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REPUBLIC OF NICARAGUA



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SUMMARY

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NATIONAL ASSEMBLY OF THE  
REPUBLIC OF NICARAGUA

Law No. 211      Electoral law      109

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Law No. 211  
The President of the Republic of Nicaragua  
makes it known to the Nicaraguan people that:  
National Assembly of the Republic of Nicaragua

In the use of its powers:

HAS DECREED

the following

ELECTORAL LAW

TITLE 1

SINGLE CHAPTER

Elections

the same time they may promote public awareness of the political trajectory, qualities and virtues which heighten the image of the candidates, who are prohibited from denigrating, offending or diminish their adversaries.

Penal actions due to damage and slander committed against the candidates shall be consistent with common legislation.

The use of goods belonging to the State for political propaganda purposes is prohibited. In public offices no political proselytizing may be practiced.

Any accusation of violation of this provision or of any other type of coercion shall be dealt with as provided and established in this Law and those responsible shall be held responsible for electoral crimes.

Article 114. - The Supreme Electoral Council, thirty days before the start of the electoral campaign, shall issue a specific regulation of the electoral ethics.

## TITLE VIII

### Voting

#### CHAPTER I

#### Casting the vote

Article 115. - Citizens shall go to the polls depositing the vote at the Polling Station on whose list they are registered.

Article 116. - The day set for the voting, the members of the Polling Stations, with their respective alternates, shall assemble in the corresponding polling places at six in the morning. Once the Station is complete, the alternates shall withdraw from the polling place. Voting shall commence at seven in the morning.

Article 117. - The Polling Stations shall operate in the polling place which the corresponding Electoral Council makes known to the public for this purpose, within the demarcation established by the Supreme Electoral Council in accordance with Article 23 of this Law. The Polling Stations must meet the requirements

established by this Law in order to guarantee the secret vote and the purity of the electoral process.

The Polling Stations which due to forces beyond human control have to change their locations within their territorial limits may do so with prior authorization from the Electoral Council of the corresponding district.

Under no circumstances shall the Polling Stations be located in military or police installations, party premises, houses of political leaders, temples. It is also prohibited to install the Polling Stations on the premises of bars, billiard parlors and other centers of relaxation or of vice.

Article 118. - Members of the Polling Stations shall draw up Opening minutes and a constitution in the manner and with the copies determined by the Supreme Electoral Council which must record:

- 1) Name and office of those who compose it.
- 2) Record that the polling place meets the established conditions.
- 3) The number of ballots received for the voting.
- 4) Record that the ballot boxes were reviewed in the presence of the poll watchers, establishing that they are empty and that they are closed and sealed in that state.
- 5) A copy of the Opening Minutes and constitution must be delivered to each of the poll watchers.
- 6) The signature of the members of the Polling Station. These documents may be signed by the poll watchers if they so desire.

Article 119. - While the voting proceeds and until the vote count is signed it shall be prohibited:

- 1) To change the polling place.
- 2) To illegally introduce or extract ballots from the ballot

boxes.

- 3) Remove papers or any other electoral material or any documentation from the voting location.

It shall also be prohibited for members of the Station to absent themselves from their posts. If due to forces beyond human control, any of the members should have to be absent, the alternate must be installed. If the latter can not do so the voting shall continue with the members present. Everything shall be recorded in the minutes.

Article 120. - The voting shall conclude at six in the evening, it can not be closed while there are registered citizens waiting their turn, but the voting can be considered closed earlier if the registered persons corresponding to the Station have already voted.

Article 121. - In every Polling Station there shall be ballot boxes for all ballots in accordance with the regulations set by the Supreme Electoral Council.

Article 122. - For the act of voting the procedure shall be:

- 1) Each voter shall personally present himself at the Polling Station, showing his identification card, his supplementary voting document or his civic identification card.
- 2) The Polling Station shall verify the validity of the identity card, the supplementary voting document or the civic identification card and if it corresponds to its bearer: it shall be confirmed whether the voter is registered on the electoral register or the registered voter lists as the case may be, to deliver to him the corresponding electoral ballots.

If the voter is duly identified as a resident of that electoral district with his identification card, his supplementary voting document or his civic identification card and his name does not appear on the listing of the electoral register or in the voter catalog it appears written differently from the one that the listed on the

identify documents, the members of the Polling Station must accept the exercise of the suffrage, making note of this circumstance in the closing Minutes.

- 3) The President of the Polling Station shall explain to the voter the way to cast the vote.
- 4) The voter shall mark on each electoral ballot with an "X" or any other sign the square of his preference and shall insert it duly folded into the corresponding ballot box.

If the "X" or any other sign has been marked on the ballot outside of the circle, but the intention of the voter can be understood, the vote shall be considered valid.

Article 123. - The members of the Polling Station, the poll watchers accredited before them and their auxiliary personnel, located in the Polling Stations other than those in which they are registered, shall be able to vote in them after presentation of their identification card, supplementary voting document or their civic identification card and credentials. This shall be recorded in the Minutes.

Article 124. - When the act of voting is finished, before cleaning off, the thumb of the right hand must be put into invisible ink so as to mark it to the base of the fingernail. Lacking that finger the elector shall introduce the finger of the left hand or any other finger of his hands if the thumbs are missing. The ink must be on the same table on which the Polling Station operates.

Random samples of the ink shall be analyzed by representatives of political parties before the Supreme Electoral Council prior to its distribution to the Polling Stations. The job of distribution of these materials by the Supreme Electoral Council to the Polling Stations must be supervised by the poll watchers of the participating political bodies.

Article 125. - Persons who have a physical impediment may be accompanied by a trusted person to exercise their right to vote. This shall be noted in the respective minutes.

When the physical impediment is that of the upper extremities the mark with indelible ink may be done on any visible part of the body. This shall be recorded in the respective Minutes.

Article 126. - The following are prohibited on election day:

- 1) Spectacles or public meetings which interfere with the holding of the elections,
- 2) Sale and distribution of alcoholic beverages,
- 3) Armed entry into the polling place,
- 4) Proselytizing or advertising, such as: buttons, caps or T shirts or scarves or any other kind, inside the polling place.
- 5) Arriving in a drunken state.
- 6) Forming groups around the polling places.
- 7) Placing propaganda from political parties, coalitions or civic associations in the voting area.
- 8) Any other activity which tends to impede or to disturb the normal conduct of the voting.
- 9) Presence of the Electoral Police inside the polling place, unless called upon by the Polling Station.

Article 127. - When the voting is completed the members of the Polling Station shall draw up the closing minutes, copies of which must be delivered to each one of the poll watchers and which must contain:

- 1) The time when the voting ended.
- 2) The number of voters who voted.
- 3) The name of the poll watchers who were present at the voting and their complaints.
- 4) The number of ballots which were received and those

which were not used.

The members of the Polling Station and the poll watchers from the political parties, coalitions or civic associations must sign the Minutes.

if the poll watchers refuse to sign, procedures shall be followed according to section 10) of Article 29 of this Law, but if they have filed complaints and did not sign, this shall be null and void. The amount consigned shall be written in ink in letters and numbers.

Appeals or challenges shall be submitted on ordinary paper, manuscripts or typewritten, indicating the reason and its justification and must be signed by the appellant poll watcher.

Article 128. - The Constitution of Nicaragua establishes the right of suffrage of all Nicaraguan citizens.

Exercise of the right to vote of Nicaraguan citizens residing abroad shall be restricted to the election of President and Vice President of the Republic and must be carried out under the same conditions of purity, equality, transparency, security, control, supervision and verification as that which is exercised within the national territory.

For casting of the vote in this case, among other requirements, it is necessary:

- 1) To qualify a location as Nicaraguan territory abroad under the legal fiction of extraterritoriality.
- 2) Transfer personnel and electoral material from the Supreme Electoral Council.
- 3) Presence of poll watchers from the political parties or coalitions participating in the elections with the same powers established in this Law for suffrage within the country.
- 4) Drafting of a register by the Supreme Electoral Council which enables determining and registering the number of Nicaraguan citizens residing abroad with the right to a