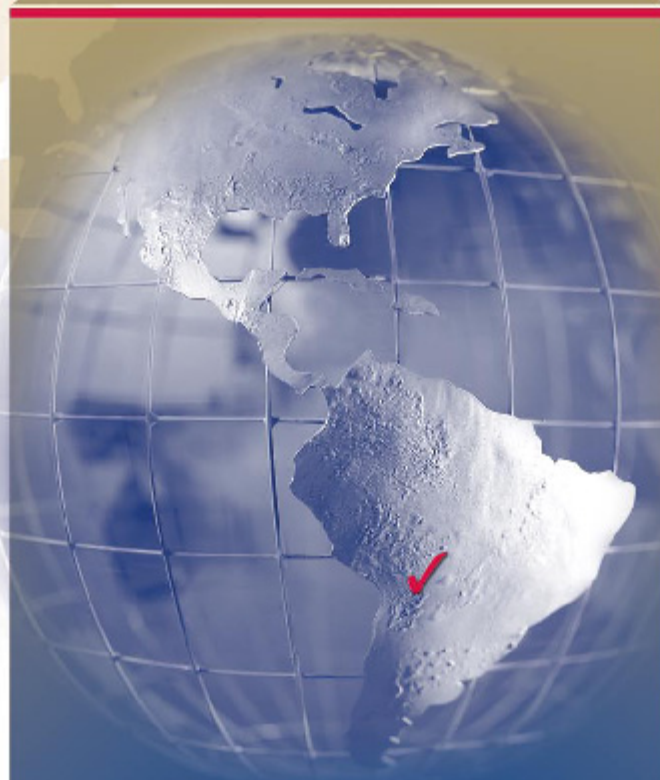




EARLY GENERAL ELECTIONS IN BOLIVIA

DECEMBER 18, 2005

REPORT OF THE ELECTORAL OBSERVATION MISSION



Parliamentary Confederation
of the Americas



**PARLIAMENTARY CONFEDERATION OF THE AMERICAS (COPA)
ELECTORAL OBSERVATION MISSION**

EARLY GENERAL ELECTIONS IN BOLIVIA

DECEMBER 18, 2005

REPORT

TABLE OF CONTENTS

INTRODUCTION	4
1. TERMS OF REFERENCE OF THE MISSION	5
2. MAKEUP OF THE DELEGATION.....	5
3. THE PRE-ELECTION POLITICAL CONTEXT	6
4. THE LEGAL AND INSTITUTIONAL FRAMEWORK OF THE DECEMBER 2005 ELECTIONS	8
4.1 THE ELECTORAL CODE	8
4.2 BOLIVIAN ELECTORAL AUTHORITIES	9
4.3 RESULTS OF THE DECEMBER 18, 2005 GENERAL ELECTIONS.....	11
5. MISSION ACTIVITIES PRIOR TO ELECTION DAY	12
5.1 ARRIVAL OF THE DELEGATION AND ACCREDITATION OF MEMBERS	12
5.2 WORKING MEETINGS WITH REPRESENTATIVES OF INSTITUTIONS AND ORGANIZATIONS INVOLVED IN THE ELECTORAL PROCESS	12
6. MISSION ACTIVITIES ON ELECTION DAY	15
6.1 COMPOSITION AND DEPLOYMENT OF THE COPA OBSERVATION TEAMS	15
6.2 ASPECTS OBSERVED.....	16
7. MISSION FINDINGS.....	17
7.1 THE POLLING STATIONS	17
7.2 ELECTION MATERIALS.....	17
7.3 COMPLAINTS.....	18
7.4 GENERAL OBSERVATIONS.....	19
7.5 VOTE COUNT.....	19
8. MISSION CONCLUSIONS AND RECOMMENDATIONS	19
9. APPENDICES.....	21
APPENDIX I – RESOLUTION ON BOLIVIA.....	21
APPENDIX II – OFFICIAL INVITATION OF BOLIVIA’S NATIONAL ELECTORAL COURT	22
ANNEXE III - LETTER OF ACCEPTANCE AND DESIGNATION	23
APPENDIX IV – PRESS RELEASE - DECEMBER 15, 2005	24
APPENDIX V – OBSERVER’S GRID.....	25
APPENDIX VI – PRESS RELEASE - DECEMBER 20, 2005	30

INTRODUCTION

Created in 1997, COPA brings together the congresses and parliamentary assemblies of unitary, federal, federated, and associated states, regional parliaments, and interparliamentary organizations of the Americas.

Its goals include strengthening parliamentary democracy and building a community of the Americas founded on the respect for dignity and human rights, peace, democracy, solidarity between peoples, social justice, and gender equality.

In order to support democracy, COPA seeks to play an increasingly active role in the area of electoral observation in the hemisphere.

A delegation of COPA parliamentarians therefore visited Bolivia from December 16 to 20, 2005 to observe the early general elections held on December 18.

This was the first COPA electoral mission since the adoption of the *By-laws of COPA Electoral Observation Missions* at the sixth COPA General Assembly in Foz do Iguaçu in May 2005.

The goal of this report is to summarize the activities of the COPA mission during its visit to Bolivia from December 16 to 20, 2005, and present its observations. The report is divided into eight parts: 1) terms of reference of the mission; 2) makeup of the delegation; 3) the political and electoral context; 4) the legal and institutional framework in which the December 18, 2005 elections were held; 5) observations prior to election day; 6) observations on December 18, the day of the elections; 7) findings of mission members; and 8) mission conclusions and recommendations.

1. TERMS OF REFERENCE OF THE MISSION

The mission was organized in response to the COPA Executive Committee resolution adopted on August 18, 2005, in Quito, Ecuador, which called for the deployment of an electoral observation mission to Bolivia during the next presidential and legislative elections to be held in that country (Appendix I).

However, in order to send such a mission, the *By-laws of COPA Electoral Observation Missions* stipulate that COPA must be officially invited, through its president, by the authorities of the country in question.

In view of this requirement, COPA president Guillermo Landázuri Carrillo, deputy of the Ecuadorian National Congress, contacted the competent Bolivian authorities—i.e., the head of state and the minister of foreign affairs—on November 16, 2005, to notify them of the above-mentioned resolution and of COPA's interest in sending an electoral observation mission if they so desired.

Timeline

On December 1, 2005, COPA received an official invitation from the National Electoral Court of Bolivia to send an electoral observation mission during the early presidential and legislative elections of December 18, 2005 (Appendix II).

On December 9, 2005, the COPA president authorized the deployment of a COPA electoral mission in a letter to the president of the Bolivian National Electoral Court, Mr. Hassenteufel Salazar, and informed the court of the mission's makeup (Appendix III).

On December 16 and 17, 2005, the mission met with representatives from institutions and organizations involved in the electoral process in order to get a sense of the electoral situation.

On election day, the mission visited nearly twenty polling stations in the cities of La Paz and El Alto to observe the electoral process.

2. MAKEUP OF THE DELEGATION

COPA president **Guillermo Landázuri Carrillo** appointed the members of the delegation on December 9, 2005.

The COPA delegation was made up of **Éric R. Mercier**, member of National Assembly of Québec, chair of the COPA Committee on Democracy and Peace, and head of the mission.

Additional members were **Pablo Franco Hernández**, deputy of the Federal Congress of Mexico, and **Luciana Genro**, deputy of the Federal Congress of Brazil.

The parliamentarians were assisted by **Jacques Paquet** and **André Maimoni**, respectively of the COPA secretariats in Québec and Brazil, as well as **Francine Barry**, an electoral specialist and assistant to Québec's chief electoral officer.

3. THE PRE-ELECTION POLITICAL CONTEXT

In May and June 2005, Bolivia experienced a major political and social crisis that led to the resignation of President Carlos Mesa on June 6. Eduardo Rodriguez, the head of the Supreme Court, was appointed interim president by the Bolivian Congress on the night of June 9.

It was the second time in two years that grassroots opposition had forced the president from office. On October 17, 2003, Gonzalo Sanchez de Lozada had also resigned in the face of widespread public protests.

The protesters called for the nationalization of the oil and gas industry, the renationalization of water distribution companies, and the creation of a constituent assembly to draft a new constitution guaranteeing the satisfaction of the social needs of the population.

On July 5, 2005, Congress voted to hold early presidential and legislative elections in December 2005. Normally, the elections should have been held in 2007.

The same day, in answer to protesters' demands, Congress also announced that a vote to elect a constituent assembly would be held on July 2, 2006, along with a referendum on regional autonomy, a partial response to demands from the department of Santa Cruz.¹

The announcement that general elections would be held early on December 4, 2005, was well received by the various political factions and by Bolivian voters.

However, on September 22, 2005, a constitutional crisis broke out that threatened to delay the general elections and spark the third presidential resignation in two years. The crisis was triggered by a Bolivian Constitutional Court decision stipulating that seats in the lower house of Congress would have to be redistributed to reflect population shifts recorded in the 2001 census.² The change would have given four extra seats to Santa Cruz, a department in southeastern Bolivia, at the expense of the capital La Paz and the department of Potosí, which would lose six altogether.

In the wake of the Constitutional Court decision, redistribution was debated in Congress. The president of the National Electoral Court (CNE), Mr. Oscar Hassenteuffel, declared that the elections would be postponed if the members of Congress were unable to reach an agreement by October 28. This was the deadline for redrawing electoral boundaries where required, and for printing and distributing ballots in time for the December 4 elections.

With Congress unable to agree on redistribution, the president of the republic broke the deadlock by adopting Supreme Decree No. 28429. The decree eliminated two seats in the department of La Paz, one in Potosí, and one in Oruro, and allocated three new seats to the department of Santa Cruz and one to Cochabamba. The decree also set a new date for the general elections: December 18.

¹ There are eight other departments in Bolivia: Beni, Cochabamba, Chuquisaca, Oruro, Pando, La Paz, Potosí, and Tarija.

² Section 88 of the Electoral Act governing the makeup of the Chamber of Deputies was declared unconstitutional.

The following table illustrates the new distribution of seats subsequent to the presidential decree:

Composition of the Chamber of Deputies Decree No. 28429 – November 1, 2005			
Departments	Single-Member	Multi-Member	Total
La Paz	16	13	29
Santa Cruz	11	14	25
Cochabamba	9	10	19
Potosí	8	6	14
Chuquisaca	6	5	11
Oruro	5	4	9
Tarija	5	4	9
Beni	5	4	9
Pando	3	2	5

On December 18, Bolivians were thus called to the polls to elect their president, deputies, and senators and, for the first time, the prefects of Bolivia's nine departments.

The main political parties and presidential candidates were as follows:

- Movement to Socialism (MAS) – Evo Morales
- PODEMOS – Jorge Quiroga;
- National Unity Front (UN) – Samuel Doria Medina;
- *Nueva Fuerza Republicana* (NFR) – Gildo Angulo Cabrera;
- *Movimiento Nacionalista Revolucionario* (MNR) – Michiaki Nagatani Morishita;
- *Movimiento Indígena Pachakuti* (MIP) – Felipe Quispe;
- *Unión Social de los Trabajadores de Bolivia* (USTB) – Néstor García Rojas;
- *Frente Patriótico Agropecuario de Bolivia* (FREPAB) – Eliseo Rodríguez.

4. THE LEGAL AND INSTITUTIONAL FRAMEWORK OF THE DECEMBER 2005 ELECTIONS

4.1 The Electoral Code

Under the Bolivian Electoral Code in effect since June 25, 1999, and amended most recently on October 5, 2004, the vote is universal, direct, free, compulsory, and secret (art. 5, paragraph A).

At the time of the second most recent amendments to the Code on August 23, 2004, changes were made to article 70 (paragraph f) as a result of the compulsory vote. The article stipulates that anyone who failed to exercise their right to vote in the last general or municipal elections will be removed from the voters list by the National Electoral Court.³

Since then, two registration periods—from April 23 to May 14 and from August 15 to September 5, 2005—have been held to allow citizens in this situation to reregister on the voters list.⁴

Under the Electoral Code, voter registration must be completed 90 days prior to election day (art. 73) and revision of the national voters list at least 50 days prior to election day (art. 76).

In Bolivia, election campaigns begin the day after the issue of the official writ of election and end 48 hours prior to voting day (art. 114). In the event of general or municipal elections, the executive branch, or failing that the national Congress, must provide notification of the writ at least 150 days prior to election day (art. 84).

Political parties, citizens' groups, aboriginal groups, and accredited coalitions must register their presidential, vice-presidential, senatorial, and legislative candidates at least 100 days prior to election day (art.112).

Each polling station is overseen by an electoral notary, whose duties include assisting electoral juries with the organization of voting tables as well as denouncing irregularities (art. 42).

Each voting table is staffed by an electoral jury made up of three citizens, one of whom acts as president, a second as secretary, and the third as a member (art. 49).

Each political party, citizens' group, aboriginal group, or accredited coalition is entitled to delegate one representative per voting table (art.49).

Lastly, it should be noted that motor vehicle travel is forbidden between 00:00 a.m. and midnight on election day unless expressly authorized by an electoral court (art. 145).

There is no advance polling.

³ According to statistics published by the National Electoral Court, 864,285 people have been struck from the voters list since the municipal elections of December 2004.

⁴ In preparation for the prefectural elections initially scheduled for August 2005.

The two following tables summarize the Bolivian electoral system:

Presidential Election – December 18, 2005	
1st round	<u>Universal suffrage</u>
2nd round	<u>Indirect suffrage</u> : Should none of the candidates receive more than 50% of the popular vote, Congress will choose between the two front-running candidates.

Legislative Elections – December 18, 2005		
	Chamber of Deputies	Senate
Members	130 (direct vote)	27 (direct vote)
Electoral districts	68 single member seats	9 multimember departments (3 seats)
	9 multimember departments	
Electoral system	First past the post – 68 deputies	Direct party list majority - Majority party: 2 seats - Second place party: 1 seat
	Direct party list proportional based on a double quotient – 62 deputies	

4.2 Bolivian electoral authorities

Under the Electoral Code, Bolivian electoral authorities and organizations are hierarchically structured as follows:

- a) National Electoral Court
- b) Departmental electoral courts
- c) Electoral judges (*jueces electorales*)
- d) Electoral juries (*jurados de las mesas de sufragio*)
- e) Electoral notaries (*notarios electorales*)
- f) Other officials

In other words, the National Electoral Court (CEN) is the ultimate authority in electoral matters.

Bolivian electoral organizations are independent in overseeing the electoral process and are neither functionally linked nor subordinate to any state institutions.

To ensure the constitutional principle of electoral autonomy, independence, and impartiality is respected, the National Electoral Court is empowered to make its own budget, administer its own resources, and approve its own internal by-laws (art. 12).

Decisions by the National Electoral Court are irreversible and binding, except where matters fall within the jurisdiction or purview of Bolivia's Constitutional Court (art. 28).

According to the Electoral Code, no government ministries are involved in the electoral process.

Powers, functions, and duties of the national and departmental electoral courts

The powers, functions, and duties of the National Electoral Court include the following:

- Recognizing the judicial personality of the political parties participating in general elections
- Organizing and administering the voters list
- Registering candidates from the various parties
- Approving and publishing the electoral calendar no later than 15 days after the issue of the writ of election
- Publicly releasing all final vote tallies for the country after each election
- Swearing in elected candidates
- Planning, organizing, overseeing, coordinating, implementing, controlling, and evaluating election-related technical and administrative tasks (art. 29)

The powers, functions, and duties of departmental electoral courts include the following:

- Appointing electoral judges, notaries, and inspectors
- Publicly counting the votes cast in their respective departments and reporting the results to the National Electoral Court
- Looking into complaints and reported electoral irregularities and taking appropriate legal action
- Planning, organizing, overseeing, coordinating, implementing, controlling, and evaluating election-related technical and administrative tasks in their respective districts in keeping with the guidelines issued by the National Electoral Court (art. 35)

Makeup and appointment of members of the national and department electoral courts

The National Electoral Court is made up of five members, two of whom must be practicing lawyers. The departmental electoral courts are also made up of five members, with the exception of the courts in La Paz and Santa Cruz, which have ten members, and the court in Cochabamba, which has seven (art. 26).

One member of the National Electoral Court is appointed by the president of the republic, as is one member of each of the departmental electoral courts.

The four additional members of the National Electoral Court are designated by Congress in a secret ballot requiring a two-thirds majority of all members present.

The four additional members of the departmental electoral courts are chosen from a list of candidates submitted by the National Electoral Court to Congress in a secret ballot requiring a two-thirds majority of all members present. In the case of the departments of La Paz and Santa Cruz, Congress must choose nine members and, in the case of Cochabamba, six.

Members of the national and departmental electoral courts are elected for four years and are eligible for reelection. The president of the National Electoral Court is elected by the other members of the court in a secret ballot requiring a two-thirds majority.

Members of the National Electoral Court cannot be suspended or removed from office except in cases specifically provided for in the Electoral Code and the Responsibilities Act.

Lastly, note that all political parties and citizens' and aboriginal groups with a recognized juridical personality are entitled to delegate one permanent and one alternate member to represent and speak for them at the National Electoral Court and each departmental electoral court (art. 31 and 36).

4.3 Results of the December 18, 2005 general elections

The two tables below show the presidential and congressional election results as posted on the National Electoral Court website (as of January 23, 2005).

Presidential Candidates	Political Parties	Votes	%
Evo Morales	MAS	1,544,374	53.740%
Jorge Quiroga	PODEMOS	821,745	28.594%
Samuel Doria Medina	UN	224,090	7.798%
Michiaki Nagatani Morishita	MNR	185,859	6.467%
Felipe Quispe	MIP	61,948	2.156%
Gildo Angulo Cabrera	NFR	19,667	0.684%
Eliseo Rodríguez	FREPAB	8,737	0.304%
Néstor García Rojas	USTB	7,381	0.257%

Source: National Electoral Court of Bolivia

Chamber of Deputies		Senate	
Political Parties	No. of Seats/130	Political Parties	No. of Seats/27
MAS	72	PODEMOS	13
PODEMOS	43	MAS	12
UN	8	UN	1
MNR	7	MNR	1

Source: National Electoral Court of Bolivia

5. MISSION ACTIVITIES PRIOR TO ELECTION DAY

5.1 Arrival of the delegation and accreditation of members

Upon their arrival in Bolivia on December 15, 2005, the members of the delegation issued a press release (Appendix IV) announcing the makeup of the delegation and its objectives, and briefly introducing COPA.

On November 3, 2005, the Organization of American States signed an agreement with Bolivia to send a team of observers to monitor the December 18 general elections at the invitation of the Bolivian government. On site, the OAS was mandated by the National Electoral Court to coordinate all international observers. When the members of the COPA delegation learned of this situation upon their arrival in Bolivia, they contacted the OAS mission leaders to obtain the required accreditation.

The COPA observation mission would like to thank the Canadian Consulate in Bolivia and the Brazilian Embassy for their invaluable assistance in obtaining accreditation for the delegation.

5.2 Working meetings with representatives of institutions and organizations involved in the electoral process

To get a sense of the Bolivian electoral situation, members of the delegation held working meetings with representatives of various institutions and organizations involved in the electoral process, which are summarized below:⁵

A) Electoral officials

Salvador Romero Ballivián, member of the National Electoral Court (*Corte Nacional Electoral* CNE) – Friday, December 16, 2005 at 7:30 p.m.

The meeting with Mr. Romero was very instructive for the delegation. It obtained additional information on the location of polling stations, the method used to select election workers (random draw), and the rights of international observers on election day.

Mr. Romero did not anticipate any difficulties or fraud on election day, especially since the political parties would have representatives assigned to the various polling stations.

The meeting with Mr. Romero was also highly beneficial in that he issued the delegation with two election-day vehicle passes. Since car travel is prohibited on election day, the passes were vital to ensure the independence of the COPA electoral observation mission.

⁵ Members of the mission only report the comments made by institutional and organizational representatives and do not pass any judgment.

B) Political parties

Peter Maldonado Bakovic, Secretary of International Relations, *Frente de Unidad Nacional* – Saturday, December 17, 2005, at 6 p.m.

UN is a political party that was founded on December 12, 2003. As a new party, it was not represented in Congress prior to the election. However, its presidential candidate, Samuel Doria Medina, was third in the polls.

After outlining his party's history and policies, Mr. Maldonado affirmed his confidence in the electoral process and said that Bolivian elections were much better organized now. He also expressed his confidence in the validity of the voters list drawn up by electoral officials.

He did not expect any problems or fraud issues on election day. However, he did have two concerns about potential problems with the transport of ballots and with computer system reliability. He explained that throughout the country, there were fraud concerns about ballot box substitution wherever ballot boxes are transported after the polls close. As for the computer system, he alleged that there had been rumors of vote count data entry fraud in the Department of Potosi during the 2002 general elections, and that this could happen again.

Antonio Peredo Leigue, senatorial candidate, *Movimiento al Socialismo* (MAS) – Saturday, December 17, 2005, at 8 p.m.

MAS is a political party that was founded on July 23, 1987. It is led by Evo Morales Ayma, who was its presidential candidate. Since the 2002 general elections, MAS has been the second largest party in the Bolivian Congress and the main opposition.

Commenting on the election campaign, Mr. Peredo was critical of the media and accused them being clearly biased in favor of PODEMOS, the party led by Mr. Jorge Quiroga.

Mr. Peredo had concerns about the possibility of fraud on election day, and anticipated deficiencies and irregularities. He was also worried about the validity of the voters list, given that all citizens who had failed to vote in the December 5, 2004 municipal elections had been removed from the list under the new provisions of the law. Like the representatives of the other organizations the COPA delegation met with during its mission, he also alluded to the potential for problems during ballot box transfer and vote count data entry.

However, he asserted that there had been significant improvements in the way elections were organized in the course of the past 20 years. He said that despite certain problems, the electoral process was valid and the results of the December 18 election would be clear and unequivocal.

C) Civil society

Guillermo Vilela D. de M., president of the Permanent Assembly of Human Rights of Bolivia (*Asamblea Permanente de Derechos Humanos de Bolivia*) – Friday, December 16, 2005, at 5:15 p.m.

Throughout the election campaign, Mr. Vilela said his organization faced two recurrent problems, especially in rural areas: corruption and limited access to information. In his view, the population remains disillusioned and unmotivated because the “politics of corruption” persists unchanged and unpunished. He said that the spring 2005 demonstrations that sparked the resignation of President Carlos Mesa were fueled by a desire for renewal and for transparency from the political and economic elite.

Mr. Vilela also raised another problem: the lack of independence between the executive, legislative, and judicial branches of government. He noted that members of the public and certain political parties distrusted the National Electoral Court, which was criticized for failing to properly control election advertising and for the fact that one of its members was still a member of a political party. He maintained that there was a certain public wariness of the electoral process.

As for the role of the media in the electoral process, he deplored that television and the press were in pro-government hands, but said a broader, more balanced range of opinion could be heard on talk radio.

Mr. Vilela identified two moments when irregularities could occur on voting day: 1) when ballots are cast and 2) when voting data is entered into the computer system. With respect to the first possibility, he maintained that there was a way for people to sell their votes, but that the best way to control it was still the presence of party representatives at polling stations on election day.

D) Diplomatic representatives

At 9 a.m. on Friday, December 16, 2005, the Québec members of the COPA delegation met with Canada’s diplomatic representative in Bolivia, **Enrique Madueno**, Counselor, Head of Cooperation, and Consul. The meeting was an opportunity to present the objectives of the COPA electoral observation mission and find out more about the Bolivian electoral situation, including issues like security, the role of international observers, and the potential for electoral fraud. As mentioned earlier, the Canadian consul was a big help to the COPA delegation in obtaining accreditation from the mission of the Organization of American States, the organization in charge of coordinating international observers.

At the same time, the coordinator of the COPA secretariat in Brazil, **André Maimoni**, held a working meeting with the Brazilian ambassador to Bolivia, **Antonio Lisboa Mena Gonçalves**. The ambassador also helped obtain accreditation for the Brazilian members of the delegation.

6. MISSION ACTIVITIES ON ELECTION DAY

6.1 Composition and deployment of the COPA observation teams

On election day, the COPA delegation was divided into two teams of observers.

1) The first team, made up of **Éric R. Mercier**, **Jacques Paquet**, and **Francine Barry**, visited ten polling stations in La Paz and El Alto:

No.	City/District	Polling Station Name	# of tables	Arrival	Departure
95	La Paz/ Sopocachi Alto	Colegio San Luis	33	8:05 a.m.	8:45 a.m.
50	El Alto/ Villa Aroma	Unid. Educ. Aniceto Arce	14	9:45 a.m.	10:20 a.m.
27	La Paz/ Zona Norte	Liceo. Tec. Humanistico Nuestra Sra de La Paz	8	11:55 a.m.	12:15 p.m.
29	La Paz/ Miraflores	Esc. Piloto Naciones Unidas	19	12:20 p.m.	12:45 p.m.
63	La Paz/ Villa Armonia	Colegio Waldo Ballivian	21	1 p.m.	1:20 p.m.
59	La Paz/ IV Centenario	Unid. Educ. Simon Bolivar	10	1:30 p.m.	1:50 p.m.
66	La Paz/ Bolonia	Colegio FF. AA. de la Nacion	11	2 p.m.	2:15 p.m.
67	La Paz/ Irpavi	Esc. Rosemari de Barrientos	27	2:20 p.m.	2:40 p.m.
72	La Paz/ Calacoto – La Florida	Esc. Santa Rosa La Florida	15	2:50 p.m.	3:10 p.m.
92	La Paz/ Kantutani – San Jorge	Col. Amor de Dios	14	4 p.m.	4:30 p.m.

2) The second team, made up of **Pablo Franco Hernández**, **Luciana Genro** and **André Maimoni**, visited nine polling stations in La Paz and El Alto:

N°	City/District	Polling Station Name	# of tables	Arrival	Departure
20	El Alto/ Villa 12 de Octubre	Col. 12 de Octubre	21	8:25	8:50 a.m.
25	El Alto/ Villa Dolores	Col. Juan Capriles	25	9:10 a.m.	9:25 a.m.
21	El Alto/ Villa 12 de Octubre	C.E.F.I.	2	9:30 a.m.	9:35 a.m.
24	El Alto/ Villa Dolores	Esc. Eva Peron	19	9:40 a.m.	10 a.m.
106	La Paz/ Pasankeri	Col. Luis Espinal Camps	18	10:20 a.m.	10:50 a.m.
114	La Paz/ Tembladerani	Parqueo Stadium Bolivar	15	11 a.m.	11:15 a.m.
97	La Paz/ Sopocachi Bajo	Col. Gregório Reynolds	12	11:20 a.m.	11:35 a.m.
68	La Paz/ Koani	Instituto Domingo Savio	7	11:50 a.m.	12:20 a.m.
89	La Paz/ Obrajes	Instituto Americano	18	3:50 p.m.	6:20 p.m.

6.2 Aspects observed

To help them perform their work as observers, the parliamentarians on the mission had received an electoral observation grid prepared by the secretariat of the COPA Committee on Democracy and Peace. A copy of the grid (see Appendix V) was completed at each polling station visited. It is divided into eight parts and is based on the provisions of the Bolivian Electoral Code, especially articles 134 to 180. The grid covers the following areas:

- 1) General information on the observer and polling station
- 2) The polling station
- 3) Election materials
- 4) Voters
- 5) Complaints
- 6) Other observations
- 7) Vote counting
- 8) Overall assessment

To collect this information, the observers mainly talked to the electoral notaries and juries on duty at the polling stations visited.

The two teams of observers also sought to obtain a relatively representative sample of voting practices by visiting polling stations in a cross-section of La Paz and El Alto neighborhoods, i.e., working class, middle class, and wealthier areas.

7. MISSION FINDINGS

Here are the main findings, which are illustrated with the help of the five tables included in the observation grid provided to COPA delegation members. The tables cover the following aspects: 1) the polling stations; 2) election materials (2 tables); 3) complaints; and 4) general observations. A fifth aspect—the vote count—is not illustrated by a table. A grid was completed for each of the 19 polling stations visited. The compiled results are as follows.⁶

7.1 The polling stations

In most cases, polling stations were open for the required period—8 a.m. to 4 p.m. In the event of delayed openings, hours were extended to compensate.

	YES	NO	More or less
Suitable polling station site and setup	15	0	4
Polling station is complete	19	0	0
Presence of security forces	19	0	0
Presence of candidate/party representatives	19	0	0
Presence of election advertising on site	3	16	0
Acts of voter intimidation	0	19	0

The physical setup of the polling stations was unusual, as voters were often short of space. However, it would appear that this is customary and the voters did not complain.

Despite the presence of a large number of voters at each voting table, voting went ahead in an orderly fashion.

The second team of observers noted the unlawful presence of PODEMOS party election advertising in restricted areas at polling stations 24 and 21 in El Alto.

7.2 Election materials

In general, election materials were available in sufficient quantities in keeping with prescribed standards.

	YES	NO
Properly sealed ballot boxes	19	0
Voting booths ensuring voter secrecy	19	0
Poll book	19	0
Voters list	18	1
Ballots in sufficient quantity	18	1
Ballots initialed by polling station staff	19	0

⁶ These results are only a snapshot of the observations made by the members of the COPA delegation.

The second team of observers reported that the voters list was missing at polling station No. 21 in El Alto

At polling station No. 59 in La Paz, the electoral notary informed the first team of observers that he was short 150 ballots at 1:40 p.m. and that the departmental electoral court had been notified. No explanation was given for the shortage.

	Very good	Good	Poor	Very poor
Election materials	18		1	
Work of polling station officials	19			
Work of security agents	19			

In a number of polling booths, security agents helped electoral notaries guide voters to their voting tables.

The second team of observers noted that at polling station No. 24 in El Alto, officials at one voting table were distributing ballots to voters without first showing them to the political party representatives, which was contrary to normal practice.

7.3 Complaints

Political party representatives and voters made a number of oral complaints to officials in charge of the various polling stations.

	YES	NO
Complaints by party or candidate representatives	5	14
Complaints by voters	10	9

In many polling stations—numbers 29, 59, 63, 66, 67, 72 and 106 in La Paz; and 21, 24 and 50 in El Alto—there were numerous complaints from people who had been struck off the voters list for failing to vote in the last municipal elections.

At polling station No. 50 in El Alto, voting was temporarily interrupted when political party representatives complained to polling station officials about being asked to stay over 1 meter away from the voting tables. A few voters tried to cast ballots using their old voter registration cards because they had been removed from the voters list under the new provisions of the law. Lastly, one person tried to vote using a photocopy of his voter registration card. The electoral notary asked him to come back with official documents, such as a passport.

At polling station No. 59 in La Paz, party representatives complained that there were sometimes more than one representative of the same party per table.

At polling station No. 72 in La Paz, party representatives complained that representatives from other parties were too obviously dressed in their party colors.

7.4 General observations

Generally, there was compliance with Electoral Code provisions for the aspects observed.

	YES	NO
Respect for ballot secrecy	19	0
Presence of more than one voter in the voting booth	0	19
Electoral staff compliance with procedures	19	0
Voter understanding of procedures	19	0
Orderly conduct of voting	19	0
Interruption in voting during the day	1	18

The observation grid included an item on the presence of unauthorized persons in polling stations. No observations were recorded for this item because it is customary practice for all to be able to circulate freely within polling stations.

At polling station No. 66 in La Paz, voting was temporarily interrupted during a brief visit by a prefectural candidate, as stipulated by law.

7.5 Vote count

COPA observers were on hand during vote counting in polling stations 89 and 92 in La Paz. The count was performed in a serious, calm, and open manner in compliance with the provisions of the Electoral Code.

8. MISSION CONCLUSIONS AND RECOMMENDATIONS

At the end of the mission, the members of the delegation drafted and issued a press release (Appendix VI) announcing their conclusions and observations.

COPA parliamentarians and their assistants were generally satisfied with the conduct of the elections. They found that electoral procedures had been followed for the most part, and that the vote had proceeded in an orderly and festive atmosphere.

They were very impressed by the seriousness and the sense of civic duty showed by Bolivians in the course of the elections.

Although the members of the delegation witnessed certain minor irregularities, they did not feel that these affected the overall integrity of the electoral process.

With respect to the main fraud risks raised at the meetings held prior to election day with representatives of institutions and organizations involved in the electoral process—i.e., the transport of ballot boxes and vote count data entry—the delegation was unable to observe these aspects of the electoral process.

However, the delegation was concerned by the fact that many people had been struck from the voters list under the new provisions of the law and were unable to exercise their right to vote.

This situation is regrettable and could have had serious consequences for the electoral process, especially had the presidential election results been closer.

The delegation agrees that the voters list problem is the weak spot in the Bolivian electoral process and believes that the competent authorities would be well advised to make changes to improve the quality of the voters list in time for the next elections.

To this effect, the COPA observation mission recommends that Bolivian electoral officials...

- Take steps to increase public awareness and understanding of the Electoral Code provision stipulating that anyone who fails to vote in general or municipal elections will be removed from the voters list
- Ensure that Bolivian voters are better informed about the period for reregistering on the voters list.

Lastly, the members of the delegation were very pleased with the warm and friendly welcome they received from Bolivians at the working meetings they held prior to the elections and during their polling station visits.

Further to the COPA electoral observation mission, copies of this report shall be sent to the Bolivian electoral authorities, the Bolivian foreign ministry, and the persons in charge of the Unit for the Promotion of Democracy at the Organization of American States (OAS).

The report will also be presented to parliamentarians at the next COPA General Assembly and posted on the COPA website.

9. APPENDICES

Appendix I – Resolution on Bolivia

Parliamentary Confederation of the Americas (COPA) Executive Committee Meeting

Quito, Ecuador
August 18 and 19, 2005

RESOLUTION ON BOLIVIA

WHEREAS one objective of COPA is to “contribute to the strengthening of parliamentary democracy and to the building of a community of the Americas founded on the respect for dignity and human rights, peace, democracy, solidarity between peoples, social justice, and gender equality”;

WHEREAS in recent months Bolivia has faced a severe political and social crisis that led to the resignation of President Carlos Mesa on June 6;

WHEREAS this is the second president in two years who has been forced to resign due to public unrest;

WHEREAS Supreme Court Chief Eduardo Rodriguez was named interim president by the Bolivian Congress in the early hours of June 10, 2005;

WHEREAS the interim president officially announced on July 6, with the approval of the Bolivian Congress, that legislative and presidential elections would be held on December 4;

We, the members of the Executive Committee of the Parliamentary Confederation of the Americas meeting in Quito, Ecuador, on August 18 and 19, 2005,

EXPRESS our grave concern regarding the prevailing political and social situation in Bolivia, despite the easing of tensions since the swearing in of interim president Eduardo Rodriguez;

APPLAUD the maturity of Bolivian political actors for respecting constitutional mechanisms during the social and political crisis that led to the resignation of president Mesa;

DEMONSTRATE our support for and solidarity with the Bolivian society and the democratic institutions of this country, particularly the electoral authorities, in the organization of the anticipated general elections of next December 4th;

OFFER to send a COPA electoral observation mission to the anticipated legislative and presidential elections in Bolivia if, in accordance with the By-Laws of COPA Electoral Observation Missions and in full respect of the national sovereignty of Bolivia, the appropriate authorities of this country officially request this.

Quito, Ecuador, August 18, 2005

Appendix II – Official invitation of Bolivia's National Electoral Court

La Paz, 1 de diciembre de 2005
PROT. No. 093/2005

Señor Jaime Siles Otazo
Cónsul Honorario de Bolivia
Québec, Canadá

Distinguido señor Cónsul:

Como ya es de su conocimiento, el 18 de diciembre se realizarán en Bolivia elecciones generales para elegir Presidente, Vicepresidente, Senadores y Diputados tanto Uninominales como Plurinominales. Por otro lado, en la misma fecha se elegirán por primera vez Prefectos (as) Departamentales.

En este contexto, la participación de observadores electorales constituye un hecho fundamental que, sobre todo, permitirá el intercambio de experiencias entre miembros de los organismos electorales de la región, con el objetivo de fortalecer nuestras democracias y hacer de la administración de los procesos electorales un ejercicio cada vez más eficiente.

Por esa razón, la Sala Plena de la Corte Nacional Electoral de Bolivia tiene el agrado de invitar mediante su autoridad a la Confederación de Parlamentarios de las Américas (COPA), con sede en Québec, Canadá a participar de este acto eleccionario como observador internacional dada la importancia que reviste para la democracia de nuestro país.

La Corte Nacional Electoral por razones presupuestarias no podrá cubrir gastos de transporte, alojamiento, alimentación y desplazamientos internos.

Rogamos verificar si es necesaria una visa para visitar Bolivia. En todo caso nuestro Ministerio de Relaciones Exteriores brindará a ustedes toda la atención requerida.

Sin otro particular, saludo a usted con las consideraciones mas distinguidas.

Annexe III - Letter of acceptance and designation

Appendix IV – Press Release - December 15, 2005

A delegation of representatives from the Americas will observe Bolivian elections

La Paz, December 15, 2005—Mr. Éric R. Mercier, a member of the Québec National Assembly, is heading up a delegation of parliamentarians from the **Parliamentary Confederation of the Americas (COPA)** who will observe the presidential and legislative elections in Bolivia on December 18. Along with Mr. Mercier, the delegation will include Mr. Pablo Franco Hernández, member of the Mexico Federal Congress, as well as Ms. Luciana Genro and Mr. Paes Landim, members of the Brazil Federal Congress.

COPA president Guillermo Landázuri Carrillo decided to send the delegation after receiving a request in this regard from authorities in the Republic of Bolivia. Upon arrival today, the delegation will meet with the main players in the electoral process to take stock of the situation in the country as it heads into the election. On voting day, the delegates will spread out around the capital city area of La Paz to observe the elections at as many polling stations as possible.

It will be COPA's first electoral observation mission since adopting a regulatory framework for missions at its General Assembly in Foz do Iguaçu in May 2005.

The parliamentarians will be assisted by Mr. Jacques Paquet and Mr. André Maimoni, from the Quebec and Brazil COPA secretariats respectively, as well as Ms. Francine Barry, assistant to the Chief Electoral Officer of Québec.

Founded in Quebec City in 1997, the Parliamentary Confederation of the Americas (COPA) brings together over 300 parliamentary assemblies of unitary, federal, federated, and associated states, as well as the regional parliaments and interparliamentary organizations of the Americas. It promotes dialog on issues related to inter-American cooperation and continental integration and helps strengthen parliamentary democracy and build the Americas into a community founded on respect for human rights and dignity, peace, democracy, solidarity among peoples, social justice, and gender equality.

Appendix V – Observer's Grid

**BOLIVIAN PRESIDENTIAL AND LEGISLATIVE ELECTIONS
December 18, 2005**

ELECTION OBSERVER'S GRID

1. GENERAL INFORMATION

Name of observer: _____

Region/Locality: _____

Polling station: _____

Arrival time: _____

Departure time: _____

2. POLLING STATION

Opening time: _____

Reasons for delay (if any):

Polling station composition: _____

	YES	NO
Suitable polling station site and setup		
Polling station is complete		
Presence of security forces		
Presence of candidate/party representatives		
Presence of election advertising on site		
Acts of voter intimidation		

Details: _____

3. ELECTION MATERIALS

	YES	NO
Properly sealed ballot boxes		
Voting booths ensuring voter secrecy		
Poll book		
Voters list		
Clean list		
Ballots in sufficient quantity		
Ballots initialed by polling station staff		

	Very good	Good	Poor	Very poor
Election materials				
Work of polling station officials				
Work of security agents				

Details: _____

4. VOTERS

Number of voters registered: _____
 Waiting time: _____
 Average time required to vote: _____
 Voters admitted without I.D.: _____
 Voters admitted who were not registered: _____
 Voters signed the voting record: _____

Details: _____

5. COMPLAINTS

	YES	NO
Complaints by party or candidate representatives		
Complaints by voters		

Details: _____

6. OTHER OBSERVATIONS

	YES	NO
Respect for ballot secrecy		
Presence of more than one voter in the voting booth		
Electoral staff compliance with procedures		
Voter understanding of procedures		
Presence of unauthorized persons in the polling station		
Visit by other national observers		
Visit by other international observers		
Orderly conduct of voting		
Interruption in voting during the day		

Details: _____

7. VOTE COUNT

Vote count start time: _____

Number of voters registered: _____

Number of people who voted: _____

Invalid ballots: _____

Blank ballots: _____

Challenges by representatives: _____

Details: _____

Signature of tallies by representatives: _____

Level of security for transport of material to the departmental court

Excellent ()

Average ()

Low ()

Details: _____

8. OVERALL EVALUATION

Irregularities to report: ()

Minor irregularities: () Specify

Serious irregularities capable of affecting the integrity of the electoral process: ()
Specify

Remarks: _____

Appendix VI – Press release - December 20, 2005

COPA observation mission

Parliamentarians satisfied with the election process in Bolivia

La Paz, December 20, 2005—A delegation of parliamentarians from the **Parliamentary Confederation of the Americas (COPA)** headed by Mr. Éric R. Mercier, a member of the Québec National Assembly, observed the presidential, legislative, and prefectorial elections in Bolivia on December 18, and expressed satisfaction with the voting process. The delegation also included Mr. Luciano Genro, member of the Federal Congress of Brazil, and Mr. Pablo Franco Hernández, member of the Federal Congress of Mexico.

On voting day, delegates spread out around the capital city area of La Paz to observe the election process in more than twenty polling stations. The members of the delegation noted that the electoral procedure was respected and that the vote ran smoothly. “I was impressed with the responsible citizenship and seriousness demonstrated by the Bolivian citizens in this election,” declared Mr. Mercier. “However, our delegation regrets that, with the application of the new legislative provisions, some voters were left off the electoral list and could not exercise their right to vote,” he added.

It was at the request of Republic of Bolivia authorities that COPA president Guillermo Landázuri Carrillo decided to send the delegation. Upon arrival on December 15, the delegation met with the main players in the electoral process to take stock of the situation in the country as it headed into the election.

It was COPA’s first electoral observation mission since adopting a regulatory framework for missions at its General Assembly in Foz do Iguaçu in May 2005.

Founded in Quebec City in 1997, the Parliamentary Confederation of the Americas (COPA) brings together over 300 parliamentary assemblies of unitary, federal, federated, and associated states, as well as the regional parliaments and interparliamentary organizations of the Americas. It helps strengthen parliamentary democracy and build the Americas into a community founded on respect for human rights and dignity, peace, democracy, solidarity among peoples, social justice, and gender equality.