate
Alianza Social (Social Alliance)	René Joaquino	Charles Suárez
Bolivia Social Demócrata (Social Democratic Bolivia)	Remi Choquehuanca	Nora Carlos
Gente (People)	Román Loayza	Porfirio Quispe
Movimiento al Socialismo— Movimiento sin Miedo (Movement Toward Socialism— Movement Without Fear)	Evo Morales	Alvaro García Linera
Movimiento de Unidad Social Patriótica (Movement of Patriotic Social Unity)	Ana María Flores	Guillermo Núñez del Prado
Plan Progreso para Bolivia— Convergencia Nacional (Plan Progress for Bolivia— National Convergence)	Manfred Reyes Villa	Leopoldo Fernández
Pueblos para la Soberanía (Peoples for Sovereignty)	Alejo Véliz	Pablo Valdez
Unidad Nacional (National Unity)	Samuel Doria Medina	Gabriel Helbing



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cal parties. According to the polls published in the lead up to the election, the three most popular parties were MAS-MSM, PPB-Convergencia, and UN. Table 3 provides an overview of the presidential and vice-presidential candidates.

THE BIOMETRIC REGISTRY IN THE ELECTIONS

Observers noted that the majority of voters presented their registration documentation or voter identification documents to compare with the biometric voter list at the polling booth. Citizens remarked that the inclusion of voter photos in the register marked a significant change from previous elections. Citizens demonstrated their civic commitment and boosted confidence in the elections through their participation as political party delegates and observers in the consortium of NGOs, and Transparent Bolivia.

RESULTS

President Evo Morales and Vice President Álvaro García Linera were re-elected with 64.22 percent of the popular vote. The president's political party, MAS, also won 26 seats in the Chamber of Senators and 88 seats in the Chamber of Deputies (see Appendix H). The results were accepted without legal or public contestation by all political parties and by the general public.

In a first statement issued on Dec. 7, 2009, The Carter Center commended all participants, electoral officials, and Bolivian citizens for their dedication to fair and free elections. Although its assessment was based on a relatively limited number of observers, The Carter Center reported that polling was characterized by a peaceful atmosphere and high voter turnout.²⁷ In the opening of the polls, The Carter Center observers



A voter examines the ballot before approaching the polling booth.

noted massive citizen participation.

In the general context of the deep social and political transformations, the 2009 election marks the starting point for implementing the new constitution, which implies the redesign of the legal and institutional framework of the Bolivian state.

In 2010 and beyond, the new Plurinational Legislative Assembly faces the challenge of passing and implementing five laws²⁸ that are fundamental to guaranteeing the rule of law. The Movimiento al Socialismo (MAS), as the majority party in the legislature as well as the executive, has the primary responsibility for drafting these laws. As President Evo Morales said in a speech on Dec. 6, 2009, it will be very important to have a broad and inclusive consultation with the other political parties, the regions of the country, and social sectors to generate laws with as strong a public backing and legitimacy as possible.

²⁷ Voting is mandatory in Bolivia.

²⁸ The five laws that the Morales government will need to pass and implement are the laws governing the Plurinational Electoral Body, the Electoral Law, the Judicial Body, the Plurinational Constitutional Court, and the laws of Autonomy and Decentralization. (The Plurinational Electoral Body law was passed June 17, 2010.)



CONCLUSIONS AND RECOMMENDATIONS

The Dec. 6, 2009, presidential and legislative elections were the first held under the new Political Constitution of the Plurinational State of Bolivia. Resounding support for President Evo Morales and the ruling party, MAS, indicated the population's widespread desire to continue the social and political transformation MAS initiated in 2005. Thus the election results challenge the re-elected government to design a new legal and institutional framework that will strengthen and support the rule of law.

The Carter Center election observation mission focused on the creation and implementation of the biometric voter registry over the course of four months. As such, the Center's mission did not provide a comprehensive assessment of election day and the logistical preparation of the elections. Other international and domestic observation missions focused specifically on election campaigns, polling day, and provided an overall evaluation of those processes. The Center hopes that the conclusions drawn from observing the biometric voter registration process will complement the work of these organizations.

The Carter Center's recommendations refer to both general and specific technical aspects of the biometric voter registration process. It is hoped that these recommendations will positively impact the Bolivian electoral system by helping to safeguard the credibility of future elections.

THE BIOMETRIC REGISTRATION: OVERALL ASSESSMENT

The biometric voter registration exceeded the expectations of the general population by registering a large number of voters in a short period of time. While this was an important achievement, it also obscured the risks involved in producing a new voter registry in such a short time frame. Should the process have faltered at any stage, the enthusiasm of the public could have been redirected against the electoral authorities or political parties and could have produced instability and crisis in an already fragile pre-election setting.

Carter Center observers had unrestricted access to registration stations in Bolivia and in the four foreign countries where resident Bolivian citizens registered to vote. Throughout the process, observers noted that

electoral officials worked with great dedication and transparency. However, restricted access to the primary data center after Oct. 15 made it difficult for The Carter Center to observe data processing. In addition, the Center was never able to find out the exact threshold the Automated Fingerprint Identification System (AFIS) used to identify duplicate records that allowed the processing to speed up and finish on time for the elections. As a result, doubts remained about the possible existence of several people in the registry who were able, at least technically, to vote twice.

The work of the OEP was perceived to be impartial by the majority of the population. In general terms, electoral courts officials were adequately trained and helped citizens register and vote without major dif-

The biometric voter registration exceeded the expectations of the general population by registering a large number of voters in a short period of time.



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION



A voter casts a ballot at a polling station in El Alto.



A banner in La Paz promotes biometric voter registration.

ficulties. However, some public announcements issued by the OEP and independent decisions taken by the Departmental Electoral Courts led to inconsistent procedures and confusion. Some concrete examples include the following:

- Citizens registering to vote abroad did not have clear information about the validity of the documents which they need to register to vote.
 - Citizens in Bolivia lacked clear guidelines for determining place of residency.
 - Registration officials did not have uniform procedures for transmitting data daily to local and regional supervisors.
 - The OEP did not have an official protocol for sending, tracking, and receiving data discs at the data center.
 - Confusion was caused by the OEP's decision to classify as *observados* people who had registered to vote but did not appear in the civil registry.
- Adjustments made to the electoral calendar resulted in a shorter time period for the publication of the voter registry. The voter registry was completed only a few days before the elections. This late publication violated the political rights of citizens and political parties that did not have time to review the registry or submit corrections and complaints as provided by Bolivian law.²⁹
- While the transmission and communications systems were adapted to meet the electoral calendar deadlines, this did not necessarily increase the legitimacy of the registration process. Because more registrations were received than anticipated, the data centers needed to increase their processing speed in order to screen all the records before the elections. The pressure of a tight timeline may have affected the quality of the screening process—speed was prioritized over thoroughness.
- Nonetheless, the institution's reputation was strengthened following the general elections. In addition, Bolivian citizens, independent of their political preferences and in spite of various obstacles throughout the process, demonstrated confidence in the new voter registry.

²⁹ See the Electoral Code art. 79, and the RET, art. 23.



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ELECTION OBSERVATION

In general terms, the electoral process appeared peaceful and was characterized by high levels of citizen participation in all stages of the process. Carter Center observers did not witness or hear of any cases of discrimination or intimidation that would suggest organized attempts to prohibit particular groups or individuals from voting. On the contrary, observers saw high levels of participation from vulnerable groups, such as indigenous women and the elderly. More than 90 percent of eligible citizens voted on election day, a record turnout even though voting is obligatory in Bolivia.

Based on the polling stations visited by Carter Center observers on election day, it appeared that the equipment continued to function normally and without great problems or technical irregularities. However, the software used to print the voter lists distributed on election day encountered several problems, such as printing only part of the information the system contained. While the problem was identified and solved during election day, an unknown number of citizens had to wait until the afternoon to vote.

The Carter Center believes that the decision to conditionally allow 400,671 citizens to vote was prudent. The OEP's decision was based on the legal requirement to verify the Bolivian citizenship and voting age of all registered voters. However, the Center noted the need for an explicit explanation of the legal basis for the OEP's final decision to allow 95,000 citizens to vote who could not verify their registration in the civil registry.

The Carter Center offers recommendations in two areas: (1) technical and operational and (2) legal and normative. It offers these recommendations in a spirit of support, recognizing the good work of the OEP and

its desire to meet the difficult challenge of administering voter registration and elections.

TECHNICAL, OPERATIONAL, AND ADMINISTRATIVE RECOMMENDATIONS

The Carter Center offers the following technical, operational, and administrative recommendations to the OEP.

Maximize the potential of the biometric data

The Center recommends that the OEP re-examine the biometric registration data in a complete and continuous fashion to promote a more efficient and effective means of aggregating the data. This could include the acquisition of technical equipment with the capacity to increase the speed at which the data is processed. In addition, steps should be taken to maximize the full potential of biometric data (fingerprints, photo, digital signature) and to identify any duplicate records that may still exist in the current electoral registry.

To avoid suspicion arising from registering voters outside their region of permanent residence, the OEP should recommend the creation of a new national identification document that would be the single valid document for voting.

Increase the capacity of the information technology division

The Center suggests that the OEP strengthen the technical and operational capacities of its information technology division so that it will be able to operate continuously, 24 hours a day, seven days a week. With a continuously operating and permanent data system, the voter identification card could be used for purposes beyond voting. The OEP has envisioned this as a possible extension of the voter registry.

Introduce a national identification document

To avoid suspicion arising from registering voters outside their region of permanent residence, the OEP should recommend the creation of a new national



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A Bolivian man completes voter registration in Cobija, Pando.

identification document that would be the single valid document for voting. This document should be developed using the biometric voter registry in order to confirm that each voter is registered just once and does in fact live in the area where that voter is exercising his or her political rights.

Extend Internet infrastructure to all departments

The Center recommends that the OEP extend Internet network connections to all departments. The connection should have sufficient bandwidth and capacity to process the volume of electronic information required by the specialized software and operating system.

Increase public participation in the registration process

The Carter Center recommends that the OEP implement mechanisms of public consultation and control that allow citizens, as well as observers, political delegates and other authorized citizens, to monitor the registry (for example, checking the demographic information).³⁰ A public terminal under supervision of the OEP or online access to the database information

³⁰ Public participation in decision making is a recognized means of discouraging corruption. See for example, UN, United Nations Convention Against Corruption, art. 13(1); OAS, Inter-American Convention Against Corruption, art. 3(11).



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may increase the credibility of the institution without risking abuse of the information the public entrusts to the OEP.

Increase access to information about the registration process

The OEP should make better use of its website to share information and rapidly disseminate decisions and instructions that affect the development of the electoral process. In this way, the OEP will help create confidence among officials and citizens by demonstrating its transparency and safeguarding individuals' freedom of access to information.³¹ The OEP should design and monitor procedures that guarantee the unvarying application of processes by all the CDEs throughout the entire electoral process. Systematized and standard information will reduce confusion and better instruct citizens about what procedures to follow while registering and voting.

Continue to promote effective and efficient overseas registration

Given the distinct administrative and bureaucratic traditions among countries as diverse as Spain, Brazil, the United States, and Argentina, it is essential that future electoral processes for Bolivians abroad anticipate the best way to ship election materials internationally, identify voting precincts, and provide security for election officials, materials, and financial resources.

LEGAL AND NORMATIVE RECOMMENDATIONS

The Carter Center offers the following legal and normative recommendations to the OEP.

Nominate final members of the Supreme Electoral Court

The Center urges the OEP to seek the appointment of the two members (*vocales*) it requires to complete the body in compliance with Article 29 of the Electoral Law. Nominating all the officials will allow the court to meet quorum even in the case that one member is absent. It will also facilitate the clear resolution of other cases that come in the court's jurisdiction or administrative responsibilities. With

only three members, the OEP has only the minimum number required to convene the court, and responsibilities are greater for each of the members. This situation constitutes a vulnerable state for the main electoral management body, which needs three members present to make decisions.

Clearly define the boundaries of special districts

The boundaries of special districts should be clearly defined to guarantee the universal right to vote,³² the absence of discrimination,³³ and fair and equal representation of vulnerable and indigenous groups in Congress.³⁴

The boundaries of special districts should be clearly defined to guarantee the universal right to vote, the absence of discrimination, and fair and equal representation of vulnerable and indigenous groups in Congress.

Increase voter education campaigns on the registration process

The OEP should ensure civic education and informational campaigns not only domestically but also abroad to motivate citizens to participate and effec-

31 Timely access to information is critical in the context of the electoral process. The right to access information is codified in UN, ICCPR, art. 19; OAS, ACHR, art. 13.

32 UN, ICCPR, art. 25 (b); OAS, ACHR, art. 23 (b); OAS, IADC, para. 3

33 UN, ICCPR, arts. 2, 26; OAS, ACHR, art. 1; OAS, IADC, para. 9

34 UN, Convention Concerning Indigenous and Tribal Peoples in Independent Countries, art. 6(1)(b); OAS, IADC, para. 9



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During tabulation, an election official shows each ballot while another official writes the results on a chalkboard.

tively inform Bolivians about all matters related to the elections, including changes to the electoral calendar, the relocation of voting and registration stations, the repercussions these changes may have, and the rationale for such changes.

Promote gender parity in the electoral process

To honor international commitments and to comply with domestic regulations, the OEP should rigorously enforce gender parity in candidate lists presented by each political party.³⁵ Women most frequently occupied lower positions in the political hierarchy and were often distanced from decision making. This constitutes a violation of the principles of gender equity and is a serious human rights infringement.³⁶

Respect for gender equality not only depends on norms but also requires affirmative action on behalf of the state, which includes applying norms and creating greater awareness of gender issues and the full assimilation of women in all arenas of society.³⁷ The OEP could take a leadership role by organizing a large-scale civic education campaign that actively promotes women's rights and gender equality.

The OEP should implement regulations to ensure that gender equality through the new law of alternate parity be respected not only in multi-member districts but also in single-member districts and in special cir-

cumscriptions. A code of conduct for political parties to promote gender equality between men and women could contribute to a fair placement of women on party lists.

Suspend resettlement programs during electoral processes

The OEP should be sensitive to the possibility of increased tension in areas where the National Plan of Settlement and Land Distribution is in process. In these areas, instances of violence could have impeded registration or permitted duplicate registrations of citizens who are in the process of relocating to a new region. The Carter Center recommends that resettlement programs be suspended during electoral processes. If that is not possible, the OEP should take measures to guarantee that all citizens are allowed to register to vote whether or not they are being resettled.

Promote electoral dispute resolution mechanisms throughout the electoral process

To guarantee the greatest protection of citizens' rights, the OEP should consider creating a dispute resolution system that functions throughout the electoral process, including for appeals related to rights protected under the constitution.

In future elections, the OEP should consider additional measures to guarantee that Bolivians living abroad have the right to vote. It should consider adopting a new electoral law that safeguards the principles of equality, universal suffrage, and freedom from discrimination for all citizens.³⁸

³⁵ UN, CEDAW, arts. 3, 4(1), and 7; UN, CEDAW Committee, paras. 15 and 29

³⁶ UN, CEDAW, art. 7

³⁷ UN, CEDAW, art. 3

³⁸ UN, ICCPR, arts. 2, 25, and 26; OAS, ACHR, art. 1 and 23; OAS, IADC, para. 9



APPENDIX A

ACKNOWLEDGEMENTS

Organizing and executing an international election observation mission requires the support and coordination of many individuals and organizations. The Carter Center is immensely grateful to all who have participated in this mission.

First and foremost, The Carter Center would like to express its gratitude to the OEP for inviting the Center and facilitating the observation of the voter registration and general elections. Furthermore, the Center thanks the Bolivian people, electoral officials, political parties, and national observers for their warm welcome.

The Center is grateful for funding from the Dutch government. Its support allowed The Carter Center to conduct an in-depth assessment of the voter registration process.

The Carter Center recognizes the dedication and commitment of the long-term observers: Ricardo Amaro, Daniel Barnes, Francisco Conte, María Luísa Changoluisa, Ángel Lindao, Santiago Mariani, Abril Pérez, Ricardo Rodrigues, Javier Salkeld, and Richard Lappin. These individuals worked tirelessly to collect information about voter registration throughout the country, and in Argentina and Brazil. Their adventurous spirit and good humor as well as their analytical skills gave a personable face to the mission and provided high-quality analysis of the electoral processes. In addition, the Center thanks the short-term observers who not only evaluated election day procedures but also assisted with mission preparation.

The Carter Center is extremely grateful for the work of talented individuals in the La Paz field office. The mission would not have been possible without the direction of field office director Nicolas Fernández Bravo. In turn, he was supported by two deputy field office directors, Javier Salkeld and Santiago Mariani. Their political analysis and coordination ensured the success of the mission. Ingo Boltz and



An election official prepares his polling station for opening at 6:00 a.m. on election day.

Marta Henriques Pereira provided astute analyses of the technical and legal aspects, respectively, of the election for the mission. The mission's accountant, Viviana Zamora, and head chauffer, Mario Arias, worked tirelessly to support the mission. The Center is thankful for their spirited and generous contribution. In addition, the staff of The Carter Center permanent office in Bolivia deserves many thanks for efforts to help the observation mission: country director Alejandro Nató, media specialist Hugo Quintana, and José María Paz.

The mission would not have been possible without the direction of the Carter Center staff in Atlanta. The mission was directed by Marcelo Varela Erasheva, associate director of the Americas Program, with Dr. Jennifer McCoy, director of the Americas Program, and Dr. David Carroll, director of the Democracy Program. Ana María Rueda, assistant project coordinator, worked tirelessly and with good humor to coordinate observers and logistics. Finally, Sarah King, program assistant, organized the mission's budget, and intern Natalie Alm kept the delegation updated on political and electoral developments in Bolivia.



APPENDIX B

THE CARTER CENTER OBSERVATION DELEGATION AND STAFF

DELEGATION LEADERS (DEC. 6 ELECTIONS)

Dr. Jennifer McCoy, Director, Americas Program,
The Carter Center, USA

Marcelo Varela Erasheva, Associate Director,
The Carter Center, Costa Rica

Nicolás Fernández Bravo, Field Office Director,
The Carter Center, Argentina

Alejandro Nató, Carter Center Permanent
Representative to Bolivia, Argentina

Santiago Mariani, Deputy Field Office Director,
Argentina

SHORT-TERM OBSERVERS (DEC. 6 ELECTIONS)

Natalie Alm, International Studies and
Spanish, USA

Belisario de Azevedo, Economist, Argentina

Francisco Díez, Mediator, Argentina

Laura Ertmer, Consultant, USA

Angela Lederach, Public Policy Research
Associate, USA

William Orme, Independent Media Consultant, USA

LONG-TERM OBSERVERS (AUGUST–DECEMBER 2009)

Daniel Barnes, Political Scientist, USA

Francisco Conte, Regional Electoral Organization
Director, Electoral Tribunal, Panamá

María Luisa Changoluiza, Sociologist, Ecuador

Ángel Lindao, Engineer of Tourism and the
Environment, Ecuador

Abril Pérez, Political Anthropologist, Nicaragua

Ricardo Amaro Rodrigues, International
Relations Specialist, Brazil

Javier Salkeld, Political Science and International
Relations, Perú

CONSULTANTS

Ingo Boltz, Information Technology Consultant,
Germany

Marta Henriques Pereira, Legal Analyst, Portugal

Richard Lappin, Elections Consultant,
United Kingdom

STAFF

Dr. David Carroll, Director, Democracy Program,
The Carter Center, USA

Mario Arias, Driver, The Carter Center, Bolivia

Hugo Quintana, Media Adviser, The Carter Center,
Bolivia

Ana María Rueda, Assistant Project Coordinator,
The Carter Center, Colombia

Viviana Zamora, Accountant and Field Assistant,
The Carter Center, Bolivia



APPENDIX C

TERMS AND ABBREVIATIONS

AS	Social Alliance, <i>Alianza Social</i>	OEP	Plurinational Electoral Body, <i>Órgano Electoral Plurinacional</i>
BSD	Social Democratic Bolivia, <i>Bolivia Social Demócrata</i>	Observado	Electoral registry of a citizen who does not have the required documentation (birth certificate) as a proof of citizenship or age
CNE	National Electoral Court, <i>Corte Nacional Electoral</i>	Padrón	Voters list
CDE	Departmental Electoral Court, <i>Corte Departamental Electoral</i>	PPB	Progressive Plan for Bolivia, <i>Plan Progreso para Bolivia</i>
Depuración	The process of cleansing the voters list of records that should not appear in the voters list, such as duplicate records and records of underage or the names of deceased people	PULSO	Villages for Sovereignty, <i>Pueblos para la Soberanía</i>
EU	European Union	RET	Transitional Electoral Regime, <i>Régimen Electoral Transitorio</i>
LTO	Long-term observer	SEC	Supreme Electoral Court
MAS	Movement Toward Socialism, <i>Movimiento al Socialismo</i>	STO	Short-term observer
MUPSA	Movement for Patriotic Social Unity, <i>Movimiento de Unidad Social Patriótica</i>	UN	Nacional Unity, <i>Unidad Nacional</i>
OAS	Organization of American States		



APPENDIX D

MEMORANDUM OF UNDERSTANDING



THE
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Convenio de Observación Electoral entre la Corte Nacional Electoral de Bolivia (CNE) y el Centro Carter Proceso Electoral 2009

Conste por el presente un "Convenio de Observación Electoral Internacional" suscrito entre la Corte Nacional Electoral de Bolivia y el Centro Carter de acuerdo a las siguientes cláusulas:

Preámbulo

Las partes de este Convenio

RECONOCIENDO la invitación formal de fecha 19 de abril de 2009, extendida por la Corte Nacional Electoral al Centro Carter, para la realización de una Misión de Observación Internacional Electoral con el objetivo de acompañar el proceso de conformación e implementación del padrón electoral biométrico y el proceso electoral de diciembre de 2009,

RESPETANDO la Declaración de Principios para la Observación Internacional de Elecciones y el Código de Conducta para Observadores Internacionales de Elecciones adoptado por las Naciones Unidas el 27 de octubre de 2005 en relación al rol, la conducta y las obligaciones de los observadores internacionales,

HAN ACORDADO que el Centro Carter está autorizado a organizar una Misión de Observación Electoral (MOE), que incluirá personal, expertos y observadores de largo y corto plazo, de conformidad con los temas y condiciones establecidas en este Convenio.

Cláusula Primera: De las Partes.-

Son partes en la suscripción del presente Convenio

- a. **LA CORTE NACIONAL ELECTORAL**, representada por su Presidente, el Ing. Antonio José Costas Sitic, que en adelante se denominará **CNE**.
- b. **EL CENTRO CARTER**, representado por el Dr. Alejandro Nató, Representante Permanente del Centro Carter en Bolivia, que en lo sucesivo se denominará **Centro Carter**.

Cláusula Segunda: Objetivos.-

El presente Convenio tiene como objeto

1. Observar el proceso de conformación e implementación del padrón electoral biométrico y del proceso electoral de diciembre de 2009 convocado por Ley de la República N° 4021 de 14 de abril de 2009, a fin de constatar la correspondencia de éste con las Normas vigentes y con el Código Electoral de la República de Bolivia;
2. Asegurar transparencia, imparcialidad e integridad del proceso de conformación e implementación del padrón electoral biométrico y del proceso electoral de diciembre de 2009;
3. Poner a disposición de los actores del proceso, el cúmulo de experiencia y conocimiento de los miembros del Centro Carter para brindar sugerencias de solución de problemas de índole electoral;



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4. Hacer sugerencias y elaborar recomendaciones a fin de contribuir al perfeccionamiento del sistema electoral en Bolivia. Todo lo anterior en fiel cumplimiento a la Declaración de Principios para la Observación Internacional de Elecciones.

Cláusula Tercera: Compromiso.-

La Misión de Observación Internacional Electoral se instalará en la ciudad de La Paz y desarrollará actividades propias de las misiones de observación internacional, referidas al registro e inscripción de ciudadanos, la participación ciudadana, logística electoral, capacitación y demás actividades pertinentes dentro del ámbito de aplicación de la Declaración de Principios para la Observación Internacional de Elecciones.

Cláusula Cuarta: Derechos, Prerrogativas y Deberes.-

Derechos y Prerrogativas

- a) La CNE garantiza a la Misión todas las facilidades para el cumplimiento adecuado de su Misión de Observación Electoral del proceso de conformación e implementación del padrón electoral biométrico y del proceso electoral de diciembre de 2009, de conformidad con las normas vigentes en el Estado Plurinacional de Bolivia y los términos de este convenio.
- b) La CNE, durante el proceso de conformación e implementación del padrón electoral biométrico y del proceso electoral de diciembre de 2009, y los periodos anteriores y posteriores al proceso electoral, garantizará a la Misión el libre desplazamiento y movimiento en todo el territorio boliviano así como el acceso de sus observadores a todas las áreas de los organismos que conforman el sistema electoral.
- c) La CNE garantizará a la Misión el pleno acceso a los órganos electorales que tienen a su cargo las actividades de inscripción y registro de ciudadanos, a nivel municipal, departamental y nacional, durante el proceso de conformación e implementación del padrón electoral biométrico y las actividades de votación, escrutinio y totalización de votos, a nivel municipal, departamental y nacional del proceso electoral de diciembre de 2009.
- d) La CNE suministrará a la Misión toda la información referente a la organización, dirección y supervisión del sistema de registro biométrico y del proceso electoral de diciembre de 2009. La Misión podrá solicitar a la CNE la información adicional necesaria para el ejercicio de sus funciones, y la CNE proveerá a la Misión la información solicitada.
- e) La CNE facilitará a la Misión la información relativa a los sistemas biométricos de registro y los sistemas informáticos de gestión electoral.
- f) La CNE hará conocer y difundirá entre todos los órganos electorales el contenido de este Convenio.

Deberes

- a) La Misión desarrollará sus funciones de observación sin menoscabo de la soberanía del Estado y de la independencia de la CNE.
- b) La Misión informará a la CNE acerca de las irregularidades e interferencias que se observe o que le fueran comunicadas. Asimismo, la Misión podrá solicitar a la CNE información sobre las medidas que al respecto se hubieren tomado, y la CNE proveerá a la Misión la información solicitada.
- c) La Misión podrá emitir informes públicos y periódicos como resultado de la observación in situ de este proceso electoral.



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- d) La Misión comunicará al Presidente de la CNE los nombres de las personas que integrarán la Misión, los que estarán debidamente identificados con una credencial de la identificación, elaborados especialmente para la Misión.
- e) La Misión deberá actuar con imparcialidad, objetividad e independencia en el cumplimiento de su cometido.
- f) La Misión emitirá a la CNE una copia del informe final de la Misión.
- g) La Misión operará bajo los principios de imparcialidad, transparencia e independencia respetando la Declaración de Principios para la Observación Internacional de Elecciones y el Código de Conducta para Observadores Internacionales de Elecciones.

Cláusula Quinta: Duración.-

El presente Convenio tendrá una vigencia desde la suscripción hasta el 30 de enero de 2010, pudiendo prorrogarse de común acuerdo con la Corte Nacional Electoral de Bolivia.

Cláusula Sexta: Sujeción al marco legal vigente.-

Las partes de este convenio acuerdan de manera expresa, sujetarse a las leyes, reglamentos y demás disposiciones administrativas, que en materia electoral emanen de la Corte Nacional Electoral de Bolivia.

Cláusula Séptima: Discreción y Reserva.-


La Misión deberá emitir sus informes, comentarios y/o recomendaciones, así como denuncias, las cuales deberán ir debidamente soportadas con los elementos probatorios correspondientes a la CNE y en coordinación con éste, hacer públicas las informaciones pertinentes que coadyuven a la buena marcha del proceso electoral.

Cláusula Octava: Conformidad.-

El presente Convenio se suscribe en la ciudad de La Paz a los diez y nueve días del mes de agosto de dos mil nueve años, en doble ejemplar por los representantes legales.


Por la Corte Nacional Electoral
Ing. Antonio Costas Sitic
Presidente


Por el Centro Carter


Dr. John Hardman
Presidente y Director Ejecutivo
Centro Carter



APPENDIX E

BOLIVIA'S INTERNATIONAL OBLIGATIONS FOR DEMOCRATIC ELECTIONS

BOLIVIA – STATUS OF RATIFICATIONS

Treaty/Declaration	Status	Date
International Covenant on Civil and Political Rights	Ratified	Aug. 12, 1982
International Convention on the Elimination of all Forms of Racial Discrimination	Ratified	Sept. 12, 1982
International Convention on Economic Social and Cultural Rights	Ratified	Aug. 12, 1982
Convention on the Elimination of Discrimination Against Women	Ratified	June 8, 1990
Convention on the Political Rights of Women	Ratified	Sept. 22, 1970
International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Ratified	Oct. 16, 2000
Convention on the Rights of Persons with Disabilities	Ratified	Nov. 16, 2009
Convention on the Rights of the Child	Ratified	June 26, 1990
United Nations Convention against Corruption	Ratified	Dec. 5, 2005
Universal Declaration of Human Rights	Adopted*	Dec. 10, 1948
American Convention on Human Rights	Ratified	June 20, 1979
Inter-American Convention on the Granting of Political Rights to Women	Ratified	Aug. 22, 2001
Inter-American Convention Against Corruption	Ratified	Jan. 23, 1997

**As a declaration the UDHR has not undergone a process of ratification. Bolivia was one of 48 states that originally adopted the declaration by proclamation in 1948. Although not designed as a legally binding treaty, the UDHR is widely considered binding as customary international law.*



APPENDIX F
CARTER CENTER PRESS RELEASES

NEWS

THE
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ONE COPENHILL, ATLANTA, GA 30307

FOR IMMEDIATE RELEASE

CONTACTS:

In Atlanta: Deborah Hakes 1+404-420-5124

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**CARTER CENTER LAUNCHES VOTER REGISTRATION
OBSERVATION MISSION TO BOLIVIA**

August 26, 2009

The Carter Center launched a voter registration observation mission to Bolivia this week by deploying six long-term observers to cover all of the country's nine departamentos (districts). The Center's observers will monitor the biometric voter registration process, focusing on the administration of voter registration, citizen participation, voter registration complaints, and related issues. The Center's assessment will be made against criteria based on Bolivia's electoral laws and constitution and the country's international commitments regarding democratic elections.

The biometric registration process, which includes the scanning of fingerprints and photographs of eligible voters, is being conducted under a tight timeline in advance of elections scheduled for December.

"The objective of the Center's mission is to provide a credible and impartial assessment of the biometric voter registration process in Bolivia," said Marcelo Varela, associate director of the Carter Center's America's Program.

The Carter Center observers represent a diverse team from seven countries: Ecuador, Brazil, Peru, Nicaragua, Germany, the United States, and Argentina. The Carter Center mission was invited by the National Electoral Court (CNE) of Bolivia to observe the electoral process, and a Memorandum of Understanding between the CNE and the Center was signed on Aug. 19.

The Carter Center conducts its election observation activities in accordance with the Declaration



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

of Principles for International Election Observation, adopted at the United Nations in 2005, and with applicable Bolivian law. The Center will remain in close communication with the Bolivian authorities, all political parties, candidates, domestic observ-

ers and civil society organizations, media, and other domestic observer missions.

The Center will release periodic public statements on its findings, available on its Web site: www.cartercenter.org.



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NEWS

THE
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ONE COPENHILL, ATLANTA, GA 30307

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CONTACTS:

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In La Paz: Nicolás Fernandez Bravo +591-77553849

**CARTER CENTER CONTINUES OBSERVATION OF
BOLIVIA'S BIOMETRIC CENSUS REGISTRATION PROCESS**

September 17, 2009

LA PAZ... At the invitation of the National Electoral Court, The Carter Center is continuing to observe the process of the biometric census registration in all of the departments of Bolivia, including rural districts, isolated areas, special districts, and some cities outside of the country. The team of long-term observers, comprised of professionals from Ecuador, Peru, Germany, Argentina, Nicaragua, Brazil, the United States, Costa Rica, and Portugal, will remain in Bolivia until the registration process has concluded and the biometric census is complete.

To date, The Carter Center has observed that the process has unfolded smoothly and wishes to recognize the effort put forth by the authorities and officials of the National Electoral Court, the departmental courts, and the officials at the registration centers, who have worked long shifts with a notable amount of responsibility. Similarly, the Center also recognizes the enormous democratic commitment shown by the Bolivian people, who have come out in force to the registration centers.

Carter Center observers noted that the majority of the registration centers they visited operated for extended hours on a daily basis, offering clear information about the process and, in the case of the mobile units, a timeline of their routes. The technical equipment was received at all of the centers they visited and the observers confirmed that the replacement of damaged equipment was completed in the time predicted and according to the geographical complexities of the Bolivian territory. The technical problems associated with digitally capturing information, especially fingerprints, did not seem to cause a substantive effect on the quality of the information gathered. Also, they found that the procedures designed to identify the population according to their ethnic background were not applied consistently in all of the special districts. Some minor problems occurred between activists from the different political forces but The Carter Center believes that the gestures of respect and tolerance made by some of the party leaders are of crucial importance for maintaining peace and civic enthusiasm going into the beginning of the electoral campaigns.



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The Carter Center believes it is still premature to evaluate the entire process and urges all of the actors to maintain order and respect for the development of the process underway. Both the capture of information and the verification and purging of the biometric electoral census record constitute crucial steps that will confer legitimacy, transparency, and consistency to the instrument being developed by the National Electoral Court. The Carter Center will continue to observe the process of data transmission and the compilation of the electoral registry. The quality of the information in the biometric electoral census is one of

the fundamental elements for fostering citizen trust in the electoral process.

The Carter Center conducts its election observation activities in accordance with the Declaration of Principles for International Election Observation, adopted at the United Nations in 2005, and with applicable Bolivian law. The Center will remain in close communication with the Bolivian authorities, all political parties, candidates, domestic observers and civil society organizations, media, and other domestic observer missions.



THE CARTER CENTER

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NEWS

THE
CARTER CENTER



ONE COPENHILL, ATLANTA, GA 30307

FOR IMMEDIATE RELEASE

CONTACTS:

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In La Paz beginning Dec. 2: +591-60557413;

In La Paz: Nicolás Fernández Bravo +591-60556549

**THE CARTER CENTER COMMENDS ADVANCES IN BOLIVIA'S
BIOMETRIC VOTER REGISTRY BUT URGES MORE TRANSPARENCY IN PROCESSING
DATA AND TIMELY RESOLUTION TO THE SITUATION OF CITIZENS
CONDITIONALLY ALLOWED TO VOTE ("OBSERVADOS")**

Dec. 1, 2009

LA PAZ... In a report released today, The Carter Center commended the publication of the biometric voter registry by the National Electoral Court (CNE) for contributing significantly to the transparency of the Dec. 6 elections. However, the Center urged the CNE to provide more information about the data processing steps used to screen the voter list and create the new registry. The Center further asked the CNE to employ mechanisms by which citizens who have been conditionally allowed to vote may present their birth certificates to electoral officials and thus secure their right to vote.

The Carter Center observation mission has been impressed by the dedication and commitment of the Bolivian electoral authorities to register voters in a short period of time using biometric technology for the first time. Carter Center observers witnessed a surprisingly large participation in the registration process. More than 5,000,000 Bolivians turned out

to register, surpassing the anticipated target by more than one million people.

The impressive turnout and collection of biometric registration data has generated high expectations regarding the quality of the new voter registration list. However, the processing and screening of the database has presented challenges due to the volume of information and to technical and infrastructure limitations. As a result, the CNE has adopted measures to increase the speed of the screening duplicates from the voter register database.

Complying with Article 24 of the Transitional Electoral Regime (Law 4021), the CNE compared the database generated by the biometric voter registration with the civil registry. As a result, 400,671 citizens who appeared in the new voter registry but did not appear in the civil registry were given a conditional voting status. The Center believes that the decision



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

to grant conditional voting status to citizens without a certificate that confirms their identity was legally adequate. However, the CNE should recognize the context of their decision and consider a way to allow these citizens to exercise their political rights. The Center commends the CNE for permitting the gradual inclusion of these irregular cases in the voter registry. Likewise, to clarify other doubts about the voter registry, the Center urges the CNE to provide more information to the general public and the political parties about the methods used to speed up the processing and screening of the voter registry.

In the report, the Center presents recommendations and preliminary results based on direct observation of the registration process, a technical analysis of the data processing, and an analysis of the legal framework governing electoral processes in Bolivia.

The Carter Center concluded that the CNE faced several difficulties in part due to using compact discs to store and transmit biometric data instead of using an online system as planned. Difficulties also arose from the pressure to finish the voter registration process before the general elections, creating the need to accelerate the rate of processing biometric data and screening the voter registration list.

Though the mission affirms that Bolivia's legal framework offers a solid base for conducting democratic elections, it also notes a lack of gender parity in the lists of candidates for the Plurinational Legislative Assembly, as required in Article 9 of the Transitional Electoral Regime.

Based on the conclusions of the report, The Carter Center offers recommendations to electoral authorities for future electoral processes, including using an online system to transmit information and that the biometric data and screening process occur within the time period required by the AFIS system so that the information may be processed most effectively. The CNE should develop a significant campaign that will contribute to the recognition and exercise of wom-

en's rights and gender equity in electoral processes. Finally, The Carter Center urges the CNE to keep citizens well-informed about the processes of developing a biometric voter registry.

Working at the invitation of the CNE and under the terms of an agreed MOU with the CNE, The Carter Center has been observing the electoral process in Bolivia since August, focusing primarily on the new biometric voter registration process. The Center deployed six long-term observers in August, along with several technical and electoral experts. The Center's observation mission will assess the Bolivian electoral process based on Bolivia's legal framework and its international obligations regarding genuine democratic elections.

The Carter Center will continue to observe the finalization of the biometric register, and will deploy a small observer team for the Dec. 6 elections. At the conclusion of the mission, the Center will submit a final report to the National Electoral Court and will disseminate a final public report.

The Carter Center conducts election observation missions in accordance with the Declaration of Principles of International Election Observation and Code of Conduct that was adopted at the United Nations in 2005 and has been endorsed by 33 election observation groups.

"Waging Peace, Fighting Disease, Building Hope"

The Carter Center: A not-for-profit, nongovernmental organization, The Carter Center has helped to improve life for people in more than 70 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers in developing nations to increase crop production. The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. Please visit www.cartercenter.org to learn more about The Carter Center.



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THE
CARTER CENTER



Carter Center Election Observation Mission in Bolivia

Public Report – Dec. 1, 2009

Background and Observation Methodology

The Carter Center observed the process of voter registration from mid-August to Oct. 15. Since October, the Center has observed the process of screening the biometric registration data base for duplicate records.

The Carter Center observation is based on Bolivia's electoral legislation, its Constitution, and its international obligations to conduct genuine democratic elections.

In Bolivia, the Center's mission has consisted of three core activities:

- (a) a study of current electoral legislation and international commitments related to the organization and administration of democratic elections;
- (b) the direct observation of the registration process focusing on the infrastructure of registration centers, the technical aptitudes of operators, the degree of citizen information and the participation of Departmental Electoral Courts;
- (c) an analysis of the logistical and technical aspects of the capture, transmission, custody, storage and processing of the biometric information, on the basis of which the biometric register is currently being prepared.

As part of the mission, the Center's representatives in La Paz have met regularly with authorities and representatives of the CNE, Electoral Departmental Courts, the principal political parties and movements, the media, international organizations, and scholars.

In the field, Carter Center observers recorded their findings on observation checklists. In addition, observers interviewed officials responsible for the citizen registers, and have maintained regular contact with Departmental Electoral Courts. Observers also interviewed different social and political stakeholders, including representatives of civil society organizations, political parties, religious congregations, civic committees, social movements, indigenous organizations, intellectuals, labor unions and communicators, amongst others.

Carter Center observers visited all departments of Bolivia, traveling close to 30,000 kilometers. In addition, special teams visited twelve registration centers in the cities of New York and Washington, D.C. (United States), six in Buenos Aires, and one in Mendoza (Republic of Argentina), and six registration centers in Madrid and Barcelona (Spain). In



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total, the Center observed 327 registration centers in Bolivia, Brazil, Spain, Argentina, and the United States.

Carter Center observers collaborated closely with Bolivia Transparente, the consortium of Bolivian NGOs, by sharing information regarding electoral observation methods.

The mission's expert on information technology visited the Processing Center (Data Center), though access was limited. The expert also visited registration centers in Coroico, the Lake Titicaca zone (Copacabana), Huanuni, Cobija, Santa Rosa del Abuná, Senda, Madre de Dios and Rivalta. He was also able to observe data transmission from several registration centers that had Internet connection (*online*) in La Paz and El Alto.

Legal framework of the Bolivian electoral process

The present electoral process is governed by the Political Constitution of the State (CPEB in Spanish) and the Transitory Electoral Regime (RET, Law 4021). This norm establishes the application of the Electoral Code, the Political Parties Law, and the Citizens and Indigenous Peoples Unions Law when faced with omissions on the part of the RET. The National Electoral Court and Departmental Courts issue circulars and guidelines with the purpose of making operative the electoral process.

The CC carries out its observation and analysis activities on the basis of these legal commitments and following internationally agreed precepts for the organization and administration of democratic elections, to which the Plurinational State of Bolivia adheres voluntarily.¹

The present legal framework provides a solid basis for democratic elections and an electoral system that guarantees the rights recognized by international standards for democratic elections. Nonetheless, during the biometric voter registration, the Carter Center's mission has identified some areas of concern which should be addressed to guarantee the full expression of these rights:

1. Designation of the total number of CNE Directors
2. A continual updating of the CNE Web page
3. Clarify the criteria to be applied in the territorial delimitation of Special Constituencies for the assignment of seats in the Chamber of Representatives of the Plurinational Assembly
4. Establish criteria relative to the relocation of citizens during electoral processes
5. Compliance with the terms established in the electoral calendar
6. Creation of a system that permits citizens the right of appeal



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7. Promote compliance with parity in the representation of women in the lists of candidates for the Plurinational Legislative Body
8. Permit the registration and voting of all Bolivian citizens living abroad

Technical analysis of data processing

Although the Center's technical expert had very limited access to key data processing centers and information, the Center was able to observe the process for the capture, transmission, custody, storage, processing and depuration of demographic biometric information for the elaboration of the new biometric electoral register.

The observation of this process has permitted the Carter Center's mission to identify three elements which could effect the preparation of the biometric electoral register. However, it is important to highlight that restricted access to biometric information processing centers in La Paz has prevented the mission from generating a comprehensive and final technical analysis of this process.

Storage, custody, and transmission of data: According to the initial plan, registration centers with an Internet connection would transmit registration data in real time to the data center in La Paz. Mobile registration centers and those that did not have a connection to Internet would send their registration data in compact discs daily to one of the 50 centralization offices, which would store the information and send it via Internet to the data center.

This transmission scheme was not executed primarily due to: 1) the difficulty in obtaining Internet lines with sufficient broad band capacity; 2) technical problems with the software that registration centers/centralization offices would use to communicate with the data center servers; 3) delays in the setting up of the principal and secondary data centers. Due to these delays, the principal data center, which should have been in operation from the beginning of the biometric registration process, only began to operate on Oct. 15. The secondary data center started operations on Sept. 5.

As a result of these limitation and technical difficulties, the CNE implemented a system for the collection of registration data through compact discs (CDs). The data CDs were collected by inspectors at the registration centers, then stored in the Departmental Electoral Courts and later sent to the data centers in the city of La Paz. For future elections, the Center recommends that the transmission of biometric data be done via the Internet to ensure greater efficiency and transparency.

Information processing speed: The principal data center was intended to have the capacity to store biometric data for the entire Bolivian population and screen 60,000 registers per day. The secondary data center should have been able to screen 10,000 registers per day.



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According to the information supplied by CNE, the AFIS¹ of the secondary data center was not able to screen 10,000 registers during the first weeks of operation. Officials originally expected that this number would be greater, taking into consideration that the speed of the screening process (in this case, 10,000 registers per day) was calculated starting from a “full” data base. However, according to information received by the mission, the AFIS of the secondary data center is now processing 50,000 registers per day. The faster processing speed is due to the fact that new servers have been added in order to increase the data center’s capacity and processing speed.

The CNE informed The Carter Center that it adopted contingency measures in order to avoid additional delays in the electoral calendar and the elections scheduled for Dec. 6. However, the lack of access to information on these key aspects of the registration process prevented the Center from being able to fully assess data processing and the pertinence of the contingency measures. In the absence of clear public information about these issues, the media and general public have expressed doubts about the screening and cleansing processes via the AFIS system. The Center believes that greater transparency on procedures for data processing will help clarify these issues

Screening / cleansing of biometric registers: At the time of writing, the Center has been granted access to the data center only once. The Center observed the data center on Oct. 15, at which time 1,812,528 biometric registrations had been processed and 13,000 registrations had been identified by the AFIS system as possible duplicates. These cases were remitted for verification to the fingerprint experts who indicated that approximately 50 percent of such cases had been confirmed as duplicates. Thus there has been an identification of a 0.38 percent of duplicates on the basis of 1.8 million registrations.

During field work, observers identified four possible causes for duplicate registrations: 1) in the absence of the *online* correction system, citizens registered more than once in an attempt to correct errors in the registers; 2) due to pressure exerted by labor unions and/or social groups associated with the mine in Huanuni, persons registered near the mine as well as at the site of their residence; 3) when faced with the loss of the registration form and the difficulties to obtain a copy, citizens opted for a new registration in order to avoid penalties (i.e. restrictions for banking procedures); and 4) citizens who registered more than once did so to be able to obtain a document with a better photograph.

The Carter Center’s mission does not have the technical capacity to refute the existence of that 0.38 percent of duplications. Thus the information that the CNE may share will help dispel doubts about the new electoral register that national stakeholders are beginning to voice to the media.



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Preliminary assessment of the biometric registration

On the basis of the methodology previously described, and the observation work in the field during the citizen registration process, The Carter Center mission offers the following preliminary assessment:

1. Carter Center observers had free access to all registration centers and to the information provided by mobilizers, operators, notary publics, and inspectors at the registration centers and officials of the Departmental Electoral Courts and CNE. Furthermore, there was evidence that the work carried out by the CNE, Departmental Electoral Courts and their officials was performed with transparency and dedication.
2. After the registration process was finalized in October, the CNE imposed strict limitations on observer access to the principal data center and to information about the processing of biometric information.
3. Overall the training of operators, notaries, mobilizers, and inspectors was adequate, permitting the citizenry to exercise the right to register without unfounded restraints. Nonetheless, observers noted that on several occasions the guidelines imparted by the CNE and the individual decisions taken by the Departmental Electoral Courts caused confusion and led to inconsistent procedures at sensitive points in the process. For example: a) the information regarding the procedure for citizens who wished to register, particularly if they had to wait for the arrival of notices; b) the validity of the necessary documentation to be able to register when living abroad; c) procedures to establish the criteria for citizens' place of residence; d) procedures for the daily transmission of the information gathered by supervisors; e) the protocol for sending the information to the central level and the follow-up with compact discs containing biometric information.
4. Civic and electoral education campaigns abroad were not able to effectively inform the Bolivian population regarding the electoral registration calendar, the use of biometric data at the registration centers, the decision of not transmitting this information electronically and the application of penalties. In spite of these problems, the work of the CNE representatives in each one of the foreign nations should be commended, as they worked tirelessly to create education and dissemination campaigns to increase the participation of Bolivian citizens.
5. The delay caused at the start of the registration of citizens abroad (from September 1 to 15) and the absence of an information mechanism to clarify doubts and confusions regarding the delay, contributed to a lack of trust and reduced the motivation of the Bolivian population living abroad.
6. In general, the equipment at the registration units operated effectively. There were two types of difficulties present in all registration centers: a) fingerprint scanners were not able to capture complete fingerprints in cases of the elderly or of those with worn out fingerprints; b) every 8-10 persons registered in the unit faced technical problems that made it necessary to start from the beginning. These faults affected the speed of



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registration, but in the end did not constitute a serious obstacle to the satisfactory development of the process.

7. During fieldwork, Carter Center observers did not perceive cases of discrimination or intimidation that would suggest the presence of organized strategies for discrimination vis-à-vis groups of citizens purposefully preventing some people from registering.
8. Citizens have been allowed to register in centers outside of their zone, city or department of residence. This provision has generated accusations by parties of the opposition, in particular reference to citizens that have registered outside of the Pando Department with the intention of voting there during the Dec. 6 elections. These accusations are not unfounded. The number of citizens registered in Pando increased by 34 percent (from 32,510 to 43,855) with respect to the previous electoral register. Whether this increase represents a registration pattern that is unique to Pando cannot be assessed without statistical information on the number of citizens that registered out of their area of residence in the nation.
9. In compliance of article 21 of the law N° 4021 (Régimen Electoral Transitorio) the CNE compared its biometric data with the data base of the Civil Registry. As a result, 400,671 citizens, which had previously registered in the biometric electoral list using the valid documents permitted by law (Cédula de Identidad, Registro Único Nacional o Libreta de servicio Militar), were conditionally included in the voter's list by the CNE upon presenting their birth certificate. This decision, not foreseen in the law, was based on the fact that those citizens, while registered to vote, do not appear in the data base of the Civil Registry. The Carter Center believes this has been a difficult but wise decision.
10. The Center recognizes the good will demonstrated by the CNE to assure the participation of citizens in the electoral processes. This is reflected in the accreditation of national observers of the Bolivia Transparente consortium. The participation of civil society organizations strengthens citizens' confidence in Bolivian institutions and contributes to a transparent electoral process.

Recommendations

On the basis of the information collected, the events described and the issues discussed in this report, the Carter Center's mission presents the following recommendations:

Relative to norms:

1. The Center urges the CNE to propose to the National Congress the nomination of the two remaining directors to complete the Plenary Court of the highest electoral authority, in accordance with article 29, section f, of the Electoral Law (LE in Spanish). The appointment of the total number of directors will permit the CNE to have a quorum for meetings, even if some directors are absent, and it will resolve with greater celerity the matters under its jurisdiction. At present, three members of



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the CNE represent a minimum quorum to meet in the Plenary Court, thus increasing the responsibilities of each one of its directors.

2. The CNE should take advantage of the Internet web page resource to provide daily information and rapidly disseminate decisions and guidelines that affect the development of the elections process. This would create more confidence among stakeholders and citizens, demonstrating transparency in the actions of the CNE and guaranteeing the right of access to information.
3. To guarantee the right to universal suffrage, equity and the absence of all forms of discrimination at elections, the criteria for territorial delimitation of the Special Constituencies should be clearly defined -- for the assignment of seats as well as for the procedure to be followed during the electoral registration.
4. The CNE should anticipate possible conflict situations in regions where the National Plan for the Distribution of Land and Settlements is being developed. These situations may have hindered registration or increased the possibility of duplicate records of citizens in the resettlement process. For future elections, it is advisable that the relocation programs be suspended during election processes. If this is not possible, the CNE should adopt measures to guarantee that all citizens can register.
5. Citizen registration should be carried out without affecting the elections calendar. In this case, the adjustments to the calendar have resulted in a very short period for the publication of the electoral register, with very little time before the presidential and legislative elections, hindering the ability of political parties and citizens to process corrections and/or present claims, which if not duly answered could limit the political rights of citizens.
6. In an effort to increase the protection of citizens' rights, the creation of a system that allows citizens the recourse of appeal at different levels is important, including the scope of constitutional protection of the fundamental rights.
7. Respect for gender equality between men and women does not exclusively depend on the existence of a norm, but requires affirmative action on the part of the State. The State should assure its application and also generate a greater social awareness of gender equity. In this sense, the CNE should exercise a leadership role by means of a massive campaign of civic education that actively promotes the rights of women and gender equality.
8. For future elections, the CNE should consider steps to promote the rights of Bolivians living abroad to vote. This may require changes to the electoral law in order to preserve the principles of equality, universal suffrage, and the rights against discrimination.



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Technical matters (electronic data processing):

9. To provide greater transparency and to clarify questions about the process of creating and screening the biometric electoral register, the CNE should:
 - a) Guarantee free access to Carter Center observers to all data processing centers and complete information regarding the screening of the registers, as stipulated in the agreement signed by both parties on Aug. 19, 2009; and
 - b) Provide additional public reports about the characteristics of the processing of the information on the biometric electoral register.
10. For future elections, the CNE should consider transmission via the internet for biometric data. If the use of the CDs is to continue in the future as a principal system, the Center recommends the introduction of a system for “*asset tracking*” (bar code, RFID, or similar) for an adequate control and follow-up of the CDs in the system.
11. Considering the technical limitations of the AFIS system for future elections, with respect to the speed of data processing. The CNE should take measures to ensure that the registration process is carried out within the periods of time required by the AFIS system for an effective processing of information.
12. With the goal of guaranteeing the political rights of citizens who were given conditional voting status in the biometric registry, the CNE should take the necessary measures to facilitate and include them in the biometric voter registry. In this way, those citizens will also be able to exercise their right to vote on Dec. 6.

Operational Recommendations:

13. The CNE should design and supervise procedures that will assure a uniform compliance by the Departmental Electoral Courts. This will permit the systematization of information to guide citizens regarding the procedures to be followed during the electoral registration process.
14. Civic and election education campaigns carried out abroad should effectively inform the Bolivian population on all matters pertaining to the electoral process. This should include explanations for delays and any repercussions on the election process itself.
15. For future elections, in order to prevent the possibility of manipulation of the citizen register by persons voting outside their place of residence, the CNE should recommend the design and distribution of a new document for the identification of citizens. This document should be prepared on the basis of the biometric electoral register and would facilitate the confirmation that the voter effectively lives in the place where he/she is exercising the right to vote independently from the site where the registration took place.

The Carter Center conducts election observation missions in accordance with the Declaration of Principles of International Election Observation and Code of Conduct that was adopted at the United Nations in 2005 and has been endorsed by 33 election observation groups.



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NEWS

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CARTER CENTER DELEGATION TO OBSERVE BOLIVIA'S DEC. 6 ELECTIONS

December 3, 2010

LA PAZ... The Carter Center announced today that it will deploy a small observation delegation to Bolivia's Dec. 6 elections, led by Jennifer McCoy, director of the Center's Americas Program. Because of the relatively small scale of the election day mission, the delegation will not provide an overall assessment of the conduct of polling and counting procedures. Instead, the mission will focus on the general environment surrounding the elections. After the elections, the mission will prepare a preliminary statement covering the election day environment as well as the findings from the Center's long-term observation of voter registration and other electoral preparations.

The Carter Center released on Dec. 1 its latest report on the finalization of the biometric register process, available at www.cartercenter.org. In the report, the Center presents recommendations and preliminary conclusions based on direct observation of the registration process, a technical analysis of the data processing, and an analysis of the legal framework governing electoral processes in Bolivia. Previous reports of the long-term mission are also available on the Carter Center's Web site.

Working at the invitation of the National Electoral Court and under the terms of an agreed MOU with the CNE, The Carter Center has been observing the electoral process in Bolivia since August, focusing primarily on the new biometric voter registration process. The Center deployed six long-term observers in August, along with several technical and electoral experts. The Center's observation mission is conducted in accordance with the Declaration of Principles for International Election Observation and Code of Conduct that was adopted at the United Nations in 2005 and has been endorsed by 35 election observation groups. The Center is assessing the Bolivian electoral process based on Bolivia's legal framework and its international obligations regarding genuine democratic elections.

"Waging Peace, Fighting Disease, Building Hope"

The Carter Center: A not-for-profit, nongovernmental organization, The Carter Center has helped to improve life for people in more than 70 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental



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health care; and teaching farmers in developing nations to increase crop production. The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his

wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. Please visit www.cartercenter.org to learn more about The Carter Center.



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**CARTER CENTER COMMENDS BOLIVIANS ON PEACEFUL ELECTION DAY
AND URGES NATIONAL ELECTORAL COURT TO STRENGTHEN CONFIDENCE IN
THE BIOMETRIC REGISTER**

December 7, 2009

Carter Center Limited Election Observation Mission
Preliminary Statement

LA PAZ... The Carter Center limited observation mission in Bolivia found election day to be generally peaceful and that the new biometric voter list served the purposes for which it has been implemented. The Center recommends that Bolivian society and the National Electoral Court (CNE) continue to strengthen their efforts to consolidate credibility in their institutions.

The Carter Center deployed an 18-person team from seven countries to observe the Bolivian general elections on Dec. 6. The team was led by Dr. Jennifer McCoy, director of the Americas Program, and focused on the functioning of the new biometric registry at the polling stations and the general atmosphere that prevailed on election day. Because of the limited scope of the mission, the Center will not provide an overall assessment of polling and counting procedures. This preliminary statement covers the

election day environment as well as the findings from the Center's long-term observation of voter biometric registration.

At the invitation of the CNE, the Carter Center's long-term observation mission has been in Bolivia since mid-August to observe voter registration and the implementation of the new biometric voter registry. Since then, the Center has maintained a permanent team that focused on four integrated areas: the empirical observation of the biometric registration process and political campaigns; a technical analysis of the capture, transmission, custody, and processing of biometric information; and an analysis of the legal framework subscribed to by the Bolivian State with respect to democratic election standards.

The main findings and recommendations of the Center's long-term observation mission of the biometric voter registry process are below. Election day was characterized by a peaceful atmosphere and high voter turnout. At the booths where



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the Center was present, observers noted massive citizen participation at the opening of the polls. With the exception of one polling station, which due to a lack of ballots opened late and caused confusion among voters, the polling booths observed were free of irregularities.

The Center recognizes the good will demonstrated by the CNE to assure the participation of citizens in the electoral process. While the CNE showed great dedication to the electoral process, uncertainty and confusion could have been avoided if they had provided clearer and timelier information.

Carter Center observers had uninhibited access to all registration and polling stations during the entire registration process and on election day. The mission found that the electoral officials with whom they met were properly trained and fulfilled their responsibilities with dedication.

The citizens with whom the observers interacted showed confidence in the biometric register. Observers noted that the majority of voters presented their registration documentation and voter identification to compare with the biometric voter list at the polling booth. Citizens remarked that the inclusion of voter photos in the register marked a significant change from previous elections.

Citizens demonstrated their civic commitment and boosted confidence in the elections through their participation as political party delegates and observers in the consortium of NGOs, Bolivia Transparente.

International observers from The Carter Center, the Organization of American States, the European Union, and other international delegations and organizations also helped create confidence in the election process.

Copies of full reports from the Carter Center's observation mission can be found at www.cartercenter.org.

In the general context of the deep social and political transformations Bolivia is undergoing, this election marks the starting point for the implementation of the new constitution, which implies the redesign of the legal and institutional framework of the Bolivian State. During the next six months, the new Plurinational Legislative Assembly faces the challenge of designing and passing five laws that are fundamental to guaranteeing the rule of law. The Movimiento al Socialismo (MAS), as the majority party in the legislature as well as the executive, has the primary responsibility for drafting these laws. However, as President Evo Morales said in his Dec. 6 speech, it will be very important to have a broad and inclusive consultation with the other political parties, the regions of the country, and social sectors to generate laws with as strong a public backing and legitimacy as possible.

The Carter Center conducts election observation missions in accordance with the Declaration of Principles of International Election Observation and Code of Conduct that was adopted at the United Nations in 2005 and has been endorsed by 35 election observation groups.



APPENDIX G

REGISTRATION AND ELECTION DAY CHECKLISTS

EMPADRONAMIENTO BIOMÉTRICO ELECTORAL

LISTA DE CHEQUEO

EMPADRONAMIENTO ELECTORAL BOLIVIA 2009 - LISTA DE CHEQUEO.			THE CARTER CENTER					
Nombres del equipo:		Equipo #:	Fecha:					
Region:	Departamento:	Llegada:		am pm				
Nombre centro de empadronamiento		Centro #:	Salida:		am pm			
Horas de operación del centro: _____ am pm / _____ am pm / _____ am pm			Tipo de centro:					
ESTADÍSTICAS DEL PADRÓN ELECTORAL								
1. ¿Cuántas personas se empadronaron en este centro hoy?		4. ¿Cuántas personas se empadronaron en este centro desde que empezó a operar?						
2. ¿Cuántas mujeres se empadronaron en este centro hoy?		5. ¿Qué porcentaje de mujeres se han empadronado hoy? _____ %						
3. Si es posible calcular, ¿cuántos jóvenes (edades 18-24) se empadronaron en este centro hoy?		6. ¿Cuánto tiempo toma empadronarse? (Promedio basado en 5 registros).						
7. ¿Cuántos empadronamientos tiene el centro calculados para hoy?		7. ¿Cuántas personas mayores de 65 años se empadronaron aproximadamente en este centro hoy?						
OPERACIÓN DEL CENTRO DE EMPADRONAMIENTO								
<p>Instrucciones: lea con atención. Basándose en sus observaciones, escriba una 'X' en el espacio apropiado de la columna "Observación directa". Por favor <u>únicamente</u> escriba una X en "N/A" (No Aplica) si no puede contestar la pregunta, o no es relevante hacerlo. Si usted respondió "No" a alguna pregunta, o alguna irregularidad ocurrió, <u>tiene que</u> suministrar más información al respecto en la sección de "Comentarios" en la parte de abajo del formato.</p> <p>Cuando sea posible, pregúntele a observadores locales y/o partidos políticos acerca de sus observaciones antes de su llegada y registre sus respuestas en la columna "Reportado al CC". Por favor tenga en cuenta que debe registrar sus respuestas incluso cuando difieran de sus observaciones directas.</p>								
			Observación directa		Reportado al CC			
			SI	NO	N/A	SI	NO	N/A
8. ¿El centro de empadronamiento empezó a operar a tiempo?								
9. Con respecto a las unidades de empadronamiento móviles, ¿el equipo de empadronamiento llegó al lugar de acuerdo al día y hora determinados por la Corte Departamental Electoral?								
10. ¿Estaban presentes los agentes de empadronamiento indicados? Si no, por favor indique los agentes ausentes.								
11. ¿Las ausencias de agentes de empadronamiento fueron manejadas efectivamente?								
12. ¿Los agentes de empadronamiento estaban bien entrenados y organizados?								
13. ¿Se recibieron las cantidades adecuadas de materiales necesarios al empezar a operar el centro de empadronamiento?								
14. Antes de empadronarse, ¿se les pidió a los ciudadanos que mostraran alguno de los tres documentos de identificación aceptados (RUN, Libreta militar o Cédula)?								
15. Teniendo el documento de identificación adecuado, ¿les fue permitido empadronarse a todos los ciudadanos?								
16. ¿La ineligibilidad se determinó con base en criterios razonables y objetivos?								
17. ¿Se cumplieron todos los pasos del registro? Si no, por favor indique cuáles pasos no se cumplieron: <input type="checkbox"/> Información personal suministrada por el ciudadano <input type="checkbox"/> Documento de identificación del ciudadano escaneado por el operador <input type="checkbox"/> Foto digital del ciudadano <input type="checkbox"/> Captura de las huellas digitales del ciudadano <input type="checkbox"/> El ciudadano recibe y firma el formulario de su empadronamiento								
18. ¿El proceso de empadronamiento se desarrolló sin problemas técnicos o logísticos? Si no, por favor marque el problema apropiado en la lista: <input type="checkbox"/> Huellas digitales débiles, húmedas o desgastadas <input type="checkbox"/> Poca luz para la fotografía <input type="checkbox"/> Problemas con el escaner de firma <input type="checkbox"/> Problemas con electricidad/Fuente de energía <input type="checkbox"/> Problemas con el almacenamiento de la información <input type="checkbox"/> Otros								
19. ¿Los formularios de empadronamiento son claros y legibles?								
20. ¿Había agentes disponibles para quienes hablan otros idiomas? (Aymara, Quichua, Guarani, otros).								
21. ¿Los ciudadanos parecen entender el proceso de empadronamiento?								
22. ¿Había facilidades para el empadronamiento de personas con discapacidades?								
23. ¿Había facilidades para el empadronamiento de mujeres con niños?								
24. ¿Las personas mayores de 65 años tuvieron acceso al proceso de empadronamiento?								
25. ¿Había observadores nacionales en el centro de empadronamiento? Por favor indique cuáles organizaciones estaban representadas.								



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EMPADRONAMIENTO BIOMÉTRICO ELECTORAL
LISTA DE CHEQUEO

¿Había presencia de partidos políticos en el centro de empadronamiento? Por favor indique cuáles partidos políticos estaban representados.									
26. ¿Los observadores nacionales y los representantes de partidos políticos tuvieron acceso razonable al proceso de empadronamiento?									
27. ¿El proceso de empadronamiento se llevó a cabo ordenada y pacíficamente?									
28. ¿Pueden los ciudadanos empadronarse sin intimidación, hostilidad o violencia?									
29. ¿Los actores parecen conocer y comprender el procedimiento de quejas y denuncias?									
30. ¿Los agentes del empadronamiento siguen el procedimiento para recibir quejas y denuncias?									
31. ¿Fueron las quejas y denuncias manejadas de forma imparcial y efectiva?									
32. ¿Estaban presentes las fuerzas de seguridad o la policía?									
33. Si lo estaban, ¿jugaron un rol positivo en el ambiente del proceso de empadronamiento en general?									
34. ¿El registro se llevó a cabo pacífica y ordenadamente?									
35. ¿Les fue permitido registrarse a los ciudadanos que llegaron antes de la hora del cierre?									
PREGUNTAS PARA EL PERSONAL DEL EMPADRONAMIENTO ELECTORAL									
¿El equipamiento tecnológico ha funcionado correctamente hasta el momento? (Si no, por favor indique el tipo de problema y cómo fue resuelto)									
37. ¿Los agentes de empadronamiento fueron entrenados en el uso de la tecnología?									
38. ¿Cuántos días/horas de entrenamiento recibieron los agentes de empadronamiento?									
39. ¿Los agentes de empadronamiento saben qué hacer en caso de que la tecnología falle?									
40. ¿El personal recibió apoyo adecuado de la Corte Departamental Electoral o de la CNE cuando fue necesario?									
41. ¿La recolección de datos por parte del inspector se efectuó en el centro de manera efectiva?									
42. ¿La transmisión de datos al Centro de Datos se efectuó de acuerdo a lo previsto?									
PREGUNTAS PARA CIUDADANOS, OBSERVADORES LOCALES Y PARTIDOS									
¿Hubo suficiente educación cívica para que los ciudadanos comprendieran el proceso de empadronamiento electoral?									
45. ¿Cómo se sienten los ciudadanos con respecto a la tecnología utilizada en el empadronamiento? Por favor escriba sus respuestas en la sección de "Comentarios".									
46. Sobre el total de ciudadanos empadronados ¿qué porcentaje había sido notificado?									
47. ¿Ha habido casos en los que los ciudadanos se estén intentando empadronar nuevamente porque la brigada móvil no cumplió su cronograma original?									
48. ¿Cuánto tiempo les tomó para llegar al centro de registro? (Aproximadamente, a partir de 5 casos)									
COMENTARIOS									
<p>Instrucciones: en el espacio de abajo, por favor suministre detalles con relación a la pregunta #32 así como a las preguntas a las que respondió "No". Por favor también suministre detalles sobre quejas o irregularidades ocurridas en el centro de registro que usted observó. Si necesita espacio adicional, por favor adjunte páginas adicionales al reporte o escriba en la parte de atrás de la hoja.</p>									



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

PLANILLA DE APERTURA DE LA MESA ELECTORAL

ELECCIONES GENERALES Y REFERENDOS AUTONÓMICOS BOLIVIA 2009			
	Nombres del Equipo de Observadores:		Equipo #:
	Distrito Electoral:	Departamento:	Ciudad:
	Nombre del Recinto Electoral:		Hora de llegada: am pm
	Mesa Electoral #:		Hora de salida: am pm
			Si No N/A
1	¿Es accesible el área electoral para todos los votantes, incluyendo a los discapacitados?		
2	¿Es tranquilo el ambiente alrededor del recinto electoral?		
3	¿El recinto electoral se encuentra libre de actividades y de materiales de campaña?		
4	¿El recinto electoral y su entorno no presentan obstrucciones que impidan el libre movimiento de los votantes, los jurados electorales y/o otros?		
5	¿Cuántas personas se encuentran inscritas en la mesa electoral? _____		
6	¿Estuvieron presentes con suficiente antelación como mínimo el presidente, el secretario y uno de los vocales de la mesa electoral para preparar dicha mesa antes del inicio de la votación?		
7	¿Estuvieron presentes con suficiente antelación el presidente, el secretario y los cuatro vocales de la mesa electoral para el inicio de la votación?		
8	¿El proceso de apertura estuvo libre de interferencia? (incluyendo el personal de seguridad y los delegados de los partidos políticos)		
9	¿Todos los materiales electorales de la mesa electoral fueron entregados en forma segura y oportuna por el notario alrededor de las 6:00am?		
10	¿El secretario llenó los puntos del Acta Única de Apertura, Escrutinio y Cómputo que se deben llenar durante la instalación de la mesa electoral (código de mesa; hora (punto 1); nombre, documento de identidad y firma de los jurados electorales presentes (punto 2) y nombre, documento de identidad y firma de delegados de partidos políticos si están presentes (punto 6)?		
11	¿La mesa electoral tiene exhibido su número de identificación y la lista de votantes de esta mesa ordenado por orden alfabético?		
12	¿El recinto electoral fue organizado de acuerdo a los procedimientos? (En caso contrario, por favor indicar si esto pudo tener un efecto negativo sobre el desarrollo de la votación).		
13	En caso de que alguno de los jurados de mesa no haya llegado a la mesa electoral, ¿El notario escogió su reemplazo entre los votantes alfabetos en la fila de la mesa electoral previamente a su apertura? Por favor indique el número el número total de mujeres como jurados electorales (e.g. 5/6): _____ / _____		
14	¿Se enseñó vacía el ánfora (urna de votación) a todos los presentes incluyendo a los delegados de partidos políticos y observadores?		
15	¿Una vez que se enseñó que el ánfora estaba vacía, fue ésta sellada con el precinto de seguridad y fue colocado el visor (plástico que permite ver las papeletas de sufragio dentro del ánfora)?		
16	¿El presidente de la mesa electoral realizó el conteo de las papeletas de sufragio para verificar que su número fuera igual al número de votantes en la lista índice en esa mesa electoral?		
17	¿Se abrió la mesa electoral a las 8:00am? Si no, a qué hora abrió? _____ ¿Por qué no se abrió la mesa electoral a las 8:00am? Por favor marque todos los que apliquen: O Los jurados electorales no entienden bien los procedimientos O Materiales insuficientes O Materiales llegaron tarde O Menos de seis (6) jurados electorales O Otros _____		
18	¿Estuvieron presentes delegados de los partidos políticos en la apertura de la mesa electoral? (A continuación, por favor indique los nombres de los partidos que enviaron delegados, e indique si a alguno de los delegados se le impidió observar el proceso de votación.) Por favor indique el número de mujeres como delegadas de partidos políticos (e.g. 2/8): _____ / _____		
19	¿Estuvieron presentes observadores electorales locales durante la apertura de la mesa electoral? Por favor marque todo lo que aplique: <input type="checkbox"/> Bolivia Transparente <input type="checkbox"/> Otros _____		
20	¿Fueron apropiadas las condiciones en la mesa electoral para permitir que las personas acreditadas pudieran observar el desarrollo del proceso?		
21	¿Se presentaron denuncias o quejas en la mesa electoral?		
22	¿Se presentaron ciudadanos "observados" (habilitados condicionalmente) al momento de la apertura?		
23	¿Si se presentaron ciudadanos "observados" (habilitados condicionalmente), se les permitió votar?		
24	¿Si se presentaron quejas, el presidente respondió debidamente a dichas quejas?		



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

PLANILLA DE APERTURA DE LA MESA ELECTORAL

Evaluación General	
Instrucciones para esta sección: Coloque una 'X' junto a la frase que mejor describa su evaluación del ambiente electoral y del proceso de votación para esta mesa electoral. Si su respuesta es "malo" o "muy malo," es importante que usted ofrezca una explicación adicional en la sección de Comentarios.	
Muy Bueno - No hubo incidentes o irregularidades de importancia	
Bueno - Pocos incidentes e irregularidades menores; ninguno afectó en forma significativa la integridad del proceso	
Malo - Incidentes o irregularidades que en forma significativa afectaron la integridad del proceso	
Muy Malo - Incidentes o irregularidades de tal magnitud que hacen dudosa la integridad del proceso	
Comentarios	
Instrucciones: En el recuadro a continuación, por favor proporcione detalles sobre quejas o irregularidades que ocurrieron en la mesa electoral que usted observó. Usted debe ofrecer mayor detalle sobre las preguntas de observación a las que usted respondió con un "NO". En caso de requerir espacio adicional, por favor continúe en el reverso de la planilla de observación y/o añada hojas de papel adicionales.	



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

PLANILLA DE OBSERVACIÓN DEL PROCESO EN LA MESA ELECTORAL

ELECCIONES GENERALES Y REFERENDOS AUTONÓMICOS BOLIVIA 2009			
	Nombres del Equipo Observador:		Equipo #:
	Distrito Electoral:	Departamento:	Ciudad:
	Nombre d Recinto Electoral:		Hora de Llegada: am pm
	Mesa Electoral #:	Hora de Salida: am pm	
			Si No N/A
Fuera del Area Electoral			
1	¿Aproximadamente cuántos votantes esperan el fila para depositar su voto ?:		
2	¿Aproximadamente cuánto tiempo ha tenido que esperar la primera persona en la fila para depositar su voto?:		
3	¿El área de la mesa electoral es accesible a todos los votantes, incluyendo los discapacitados?		
4	¿Es tranquilo el entorno alrededor de la mesa electoral?		
5	¿El recinto electoral se encuentra libre de actividades y de materiales de campaña?		
6	¿El recinto electoral y su entorno están libres de obstrucciones que obstaculicen el libre movimiento de los votantes, funcionarios electorales y otros?		
7	¿Uno de los jurados electorales se responsabilizó del control de la fila de de los votantes?		
8	¿Cuántos votantes deben emitir su voto en esta mesa electoral? (Por favor revise la lista colocada la entrada del recinto electoral.)		
En el Interior del Recinto Electoral			
Nota: Las preguntas 9-11 requerirán que usted hable con jurados electorales y observadores locales. Por favor hágalo sin interferir en el proceso electoral.			
9	¿La mesa electoral se abrió a las 8:00am? Si no, a qué hora se abrió? _____ Si la mesa electoral no se abrió a las 8:00am, explique porqué. Por favor marque todo lo que aplique: O Los jurados electorales no entienden bien los procedimientos O Materiales insuficientes O Materiales llegaron tarde O Menos de seis (6) jurados electorales O Otros _____		
10	¿Cuántas personas han votado hasta el momento? _____		
11	¿Estuvieron disponibles suficientes materiales electorales para todos los votantes empadronados?		
12	¿La mesa electoral tiene exhibido su número de identificación y la lista de votantes de esta mesa ordenado alfabéticamente?		
13	¿Fue tranquilo el ambiente dentro del recinto electoral?		
14	¿Se realizó el proceso sin interferencias (incluyendo interferencias por parte del personal de seguridad y de los delegados de los partidos políticos)?		
15	¿El personal de seguridad se mantuvo fuera del recinto electoral a menos que fueran invitados a entrar por parte del presidente de la mesa electoral con el propósito de mantener el orden?		
16	¿Estuvieron presentes por lo menos tres (3) jurados electorales (incluyendo el presidente y/o secretario) en la mesa electoral? Por favor indique el número el número total de mujeres como jurados electorales (e.g. 5/6): _____ / _____		
17	¿Estuvieron presentes los delegados de los partidos políticos en el recinto electoral para observar las elecciones? (A continuación, por favor indique los nombres de los partidos que enviaron delegados, e indique si a alguno de los delegados se le impidió observar el proceso de votación.) Por favor indique el número de mujeres como delegadas de partidos políticos (e.g. 2/8): _____ / _____		
18	¿Estuvieron presentes observadores electorales locales durante la apertura de la mesa electoral? Por favor marque todo lo que aplique: O Bolivia Transparente O Otros _____		
19	¿Las condiciones en el recinto electoral permiten a las personas acreditadas observar efectivamente el desarrollo del proceso?		
Proceso de Votación			
20	¿Se comprobó que los dedos índice de los votantes estaban libres de trazos de tinta indeleble antes de presentar su documento de identificación y de recibir la papeleta de sufragio?		
21	¿El secretario corroboró que el votante se encontraba en la lista Índice?		
22	¿El votante firmó la lista Índice y colocó su huella dactilar en ella antes de recibir la papeleta de sufragio por parte del presidente?		
23	¿Todas las papeletas de sufragio fueron firmadas por todos los jurados de la mesa electoral antes de ser entregados a cada votante?		
24	¿Todas las papeletas de sufragio estaban libres de marcas?		



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

PLANILLA DE OBSERVACIÓN DEL PROCESO EN LA MESA ELECTORAL

		Yes	No	N/A
25	¿Todos los votantes en la fila pudieron votar? En caso de responder NO, por qué. Por favor marque todo lo que aplique: <input type="checkbox"/> No estaba en la lista índice <input type="checkbox"/> No tenía documento de identificación <input type="checkbox"/> Acudió al recinto equivocado <input type="checkbox"/> Otro _____			
26	¿Se presentaron casos de votantes empadronados que no se encontraban en la lista índice?			
27	¿Con base en sus observaciones, considera que las mujeres votaron en números iguales/similares que los hombres?			
28	¿Los jurados electorales explicaron claramente el procedimiento de votación a los votantes?			
29	¿Considera que los votantes estaban adecuadamente informados sobre el proceso de votación?			
30	¿Cuál fue el tiempo aproximado que cada votante utilizó para marcar y depositar su voto? _____			
31	¿Se ejerció presión sobre los votantes para que revelaran su voto mientras se encontraban en el recinto electoral?			
32	¿Se cumplió con los procedimientos, tanto por parte de los jurados electorales como por los votantes, para proteger la privacidad del voto dentro y alrededor del recinto electoral?			
33	¿En algún caso se prohibió a votantes depositar su voto cuando éstos se negaron a usar la cabina electoral?			
34	¿Se brindó asistencia imparcial a todos aquellos votantes que la requirieron?			
35	¿Antes de que los votantes abandonaran el recinto electoral, se procedió a marcar sus dedos índice con tinta indeleble?			
36	¿Una vez depositado el voto, el presidente firmó el certificado de sufragio del votante?			
37	¿Las mesas electorales fueron organizadas para facilitar una votación ordenada?			
38	¿Considera que los jurados electorales ejecutaron sus tareas efectivamente?			
39	¿Fueron las ánforas (urnas) debidamente selladas durante el período de su observación?			
40	¿Se realizó el proceso libre de las irregularidades mencionadas a continuación? En caso de responder NO, marque todas las que ocurrieron: <input type="checkbox"/> Duplicación de votos <input type="checkbox"/> Se rellenó la urna <input type="checkbox"/> Se interrumpió la votación <input type="checkbox"/> Votos de menores de edad <input type="checkbox"/> Otros _____			
41	¿Se presentaron quejas o denuncias en la mesa electoral?			
42	¿Se presentaron ciudadanos "observados" (habilitados condicionalmente) durante el proceso de votación?			
43	¿Si se presentaron ciudadanos "observados" (habilitados condicionalmente), se les permitió votar?			
44	¿Si se presentaron quejas, el presidente respondió debidamente a dichas quejas?			
45	¿Se observó situaciones de voto comunitario? Si su respuesta es SÍ, por favor describa la situación en la sección de Comentarios.			
Evaluación General del Proceso Electoral				
Instrucciones para esta sección: Coloque una 'X' junto a la frase que mejor describa su evaluación del entorno electoral y del proceso de votación en esta mesa electoral. Si su respuesta ha sido "malo" o "muy malo" es importante que usted ofrezca una explicación adicional en la sección de Comentarios.				
Muy Bueno - No hubo incidentes ni irregularidades de importancia				
Bueno - Pocos incidentes e irregularidades menores; ninguno afectó en forma significativa la integridad del proceso				
Malo - Incidentes o irregularidades que afectaron el proceso en forma significativa				
Muy Malo - Incidentes o irregularidades de tal magnitud que se puso en duda la integridad del proceso				
Comentarios				
Instrucciones: En el recuadro a continuación, por favor proporcione detalles sobre quejas o irregularidades que ocurrieron en la mesa electoral que usted observó. Usted debe ofrecer mayor detalle sobre las preguntas de observación a las que usted respondió con un "NO". En caso de requerir espacio adicional, por favor continúe en el reverso de la planilla de observación y/o añada hojas de papel adicionales.				



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

PLANILLA DE CIERRE DE VOTACIÓN Y ESCRUTINIO DE VOTOS

ELECCIONES GENERALES Y REFERENDOS AUTONÓMICOS BOLIVIA 2009			
	Nombres del Equipo de Observadores:		Equipo #:
	Distrito Electoral:	Departamento:	Ciudad:
	Nombre del Recinto Electoral:		Hora de llegada: am pm
	Mesa Electoral #:	Hora de salida: am pm	
			Si No N/A
Cierre de Votación			
1	¿Se le permitió votar a todos aquellos votantes que estuvieron en fila a las 16:00h (4:00 pm)?		
2	¿A las 16:00h (4:00 pm), aproximadamente cuantos votantes estaban en fila para votar?		
3	¿Se les permitió votar a todos aquellos votantes que llegaron después de las 16:00h (4:00pm)?		
4	¿Al momento del cierre de la votación, el ambiente alrededor de las mesas era tranquilo?		
5	¿Después de que el último votante depositó su papeleta de sufragio, los jurados electorales procedieron a sellar la urna de votos con el precinto de seguridad para no permitir la introducción de votos adicionales?		
Preparación Para el Escrutinio			
6	¿Los jurados electorales disponían de todos los materiales necesarios para completar el escrutinio (i.e. el Acta Única de Apertura, Escrutinio y Cómputo y sus nueve copias, sobre de seguridad, sobre para material de devolución, hojas de trabajo, etc.)?		
7	¿Los jurados electorales permitieron que las personas acreditadas entraran al recinto a observar el proceso de escrutinio?		
8	¿Antes de iniciar el escrutinio de votos, el presidente anunció el cierre de la votación en voz alta?		
9	¿Antes de iniciar el escrutinio de votos, los jurados electorales procedieron a anular todas las papeletas y certificados de sufragio que no se utilizaron?		
10	¿El secretario introduce las papeletas y certificados de sufragio anulados en el sobre de devolución?		
Proceso de Escrutinio			
11	¿A qué hora se inició el escrutinio? _____ pm		
12	¿Fue pacífico el ambiente durante el escrutinio?		
13	¿El secretario procedió a contar el número de votantes que emitió su voto en la lista índice?		
14	¿El presidente procedió a abrir el ánfora (urna), retirar los votos y presentar el ánfora vacía a los presentes?		
15	¿El presidente procedió a contar las papeletas de sufragio?		
16	¿El presidente corroboró que el número de papeletas de sufragio correspondiera exactamente al número de votantes que emitió su voto en la lista índice?		
17	¿Durante el escrutinio, estaban presentes personas no autorizadas?		
18	¿Todos los votos fueron anunciados en voz alta por el secretario ante las personas acreditadas?		
19	¿Los votos fueron contados con precisión?		
20	¿Cuantos votos fueron clasificados como inválidos (e.g. 5/240)? _____ / _____ Indique el número de votos determinados como inválido de acuerdo a los motivos a continuación: <input type="checkbox"/> # de identificación en la papeleta <input type="checkbox"/> Comentarios insultantes en la papeleta <input type="checkbox"/> Papeleta sacada al azar ante excedente de más del 10% de papeletas en comparación con votantes que emitieron su voto en lista índice <input type="checkbox"/> Ausencia de firmas de jurados en la papeleta _____ <input type="checkbox"/> Múltiples votos en la papeleta _____ <input type="checkbox"/> Otros _____		
21	¿Se procedió a registrar el número de votos de cada candidato en la pizarra y en la hoja de trabajo a medida que progresaba el conteo?		
22	¿El proceso de escrutinio estuvo libre de interferencias (incluyendo por parte del personal de seguridad y los representantes de los candidatos)?		



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

PLANILLA DE CIERRE DE VOTACIÓN Y ESCRUTINIO DE VOTOS

		Yes	No	N/A
Quejas e Impugnaciones				
23	¿El proceso de escrutinio estuvo libre de denuncias? Si la respuesta es NO, cuáles fueron los fundamentos de dichas denuncias. Por favor marque todo lo que aplique: <input type="checkbox"/> Insatisfacción del votante <input type="checkbox"/> Conteo equivocado <input type="checkbox"/> Invalidación de votos válidos <input type="checkbox"/> Validación de votos inválidos <input type="checkbox"/> Otros _____			
24	¿El proceso de escrutinio estuvo libre de denuncias oficiales?			
25	¿Los jurados electorales respondieron debidamente a las quejas o preguntas? Por favor anote en la sección de comentarios si la respuesta dada satisfizo a la persona que presentó la queja o denuncia.			
26	¿Fue impugnada el Acta Única de Apertura, Escrutinio y Cómputo? Si su respuesta es SI, por favor describa el proceso de resolución en la sección de Comentarios.			
Cierre de Mesa Electoral				
27	¿El secretario llenó los puntos del Acta Única de Apertura, Escrutinio y Cómputo que se deben llenar después del escrutinio de votos (resultados de la votación (punto 3); nombre, documento de identidad y firma de jurados electorales (punto 4); información del cierre de la mesa electoral (punto 5); nombre, documento de identidad y firma de delegados de partidos políticos si están presentes (punto 6) y observaciones (punto 7) si las hubo?			
28	¿El secretario hizo entrega de las copias del Acta Única de Apertura, Escrutinio y Cómputo a los delegados de los partidos políticos y al notario (si hay restantes, se le entregaron a los jurados electorales)?			
29	¿El secretario introdujo la copia original del Acta Única de Apertura, Escrutinio y Cómputo en el sobre de seguridad junto con la lista índice?			
30	¿El secretario hizo entrega del sobre de seguridad cerrado al notario?			
31	¿A qué hora se anunciaron los resultados del escrutinio en la mesa electoral? _____ pm			
32	¿El sobre de seguridad fue llevado a la Corte Departamental Electoral inmediatamente después de la culminación del escrutinio de votos?			
33	¿Existe un mecanismo para la transmisión de resultados del escrutinio de votos hacia la CNE? Si su respuesta es Si, por favor describalo.			
Digitalización de Actas				
34	¿El Acta Única de Apertura, Escrutinio y Cómputo fue validada por el operador después de haber sido escaneada?			
35	¿El Acta Única de Apertura, Escrutinio y Cómputo fue verificada por otro operador después de haber sido validada?			
36	¿Se presentaron problemas técnicos con el escáner?			
37	¿Los delegados de partidos políticos estuvieron presentes durante el proceso de digitalización de actas?			
Evaluación General				
Instrucciones para esta sección: Marque una 'X' junto a la frase que mejor describa su evaluación general del ambiente electoral y proceso de votación en esta mesa electoral. Si su respuesta es "Malo" o "Muy Malo", es importante que usted nos proporcione una explicación adicional en la sección de comentarios.				
Muy Bueno - No se registraron incidentes o irregularidades importantes				
Bueno - Pocos incidentes e irregularidades menores; ninguno afectó en forma significativa la integridad del proceso				
Malo - Incidentes o irregularidades que puedan afectar la integridad del proceso, pero no ponen en duda los resultados de la mesa electoral				
Muy Malo - Incidentes o irregularidades de tal magnitud que generan dudas significativas sobre la integridad del proceso y los resultados de la mesa electoral				
Comentarios				
Instrucciones: En el recuadro a continuación, por favor proporcione detalles sobre quejas o irregularidades que ocurrieron en la mesa electoral que usted observó. Usted debe ofrecer mayor detalle sobre las preguntas de observación a las que usted respondió con un "NO". En caso de requerir espacio adicional, por favor continúe en el reverso de la planilla de observación y/o añada hojas de papel adicionales.				



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

PLANILLA SÍNTESIS DE OBSERVACIÓN

ELECCIONES GENERALES Y REFERENDOS AUTONÓMICOS BOLIVIA 2009			
	Nombres del Equipo de Observadores:		
	Ubicación(es) (e.g. Distritos/Regiones):	Hora inicio: am pm	
	Número de Mesa Electorales visitadas por el Equipo :	Hora termina: am pm	
Por favor escriba en totales <u>numéricos</u> para TODAS las mesas electorales observadas (Por ejemplo si usted observó 10 mesas electorales la pregunta debe indicar: SI 6, NO: 3, N/A: 1)			Total # SI Total # NO Total # N/A
En la Parte exterior de la Mesa Electoral			
1	¿El área de la votación es accesible a todos los votantes, incluyendo a los discapacitados?		
2	¿Es tranquilo el entorno alrededor de la mesa electoral?		
3	¿El entorno de la mesa electoral se encuentra libre de materiales y actividades de campañas políticas?		
4	¿El área de la mesa electoral y su entorno se encuentran libres de obstáculos que impidan el libre movimiento de votantes, de jurados electorales o de otras personas?		
5	¿Uno de los jurados electorales se responsabilizó del control de la fila de de los votantes?		
6	¿Cuántos votantes deben emitir su voto en esta mesa electoral? (Por favor revise la lista colocada la entrada del recinto electoral.)		
Dentro del Area de la Mesa Electoral			
7	¿La mesa electoral se abrió a las 8:00am?		
8	¿Estaban en la mesa todos los materiales electorales necesarios para la votación de todos los votantes empadronados?		
9	¿La mesa electoral tenía exhibido su número de identificación y la lista de votantes de esta mesa ordenado por orden alfabético?		
10	¿El ambiente en el interior de la mesa electoral fue tranquilo?		
11	¿El proceso se desarrolló libre de interferencia (incluyendo interferencias del personal de seguridad y de los delegados de los partidos políticos)?		
12	¿El personal de seguridad permaneció fuera del recinto electoral a menos que haya sido invitado por el presidente de la mesa con el propósito de mantener el orden?		
13	¿Hubo por lo menos tres jurados electorales (incluyendo al presidente y/o secretario) presentes en la instalación de la mesa electoral?		
14	¿Estuvieron presentes en la mesa electoral los delegados de los partidos políticos para observar la votación?		
15	¿Estuvieron presentes en la mesa electoral los observadores locales para observar las elecciones?		
16	¿Las condiciones en la mesa electoral permitieron a las personas acreditadas observar efectivamente el desarrollo del proceso?		
Proceso de Votación			
17	¿Se comprobó que los dedos índice de los votantes estaban libres de trazos de tinta indeleble antes de presentar su documento de identificación y de recibir la papeleta de sufragio?		
18	¿Todas las papeletas de sufragio fueron firmadas por todos los jurados de la mesa electoral antes de ser entregados a cada votante?		
19	¿El votante firmó la lista índice y colocó su huella dactilar en ella antes de recibir la papeleta de sufragio por parte del presidente?		
20	¿Todas las papeletas de sufragio estaban libres de marcas?		
21	¿Todos los votantes en la fila pudieron votar?		
22	¿Se presentaron casos de votantes empadronados que no se encontraban en la lista índice?		
23	¿Con base en sus observaciones, considera que el número de mujeres que votó fue igual/similar al número de hombres?		
24	¿Explicaron claramente los jurados electorales los procedimientos de votación a los votantes?		
25	¿Considera que los votantes estaban adecuadamente informados sobre el proceso de votación?		
26	¿Durante su permanencia en el recinto electoral, observó casos de votantes que se vieron obligados a revelar su voto?		



OBSERVATION MISSION OF THE BOLIVIA VOTER REGISTRATION

PLANILLA SÍNTESIS DE OBSERVACIÓN

		Si	No	N/A
27	¿Se cumplió con los procedimientos, tanto por parte de los jurados electorales como por los votantes, para proteger la privacidad del voto dentro y alrededor del recinto electoral?			
28	¿En algún caso se prohibió a votantes depositar su voto cuando éstos se negaron a usar la cabina electoral?			
29	¿Se brindó asistencia imparcial a los votantes que la requirieron?			
30	¿Antes de abandonar el recinto electoral, se marcó el dedo índice de los votantes con tinta indeleble?			
31	¿Una vez depositado el voto, el presidente firmó el certificado de sufragio del votante?			
32	¿Las mesas electorales fueron organizadas para permitir un proceso de votación ordenado?			
33	¿Considera que los jurados electorales ejecutaron sus tareas efectivamente?			
34	¿Las ánforas permanecieron debidamente selladas durante el tiempo que duró su observación?			
35	¿El proceso se realizó libre de irregularidades importantes?			
36	¿Se presentaron quejas o denuncias oficiales?			
37	¿Se presentaron ciudadanos "observados" (habilitados condicionalmente) durante el proceso de votación?			
38	¿Si se presentaron ciudadanos "observados" (habilitados condicionalmente), se les permitió votar?			
39	¿Si se presentaron quejas, el presidente respondió debidamente a dichas quejas?			
Cierre de Mesa Electoral				
40	¿El secretario llenó los puntos del Acta Única de Apertura, Escrutinio y Cómputo que se deben llenar después del escrutinio de votos (resultados de la votación (punto 3); nombre, documento de identidad y firma de jurados electorales (punto 4); información del cierre de la mesa electoral (punto 5); nombre, documento de identidad y firma de delegados de partidos políticos si están presentes (punto 6) y observaciones (punto 7) si las hubo?			
41	¿El secretario hizo entrega de las copias del Acta Única de Apertura, Escrutinio y Cómputo a los delegados de los partidos políticos y al notario (si hay restantes, se le entregaron a los jurados electorales)?			
42	¿El secretario hizo entrega del sobre de seguridad cerrado al notario?			
43	¿El sobre de seguridad fue llevado a la Corte Departamental Electoral inmediatamente después de la culminación del escrutinio de votos?			
Digitalización de Actas				
44	¿El Acta Única de Apertura, Escrutinio y Cómputo fue validada por el operador después de haber sido escaneada?			
45	¿El Acta Única de Apertura, Escrutinio y Cómputo fue verificada por otro operador después de haber sido validada?			
46	¿Los delegados de partidos políticos estuvieron presentes durante el proceso de digitalización de actas?			
Evaluación General del Proceso Electoral				
Por favor escriba los totales <u>numéricos</u> para TODAS las mesas electorales observadas (por ejemplo un formulario podría indicar; Muy Bueno: 3, Bueno 3, Malo 2, Muy Malo: 2)				
Muy Bueno - No hubo incidentes o irregularidades significativas				
Bueno - Pocos incidentes o algunas irregularidades menores; nada que tenga un efecto significativo sobre el proceso				
Malo - Incidentes o irregularidades que afectaron en forma significativa la integridad del proceso				
Muy Malo - Incidentes o irregularidades de tal magnitud que se pone en duda la integridad del proceso				



APPENDIX H

ELECTION RESULTS

Candidate	Party	Votes	Percentage	Deputies	Senators
Evo Morales	Movement Toward Socialism	2,943,209	64.22	88	26
Manfred Reyes Villa	Progressive Plan for Bolivia—National Convergence	1,212,795	26.46	37	10
Samuel Doria Medina	United National Front	258,971	5.65	3	—
René Joaquino Carlos	Social Alliance	106,027	2.31	2	—
Ana María Flores	Movement for Patriotic Social Unity	23,257	0.51	—	—
Román Loayza	GENTE	15,627	0.34	—	—
Alejo Véliz	Villages for Liberty and Sovereignty	12,995	0.28	—	—
Rime Choquehuanca	Social Democratic Bolivia	9,905	0.22	—	—
	Valid Votes	4,582,786	94.31		
	<i>Blank Votes</i>	156,290	3.22		
	<i>Null Votes</i>	120,364	2.48		
	Total Votes	4,859,440	100		

Source: OEP

THE CARTER CENTER AT A GLANCE

Overview: The Carter Center was founded in 1982 by former U.S. President Jimmy Carter and his wife, Rosalynn, in partnership with Emory University, to advance peace and health worldwide. A nongovernmental organization, the Center has helped to improve life for people in more than 70 countries by resolving conflicts; advancing democracy, human rights, and economic opportunity; preventing diseases; improving mental health care; and teaching farmers to increase crop production.

Accomplishments: The Center has observed more than 80 elections in 30 countries; helped farmers double or triple grain production in 15 African countries; worked to prevent and resolve civil and international conflicts worldwide; intervened to prevent unnecessary diseases in Latin America and Africa; and strived to diminish the stigma against mental illnesses.

Budget: \$90.5 million 2009–2010 operating budget.

Donations: The Center is a 501(c)(3) charitable organization, financed by private donations from individuals, foundations, corporations, and international development assistance agencies. Contributions by U.S. citizens and companies are tax-deductible as allowed by law.

Facilities: The nondenominational Cecil B. Day Chapel and other facilities are available for weddings, corporate retreats and meetings, and other special events. For information, (404) 420-5112.

Location: In a 35-acre park, about 1.5 miles east of downtown Atlanta. The Jimmy Carter Library and Museum, which adjoins the Center, is owned and operated by the National Archives and Records Administration and is open to the public. (404) 865-7101.

Staff: 160 employees, based primarily in Atlanta.



MARTIN FRANK

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