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**REPORT OF THE ELECTORAL OBSERVATION MISSION ON THE PRESIDENTIAL
ELECTIONS IN THE DOMINICAN REPUBLIC**

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

ORGANIZATION OF AMERICAN STATES
WASHINGTON, D.C.

THE SECRETARY GENERAL

SG/UPD-931/00

August 31, 2000

Excellency:

I have the honor to address Your Excellency and to present to the Permanent Council the report of the OAS Electoral Observation Mission in the Dominican Republic on the general elections held in May 2000.

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

César Gaviria

His Excellency Ambassador Valter Pecly Moreira
Permanent Representative of Brazil
Chair of the Permanent Council of the
Organization of American States
Washington, D.C.

ORGANIZATION OF AMERICAN STATES

REPORT

**ELECTORAL OBSERVATION MISSION
TO THE DOMINICAN REPUBLIC 2000**

Unit for the Promotion of Democracy

INDEX

I. Introduction 1

1. Request for an Electoral Observation Mission1

2. Legal Context1

2.1. Constitutional Provisions
2

2.2..... Electoral Act
2

2.3..... Regulations and Resolutions
5

3. Political Context6

3.1..... Background
6

3.2..... Candidates
6

3.3..... Surveys
8

4. Structure and Physical Distribution of the Mission9

II. Electoral Observation 11

1. Pre-Election Phase 11

1.1..... Voter Registration Card Process
11

1.2..... Pre-enrollment Phase
12

1.3..... Electoral Register
14

1.4..... Election Logistics
16

1.5..... Election Campaign
18

2. Election Day20

2.1..... Installation
20

2.2..... Enrollment
20

2.3..... Voting
21

2.4..... Vote Count
21

2.5..... Tally
21

22 2.6..... Rapid Count by the Mission

23 2.7..... Election Results

24 2.8..... Press Release by the Mission Chief

25 2.9..... Complaints

III. Conclusions and Recommendations..... 26

..... **1.**

..... **Conclusions**..... 26

2. Recommendations..... 27

IV. Financial Report..... 29

I. INTRODUCTION

1. Request for an Electoral Observation Mission

The Organization of American States (OAS) has been conducting electoral observation missions (EOM) in the Dominican Republic since 1966^{1/}. The most recent, and the subject of this report, was requested by the President of the Republic, Leonel Fernández, and by the President of the Central Electoral Board (JCE), Manuel Ramón Morel Cerda. In their notes to the Secretary General, César Gaviria Trujillo, they conveyed the invitation to the OAS, by the Government and the electoral authority, to monitor the latest regular presidential election, called for May 16, 2000.^{2/}

The Secretary General responded to both requests by stating that, although in principle the OAS was willing to send such a mission, its establishment, under the applicable provisions, was contingent upon external financing.^{3/}

To that end, proposals were submitted to various missions of OAS member states and permanent observer countries. The Government of the United States responded positively.^{4/}

Authorities in the Dominican Republic were informed that the necessary steps would be taken to organize the observation mission, and that the Secretary General had appointed Mr. Santiago Murray, Coordinator of the UPD's Electoral Technical Assistance area, to head the mission.

On March 21, 2000, the Agreement on Privileges and Immunities necessary for the accomplishment of the Mission's tasks and purposes was signed by Ambassador Flavio Darío Espinal, Permanent Representative of the Dominican Republic to the OAS, and the Secretary General.

For reasons explained in notes provided in Appendix 4, the Central Electoral Board (JCE) did not sign the Procedural Agreement with the General Secretariat. The Mission therefore adjusted its procedures to the provisions of the Regulations Governing Electoral Observations, adopted by the JCE at its meeting of January 18, 2000.^{5/}

¹ The EOM observed the elections of 1966, 1978, 1990, 1994, 1996, 1998, and 2000.

² The notes are attached in Appendix 1

³ The notes are attached in Appendix 2.

⁴ Nonetheless, because the assistance offered would not cover all programmed expenses, the funding request was redrafted and sent anew to some governments. Although no additional funding was secured, the resources proved sufficient because a second round of elections was not held. The corresponding financial report is commented upon in Appendix 3.

⁵ The Regulations are attached as Appendix 5.

2. Legal Context

The Dominican Republic's electoral system is governed by provisions of constitutional rank, provisions of the Election Act, regulatory principles, and decisions or findings of the Central Electoral Board.

2.1. Constitutional Provisions ^{6/}

Under the provisions of Article 4 of the National Constitution, "the Government of the Dominican Republic shall be civilian, republican, democratic, and representative," and its three branches—Legislature, Executive, and Judiciary—are functionally autonomous. The Constitution provides that electoral processes are to be directed by the Central Electoral Board and its subordinate boards.^{7/}

In its section on political rights, the Constitution stipulates that voting is mandatory, personal, free, and secret, and that all Dominicans 18 years of age or older, and minors who are or have been married, have the right to vote. However, neither members of the armed forces or police force, those who have lost their rights of citizenship, or whose such rights are suspended, may vote⁸. Since elections are conducted through a closed polling system, voters must go to their precincts, identify themselves, and be enrolled on a list of voters present, which, at a specified time, is closed so that polling may begin.^{9/}

The Constitution provides that the Executive is headed by the President of the Republic, who is elected by direct vote every four years and may not be reelected for the subsequent term of office.^{10/} It also provides that when none of the candidates for president or vice president receives a majority of the valid votes cast, a runoff election shall be called within the next 45 days. Only those two candidates who have received the largest number of votes in the first round may participate in the second.^{11/}

2.2. Electoral Act ^{12/}

Listed below are the principal regulations applicable to presidential elections:

- Central Electoral Board (JCE): Establishes the board as a legal entity with budgetary autonomy, composed of a president and four members elected by the Senate to serve a four-year term.^{13/}

⁶ The political crisis of 1994 led to the signing of the "Pact for Democracy," which provided for constitutional reform. Among the most important amendments relating to the Executive, immediate reelection was prohibited, and the runoff election was instituted for cases in which no candidate obtains more than 50% of the valid votes cast.

⁷ National Constitution, Article 92.

⁸ National Constitution (NC), Articles 12, 14, 15, and 88. See also Article 11, paragraph IV, which provides for dual citizenship.

⁹ NC, Article 89, and Electoral Act (EA), Article 34.

¹⁰ NC, Article 49.

¹¹ NC, Article 90.

¹² Electoral Act (EA) No. 275/97, passed on December 21, 1997.

The JCE has administrative and regulatory powers. It is also the sole body empowered to rule on electoral disputes. Its decisions can be appealed only in the cases specified by law.^{14/} Answerable to the JCE are the electoral boards located in the National District and in each of the 115 municipalities that constitute the country's political subdivisions (Art. 17).^{15/}

- Political Party Delegates: Each political party participating in the election can accredit a delegate to each electoral board and to the group of polling officers running each precinct. Additionally, parties that have received more than 2% of the valid votes cast in the most recent presidential election are authorized to appoint a technical observer to the JCE's data processing center. The other parties must agree upon two technical observers to represent them as a group.^{16/}
- Public Funding: The EA provides for public funding of political parties through a fund equivalent to ½% of the national revenue in general election years and ¼% in other years, and sets out specific rules for its distribution and for the rendering of accounts. Art. 35 prohibits contributions from foreign economic groups, governments, and institutions.^{17/}
- Nomination of Candidates: Must receive the vote of a majority of party delegates attending public conventions organized according to the internal rules of each political organization. If applicable rules have been violated, nominations must be presented to the JCE for consideration and approval or rejection. The law also provides for the presentation of independent candidates.^{18/} In addition, the law provides that candidacies can be changed only if a nominee dies or withdraws.^{19/}
- Electoral Register: The register is compiled by personal, mandatory, cost-free registration, and is reviewed every 10 years. Nevertheless, when the

¹³ Unlike what occurred on prior occasions, the five members of the JCE (Morel Cerda, Arias, Ramos, Pérez, and Cordero) were elected by the Senate, with votes from the PRD bloc, and without an agreement with the other blocs representing the Upper Chamber (PLD and PRSC). At that time, Manuel Ramón Morel Cerda was elected as president and Ana Teresa Pérez Báez, Luis Arias, Luis Ramón Cordero González, and Salvador Ramos as members. Conflicts arising from these elections led to an amendment of the electoral law to allow two new members, Julio César Castaños and Roberto Leonel Rodríguez Estrella, to be added for that term. Additionally, at the suggestion of the President of the Republic, a Political Party Agreement Monitoring Committee was formed, with Monsignor Agripino Nuñez Collado presiding.

¹⁴ EA, Art. 6.

¹⁵ EA, Arts., 3,4, and 17.

¹⁶ EA, Arts. 56 to 59.

¹⁷ Funding is broken down as follows during presidential election years: 25% divided in equal shares among parties or alliances that have presented independent candidates, and the remaining 75% in amounts proportional to the number of valid votes received by each party or alliance during the two most recent regular general elections. If there is a runoff, the two parties in question receive equal shares of an amount equivalent to 25% of the state funding for the first round. EA, Arts. 48 to 55.

¹⁸ EA, Arts. 69 to 77.

¹⁹ EA, Art.75

JCE considers it necessary, it has the authority to review municipal electoral registers at any time.^{20/} Late in the term of the previous JCE, the decision was taken to begin a new voter identification process nationwide. This process is referred to in the next chapter.

- **Polling Precincts and Officers:** In accordance with Art. 35 of the Constitution, the JCE, for each election, establishes such polling precincts and appoints such polling officers as it deems necessary. Each group of officers is composed of a president, a regular member, and a secretary, appointed by the appropriate electoral board. The officers are to set up the precinct one half hour before the time voting is to begin.^{21/} Polling materials are to be removed by the president and secretary no later than two days after the election. Their safekeeping is the responsibility of the president.^{22/}
- **Voting:** As provided in Art. 113, polling is conducted on a single day from 6:00 a.m. to 6:00 p.m., or until the last enrolled voter in line has cast a ballot. Female voters go to the polls in the morning, male voters in the afternoon. As mentioned earlier, the closed polling system means that, in addition to being listed on the electoral register, the citizen must fill out a form at the polling precinct, within predetermined hours, as a precondition for voting. Once the enrollment phase has concluded, the polling officers must draw a line closing the voter roll, so that voting may begin. The officers vote first, followed by the party delegates (even if not enrolled in that precinct). Priority is also given to the elderly, persons with physical disabilities, and pregnant women. A person with a disability can be accompanied by a person of his or her choice to help with the voting process. The voter receives a stamped ballot signed by the president, marks the box for the party of choice, and places the ballot in the ballot box. The voter then signs the roll and has his or her finger inked (indicating that he or she has voted).
- **Challenged Votes:** Any polling officer or delegate of a duly accredited political party can challenge a citizen's right to vote on grounds of false impersonation or on the basis of constitutional provisions. A voter refuting such a challenge receives a special ballot and his or her identification card is retained. These measures are placed on record. The person issuing the objection and the voter must appear the following day before the appropriate electoral board, which will decide whether to confirm or reverse the measure. If the objector fails to appear, the vote is considered valid.^{23/}
- **Vote Count:** Handled by the polling officers.^{24/} The steps are as follows:
 - The ballot box is opened.

²⁰ EA, Arts. 39 and 40.

²¹ EA, Arts. 34 to 38 and 114.

²² Register, ballots, ballot boxes, indelible ink, stamps, logs, etc.

²³ EA, Arts. 113 to 125.

²⁴ EA, Arts. 126 to 138.

- The number of ballots is compared to the number of individuals on the voter roll. Any discrepancy is placed on record. If the number of ballots exceeds the number of voters enrolled, the ballots are returned to the box. The number of ballots in excess is drawn from the box at random, left folded, and burned. If there are too few ballots and a case of fraud has been established, the election can be invalidated.
 - The challenged votes are set apart and checked against the record.
 - Each ballot is unfolded and the party chosen is read aloud.^{25/}
 - Any ballot containing changes or strikeouts, or not stamped, or not bearing the signature of the president is considered void. Conversely, ballots containing stains or imperfections are not invalidated, as long as the voter's intent is clear.
 - The vote count records are delivered to the JCE and the appropriate regional electoral board. A summary showing the number of votes for each ticket is delivered to the political groups' representatives.
- Tally: Handled by the regional boards in their jurisdictions. These boards combine the preliminary returns (preliminary bulletins) and draw up reports witnessed and approved by the representatives of the various political groups. They then transmit the final bulletins to the JCE, which handles the overall tally for the Republic. The boards must ratify or reverse any invalidation of ballots carried out at a local polling precinct. They must also review and rule upon challenged votes. In both cases, the decision of the board must be entered into the final count.^{26/}
 - Runoff: In keeping with constitutional provisions on the matter, the law provides that a second round of voting will be held 45 days after the first when no candidate has received a majority of the valid votes cast. It also provides that alliances may not be redrawn for the runoff, and only those candidates who have received the highest number of votes in the first round may participate. It further provides that a runoff is not necessary if one of the two candidacies is withdrawn.^{27/}
 - Announcement of Results: Under its administrative authority, the JCE declares the winners of presidential elections and issues them the appropriate certificates.^{28/}

2.3. Regulations and Resolutions

For the presidential election of 2000, the JCE adopted the following regulations on:^{29/}

²⁵ On April 25, the Social Democratic Institutional Bloc (BIS) submitted a complaint to the JCE requesting that the vote count give a breakdown of votes for parties that form alliances to qualify for benefits that, under election law, are determined by the number of votes each party receives.

²⁶ EA, Arts. 139 to 150, 160 and 161.

²⁷ EA, Art. 162.

²⁸ EA, Art. 6 (i).

²⁹ For lack of the necessary agreement, the JCE did not approve the draft regulations on public political demonstrations and on opinion polls.

- Electoral Propaganda (9/15/99).
- International Observers (1/18/00).
- Mergers, Alliances, and Coalitions (2/21/00).
- Distribution of State Funding (3/27/00).
- Political Party Delegates to the National Directorate of Elections (4/5/00).
- Technical Observers to the National Directorate of Information Technology (4/5/00).

With respect to the invalidation of votes, the JCE, by way of resolution 11/00, determined that a vote will be voided when:^{30/}

- The ballot bears no mark;
- Marks appear in two or more boxes pertaining to different parties that are not joined in alliances;
- The intent of the voter is not clearly indicated by the mark.

It adopted resolutions 30 and 35/00, establishing rules for dealing with problems arising from inconsistencies in the electoral register.^{31/}

3. Political Context

3.1. Background

There have been 13 presidents since the fall of the dictatorship of Rafael Leonidas Trujillo (1930-1961).

The first election, held in 1962, was won by Juan Bosch and Armando Tamayo of the Dominican Revolutionary Party (PRD).^{32/} They were overthrown by a military coup, and a number of short-lived provisional regimes followed until 1966. That year was the first of 12 under President Joaquín Balaguer, who had been nominated by the Reform Party (PR) together with Francisco A. Lora for vice president. Balaguer was reelected in 1970 and 1974, together with Carlos Rafael Goico Morales.^{33/}

The PRD was in power for the following eight years. In alliance with other parties, it won the presidential election in 1978 with Silvestre A. Guzmán and Jacobo Majluta,^{34/} and in 1982 with Salvador Blanco and Manuel Fernández Mármol.

³⁰ Bearing in mind that the MIUCA Movement candidacies were withdrawn after the ballots were printed, the JCE instructed the polling officers to declare as void, as a matter of law, any ballot on which the box for that political organization had been marked.

³¹ These topics are discussed in detail in the section on the electoral register. See pages 14.to 16.

³² The PRD, or White Party, is the country's leading political force. It was founded in 1939 by a group of Dominicans opposed to the Trujillo regime.

³³ The PR was founded by Joaquín Balaguer in 1964.

³⁴ Majluta served out the remainder of the president's term when the latter committed suicide in June 1982.

The Social Christian Reform Party (PRSC)^{35/} was in power from 1986 to 1994, with Joaquín Balaguer as President and Carlos Morales Troncoso as Vice President for both terms. The two ran again in 1994, but countless allegations of fraud initially prevented confirmation of their alleged victory. The crisis was finally resolved when, in the "Pact for Democracy," it was agreed to validate the results but shorten the presidential term to two years.^{36/}

The 1996 election was won by Leonel Fernández of the Dominican Liberation Party (PLD), together with Jaime D. Fernández Mirabal.^{37/}

3.2. Candidates

On January 14, 2000, the JCE announced in an electoral proclamation that a regular general election would be held on May 16, 2000, to elect the president and vice president of the Republic. The proclamation established that the candidacies must be presented no later than March 16.

The three majority parties registered the following candidates:

- PRD: Hipólito Mejía- Milagros Bosch

The PRD had formed an alliance with the Quisqueyano Democratic Party (PQD), the Democratic Unity Party (UD), the Independent Revolutionary Party (PRI), the National Veterans and Civilians Party (PNVC), the Dominican Social Alliance Party (ASD), and the Popular Democratic Party (PDP). It is important to note that there had been earlier female candidates for vice president: Josefina Padilla in 1962 and Maribel Grasso in 1996, both for the PRSC.

- PLD: Danilo Medina- Amílcar Romero

The PLD had formed an alliance with the Social Democratic Institutional Bloc (BIS), headed by José Francisco Peña Guaba, son of the disappeared PRD leader José Francisco Peña Gómez.

- PRSC: Joaquín Balaguer-Jacinto Peynado

This party, with endorsement from the leadership of The Structure (*La Estructura*) and from the Humanist Party, nominated Balaguer for the ninth time. The nomination was challenged before the JCE by the Martínez Howley

³⁵ The PRSC, or Red Party, arose from the Reform Party, which, in 1985, joined with the Social Christian Revolutionary Party and assumed its present name.

³⁶ Joaquín Balaguer served as president continuously from 1966 to 1978 and from 1986 to 1996.

³⁷ The PLD, or Purple Party, arose in 1973 from a split in the PRD. It was founded by one of the Prods founders, Juan Bosch.

brothers, who claimed Balaguer had a criminal record. The Board rejected the challenge.

Other minority associations also presented candidates.

- Dominican Workers Party (PTD): José González Espinosa-
Esteban Díaz Jáquez
- New Alternative Party(PNA): Ramón Almánzar-Héctor Sánchez
- Unity and Integration Movement (UNIDO): César Estrella Sahdalá-
Nicolas Penson
- People's Renaissance Party (PRP): Agustín Montero-Juan Suárez

The nominations presented by the People's Christian Party (Héctor Peguero Méndez- Franklin Domínguez) were rejected by way of a JCE resolution (17/00), on the grounds that the procedure followed in choosing the candidates had violated the party's own statutes. Also rejected by the JCE (RES.24/00) were the candidacies of the Christian Integration Movement (MIC) and Citizens' Beneficent Action (ABC), which were not established as legal entities. In a note dated May 9, the MIC decided to call upon its members and supporters to mark their ballots with the movement's initials, or to strike them through as an expression of "their determination not to support corruption any longer." In addition, the Unity and Change Movement (MIUCA), which had nominated Manuel Salazar and Julia Virtudes Alvarez, withdrew the ticket on May 4. At a press

conference, the former candidate said his withdrawal had been motivated in part by persistent aggression and violence against the leaders of his party, and he urged his supporters to back the PTD ticket.

Finally, two important factors that distinguish the Dominican Republic from other countries in the Hemisphere are the highly politicized nature of Dominican society and the strength of the Dominican political party system as a channel for social demands.

3.3. Surveys

According to opinion polls conducted before the PRSC ticket was presented, Hipólito Mejía, the PRD candidate, was expected to win the election easily.^{38/} However, the forecast changed as of January 15, when the candidacy of Dr. Balaguer was announced. Some analysts referred to a possible reworking, for this election, of the "Patriotic Front," an agreement reached by the PLD and the PRSC for the 1996 runoff.^{39/} Others felt that, in a runoff, the PRSC would support the PRD. Regardless of contradictory voting trends indicated by the opinion polls, few analysts disagreed that Dr. Balaguer would play a pivotal role in the election, especially if, as predicted by most of the studies,^{40/} a runoff were to take place. In any case, when the published surveys were averaged, Mejía emerged as the strongest candidate. He was maintaining an average of 45%, and the percentage of the electorate he had lost was split between the other two candidates, with a margin of 3 or 4 points between them.

³⁸ This party has not won a presidential election in the past 14 years.

³⁹ The reader will recall that the Patriotic Front was established to counter the votes received in the first round by PRD candidate José Francisco Peña Gómez and his allies under the Santo Domingo Agreement. Some analysts say that the election of Amílcar Romero as running mate of Danilo Medina is a clear demonstration of the alliance between the two parties. Dr. Romero was Secretary of Agriculture under President Fernández and had worked with Dr. Balaguer.

⁴⁰ Gallup (January 2000): 1st round: Mejía (46%), Medina (28%), Balaguer (24%); 2nd round: Option A: PRD (48%), PRSC-PLD (44%), Option B: PRD-PRSC (58%), PLD (34%), Option C: PRD (51%), PLD-PRSC (41%). Gallup (March 2000): 1st round: Mejía (45%), Medina (26%), Balaguer (24%); 2nd round: Option A: PRD (46%), PRSC-PLD (46%), Option B: PRD-PRSC (56%), PLD (33%), Option C: PRD (48%), PLD-PRSC (42%). Gallup (April 2000): 1st round: Mejía (44%), Medina (25%), Balaguer (26%); 2nd round: Option A: PRD (47%), PRSC-PLD (46%), Option B: PRD-PRSC (53%), PLD (36%), Option C: PRD (49%), PLD-PRSC (43%), Option D (no alliances) PRD (48%), PRSC (44%), Option E (no alliances) PRD (52%), PLD (37%). Gallup (May 2000) 1st round: Mejía (46.4%), Medina (24%), Balaguer (26%)
Hamilton (March 2000): 1st round: Mejía (43%), Medina (25%), Balaguer (24%), 2nd round: Option A: PRD (50%), PRSC-PLD (37%), Option B: PRD (50%), PLD-PRSC (38%).
Penn, Shoen & Berland (October 1999): 1st round: Mejía (52%), Medina (23%), Balaguer (22%), Penn, Shoen & Berland (January 2000): 1st round: Mejía (50%), Medina (27%), Balaguer (20%), Penn, Shoen & Berland (March 2000): 1st round: Mejía (44%), Medina (23%), Balaguer (24%), 2nd round: Option A: PRD (50%), PLD-PRSC (41%), Option B: PRD (48%), PRSC-PLD (43%), Option C: PRSC-PRD (52%), PLD (27%), Option D: PRD-PRSC (56%), PLD (30%). Penn, Shoen & Berland (April 2000): 1st round: Mejía (44%), Medina (24%), Balaguer (28%). Penn, Shoen & Berland (May 2000): 1st round: Mejía (47%), Medina (25%), Balaguer (27%).
Tesis (March 2000): 1st round: Mejía (39.2%), Medina (30.1%), Balaguer (23%)
Sofres (April 2000) 1st round: Mejía (41.5%), Medina (29.5.1%), Balaguer (20.8%). Sofres (May 2000) 1st round: Mejía (42%), Medina (31.7%), Balaguer (22.5%).
Demoscopia (April 2000): Mejía 44%, Medina 33.2%, Balaguer 22%.
CEDEMERS (April 2000): Mejía 49.5%, Medina 23.7%, Balaguer 25.3%.
ALONSO CABRERA & Assoc. (May 2000) Mejía 50.5%, Medina 26.1%, Balaguer 21.8%.

4. Structure and Physical Distribution of the Mission

In addition to three prior visits made by the Mission Chief and his deputy in February, March, and April, the Mission carried out its work from May 4 to 18, 2000, and was composed of 34 international observers.^{41/}

The Mission's headquarters, located in Santo Domingo, were in charge of the coordination and financial administration of the project, including guidelines on substantive matters and measures to provide the necessary human and logistical resources for the tasks assigned. The headquarters were staffed by the Mission Chief, his Deputy, and the Logistics Coordinator, the latter two being OAS General Secretariat staff members. It also received valuable support from the Director and staff of the Office of the General Secretariat in the Dominican Republic.

The country is comprised of 29 provinces, 115 municipalities, and the National District, where the capital is located. The geographic distribution of the Mission took into account the fact that the country's three main regions are the National District and the provinces of Santiago and La Vega, containing 43% of the electorate. Another factor was the uneven population distribution and its effect on the number of polling precincts established or formed per municipality. Thus, of the 115 existing municipalities, 12 have fewer than 5,000 voters; 29 have fewer than 10,000; 23 have around 15,000; and 15 have only 20,000 voters. The Mission noted that only eight municipalities accounted for 55.27% of the citizens listed on the electoral register: National District, Santiago de los Caballeros, La Vega, San Francisco de Macorís, San Cristóbal, San Pedro de Macorís, Moca, and La Romana.

On that basis, and considering the availability of financial resources, the observers were assigned as follows:

⁴¹ Santiago Murray: Mission Chief
Cristina Tomassoni: Deputy Mission Chief
Carla Vaccarella: Logistics Coordinator for the Mission

- | | | |
|----------------------|----------------------|---------------------------|
| 1. Antonio Amarante | 10. Walter Galmarini | 21. Lina Naranjo |
| 2. Carmen Armendariz | 11. Maribel González | 22. Luis Narvaez |
| 3. Moisés Benamor | 12. Cledi Gutiérrez | 23. Guillermo Olave |
| 4. Beatriz Céspedes | 13. Martín Krause | 24. Félix Ortega |
| 5. Pilar del Barrio | 14. Luc Lapointe | 25. Mateo Paz Soldán |
| 6. Rafael Dendia | 15. Amelia León | 26. Manuel Ruiz Gutiérrez |
| 7. Alfredo Fischer | 16. Fernando Lezama | 27. Carlos Santacruz |
| 8. Carlos Flores | 17. Judith Lobos | 28. Rene Saravia |
| 9. Guillermo Forti | 18. Senen Magariños | 29. Jorge Tlatelpa |
| | 19. Kay McCallanham | 30. Mariela Vallejo |
| | 20. Miguel Moonsammy | 31. Ricardo Viteri |

- HEADQUARTERS:** Eight observers were assigned to monitor the process in the Federal District (1,401,694 voters in 3,567 precincts).
- BRANCH 1:** Two observers were assigned to cover the Province of Monte Plata (86,818 voters in 254 voting precincts).
- BRANCH 2:** The two observers assigned covered the following provinces: Barahona (86,456 voters in 235 precincts); Pedernales (10,225 voters in 26 precincts); Independencia (24,365 voters in 63 precincts) and Bahoruco (48,036 voters in 130 precincts).
- BRANCH 3:** Five observers were assigned to cover the major municipalities in the following provinces: María Trinidad Sánchez (75,000 voters in 218 precincts); Samana: (44,909 voters in 119 precincts); Espaillat (122,078 voters in 307 precincts); Duarte (164,309 voters in 468 precincts); Salcedo (64,563 voters in 181 precincts).
- BRANCH 4:** The provinces of Elías Piña, Azua, and San Juan were monitored by two observers. The figures are, respectively, 29,358 voters in 95 precincts; 98,358 voters in 254 precincts; 126,870 voters in 363 precincts.
- BRANCH 5:** Six observers were assigned to cover the major municipalities in the following provinces: Santiago (478,624 voters in 1,228 precincts); La Vega (205,320 voters in 505 precincts); Monseñor Nouel (89,958 voters in 226 precincts); Sánchez Ramírez (81,881 voters in 234 precincts); Puerto Plata (153,884 voters in 432 precincts); Valverde (79,962 voters in 206 precincts).
- BRANCH 6:** One observer handled the provinces of Montecristi (58,563 voters in 144 precincts); Dajabón (34,530 voters in 103 precincts); and Santiago Rodríguez (35,526 voters in 91 precincts).
- BRANCH 7:** The provinces of San Cristóbal (232,734 voters in 623 precincts) and Peravia (122,416 voters in 320 precincts) were monitored by four observers.
- BRANCH 8:** Four observers covered the major municipalities in the provinces of San Pedro de Macorís (136,738 voters in 347 precincts), La Romana (102,453 voters in 242 precincts), Hato Mayor (45,446 voters in 125 precincts), El Seybo

(39,574 voters in 117 precincts), and Altagracia (75,607 voters in 190 precincts).

II. Electoral Observation

1. Pre-election phase

Prior to the election, the Mission Chief and Deputy Mission Chief had formal interviews with the President of the Republic, Dr. Leonel Fernández, and the Secretary of Foreign Relations, Dr. Eduardo Latorre. In addition, to assess arrangements being made for the election in the capital and other parts of the country, they held regular meetings with the electoral authorities, the candidates and leaders of political parties, members of the Monitoring Committee chaired by Monsignor Agripino Núñez Collado, members of the National Council of the nongovernmental organization Citizen Participation,^{42/} and the directors and members of the joint electoral observation mission of the Carter Center, the National Democratic Institute (NDI), and the International Foundation for Electoral Systems (IFES).^{43/} Similar interviews were conducted by observers at each of the branch offices. The mission's activities, both at headquarters and at the branch offices, received ample press coverage by all the media.



At this stage the Mission focused on the voter registration card process, the pre-enrollment phase, the compilation of the electoral register, logistical aspects of the election, the election campaign, and reports or complaints of alleged irregularities.

1.1. Voter Registration Card Process

The voter registration card process arises out of the agreement signed by the three main parties on October 16, 1997, regarding the issuance of identification cards for the 2000 presidential election.

The idea was to devise a more secure means of identification employing the citizen's fingerprints and photograph. The process was begun in June 1998 under the previous JCE, chaired by Dr. Juan Sully Bonelly. A deadline for delivery of the cards was set at December 31, 1999. According to estimates by the JCE, the number of citizens eligible for voter registration cards exceeded 4.5 million. They were to be included, with color photographs, in an electoral register that would be treated as definitive for the May 2000 election.^{44/}

The implementation of this project was fraught with difficulties, which were pointed out, to varying degrees, by the electoral authorities, the political parties, and Citizen Participation. Most noteworthy were:

⁴² *Participación Ciudadana* has played a major part in promoting democratic values. Since 1996 it has set up a network of national observers, who are now to be found in most of the country's municipalities.

⁴³ The Carter Center, the IFES, and the NDI all have a distinguished record in the field of international electoral observation.

⁴⁴ The estimate involved projecting the number of new voters and adding them to the 4.1 million voters on the 1998 register.

- Delay by the Executive in disbursing budget appropriations to the JCE.
- Voter apathy about initiating the procedure.^{45/}
- Administrative and technical inefficiency.
- Theft of voter registration equipment.
- The impossibility of comparing fingerprints.

These difficulties led to two audits, carried out by the Center for Electoral Advice and Promotion (CAPEL/IIDH) in November 1998 and July 1999. Given the large number of technical and administrative flaws encountered in the procedure for issuing the new document, both reports recommended, among other things, conducting a final audit of the photographic electoral register. Furthermore, to assist the JCE, it was decided to form a team of Information Technology Advisers to the Monitoring Committee chaired by Monsignor Agripino Nuñez Collado.

At the same time, in order to overcome delays in implementing the project and to encourage citizens to comply with the procedures, the President of the Republic issued decree 1-2000, extending the deadline for receipt of data by one month (until January 31, 2000).^{46/} The decree also established that nonpossession of this identification card would be an impediment to other transactions, including bank transactions.

Furthermore, in order to reduce the number of people who had initiated the process but not collected their cards, the JCE granted a series of extensions to the card delivery deadlines, the last of which expired on May 14. In addition, shortly before the election, the JCE conducted a campaign to deliver the registration cards in the various neighborhoods. The percentage of persons collecting their cards between February and April was monitored; the failure rate was roughly similar to that encountered in previous elections.^{47/}

Nevertheless, certain problems remained. The observers received complaints regarding cases in which citizens arriving to pick up their cards at the municipal electoral boards where they had registered were told that their documents were in another municipality, and sometimes even in another province. Voters from the municipalities of Moca or Gaspar Hernández, for example, had to go to Santiago de los Caballeros. Those from Salcedo, Tenares, and Villa Tapia had to collect their cards in San Francisco de Macorís, where long lines of citizens from different towns could be seen jostling to receive their cards late into the night on the last few days before the election. Many of

⁴⁵ No such apathy was discerned among new voters, however. Over 400,000 had registered by November 1999.

⁴⁶ According to the year-end Public Statement issued by Citizen Participation, on December 17 of that year over 500,000 citizens – or 12% of the total eligible for voter registration cards -- had yet to be processed.

⁴⁷ In any electoral process, a certain number of voter registration cards remain unclaimed. In 1994, the percentage of registered voters failing to collect cards was 4.79%. In 1996, the figure was 1.75%; in 1998, 2.20%; and in this most recent election, approximately 2%.

these voters were denied registration cards, even though they were told they had met all the procedural requirements.

1.2. Pre-enrollment Phase

Once the gathering of data for identification cards had concluded (but before all registration cards were handed out), the JCE carried out a "voter pre-enrollment" phase, on March 25 and 26, so that citizens could verify, at their own electoral precincts, that they had been included in the register, and to confirm the precincts at which they were to vote, as indicated on their registration cards.

On this last point, the precinct listed on the registration card was not necessarily the correct one. With the registration of 447,000 new voters and the need not to exceed the 600 voters per polling precinct allowed by law, the assignment of precincts had to be adjusted.

The findings that emerged from these preliminary phases, in which approximately 40% of the electorate took part, were:^{48/}

- Poorly trained polling officers;
- Insufficient number of error report forms;
- Absenteeism among polling officers in over 60 municipalities;
- Citizens appearing with different photographs, or with no photographs;
- Citizens listed at polling precincts different from those indicated on their voter registration cards;
- Citizens not listed in the electoral register.

The JCE directed that any person encountering problems in the pre-enrollment phase fill out a form, which the tribunal would use to start an investigation and make the necessary adjustments.^{49/}

There were differing and contradictory opinions when it came to assessing the pre-enrollment exercise.

The JCE declared the exercise a success, stating that there had been no problem in 92.82% of cases, that in 3.37% the errors involved photographs, and that in 0.45% voters were not listed on the register. As regards photograph errors, 1,640 people had cards bearing a photograph of someone else, 37,295 had cards with no photograph, and 7,527 had cards with blurred photographs. The approximately 82,000 cases of polling precinct changes were not computed as errors.

The PRD delegates maintained that the inconsistencies encountered were easy to correct. The PLD and the PRSC said that the pre-enrollment had been conducted in a very disorderly manner and that almost half a million people eligible to vote had encountered difficulties with the electoral register. The representatives of the Progressive National Force estimated the margin of error to be 20%, which, when

⁴⁸ According to reports by the JCE, 1,630,730 people took part: in other words, 38.7% of all voters.

⁴⁹ Pre-enrollment had to be extended by 48 hours in 10 municipalities where materials did not arrive on time. Also, once the pre-enrollment had concluded, the provisional voter rolls were kept by the electoral boards of each municipality at the disposal of citizens who had been unable to attend on the appointed days.

projected over the electorate as a whole, meant that almost one million citizens would be excluded or unaware that their polling precincts had been changed. They added that intentional exclusion opened the door to the orchestration of electoral fraud. Some political analysts argued that the way to boost a percentage of votes below the 51% required for an outright win in the first round was to restrict the number of voters through forced abstention.

Citizen Participation and the Monitoring Committee stated that there was enough time to correct the mistakes, while at the same time submitting to the JCE a number of technical and logistical recommendations for avoiding future problems. Some sectors even recommended allowing voters to use their old registration cards as well. This dual document voting proposal was based on the fact that the history of elections in the Dominican Republic included several that had been decided by a relatively low percentage of voters.

After evaluating the process and pondering the various concerns of the parties to it, the mission, for its part, opted to contact the President of the Electoral Board and let him know its views and its suggestions for overcoming certain operational and logistical shortcomings in the short term

and avoiding snags during the May election. The Electoral Board agreed to correct the errors detected, but rejected the possibility, put forward in some circles, of also voting with the old registration card.

1.3. Electoral Register

In light of the problems detected during the pre-enrollment phase, the JCE set about correcting and updating the electoral register. In the meantime, and in response to one of CAPEL's recommendations and a joint request by the PRSC and PLD parties, Pricewaterhouse Cooper was hired to perform a final audit of the electoral register. However, the definitive electoral register was printed and delivered to the parties on April 17, before the results of that audit were published.^{50/} Some political circles took a dim view of this.^{51/}

Despite the JCE's efforts to correct the mistakes detected in the pre-enrollment exercise, continuing flaws in the electoral register led political parties to propose to the JCE a number of remedies for the various problems encountered. In response, the JCE adopted resolution 30/2000 on April 25. Its principal provisions established that a person should not be prevented from voting if:^{52/}

- The photographs on the voter registration card and in the electoral register are different, but are of the same person;
- There is no photograph in the electoral register, but the other data match those on the registration card;
- The registration card is smudged or worn;
- Two or more voters are represented in the register by the citizen's photograph;
- The polling precinct listed on the registration card is different from the one assigned in the electoral register (the individual is required to vote at the latter precinct);
- Conversely, the JCE decided that citizens entered in the electoral register correctly, but with photographs of someone else, would be given "challenged vote" ballots.

Once again, this situation gave rise to harsh criticism of the JCE. The PLD and PRSC both objected to this last item, arguing that citizens must not be penalized for technical errors in the register caused by the Board. Both parties filed formal protests with the JCE. Furthermore, the National Progressive Force (FNP) accused the JCE of intent to commit fraud in favor of the PRD, particularly by encouraging "forced abstention." The PRD, on the other hand, supported the Board's decision, pointing out that the measure in question was intended to prevent problems that could arise from the purchase or falsification of registration cards.^{53/}

⁵⁰ The survey, delivered on magnetic storage media, included 4,251,218 persons eligible to vote and 121,863 citizens who were ineligible. In addition, the JCE reported that the register listed 11,591 deceased individuals whom it had not been possible to remove for lack of the necessary documentation. The Board gave the parties three days to present their observations.

⁵¹ The President of the Progressive National Force, Dr. Mario Vinicio Castillo, demanded that the auditing firm report on the technical implications of the studies for which it had been hired.

⁵² The resolution is attached, in Appendix 6.

⁵³ It filed formal protests, alleging interference by the National Directorate of Migration.

Given the JCE's decision that the votes of citizens without photographs in the register would not be challenged, the difficulty of estimating the volume of challenged votes, and traumatic experience with this procedure in the past, the Mission Chief wrote to the Chair of the JCE stressing the importance of ensuring that there was a "consensus among all the parties and, in particular, that every effort was made to allow citizens to vote."^{54/} To facilitate a reconciliation of the various positions taken on this issue, the Mission met frequently with representatives of the various political parties and with the Chair of the JCE.

During the days that followed, the JCE held numerous meetings with the political party delegates and representatives of the firm responsible for auditing the voter register. The PLD filed a motion with the JCE accusing the PRD of pressuring and manipulating JCE members to prevent Board Resolution No. 30-00 from being amended.

Just six days before the election, the Tribunal amended the resolution. Where it had stipulated the challenged vote procedure for any citizen whose photographs did not match the one in the electoral register, it now stipulated that persons who could present proof of their identity in another form--passport, driver's license, credit cards, professional identification, etc.--could vote normally. It also authorized normal voting when the president, secretary, and regular member of the polling officers unanimously testified to the voter's identity. However, the resolution did not diminish the legal right of polling officers and/or party delegates to challenge a citizen's vote on grounds of false identity.^{55/} Although the text did not meet the expectations of the parties that objected to Resolution 30, and also received some criticism from PRD delegates, over the next few this issue died down.

However, on the day Resolution 35 was handed down, the JCE released the results of the audit of the electoral register, which gave rise to new criticism of the Board's actions. The consulting firm reported that the register had been drawn from a file of 6,850,520 applications captured electronically. Of this total, 1,986,156 were duplicate applications, 4,144 applications processed were not reflected in the register, and 487,139 applications had no assigned registration card number. The

⁵⁴ The note from the Mission Chief is attached as Appendix 7. The Monitoring Committee and Citizen Participation also publicly stated that the JCE needed to amend the decision.

⁵⁵ See the reference to this question in the section on the legal framework. The complete text of the decision cited, Resolution 35, is attached as Appendix 8.

report added that there were 4,251,218 persons eligible to vote and 121,863 citizens ineligible to vote. Among the most important information was that:

- 394,327 persons entered in the 1998 electoral register do not appear in the current one. The JCE indicated that these citizens had not filed for registration cards;
- 81,742 citizens had been entered in the electoral register without their photographs;
- 394,216 registration cards appeared more than once;
- 10,497 registration cards had changed photographs;
- 356,892 registration cards listed a polling station different from the one listed in the electoral register.

On this last point, the JCE indicated that it had delivered to the Dominican Postal Institute (IMPOSDOM), for distribution, letters informing voters of their polling precincts. In addition, the JCE made arrangements to publish this information in the daily nationwide newspapers, report these changes by telephone when numbers were on file, put up posters with the information, set up kiosks in the precincts concerned, with facilitators to help citizens find their polling stations, and included in the voting materials a list of persons affected by the reclassification or relocation of polling stations. It also provided access to information over the Internet, and over the telephone by installing lines with a rotary hunting system. The President of the Republic made the state radio and television frequencies available to the Electoral Board to broaden the distribution of information on redrawn polling precincts.

1.4. Election Logistics ^{56/}

- Electoral training and civic education: The JCE and the district boards printed information material and trained polling officers through the Electoral Education Program (PROGELEC 2000). The 60,000 officers of the 11,563 polling stations established throughout the country were trained through a series of workshops. The educational material included manuals for members of electoral boards and for instructors, and handbooks for polling officers and the electoral police. The JCE also instructed citizens through radio and television spots, educational videos, posters, etc.

⁵⁶ The total cost of the election was RD\$167 million (US\$24 million).

- Designation of electoral board members and polling officers: There were expressions of mistrust in the recruitment of polling officers in the National District (DN) and in some outlying municipalities.^{57/} For example, the PLD filed a motion with the National District Electoral Board objecting to the choice of officers at over 700 polling stations. The protest was dismissed. In Moca, San Pedro de Macorís, and Gaspar Hernández, leaders of different parties alleged that the composition of some electoral boards and groups of polling officers favored active members of the PRD. In some cases, the electoral boards decided to change the polling officers. In the municipality of Santiago, PRD and PLD delegates filed a challenge which was partially dismissed by the electoral board, with the sole exception of eight polling officer presidents. Just two days before the election, party delegates complained that the boards had failed to deliver the list of polling officers in some municipalities, thereby preempting any objections they might make. This situation came to a head in the National District and in Bonao. Finally, the complete list of polling officers was delivered to each of the party delegates on the morning of Sunday, May 14.
- Voting materials: More than 24,000 ballot boxes were manufactured and some 5.5 million ballots were printed. The order of precedence of the candidates on the ballots corresponded to the number of votes obtained by each party in the previous election and, in the case of new political groups, the date of registration of the candidates. In most cases, it was found that all voting materials had been delivered and distributed before election day. In some municipalities with rural precincts, the municipal boards checked the materials with the presidents and secretaries but, in order to safeguard the ballot boxes, did not deliver them until election day. The most recent JCE resolutions (30, 35, and 36) were widely circulated. However, some municipal boards did not receive them in time to distribute them to the presidents, and they were delivered only to the party delegates, who were to assist with the distribution.

The incident that took place on Saturday, May 6, in the Municipality of Maimón is worthy of note. The members of the electoral board, in conjunction with the delegates of the various parties, decided to open one of the ballot boxes at random to verify whether the voting materials were complete. As the decision had been taken without prior authorization from the JCE, the event generated a certain amount of suspicion and received attention from the press. The electoral board claimed that the decision had been taken to quell the complaints and dispel the doubts of some who recalled that, during the pre-enrollment phase, some ballot boxes had been found not to contain the electoral register. The mission ascertained from the record that the delegates of the three leading political parties were in agreement with the opening of the ballot box and that, once they verified that the material inside was complete, it was resealed.

⁵⁷ The Electoral Law establishes that polling officers should have no party affiliation, but that, if this criterion makes it impossible to staff the polling station, ordinary members of two or more parties will be chosen so that no party gets a majority of the votes.

Finally, it is reported that the PRD accused the PLD of stealing voting materials from the JCE and infiltrating the Board with staff from the National Directorate of Investigations (DNI). The investigations were still ongoing when the mission ended.

- Computer systems: The observers specializing in information systems were unable to make a detailed evaluation of the vote transmission and tally systems for lack of the necessary access. However, it was possible to determine the parameters and general profiles of the systems, mainly on the basis of interviews with technical personnel from the JCE and technical observers from the political parties.

The JCE Tally Center has 150 staff members. In addition, 300 typists, most of whom had worked in the voter registration process, were hired to key in the data from the reports.

The vote tally system was developed by the Department of Information Systems of the JCE, which used the Oracle 8i database and programmed it with Delphy. The entire network is monitored with HP *Open View*, which is very useful in detecting problems that may arise at the different work stations, but which could pose risks in the transmission of results if security controls are not effective.

The main server receiving the data is an HP-9000 computer with a UNIX operating system. Information stored on disks is protected against failures by Raid-5. At the municipal boards, depending on the number of voters, a server with Windows NT and a network of microcomputers were installed. The votes are counted with application software installed on each microcomputer receiving electoral board reports. The reports are then transmitted to JCE headquarters. *Not Entry* is used to encrypt the data. It was reported that security seals would be placed on each microcomputer to prevent access to internal hardware. The "Election 2000 Network" is supported by the Dominican telephone company CODETEL, which provides digital lines to connect the municipalities containing more than 80% of the electorate to headquarters. In municipalities where CODETEL has no digital facilities, data are transmitted through an analog communications system.^{58/}

According to information from the JCE's technical executives, the system makes it possible, four hours after polling precincts close, to count 20% of the votes tallied. Two hours later, 85% of the results from the entire country were to be available. Polling data would be delivered to the JCE at one-hour intervals. It was agreed that bulletins would be issued as data arrived (FIFO--first input, first output).

The press was to have access to the results via the Internet, through 15 microcomputers connected to the press server and four telephone lines for

⁵⁸ A flow chart of electoral board processes is attached as Appendix 9.

making calls. There were plans to update data on the Internet server every hour, using tapes based on the same data presented to the public by the Central Electoral Board.

Delegates with technical expertise expressed their confidence in the systems and noted that the trial runs showed there would be no problems on election day. The three majority parties have their own systems for monitoring the vote tally nationwide.

1.5. Election Campaign

- Electoral Code of Ethics Pact: In late 1999, the Monitoring Committee, Citizen Participation, and other organizations promoted the signing of an Electoral Code of Ethics Pact, aimed primarily at a transparent electoral campaign, respect for electoral institutions, prohibiting the use of state resources for political purposes, and preventing candidates from discrediting and being offensive to one another. The pact was signed by all the candidates.

Use of state resources: Citizen Participation published a number of reports on this issue, indicating that the three majority parties had failed to live up to the pact, especially by using public funds for political purposes. They refer, for example, to the use of premises and vehicles belonging to official central government agencies, city councils, and the Dominican Municipal League for the benefit of the three major parties. According to information from the JCE, no formal complaints of abuse of state resources were lodged. Even though the issue was brought up repeatedly in the candidates' speeches, the JCE declared that it did not have the authority to rule on the matter on its own initiative, that is, without a formal complaint. In any event, towards the end of the campaign, the JCE ordered that government publicity on the inauguration of public works be suspended.

- Violence: Generally speaking, the election campaign was spirited, the tone turning harsher in the final leg. The PRD asked the JCE to pull the PLD's advertising spots on the grounds of defamation of its candidate. The JCE issued a resolution urging all the parties to discontinue propaganda that "presented the image and voice of presidential candidates in a negative light."

Regrettably, there were episodes of violence, albeit isolated. The first victim was a PRSC member, killed by a PRD leader in May 1999, in San Cristóbal. Then, in November, two persons were killed, in Santiago and in Higüey, at the hands of Reform Party leaders. In January, a PLD supporter was killed in San Pedro de Macorís by unknown assailants. In the first days of May of this year, two PLD leaders were killed in a confrontation with PRD members. The next day, a chaotic shootout took place at the home of a Santo Domingo trade unionist associated with a PRD leader. All these incidents were investigated by the police and condemned by all

political sectors. The JCE, the Monitoring Committee, Citizen Participation, and the OAS issued communiqués urging the population to refrain from hostility and preserve the peace.

The Mission also received a formal report that firearms were stockpiled in Monte Cristi Province, but nothing was proven.

- Party Alliances: Regarding pacts or alliances between major parties, in the last days of the election campaign, visits with Dr. Balaguer by the President of the Republic and the PRD candidate gave rise to new speculation as to possible withdrawals from the slates presented in order to facilitate future pacts. Candidate Peynado categorically denied that he would ever withdraw. It should be noted that such speculations did not take account of applicable law. Art. 162 of the Electoral Act provides that, in the second round, "no changes in alliances or coalitions shall be admitted, nor shall new pacts be accepted, and only those two candidates who have received the largest number of votes in the first round shall participate."

However, six days before the election, some Reform Party leaders officially endorsed Hipólito Mejía, most notably Mario Read Vittini and Sócrates Pichardo.

- Purchase of voter registration cards: The observers received numerous complaints in which representatives of the PLD, PRD, and PRSC accused each other of registration card buying schemes. In very few cases were the accusations supported by any evidence. Exceptions known to the Mission were specific data given in a formal complaint to the electoral board in Barahona, and a video accompanying a formal complaint filed by a PRD delegate with the Santiago Board. In the proceedings in both instances, the argument used in defense was that the activities involved checking data on the registration cards of their supporters so they could be assigned to the correct polling precincts. The investigations were still ongoing at the end of this mission.
- Discrimination against minority parties: Complaints were filed with the JCE alleging discriminatory application of the Electoral Act to the detriment of minority parties or groups. On that point, the electoral authorities noted that the Electoral Act itself distinguishes between parties on the basis of the number of votes they receive. This criterion is used in distributing public funding and accrediting technical observers to the electoral boards.

- Confiscation of registration cards: The JCE reported that, in the run-up to the election, the National Directorate of Migration had tripled its efforts to confiscate the registration cards of persons of color. The Directorate replied that it had confiscated improperly acquired documents from Haitians. Subsequently, some 1,000 registration cards were turned in to the President of the JCE.^{59/}
- Assignment to polling precincts: The delegates and leaders of the PLD and PRSC expressed concern over the obvious shift of voters from their usual voting precincts without proper notice. They cited cases of citizens who, although they had participated in the pre-enrollment process in March, were removed from the location indicated in the electoral register at that time. They also indicated that, in some municipalities, the electoral registers had not been posted at the polling precincts in the days preceding the election.
- Closing of the campaign: The three majority parties (PRSC, PLD, and PRD) closed their national campaigns in Santo Domingo, on May 12, 13, and 14, respectively. In all cases, participation by party members and supporters was massive. Motorcades of the three majority parties moved through a number of cities without incident, the prevailing spirit being festive and democratic.

2. Election Day

2.1. Installation

Most of the polling precincts began the process on time, with the polling officers and political party delegates present, the latter mainly from the three majority parties.

Most regulations were observed. In most cases, the process was well organized, materials were complete, and voting rights were respected.

The JCE placed information booths in the areas with the greater number of precincts, but the facilitators did not always appear to be trained to give accurate information about precincts that had been merged or set up at different locations.

2.2. Enrollment

For the first round of female voters, enrollment began on time, but when the turn came for the male voters there were delays, sometimes lengthy, generally resulting from delays in the morning round. Crowding at the polling precincts frequently slowed the return of identification cards and, in turn, the enrollment of subsequent voters.

⁵⁹ Copy of a complaint filed in Barahona Province attached (Appendix 10).

There were notable differences in the ways different precincts organized the enrollment and voting, depending upon the initiative and creativity of the polling officers. In some cases, the officers were well organized. In others, bottlenecks at the entrance to polling precincts slowed the process. For example, at some precincts in the Municipalities of Bani and San Pedro de Macorís, enrollment and voting were conducted simultaneously, so that the practice of closed precincts was ignored. At others, in Higüey, voting began before enrollment was completed.

The enrollment process was complicated at many locations by close quarters, and by poor performance on the part of facilitators, who lacked the necessary information to guide voters when precincts had been subdivided or relocated.

The observers noted that some voters who did present their identification cards were not enrolled, and were therefore unable to vote. This was not a major problem, occurring only in isolated cases. There were also a few cases in which citizens had two identification cards, were listed under the wrong gender, or were carrying forged documents.

2.3. Voting

This phase began on time, especially in the morning. During the afternoon shift, however, some polling precincts experienced delays, for reasons explained earlier. Overall, voting proceeded normally through the end of the voter roll. With a few exceptions, all of those enrolled did vote. During the shift for female voters, there was crowding at a number of precincts, largely attributable to disorganization on the part of polling officers.

2.4. Vote Count

The vote count proceeded normally and began on time at most of the polling precincts. No irregularities that would invalidate the process were observed. Still, it was clear that the polling officers were not adequately trained. This was aggravated by the complexity of the data required for the vote count, which caused problems even for the municipal electoral board officials.

In the urban centers of provinces with the greatest concentration of voters, however, significant delays in the voting process slowed the vote count, which sometimes lasted until 10:00 or 11:00 at night.

2.5. Tally

Once the voting was complete, the Mission observed the central and municipal tallying processes, in which electoral boards and political party delegates validated the vote count reports and entered the data into the national tally system. Delegates from the three main political parties were always present, but observers were not always given access.

The tally and reporting of results at the electoral boards proceeded normally, though often slowly. For example, at the Municipal Board of La Romana, the beginning of the tally and the release of the first bulletin were delayed by the inflexibility of one of the PRT delegates during the verification of reports. For almost an hour, he paralyzed the tally because of absolutely marginal issues, disrupting the process. The vote tally in the National District was extremely slow. The same error cropped up in many of the reports: data from the "number entered on the final voter roll" box and the "total voters in this polling precinct" box were mixed. Because of this, the reports were rejected by the computation system, which significantly delayed the publication of official bulletins by the Electoral Board.

The great majority of municipal boards had the necessary technological infrastructure to send the reports to the JCE on time. In addition, each one had a backup electrical supply to prevent electricity blackouts from impeding data transmission.

The observers specializing in information technology were unable to monitor the tally at the JCE because regulations restricted their access, and because the reporting of results on election day was not on target, so that the process of entering and issuing information was extended by 48 hours.

2.6. Rapid Count by the Mission^{60/}

The rapid count (RC) is a statistical process used to audit the official vote count in an election. The process has been employed the Organization of American States for other elections, and was used again for the presidential election in the Dominican Republic.

The RC calls for a sampling of polling precincts in which OAS observers monitor the vote count to ensure accurate results.

Statistical methods are used to produce a nationwide projection from results from the sampled precincts. Official election results are compared with the results of the RC projection. If the difference between the figures exceeds a certain margin of error, it can be assumed that there are problems with the official count. It is important to note that the function of the RC is not to predict who will win the election (which might constitute valuable additional information) but, as mentioned above, to determine whether the official count is reliable.

On the basis of the number of observers available, it was decided to take two samples of 30 polling precincts each, selected from the total number of precincts in the country. We called these the "primary sample" and the "secondary sample." After observing the vote count and obtaining the results from the precincts in the primary sample, the observer transmits the data to the Mission's computation center and then proceeds to the other assigned precinct to obtain the vote count for the secondary sample, usually copying it from the report posted on the door of the station.

⁶⁰ The NGO Citizen Participation conducted a similar count, with similar results.

Since the Mission did not have information with which to stratify the sample, it worked with a simple random sampling of all the precincts in the country. Before calculating the projections, it ran a statistical trial to compare the primary and secondary samples. When no evidence of a difference between the two was found, they were combined. The calculations were based on the data from the 60 precincts. Percentages of votes were estimated for:

- The three major political parties (taking alliances into account);
- All the minority parties combined;
- Invalid votes;
- "Challenged votes."

Also calculated was the margin of error for each estimate, to a confidence coefficient of 99.0%. It is important to note that the 99.0% reliability applies to each separate estimate (that is, each individual result). It does not apply to all estimates combined. The calculations were performed on a microcomputer, using the SAS system in a Windows 98 environment. The programs used for the calculations were tested on computer-generated hypothetical populations.^{61/}

Percentage of Votes Range of Reliability 99%			
PARTY/INVALID/CHALLENGED	PERCENTAGE	BOTTOM OF RANGE	TOP OF RANGE
DOMINICAN REVOLUTIONARY PARTY	49.91	47.16	52.65
SOCIAL CHRISTIAN REFORM PARTY	24.93	21.49	28.38
DOMINICAN LIBERATION PARTY	24.56	20.95	28.17
OTHER PARTIES	0.60	0.43	0.77
INVALID VOTES	1.25	0.92	1.59
CHALLENGED VOTES	0.04	0.00	0.08
ABSTENTIONS	22.89	18.36	27.42

2.7. Election Results

⁶¹ The formula was as follows:

Dependent Variable: VOTOS1 Sum of Mean Source DF Type III SS Mean Square F Value Pr > FAMOSTRA 10.000014040.000014040.000.964
 Dependent Variable: VOTOS2 Source DF Type III SS Mean Square F Value Pr > FAMOSTRA 10.000008680.000008680.000.979
 Dependent Variable: VOTOS3 Sum of MeanSource DF Type III SS Mean Square F Value Pr > FAMOSTRA 10.000106140.000106140.010.927
 Dependent Variable: VOTOS4 Sum of Mean Source DF Type III SS Mean Square F Value Pr > FAMOSTRA 10.000603140.000603140.320.571
BIBLIOGRAPHICAL REFERENCES: 1. Cochran, W.G. (1977): *Sampling Techniques*, third edition, John Wiley & Sons Inc., New York, NY. 2. Sukhatme, P.V. and Sukhatme, B.V. (1970): *Sampling Theory of Surveys With Applications*, Second, Revised Edition, Iowa State University Press, Ames, IO.

After the publication of JCE Bulletin 4, which included over 40% of the precincts, the results showed a very wide margin between the PRD and the other two parties. According to the bulletin, the PRD had received 49.10%, the PLD 23.97%, and the PRSC 26.32%.

Later, Bulletin 11 indicated that Hipólito Mejía had received 49.9%, followed by the PLD candidates, with 24.84%, and the PRSC candidates, with 24.68%. Under applicable law, therefore, a runoff could not be ruled out.^{62/}

According to Bulletin 12, with returns pending from 88 precincts, Mejía was receiving 49.85%, Medina 24.93%, and Balaguer 24.64%. By mid-morning on May 17, the vote count--and, consequently, the publication of bulletins--was suspended because of logistical problems at the National District Board. In statements to the press, the President of the JCE reported that the PRD continued to receive an increasing proportion of votes, and that the invalid and challenged votes would be examined.

It was nighttime before Bulletin 13 was issued. It indicated that the PRD and its allies had received 49.86%, the PLD alliance 24.95%, and the PRSC 24.61%, with 18 precincts yet to report.

Although in a matter of hours after the polls closed the PRD candidate had declared himself the winner, and although PRSC spokespersons conceded his victory the next day, the PLD said it was necessary to await the final, official results and refrain from premature announcements. The possibility that a runoff would be held, therefore, was not discarded until noon on May 18, when the PLD formally withdrew its candidacies for such a runoff.^{63/} Later, the JCE, in Bulletin 14, reported the following results: PRD, 49.87%; PLD, 24.94%; PRSC, 24.60%; PTD and PNA, 0.19% each; PRN, 0.10%; and the UNIDO Movement, 0.11%.^{64/} On that same date, the JCE issued resolution 38-2000, Declaration of Winning Candidates, which validated the results issued in Bulletin 14 and declared Rafael Hipólito Mejía Domínguez and Milagros María Ortiz Bosch to be elected as president and vice president of the Republic. They will take office on August 16, 2000.^{65/}

⁶² Returns were not yet in for 345 of the precincts when Bulletin 11 was issued.

⁶³ In addition to the motion presented to the JCE, candidate Medina released the information in a press conference, and the President of the Republic announced it in a message to the country. Withdrawals are rare in Latin America. Among the most well known cases are 1973 in Argentina, when one candidate received 49.5% of the valid votes in the first round, and 1985 in Peru, when Alán García received 46% and Alfonso Barrantes only 23%. At the municipal level, a candidate withdrew from the most recent election for head of the government of the Argentine capital.

⁶⁴ Under the provisions of the EA, three of the parties participating in the election lost their legal standing because they failed to receive at least 2% of the valid votes and held no congressional or municipal office. They are the PRN, the PNA, and UNIDO.

⁶⁵ The PRD won the National District and 21 provinces, losing only in La Romana, to the PLD.

2.8. Press Release by the Mission Chief

On the night of the election, the Mission Chief issued the press release transcribed below:

The Organization of American States (OAS) has today completed its seventh electoral observation mission in the Dominican Republic. Since 1966, the OAS has borne witness to the staunch will of the Dominican people to travel the road of peace and democracy. At this latest stage in the country's history, representative democracy has clearly been a determining factor in the regular and periodic exercise of the right to vote and to be elected.

Since January 14, 2000, when the presidential election was officially announced, the Mission has closely monitored not only how the election has been administered but also how the political campaign has been conducted. In the former area, the Central Electoral Board adopted a series of regulations demonstrating an increasing level of receptiveness, which is key to resolving issues and asserting its credibility as an institution.

During the election campaign, confrontation was intense, but, generally speaking, there was a fair amount of space for dissent and for devising compromise solutions. That notwithstanding, the Mission once again deplores the isolated episodes of violence that resulted in the death of Dominican citizens. It points with satisfaction to the responsible attitude taken by the authorities and the party leaderships to prevent further escalations of violence.

The Mission considers the election to have been of critical civic importance. However, voting was prevented in some cases by discrepancies in data entered in the electoral register and on the new registration card, and because the necessary order was sometimes lacking at polling precincts and polling officers did not always perform efficiently. However, voting proceeded without major difficulties, and with massive and enthusiastic support from the population, making today's election a new step forward in national democracy-building.

The General Secretariat of the OAS thanks the United States Government for its financial support to the Mission, which was composed of 37 observers dispatched to different regions of the country. Among them were experts in statistics and information technology, whose work made it possible to design and evaluate a sample for a rapid count and to conduct an exhaustive analysis of the systems employed to transmit the results.

The OAS also thanks the other electoral observation delegations, including the Carter Center, the National Democratic Institute (NDI), and

Citizen Participation, for their collaboration at various stages of the process.

The Mission wishes to note its gratitude for the assistance it received from governmental and electoral authorities as it pursued its objectives, and sincerely congratulates the Dominican people, who turned out at the polls to express their firm commitment to democracy.

2.9. Complaints

Copies of the complaints mentioned in this report are attached as Appendix 10.

III. CONCLUSIONS AND RECOMMENDATIONS

1. Conclusions

The Dominican electoral process, which ended on May 16, 2000, represented a new milestone in the consolidation of the country's democratic institutions.

- The contributions of the various players were critical in reaching the level of freedom and transparency attained. Most notably, the Central Electoral Board took appropriate action and decisions that succeeded in dispelling the doubts of the various political sectors. Of vital importance were the enthusiasm and civic spirit displayed by a society that opted for active participation and a massive turnout at the polls, exercising its right and fulfilling its duty of electing its representatives. No less important was the essential contribution of the political parties as links between state and society. Similarly, the moral leadership of the Catholic Church provided a permanent foundation for the various stages of the process. Also worthy of note is the contribution of the media in providing the public with impartial information to guide their choice among the candidates. The Mission's main conclusions are listed below.
- The climate surrounding the election campaign was somewhat chilly, but civic tolerance prevailed, and the fateful event in Moca did not manage to spoil the situation.
- Voter turnout was massive. Election day was calm, though disorderly, and proceeded within the parameters set by applicable regulations. The abstention rate was 24%, two points higher than in the 1996 election.^{66/}
- There were no problems that negatively affected the process. However, the relocation of polling stations caused some difficulties that prevented some citizens from voting.
- Although in some areas there were too many polling precincts, security and access were maintained at most venues. However, it is estimated that, in many cases, disorder and confusion caused by a lack of space and organization adversely affected the level of citizen participation.
- In most cases, the performance of polling officers at the various precincts was positive and effective.
- Polling officers were properly trained, especially in urban areas. In rural areas, there was less understanding of the mechanics of the process, and problems arose with the vote count during the tally.
- The participation of PRD, PLD, and PRSC delegates was outstanding. There were also delegates from the Renaissance Party and New Alternative Party at some precincts. At the sites visited, the behavior of

⁶⁶ 1974: 24.32%; 1978: 23.64%; 1982: 26.11%; 1986: 27.76%; 1990: 39.76%; 1996: 21.31 (first round), and 23.25% (second round); 1998: 47%.

party delegates was well within legal guidelines. The odd conflict that arose did not trigger any major incident.

- Coverage by Citizen Participation was extensive. The organization made a valuable contribution by providing information and lending confidence and transparency to the process.
- The tally system more than met expectations, and no major problems were found. Snags were ironed out by the Help Desk, which had been installed as a preventive measure for such cases.
- In terms of information services, the electoral register with photographs, and access to it via the Internet and an automated telephone response system, were outstanding features, representing a major stride toward modernization.

2. Recommendations

In terms of organization and electoral mechanisms, four areas could use improvement: the selection of polling officers; the training of staff involved in the process, especially polling station staff; the selection and outfitting of polling stations; and information on the presence and role of the OAS in the election.

- Review the layout of polling stations to prevent crowding and disorder.
- Expedite the process of appointment and delivery of credentials to polling officers and political party delegates.
- Continue training programs for inspectors and facilitators, municipal electoral boards, polling officers, and political party delegates. These training programs would prevent future cases of confusion or ignorance of some procedures (in particular, voter enrollment, vote count, and tally) and the resulting delay in the various stages on election day.
- Maintain a backup system of data on election results outside JCE headquarters, in addition to the copy of data on each of the municipal board servers, to be able to more rapidly and securely recover data for the entire country if need be.
- Set up infrastructure for on-line access to information on results obtained by the Boards. Detailed data should be presented automatically, for each report, for use by the parties, press, and electoral observers, and should be available in detail and in summary form for distribution over the Internet.
- Examine the advisability of changing the voting system by eliminating enrollment and voting by gender, since it clearly adds another element of complexity and, particularly, of delay on election day. The practice of the "closed polling precinct" should be examined because, when improperly applied, it penalizes citizens (as occurred at many polling stations). Given

that the system is written into the Constitution, if it is not revised, other flexible ways of implementing it must be sought and strictly enforced by electoral and security officials on election day.^{67/}

- Sign the Procedural Agreement with the OAS General Secretariat to facilitate the Mission's work. Signature of the document before the Mission is dispatched, and its broad circulation to all election officers in the country, is a good way to ensure close scrutiny of the various stages of the process, particularly in areas of information technology.

⁶⁷ The virtual imprisonment of citizens at polling station for long hours at high temperatures discourages voter turnout.

IV.FINANCIAL REPORT

Hard Copy