

**ECUADOR
PRESIDENTIAL AND PARLIAMENTARY
ELECTIONS
20 OCTOBER – 24 NOVEMBER 2002**

**EUROPEAN UNION
ELECTION OBSERVATION MISSION**

FINAL REPORT

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This report was produced by the EU Election Observation Mission and presents the EUEOM's findings on the elections for the Presidency, Congress, Andean Parliament, provincial and municipal councils in Ecuador. These views have not been adopted or in any way approved by the Commission and should not be relied upon as a statement of the Commission. The European Commission does not guarantee the accuracy of the data included in this report, nor does it accept responsibility for any use made thereof

This report is also available in spanish language. The english version remains the only official version.

EXECUTIVE SUMMARY

1. Despite various irregularities, especially during the first round of 20 October, the elections in Ecuador can be considered acceptable in terms of electoral procedures and a further step in the consolidation of democracy. Regarding voting and counting procedures, although there were many irregularities at the polling stations and the counting centres, they were generally overcome thanks to cooperation between the representatives of the candidates, the electoral authorities, and the army and police officers with a security function. Therefore the irregularities observed did not substantially affect the results of the elections. On the other hand, as a democracy-building experience, it is positive that all contenders accepted the overall results without major complaints, particularly in the case of the presidential election in which neither of the two candidates in the second round belongs to the traditional party elites.
2. On 20 October, five different elections took place: the first round of the presidential elections; elections for the Congress; elections for the Andean Parliament; elections for provincial councils; and elections for municipal councils. In the presidential election, Lucio Gutiérrez and Álvaro Noboa qualified for the second round, with 20.6% and 17.4% of the vote respectively. They were followed by two centre-left candidates from the traditional political elite of the country: Rodrigo Borja and León Roldós. Xavier Neira and Jacobo Bucaram were the other two candidates in the top six, all of whom received more than 11.9% each. The remaining five candidates all received less than 4% of the vote each.
3. The election for Congress resulted in a highly fragmented parliament with eleven parties winning some seats. The new Congress will be composed of only 100 members, as compared to the 123 members of the previous one. The party with the largest number of seats is the PSC, with 26 seats, and this entitles it to the presidency of the Congress. The centre-left ID (Izquierda Democrática) has 13 seats in its own right, but together with the 3 seats allocated to its allies it claims the second position with 16 seats and therefore the first vice-presidency of the Congress. The populist right PRE has obtained 15 seats. The left-leaning alliance which supported Lucio Gutiérrez, PSP and Pachakutik, together will have 17 seats. The party of Álvaro Noboa, right-wing PRIAN, will have 10 seats. The radical left Movimiento Popular Democrático, which has consistently supported Gutiérrez, will take 5 seats. The centre-right Democracia Popular, the biggest winner of the 1998 elections, lost its support significantly and will have only 4 seats. Other seats will be distributed between smaller parties and electoral alliances. Eighteen of the 100 new members of Congress are women, marking a clear increase over the percentage of women in the previous Congress.
4. In the second round of the presidential election Lucio Gutiérrez obtained 54.8% and Álvaro Noboa 45.2% of the valid votes. The number of invalid and blank votes combined was lower than during the first round, despite public calls by some of the main political figures for mass vote-spoiling.
5. There were clear regional tendencies in the voting between and within the Coast, Sierra, and Amazonia. The right-wing Partido Social Cristiano (PSC) was clearly the strongest party in the Coast, although it is worth noting that in various Sierra provinces there were significant differences between the low vote obtained by the PSC's presidential candidate and the considerably higher vote for the party in the Congress elections. The centre-left Izquierda Democrática (ID) was, as expected, strong in the Sierra, especially in the province of Pichincha. The coalition behind Lucio Gutiérrez was overwhelmingly strong in the Amazon region and fared well in the Sierra and relatively well in the coast as well. Some parties had more concentrated strongholds in various parts of the country, such as the populist Partido Roldosista Ecuatoriano (PRE) in Esmeraldas.

6. A gender analysis also shows some differences in the support bases of the candidates. In the first round, the candidate who secured the highest proportion of male voters was the indigenous contender Antonio Vargas, followed by Lucio Gutiérrez. Perhaps not surprisingly, the candidate with the highest proportion of female voter support was the only woman contender, Ivonne Baki (Juez Abuchakra), followed by León Roldós whose vice-presidential candidate Dolores Padilla is a well-known feminist activist. The other two male candidates who had female vice-presidential candidates, Rodrigo Borja and Osvaldo Hurtado, also received predominantly female support. In the second round, Noboa obtained a higher proportion of female support than Gutiérrez.
7. Although 42 official complaints were made to the Tribunal Supremo Electoral, the overall results have not been contested by any of the principal political actors. Of these complaints, 18 were about the elections for Congress and 15 about the elections for various municipal councils. The other electoral processes were the subject of considerably fewer complaints. The clear margin between the two contenders during the second round of the presidential election was a major reason for lack of official complaints concerning the 24 November vote.
8. The most common reasons for complaints were twofold. On the one hand, there were disagreements on how to interpret the law on the distribution of seats in a given electoral district, the most common disagreement concerning how to transform votes into seats in electoral districts with two congressional representatives in accordance with Article 104 of the electoral law. On the other hand, there were allegations of numerical mistakes in the counting of the vote. The political parties that filed most complaints were the PSC and PRE, with seven complaints each, followed by the MPD with five complaints. Geographically, there were clearly more complaints in the Amazon provinces than in other parts of the country, the main reason being that all of these provinces elect two Congress representatives and therefore disagreements on Article 104 are more likely to arise there.
9. The generally calm tone of the campaign in the first round was disturbed only by allegations that fraud might be committed, made by candidates who saw that their expectations of going through to the second round were not being confirmed by the opinion polls. Curiously, among those most intensively using this strategy were Lucio Gutiérrez and especially Álvaro Noboa, both of whom in fact went through to the second round. Allegations of irregularities and fraud were not so frequent in the second round of the presidential elections. Only as the election day was approaching, Gutiérrez issued warnings about the possible manipulation of the vote counting in Manabí, Guayas and Los Ríos, a group of provinces which accounts for more than one third of the votes and which was considered to be Noboa's stronghold. In the opinion of a variety of observers and analysts, the EU EOM's public declarations, most particularly that of 10 October, helped to undermine the credibility of most of the allegations of fraud which were provoked by the irregularities found in the selection of polling officers in Guayas and Manabí.
10. The electoral budget was generous and the planning process had apparently been adequate. Nevertheless, the elections were poorly administered. The recruitment of polling officers, organization of polling stations and the provision of information to voters were all managed deficiently by the Tribunal Supremo Electoral (TSE).

11. The national media covered the campaigns in a relatively impartial and fair way. The press provided relatively fair and impartial information about the 11 presidential candidates. Even the candidate who obtained the least space in the press, Antonio Vargas, got a surprisingly high 5.50% of the press attention. Noboa was the one the press wrote most about, with 14.54% of the total. The tone of the coverage was quite neutral. The distribution of TV time among candidates was similarly fair. A good indicator of impartiality is that there was no correlation between the amount of money the candidates spent on TV slots and the amount of time they got on TV newscasts. Noboa, who was by far the biggest spender, got a modest 9.64% of the TV time.
12. The gaps in the law on electoral expenditure limits resulted in conflicts between the electoral authorities, candidates and the media. In fact, the law being applied for the first time in the 2002 elections establishes limits on the amounts the candidates are allowed to spend in the campaign. This legislation was passed after the issue of electoral expenditure had caused a great scandal in the previous electoral contest between Álvaro Noboa and Jamil Mahuad. Although the EU EOM considers that the legislation did play a significant role in moderating expenditure and setting a fairer stage for the electoral contest, it considers that there are problems in the application of the law. These include the following: the spending limits are unrealistically low; the law establishes only financial penalties for the offenders; and the electoral authorities are not given enough resources to monitor the amounts spent by parties and candidates.
13. The EU EOM established eight regional offices with two Long-Term Observers (LTOs) in each one. Sixteen LTOs arrived on September 23 to spend two and a half months in the country. The eight regional offices were established mostly in the centre of major towns in order to enhance the EU EOM's visibility and with the aim of observing the electoral process in all 22 provinces. Just before the elections, 40 Short-Term Observers (STOs) arrived for a period of ten days for the first round and again for ten days for the second round, returning to their home countries in the intervening period. Four Members of the European Parliament and the Core Team also observed activities on election day at several polling stations making a total of 65 EU observers. In both rounds, EU observers followed the voting, counting and closing procedures as well as the tabulation procedures at the Provincial Electoral Tribunals and the transmission of results to the central level.
14. In Riobamba the second round of the presidential elections was postponed until 1 December, because severe damage caused by the explosion of a military arsenal prevented the election from taking place on 24 November. All nine polling centres in the town of Riobamba were observed by the EU EOM.

RECOMMENDATIONS FOR FUTURE ELECTIONS

The electoral system and electoral procedures in Ecuador have undergone certain improvements. There are however still serious deficiencies, which could be remedied by further reforms. The EU EOM would like to offer the following recommendations to improve the election framework prior to future elections:

1. Problems with the electoral law and other relevant legal norms

One of the most problematic features of the current electoral law, based on the Constitution of 1998 and effective since July 2000, is its complexity. The basic formula used in the congressional elections is extremely difficult for the average voter to understand (open lists with *panachage* or preferential vote for candidates from different lists). This problem is exacerbated by the fact that simultaneous elections for different bodies use different formulae. Moreover, even within one election there are different mechanisms to transform votes into seats in electoral districts of differing sizes.

The EU EOM considers that it is the sovereign right of the citizens of Ecuador to decide on the main features of their electoral system. To take a much debated example, whether or not the formula of D'Hont is suitable for the particular characteristics of Ecuador is something that the EU EOM does not intend to give advice on. We believe nevertheless that there is a need for more uniformity between different elections. For example, the fact that the elections for the Andean Parliament use closed lists when other simultaneous elections for Congress, Provincial and Municipal Councils use open lists resulted in a regrettable number of invalid votes.

- One of the provisions of the electoral law that caused most confusion and resulted in a great number of official complaints is Article 104, which defines the way votes are transformed into seats in electoral districts where only two representatives are elected. Although the wording of the law could be improved, the content of article 104 is that the two seats are to be allocated to the candidates with the largest number of votes from the two most voted lists. In the congressional elections, this included the Amazonian provinces and Galápagos. In our opinion, the article is not as ambiguous as many politically motivated complaints argued. Notwithstanding the dissenting opinion of its president, the TSE interpreted the law in a manner which we consider correct. Nevertheless, the fact that there were so many confusing interpretations of this article suggests that it could be helpful to make the intention of the legislator more explicit, perhaps in the corresponding article of the by-law. It should be made particularly clear how to proceed in situations where the individual candidate who obtains most votes does not belong to the list which obtains the most votes. For these situations, the law should specify how to define what is “the list that follows”.
- Another controversial aspect of the electoral law deals with the quotas of women candidates and the way they should be positioned in the candidate lists. While the norm on quotas was followed quite consistently, there was much debate on how to interpret the provision which states that women should be placed in the candidate lists in “sequential and alternating” order. Many women’s organizations have argued that this means that one man should be followed by one woman followed by one man, or vice versa. The electoral authorities and the by-law permitted a much more flexible interpretation of the norm. The issue was taken by various women’s organisations to the Constitutional Court, which ruled in November against the electoral authorities. This means that, within the framework of the current law, in the next elections the law cannot be interpreted in as flexible a manner as has been the case until now. It is, however, possible that some parliamentary groups will seek to modify this section of the legislation so that these provisions promoting gender

balance are abolished. The EU EOM believes that these kinds of provisions providing for a more equal participation by women should be maintained.

- The legally established limits on campaign expenses are another highly controversial aspect of the electoral law. The EU EOM believes that, even if it is impossible to establish a foolproof mechanism to monitor all possible expenses, these limits have had some positive effects in comparison with previous elections in the country when no limits existed. The main problem with these norms is that there is a legal vacuum as regards the sanctions for those who exceed the limits. Moreover, the expense limits are unrealistically low having regard to the respective costs. We recommend that the issue of sanctions and of the expense limits be debated publicly in Ecuador.
- On further issues, we recommend removing the prohibition on voting for those citizens who are in the queue at 5 p.m. but have not yet voted. In the law itself the issue is somewhat ambiguous, but the by-law makes it perfectly clear that they shall not be allowed to vote. This kind of prohibition is against the internationally accepted practices that anybody in the queue should be allowed to stay and vote. Paradoxically enough, while Ecuadorians in this situation are not allowed to vote, they do have the right to request a voting certificate.

2. Professionalism of the electoral administration

- The fact that the electoral administration system in Ecuador is party-based does not in itself amount to the cause of its management deficiencies. In terms of the institutional model, partisan control of an election management body and insufficient professionalism or deficient administration should not be considered as necessarily associated, but rather as somewhat separate issues. On the one hand, party-based electoral administration is the tradition in most of Latin America. On the other hand, partisan loyalties should not be considered to be tantamount to partisan managing behavior.
- The Ecuadorian electoral administration can and should implement internal reform in order to achieve a more decentralized management system with higher degrees of autonomy transferred to provincial electoral bodies. Moreover, some other managerial changes could be considered, in particular those dealing with the recruitment of polling station officers and the arrangement of polling stations.
- Recruitment of polling officers was traditionally done – and this is still a legal provision – by selecting people from lists submitted by political parties. In 2002 the TSE decided to make the selection on the basis of lists submitted by high schools, public administration, private companies, etc. The selected personnel often lacked training or failed to appear at the polling station on election days. While the army and police had received effective training before the elections on not only security matters but also the voting and counting procedures, the civil electoral administration failed to provide similar training to polling station officers, many of whom had not even been notified of their appointment. As a result the army and police played a prominent role in the electoral process at polling station level. The apparent failure of the new method of selection of polling station officers may indicate that this is the real Achilles heel of the electoral procedures in Ecuador, which in turn suggests that the introduction of further reforms would be advisable in order to avoid this situation recurring. As regards the content of such reforms, the TSE could study the different formulae being used in the region and in the rest of the world, and then decide which one is most feasible and appropriate to the political and social conditions in the country.

- Regarding physical organisation of the polling stations, it is clear that the current arrangements fail properly to guarantee the secrecy of the vote. The voting tables are generally set in a row in the open air on the premises of schools and universities, one table next to the other, with a small cardboard screen set in the open as a voting booth. The standard widely used around the world is one of voting tables set within the classroom with the voting screen set aside in such a way that nobody except the voter can watch the filling of the ballot paper.

3. The voter registers and the use of indelible ink to prevent double voting

- Once purged of most of the deceased, the main problem with the voter lists remains that of the very large number of registered electors, estimated to total more than 1.5 million, who are living abroad as migrants and who cannot be identified as such within the voter lists. This makes it difficult to prevent double voting by people holding an identification card belonging to an absentee voter. Hence the importance of the proper use of indelible ink as a deterrent against double voting.

4. Other relevant aspects of election management

- The provision of some minimum material reward (e.g. money allowance, food) to polling officers was missing. In a break with previous practice in the country, the TSE decided this time not to pay any allowance nor to provide food to polling officers on the election day, when they were on duty non-stop for a minimum of about 15 hours during the first round and 12 hours during the second round. Instead, as an incentive for service, polling officers were granted one day's leave from their place of employment or, if they were students, two additional points in the grade assigned to a subject of their choice. This did not appear to amount to a sufficient incentive for a large part of the selected polling officers to perform their duty, among other reasons because many of them might neither have a paid job from which to take a day off, nor be enrolled as students.
- Another practice which should be avoided in future is counting the vote in the dark. Electric or other lighting was not totally guaranteed by the electoral authority for the counting of the ballot. In many places polling officers had to count the ballots and complete complicated tally sheets under lighting conditions which made their job extremely difficult. In most places in Ecuador, darkness falls around 6 p.m. while the counting of the ballot at the first round, involving five ballot papers three of which were very difficult to handle, would easily take at least four hours mainly after daylight has finished.

I. MISSION BACKGROUND, STRATEGY AND ACCOMPLISHMENTS

Following an invitation of the Ecuadorian Government to the EU to observe the elections of 20 October and 24 November 2002, the European Commission decided to send an Exploratory Mission to collect further factual elements to assist with the decision whether and how the EU should support the election process in Ecuador. The Exploratory Mission concluded that sending an Election Observation Mission to Ecuador was advisable, feasible and useful.

An EU Election Observation Mission was therefore established, funded by the European Initiative for Democracy and Human Rights. Emma Bonino, Member of the European Parliament, was appointed Chief Observer (CO). She arrived in Quito on 11 September 2002, while the other Core Team members had arrived on 9 September to start the necessary preparations. The Core Team was composed by Rafael López Pintor from Spain as Deputy Chief Observer (DCO), Cristina Alves from Portugal as LTO Coordinator, Teivo Teivainen from

Finland as Electoral Expert, Scipion du Chatenet from France as Logistics Expert, and Xabier Meilán from Spain as Media Monitor. The spokesman of Emma Bonino, Pietro Petrucci from Italy, joined the Core Team while the CO was in Ecuador.

On September 23, 16 Long Term Observers (LTOs) arrived in Ecuador and were deployed as regional officers in Quito, Guayaquil, Ibarra, Ambato, Riobamba, Portoviejo, Loja and Cuenca. Finally, the week before the election of 20 October and again before the second round of 24 November, a total of 40 Short Term Observers (STOs) arrived in Ecuador. Between the Core Team members, LTOs and STOs, including the members of a Delegation of the European Parliament, led by MEP Jannis Sakellariou, a total of 65 persons were deployed in the field on election day under the EU banner.

The EU EOM remains grateful for the support it has received from the Tribunal Supremo Electoral (TSE) and the Ministry of Foreign Affairs of Ecuador, as well as from the Embassy of Spain in charge of the EU presidency pro-tempore for Denmark, and the Honorary Consul of Spain in Guayaquil.

II. THE POLITICAL ENVIRONMENT OF THE ELECTIONS

The national elections of 20 October and 24 November in Ecuador can be considered acceptable in terms of electoral procedures and a further step in the consolidation of democracy. Regarding procedures, although there were several irregularities at the polling stations and the counting centres, they were generally overcome thanks to cooperation between the representatives of the candidates and the electoral authorities. Therefore the irregularities observed did not substantially affect the results of the elections. On the other hand, as a democracy-building experience, it is positive that all contenders accepted the overall results without major complaints, particularly in the case of the presidential election in which neither of the two candidates in the second round belongs to the traditional party elites.

The main factors defining the electoral environment are identified and discussed under the different subheadings of this chapter.

A multiparty system in a regionalized polity

In the new 100-seat Congress, 11 different parties will have parliamentary representation, the biggest party having 26 seats. Moreover, the multiparty system in Ecuador is characterised by the lack of strong parties with nationwide appeal, as regional parties and local leaders prevail. A quick look at the distribution of votes shows that support for a given party or candidate may be four times stronger in some regions than in others. Throughout Ecuadorian history, this kind of party system (i.e. highly fragmented by region and province rather than by ideology) has made it difficult to negotiate over and agree on public policies with a national scope.

One consequence of this reality is that the constitutional provisions and the electoral system reflect and reinforce this kind of regional party system and the strength of local leaders. There are some legal provisions on key aspects of elections enshrined in the Constitution (i.e. the electoral formula for Congress, provincial and municipal bodies establishing open lists with preferential voting allowing electors to choose candidates from different lists). This tendency towards a highly fragmented polity is still further strengthened by an election system establishing provincial electoral districts with a small number of seats as the basis for the congressional elections. The main regional differences are between the coastal provinces with Guayas as the leading province, the mountain provinces with Quito in the lead, and the Amazonian provinces. Voting patterns are highly differentiated between these three regions.

In addition, the complicated electoral system, favouring regional and local leaders, is very complicated for both voters and polling officers to manage. Hence, the existence of high percentages of invalid vote, and the many irregularities in the completion of tally sheets. All this makes it especially difficult for newly mobilized voters and in general for people who are not aligned with traditional parties to express their vote in a valid way. Traditional parties have in fact experience in canvassing with their own voting clienteles and informing their electorate about where and how to vote.

Partly stemming from the above-described situation there is little tradition among party elites of sharing national overarching projects for governance. Their main political experience is in prioritizing regional projects to the benefit of their own clienteles. Weak national political bonds may help to explain the lack of enthusiasm for the second round **among certain leaders** and even open frustration which were shown by some leaders of well-established parties. Sometimes, open hostility was manifest against the fact that two newcomers reached the second round; with offensive utterances against the electorate for having “made a mistake” by choosing candidates who were dismissed as being incapable of running the country.

An important consequence of the party system and the regionally clientelist political practice is that no matter who is elected President of the Republic, he or she is likely to lack a legislative majority. Furthermore, the President will always need to engage in much negotiation and coalition building with regional elites in the Congress.

The independent role of the mass media

There are no state-owned media in Ecuador. In general terms, the privately-owned media covered the campaign fairly. The national press, TV and radio stations gave all 11 presidential candidates reasonable opportunities to express their views. The amount of money the campaigners spent in publicity did not correlate with the attention the media paid to them. And the main media outlets did not campaign openly for any of the candidates.

The only exceptions to this general rule were some local media, mainly radio stations, owned by regional economic and political groups, who in some cases encouraged their audiences to vote for a given candidate, whether in a subtle or in an open manner.

Civil society organizations monitoring the electoral process

A newly-created civil society organization, Participación Ciudadana, played a major role as election monitor from the very start of the process. By following a well established pattern in other countries of the region (i.e. Peru, Chile, Mexico, Nicaragua and Dominican Republic) the organization played a very positive role in enhancing the transparency of and public confidence in the electoral process by mobilizing several thousand of youth volunteers throughout the country, and by monitoring the way in which the electoral authorities and political parties and candidates applied and complied with the law and a basic code of conduct for campaigning. Participación Ciudadana was particularly active on sensitive issues such as campaign expenses, and the demand that parties and candidates should specify their programmes.

Participación Ciudadana also conducted a quick count of the vote both at the first and the second round, which proved very useful as a tool to check the official counting by the TSE. In spite of a relative lack of experience in dealing with election monitoring and its uneven presence around the country, the emergence of a civil society organization like Participación Ciudadana should be considered a very promising development in Ecuadorian democratic politics.

Another civil society organization, the Latin American Human Rights Association (ALDHU), also played a role in the monitoring of the elections. Moreover, women's groups monitored the extent to which the legal norms concerning women candidates and their position in the party lists were followed in the electoral process.

International electoral observer missions with a short-term presence

The other main international observer missions in Ecuador were sent by the Organization of American States (OAS) and the International Republican Institute (IRI), an NGO linked to the US Republican Party. Both observation missions had a short-term presence with deployment of a sizeable number of observers only a few days prior to the election at the two rounds. The EU EOM established information and coordination links with the two missions, both at the central level and in the field, to avoid overlapping during election day observation. The EU EOM also coordinated the timing of publication of official post-electoral statements. An agreement was reached and respected that the EU would make the first statement during the morning of the day after election, then the OAS by noon, and finally the IRI by early afternoon.

Natural disasters throwing a shade of anxiety amidst the population

It was unfortunate that a number of catastrophic events between the first and the second round seriously afflicted large sectors of the Ecuadorian population. These events somehow undermined the normal mood of public opinion which tends to prevail during an election period. The week after the first round in the northern province of Imbabura, thousands of persons suffered from contaminated water supplies, while a bit further to the South the volcano Reventador erupted, throwing out huge quantities of ash and gases which contaminated large areas in the North and centre of the country, with the capital city of Quito suffering the explosive effects. The following week, in the Central Highland city of Riobamba the explosion of a military arsenal caused casualties and damaged thousands of homes resulting in the postponement of the second round of elections Sunday 1 December, affecting over 96,000 registered voters.

III. THE ELECTORAL RESULTS AND COMPLAINTS

Results

On 20 October, five different elections took place: the first round of the presidential elections; elections for the Congress; elections for the Andean Parliament; elections for provincial councils; and elections for municipal councils. Moreover, in two municipalities that had been created recently, elections for mayor took place.

For the presidential and congressional elections, a system of rapid counting of votes was established. Consorcio Comicios Ecuador 2002, a private firm, had been contracted by the TSE to organize the rapid transmission of votes in a system that ran parallel to the official counting system.

Despite the various deficiencies of the rapid transmission of votes, the essential results of the presidential election were already apparent during the night of the elections. The official counting later confirmed the results, which showed Lucio Gutiérrez and Álvaro Noboa qualifying for the second round, with 20.6% and 17.4% of the vote respectively. They were followed by two centre-left candidates from the traditional political elite of the country: Rodrigo Borja and León Roldós. Xavier Neira and Jacobo Bucaram were the other two candidates in the top six,

all of whom received more than 11.9% each. The remaining five candidates all received less than 4% of the vote each.

If one disaggregates the vote along gender lines, it can be observed that the candidate who secured the highest proportion of male voters was the indigenous contender Antonio Vargas, followed by Lucio Gutiérrez. Perhaps not surprisingly, the candidate with the highest proportion of female voter support was the only woman contender, Ivonne Baki (Juez Abuchakra), followed by León Roldós whose vice-presidential candidate Dolores Padilla is a well-known feminist activist. The other two male candidates who had female vice-presidential candidates, Rodrigo Borja and Osvaldo Hurtado, also received predominantly female support. This voting pattern suggests that the Ecuadorian myth that women would not be inclined to vote for women is at least partially erroneous.

RESULTS OF THE FIRST ROUND OF PRESIDENTIAL ELECTIONS 24 OCT 2002							
Political Organization	Candidate	Total	%	Men	%	Women	%
PSP/MUPP-NP	LUCIO EDWIN GUTIERREZ BORBUA	943,123	20.64	506,062	53.66	437,061	46.34
PRIAN	ALVARO FERNANDO NOBOA PONTON	794,614	17.39	409,904	51.59	384,71	48.41
RP	LEON ROLDOS AGUILERA	703,593	15.40	312,038	44.35	391,555	55.65
ID	RODRIGO BORJA CEVALLOS	638,142	13.97	299,811	46.98	338,331	53.02
PSC	ANTONIO XAVIER NEIRA MENENDEZ	553,106	12.11	259,77	46.97	293,336	53.03
PRE	JACOBO BUCARAM ORTIZ	544,688	11.92	291,662	53.55	253,026	46.45
TSI	JACINTO VELAZQUEZ HERRERA	169,311	3.71	87,789	51.85	81,522	48.15
PLRE/META	IVONNE LEYLA JUEZ ABUCHAKRA	79,598	1.74	27,031	33.96	52,567	66.04
PL	CESAR AUGUSTO ALARCON COSTTA	54,793	1.20	27,799	50.73	26,994	49.27
MPS	OSVALDO HURTADO LARREA	49,043	1.07	23,196	47.30	25,847	52.70
MIAJ	CARLOS ANTONIO VARGAS GUATATUCA	39,171	.86	21,335	54.47	17,836	45.53
	Valid votes	4,569,182	86.23	2,266,397	49.60	2,302,785	50.40
	Null votes	483,905	9.13	212,137	43.84	271,768	56.16
	Blank votes	245,494	4.63	117,621	47.91	127,873	52.09
	Total votes	5,298,581		2,596,155		2,702,426	

Source: Tribunal Supremo Electoral

For the Congress elections, the results of the rapid counting were of much less help. Moreover, the official vote counting was delayed far beyond the legally established ten-day deadline, especially in the provinces of Guayas and Los Ríos. In the historical context of Ecuador, this delay was by no means exceptional. One of its most problematic consequences was that the composition of the new Congress was not officially known when voters were deciding whom to vote for in the second round of the presidential elections.

There were clear regional tendencies in the voting. The right-wing Partido Social Cristiano (PSC) was clearly the strongest party in the Coast, although it is worth noting that in various Sierra provinces there were significant differences between the low vote obtained by the PSC's presidential candidate and the considerably higher vote for the party in the Congress elections. The centre-left Izquierda Democrática (ID) was, as expected, strong in the Sierra, especially the province of Pichincha. The coalition behind Lucio Gutiérrez was overwhelmingly strong in the Amazon region and fared well in the Sierra and relatively well in the coast as well. Some parties had more concentrated strongholds in various parts of the country, such as the populist Partido Roldosista Ecuatoriano (PRE) in Esmeraldas.

The new Congress will be composed of only 100 members, as compared to the 123 members of the current one, as an election reform recently introduced has eliminated the proportional quota of seats, thus reinforcing the regional character of the election system. The party with the largest number of seats is the PSC, with 26 seats, and this entitles it to the presidency of the Congress. Although the vote counting has finally been completed, it is still not clear which party will be the second biggest parliamentary group, and thus according to the Constitution the one entitled to nominate the first vice-presidency of the Congress. The struggle for this position is of considerable importance, because after the first two years, the party that has led the first vice-presidency will occupy the presidency for the remaining two years of the legislature.

The reason for this uncertainty is that the parties formed different kinds of alliances with each other and with independent groups in different electoral districts, and in some cases the final affiliation of those elected is yet to be defined. The centre-left ID has 13 seats in its own right, but together with the 3 seats allocated to its allies it claims the second position. The populist right PRE has obtained 15 seats, and claims to have more than the ID if the latter's allies are discounted. Also, the left-leaning alliance which supported Lucio Gutiérrez, PSP and Pachakutik, together will have 17 seats, and claims that it should be given the first vice-presidency.

The party established by the front-runner of the presidential elections Álvaro Noboa, right-wing PRIAN, will have 10 seats in the new congress. The radical left Movimiento Popular Democrático, which has consistently supported Gutiérrez, will take 5 seats. The centre-right Democracia Popular, the biggest winner of the 1998 elections, lost its support significantly and will have only 4 seats. Other seats will be distributed between smaller parties and electoral alliances. Eighteen of the 100 new members of Congress are women, marking a clear increase over the percentage of women in the previous Congress.

The Tribunal Supremo Electoral (TSE) officially proclaimed the names of those elected for the Andean Parliament on 7 November. The PSC won this election, and with 17.6% of the votes it will have two members in the Andean Parliament, Blasco Peñaherrera and Juana Vallejo. The Movimiento Ciudadanos por un Nuevo País received 16.1% and elected Freddy Ehlers, who was the presidential candidate of Pachakutik in the elections of 1998. The PRE, with 10.1%, elected Héctor Solórzano, and the PRIAN, with 9.8%, Jorge Fantoní.

The essential result of the second round of the presidential election was clear within two hours after the voting was finished on 24 November. Both the rapid count and the official count proceeded with much greater speed and efficiency than during the first round.

The final results of the presidential election were proclaimed on 3 December. Lucio Gutiérrez received 54.8% and Álvaro Noboa 45.2% of the valid votes. The number of invalid and blank votes combined was lower than during the first round, despite public calls by some of the main political figures for mass vote-spoiling. In gender terms, it is to be noted that among those who voted for Noboa, women were the majority, whereas the majority of Gutiérrez voters were, as in the first round, male.

RESULTS OF THE SECOND ROUND OF PRESIDENTIAL ELECTIONS 24 NOV 2002							
Party	Candidate	Total	%	Men	%	Women	%
PSP/MUPP-NP	LUCIO EDWIN GUTIERREZ BORBUA	2,803,243	54.79	1,445,911	51.58	1,357,332	48.42
PRIAN	ALVARO FERNANDO NOBOA PONTON	2,312,854	45.21	1,103,775	47.72	1,209,079	52.28
	Valid votes	5,116,097	88.10	2,549,686	49.84	2,566,411	50.16
	Null votes	640,074	11.02	276,398	43.18	363,676	56.82
	Blank votes	50,938	0.88	22,963	45.08	27,975	54.92
	Total votes	5,807,109		2,849,047		2,958,062	

Official Complaints

Although the overall results of the elections have not been contested by any of the principal political actors, legal provisions for official complaints to be made about particular issues were used by various parties before, during and after the 20 October elections. The clear margin between the two contenders during the second round of the presidential election was a major reason for the lack of any official complaints concerning the 24 November vote. Apart from the official complaints discussed in this section, there were various other minor disagreements that were resolved satisfactorily by the respective provincial electoral authorities.

We will mostly use the generic term “complaints” to refer to *impugnaciones*, *apelaciones* and *quejas*, the three complaint categories defined within the Ecuadorian electoral law. The most controversial complaints before the elections concerned the decision of the TSE not to accept three presidential candidates because they had not collected enough signatures to back their candidacy. The issue was finally decided by the Constitutional Court, which ruled against the TSE that the candidacy of Antonio Vargas should be allowed to proceed (whereas those of the other two appellants were terminated). There was some speculation that the ruling was politically motivated, with the more realpolitik-oriented interpretations claiming it was intended to divide the indigenous vote (Vargas was regarded as capable of reaching some of the potential voters of Lucio Gutiérrez) and the more benevolent interpretations stating it would have been politically and morally problematic to close the door to the first indigenous presidential candidate in the history of Ecuador. In the end, the candidacy of Vargas was not very successful, ending with less than one per cent of the vote.

The TSE received 42 official complaints about the voting and counting process. Of these, 18 were about the Congress elections and 15 about elections for various municipal councils. The other electoral processes were the subject of considerably fewer complaints.

The most common reasons for complaints were on the one hand disagreements on how to interpret the law on the distribution of seats in a given electoral district and on the other hand allegations that there had been numerical mistakes in the counting process.

Among the complaints on seat distribution, the most common disagreement was over how to transform votes into seats in electoral districts with two congressional representatives in accordance with Article 104 of the electoral law. In the EU EOM opinion, the law does not leave much room for differing interpretations in this case, but various parties claimed that the law is ambiguous and decided to fill a complaint. The TSE interpreted the article in a manner that the EU EOM finds correct, notwithstanding the fact that its president Carlos Aguinaga gave a dissenting vote in each of these decisions.

The political parties that filed most complaints were the PSC and the PRE, with seven complaints each, followed by the MPD with five complaints. The clear majority of complaints did not result in the reversal of the original decision. Of the three parties, the first two had two complaints upheld and MPD one. The PSC complaints were made mostly in provinces where its traditional voting base is not very strong, such as Loja, Sucumbíos, Zamora and Los Ríos, whereas the PRE was actively complaining in Esmeraldas and Los Ríos, its traditional strongholds. Another difference between the main complainants was that while the PSC complaints focused on the Congressional races, the PRE was more concerned about the local elections.

Geographically, there were clearly more complaints about the Amazon provinces than about other parts of the country, the main reason being that all of these provinces elect two Congress representatives and therefore disagreements on Article 104 are more likely to arise there. The Coast followed, with complaints being common especially in Esmeraldas and Los Ríos as well as, to a lesser extent, in Manabí. In the Sierra, the provinces of Pichincha and Loja originated most complaints, though in general fewer complaints occurred than in the Coast and Amazonia.

IV. THE ELECTORAL AUTHORITY

In spite of much talk anticipating fraud among certain candidates before the first round, no evidence was provided either before or after the election that such fraud actually existed either at the polling stations or in the computer systems. Nevertheless, the electoral process was not properly managed by the electoral authority, and a lot of shortcomings have been reported through the entire period.

Reasonably good planning was prepared in advance by the TSE, and the election budget was generously financed with funds from the national budget and some international assistance, mainly from USAID. In fact the 2002 election budget was twice that of previous elections with around USD 4 per registered voter, which is close to the average in Latin America *. Nevertheless, the election was poorly managed both in terms of the recruitment of polling

* In a regional comparative perspective, estimated costs in some other countries are as follows: Nicaragua in 2001 at USD 15; Mexico in 1997 at USD 5.9; Guatemala in 1996 at USD 1.8; El Salvador in 1994 at USD 4.1 and further down in 1997 at USD 3.1; Panama in 1994 at USD 6.2; Costa Rica in 1994 at USD 1.7; and Haiti in 1995 at USD 4.0. Mexico in 1997 at USD 5.9; Guatemala in 1996 at USD 1.8; El Salvador in 1994 at USD 4.1 and further down in 1997 at USD 3.1; Panama in 1994 at USD 6.2; Costa Rica in 1994 at USD 1.7; and Haiti in 1995 at USD 4.0 (Rafael López Pintor, *Electoral Management Bodies as Institutions of Governance*, New York: UNDP, 2000, p. 74).

officers and organization of the polling stations as well as of the information made available to voters on where and how to vote. This latter problem was particularly acute in rural areas and among indigenous populations speaking little or no Spanish.

Among the areas where the TSE had a relative success was the removal of the deceased and individuals serving in the army and police (who are not entitled to vote) from voter lists in cooperation with the Office of the Civil Registry. The TSE also decided to reduce the number of voters per polling station, which facilitated the voting operation and the counting of the ballots; the setting-up of voter information points at the entrance of the polling centres for the second round of the presidential election (managed by the army); and the system for quick transmission of results, which was only operative for the presidential ballot.

On the negative side, the TSE failed to comply with the principle of “centralized direction and decentralized management”. The TSE attempted to govern a complex election system and procedures by combining centralized planning plus centralized management. Limited budgets and little room for initiative and coordination were given to the provincial electoral bodies (TPE), which had to implement TSE decisions sometimes at short notice and with scanty funds. This was particularly the case with recruitment and training of polling station officers, and with voter information. Regarding polling officers, the failures in recruitment and training paved the way for many poorly filled and blank tally sheets, delaying the counting for weeks in several provinces, most notoriously in Guayas. On the other issue, voter information, a massive campaign and/or adequate information on the spot on polling day was missing at the first round when the major difficulties arose in voting for Congress, provincial and municipal councils with the system of open lists and preferential ballot between different lists.

Other effects of deficiencies in voter information and in the training of polling officers had to do with the use of voter lists and the misapplication of indelible ink. This ink can work as an effective deterrent against double voting if properly applied, but during both the first and the second round the indelible ink, which was used for the first time in these elections, was not properly used. The information from the field shows that misapplication was the rule. On the other hand, there were also problems in identifying people in the voter lists either because they were missing from the lists or, more frequently, because people could not find the right place to vote. This latter failure was substantially overcome in the second round with the setting-up of information posts managed by military personnel at the entrance of the polling centres.

Following the Latin American tradition, and as is the case in many other countries of the world, the electoral administration in Ecuador requires that election management bodies (Tribunales Electorales) are staffed by magistrates appointed upon recommendation by the major political parties. This political institutional model is often criticized in elite circles as politicized and partial.

However, the model worked very effectively in these elections. In fact, due to recruitment failures by the TSE, more than one third of polling station officers were recruited on the spot on election day and lacked any training with the ensuing problems for managing the voting operations and filling the tally sheets. Within this context, had it not been for the multi-party composition of the electoral bodies at all levels as well as for the technical support by the army and police at the polling stations, the voting and counting at the first round could have become unmanageable and could have degenerated into turmoil. In the event, on the one hand, party-tied polling officers and delegates checked on each other while on the other, security officials who knew how to read and write, and had received electoral training, were able to fill the vacuum of know-how left by the civil electoral administration.

In conclusion, election management in Ecuador turned out quite deficient in spite of a reasonably well-planned design and a well-funded budget. In spite of the many irregularities, no significant fraud accusations were presented by political parties and candidates. It was the political institutional model of a party-based electoral administration, jointly with the security and technical assistance of the Army and Police, which saved the election – at least in the first round – from becoming unmanageable. However, the prominent role of security forces in the enforcement of electoral procedures does not help much in the strengthening of a genuinely civil electoral service.

V. MEDIA COVERAGE

Campaign tone and issues

During the first round of the presidential elections, the candidates conducted a campaign emphasizing their personal virtues and their commitment to tackling the country's problems, rather than focusing on their political programmes. Submerged in a deep economic and political crisis, the Ecuadorians finally voted for candidates they perceived as being detached from the establishment.

On the other hand, the first part of the campaign did not attract much attention from a population tired with broken promises. The generally calm tone was disturbed only by allegations that fraud might be committed, made by candidates who saw that their expectations of going through to the second round were not being confirmed by the opinion polls. Curiously, among those most intensively using this strategy were Lucio Gutiérrez and especially Álvaro Noboa, both of whom in fact went through to the second round.

In the opinion of a variety of observers and analysts, the EU EOM's public declarations, most particularly that of 10 October, helped to undermine the credibility of most of the allegations of fraud which were provoked by the irregularities found in the selection of polling officers in Guayas and Manabí.

Allegations of irregularities and fraud were not so frequent in the second round of the presidential elections. Only as the election day was approaching, Gutiérrez issued warnings about the possible manipulation of the vote counting in Manabí, Guayas and Los Ríos, a group of provinces which accounts for more than one third of the votes and which was considered to be Noboa's stronghold.

However, the campaign for the second round turned out to be quite aggressive. Shortly after the unofficial results of the first round were released, Álvaro Noboa called Gutiérrez, whom he said he preferred as an opponent in the second round, a "Chinese communist". The accusation was repeated several times afterwards.

Noboa's campaign team also alleged that an accusation of mistreatment had been filed by Ximena Bohórquez, Gutiérrez' wife, against her husband, and paid for advertisements depicting Gutiérrez as an "Ecuadorian Chávez" with links to the Colombian guerrilla. This change of strategy coincided with the presentation of Luis Eladio Proaño, a well known media analyst and consultant, as Noboa's new campaign manager.

The campaign was publicly criticized by various bodies, such as the Asociación Latinoamericana de Derechos Humanos (ALDHU), the Catholic Church, and even the Venezuelan Embassy, which presented a public complaint and forced the advertisement comparing Gutiérrez with Chávez to be discontinued on TV.

The candidates' second round campaigns followed very different patterns. Whereas Noboa visited the coastal provinces delivering all kinds of supplies in the poor neighborhoods, Gutiérrez began his campaign by exchanging his military fatigues for a suit, and undertaking a series of institutional visits. He even flew to the US for several days to meet representatives of the IMF, World Bank and the press. Two weeks before the election day, he went back to the safari clothes and participated in rallies, probably fearing that he might lose ground among voters.

The coverage of the first round of the presidential election

(For tables and graphs, see Annex I)

The press provided relatively fair and impartial information about the 11 candidates. Even the candidate who obtained the least space in the press, Antonio Vargas, got a surprisingly high 5.50% of the press attention. Noboa was the one the press wrote most about, with 14.54% of the total. The five candidates who got most coverage, both in informative and opinion pieces, would eventually occupy the five leading positions in the 20 October election, although in a different order (they are, as ranked in press space, Álvaro Noboa, Xavier Neira, Rodrigo Borja, León Roldós and Lucio Gutiérrez).

The tone of the coverage was quite neutral. Álvaro Noboa was not only the candidate the press wrote most about, but also the one it liked the least. However, he scores a 3.09 in information pieces, which means very close to neutral coverage (3 is neutral; 4, moderately unfavorable), and a 3.56 in editorials, columns, cartoons and letters to the editor. The general mentions of candidates were even less favourable, with a 3.19 in information and a 3.75 in opinion articles. This suggests that the press shares the population's cynicism about politicians.

The distribution of TV time among candidates was similarly fair. A good indicator of impartiality is that there was no correlation between the amount of money the candidates spent on TV slots and the amount of time they got on TV newscasts. Noboa, who was by far the biggest spender (he spent almost one out of every three dollars poured into the campaign for the first round of the presidential elections), got a modest 9.64% of the TV time.

The second round of the elections

(For tables and graphs, see Annex I)

With only two candidates, the proportion of opinion articles as opposed to information pieces in the national press almost doubled (from 21% to 38%). Moreover, the two contenders got worse opinion reviews during this period (3.7 for Noboa; 3.47 for Gutiérrez).

All the indicators for information gave Gutiérrez a short lead: he got 54% of the news articles, 56% of the mentions, 55% of the headlines, and 52% of the pictures. This difference, which is within reasonable professional standards, was counter-balanced by the coverage received by Anabella Azín and Marcelo Cruz, respectively the wife and the vice-presidential candidate of Noboa, who got much more attention than their counterparts. The only exception was that Ximena Bohórquez, Gutiérrez' wife, got more opinion pieces than Anabella Azín, because of the accusations of mistreatment made by Noboa against Gutiérrez.

The time the candidates got on TV are distributed in a similar way as press space, i.e. slightly favourable to Gutiérrez. He got 54.83% of the time, and 55.35% of the news slots. As for the tone of the TV coverage, Noboa had a higher rate than Gutiérrez of both positive (67.23% vs.

61.69%) and negative (18.91% vs. 14.58%) TV reviews. In other words, Noboa was a candidate to whom almost no one was indifferent.

Limits to electoral expenditures

The electoral law applied for the first time in the 2002 elections establishes limits on the amounts the candidates are allowed to spend in the campaign. The issue of electoral expenditure had caused a great scandal in the last elections, in which, according to varying estimates, the two candidates who went through to the second round (Álvaro Noboa and Jamil Mahuad) are believed to have spent between USD 12 and 15 million each. Jamil Mahuad, the eventual winner and later overthrown president, is alleged to have received around USD 3 million from the banker Fernando Aspiazú, who is currently in prison.

The law sets a limit of USD 1,132,882 for the first round of the presidential election and USD 227,976 for the second. The sanction for those exceeding the limits is a fine equal to twice the amount of the excess. Three candidates surpassed the limit: Álvaro Noboa in the first and second round, Jacobo Bucaram in the first, and Gutiérrez in the second. The amounts to be paid by each of them are, respectively, USD 4,558,418, USD 671,308, and USD 535,782. All of them have appealed against the fines.

Although the EU EOM thinks the legislation did play a significant role in moderating expenditure and setting a fairer stage for the electoral contest, it considers that there are flaws in the application of the law.

1. The electoral authority does not have enough resources to monitor the amounts the candidates spend. The company commissioned by the Tribunal Supremo Electoral to monitor expenditure was able only to monitor the press and TV more or less completely. Less than 300 radio stations, out of the more than 900 existing in the country, were monitored, and then only partially (radio is the most influential medium, sometimes in the hands of local and regional powers, and the only one reaching the most isolated areas of the country). Only a sample of billboards was monitored. Other electoral expenditure such as the purchase and distribution of caps or T-shirts was not monitored at all, and in this context it is worth noting that, according to unofficial estimates, Álvaro Noboa may have bought and delivered around 2 million T-shirts.
2. The law establishes only financial penalties for the offenders. The candidates and the media failed to comply with the order to suspend the campaign which was issued at the end of the second round by the TSE, and thus contested the legitimacy of the Tribunal.
3. The limits are low. In Ecuador, publicity is very expensive. For example, the leading daily *El Comercio* charges an average of USD 6,000 for a colour advertisement occupying a sixth of any one of its first ten pages. If a candidate were to buy this space during the 45 days of the electoral campaign, he or she would have spent 25% of the legal limit of USD 1,139,882 for campaign costs in the first round of the presidential elections.

Legal framework for polls and surveys

Opinion polls have played a role in the electoral contest in past elections and, to a lesser degree, also in 2002. The publication of opinion polls is forbidden by law during the three weeks before election day, but various candidates have disclosed those results most favourable for them, without divulging their technical details.

This does not mean that there is no independent public opinion research in Ecuador. The AIMOPE (Asociación de Investigación de Mercados y Opinión Pública de Ecuador), a professional association of eight Ecuadorian polling companies working to the ethical code of ESOMAR (European Society for Opinion and Marketing Research), has been trying to force legislative changes to regulate the execution and publication of polls.

In March 2002, at the suggestion of AIMOPE, the TSE made it compulsory for the polling companies to be registered. Also, the TSE planned to impose the provisions of the ESOMAR ethical code on the companies, except for a 5-year experience requirement. However, some newly founded companies hurried to register before the code was put into effect. Later, the TSE appointed a professional commission to audit the poll companies, but the inspection was never made.

As for *exit polls*, the TSE has forbidden their execution, arguing that they are not based on real data, but just on what people say about the way they voted. Another rationale for the prohibition was the potential for manipulation of this kind of survey in favour of some candidates. A consortium of TV stations said they would be conducting one in spite of the prohibition, but the TSE threatened to block their TV signal and the consortium refrained from running the poll.

ANNEX I MEDIA ANALYSIS

1. FIRST ROUND OF THE PRESIDENTIAL ELECTION (3 September to 17 October, 2002)

A. PRESS

Source: European Union Electoral Observation Mission to Ecuador

Total number of pieces: Information = 2.121 (79%) / Opinion = 549 (21%)

A.1. INFORMATION (includes only news, interviews, profiles and informative features)

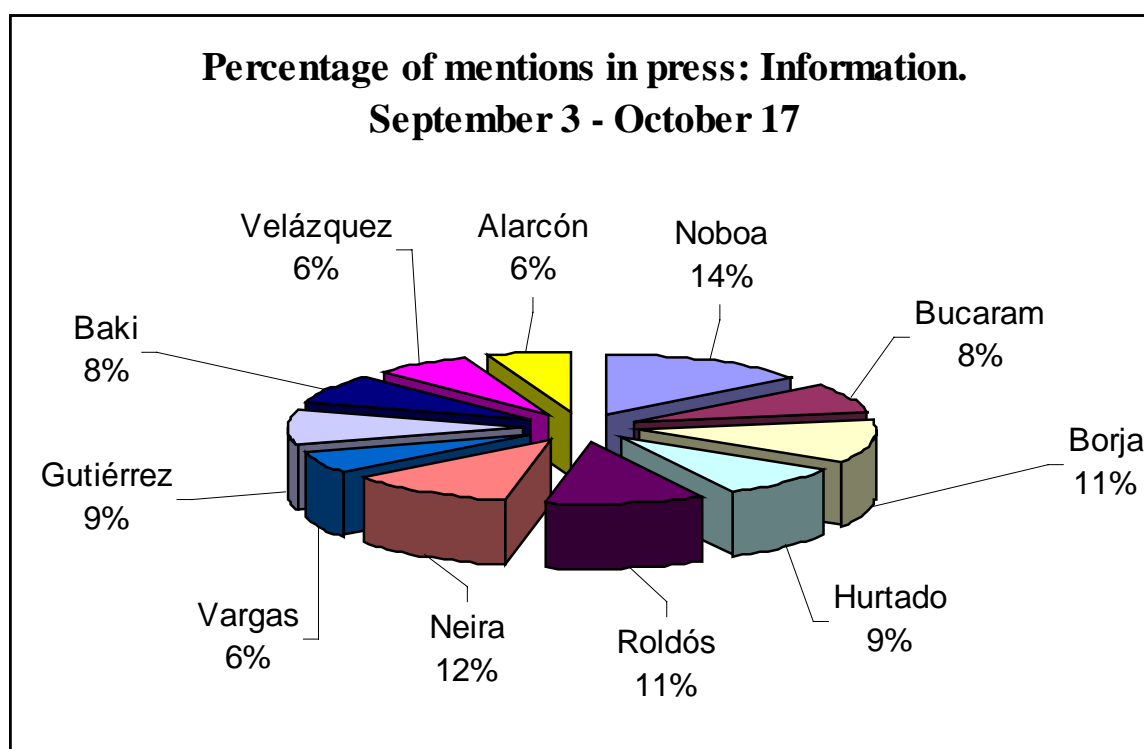
(*) Tone goes from 1 very favorable, to 2 moderately favourable, 3 meaning neutral, 4 moderately unfavourable to 5 very unfavourable., and.

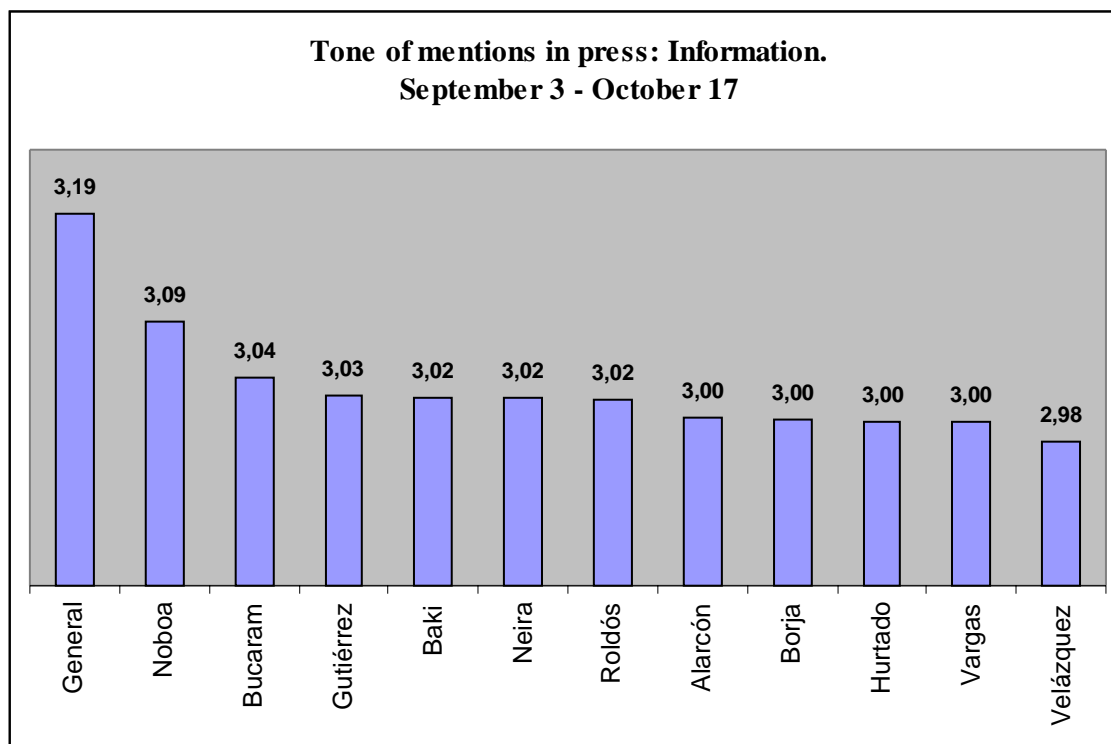
A.1.1. Percentage of mentions

1. Noboa	14.54%
2. Neira	11.66%
3. Borja	11.24%
4. Roldós	10.89%
5. Gutiérrez	9.49%
6. Hurtado	8.55%
7. Baki	7.93%
8. Bucaram	7.89%
9. Velázquez	6.43%
10. Alarcón	5.89%
11. Vargas	5.50%

A.1.2. Tone of mentions

1. General	3.19
2. Noboa	3.09
3. Bucaram	3.04
4. Gutiérrez	3.03
5. Roldós	3.02
6. Neira	3.02
7. Baki	3.02
8. Borja	3
9. Hurtado	3
10. Vargas	3
11. Alarcón	3
12. Velázquez	2.98
MEAN	303





A.2. OPINION (includes editorials, columns, cartoons and letters to the editor)

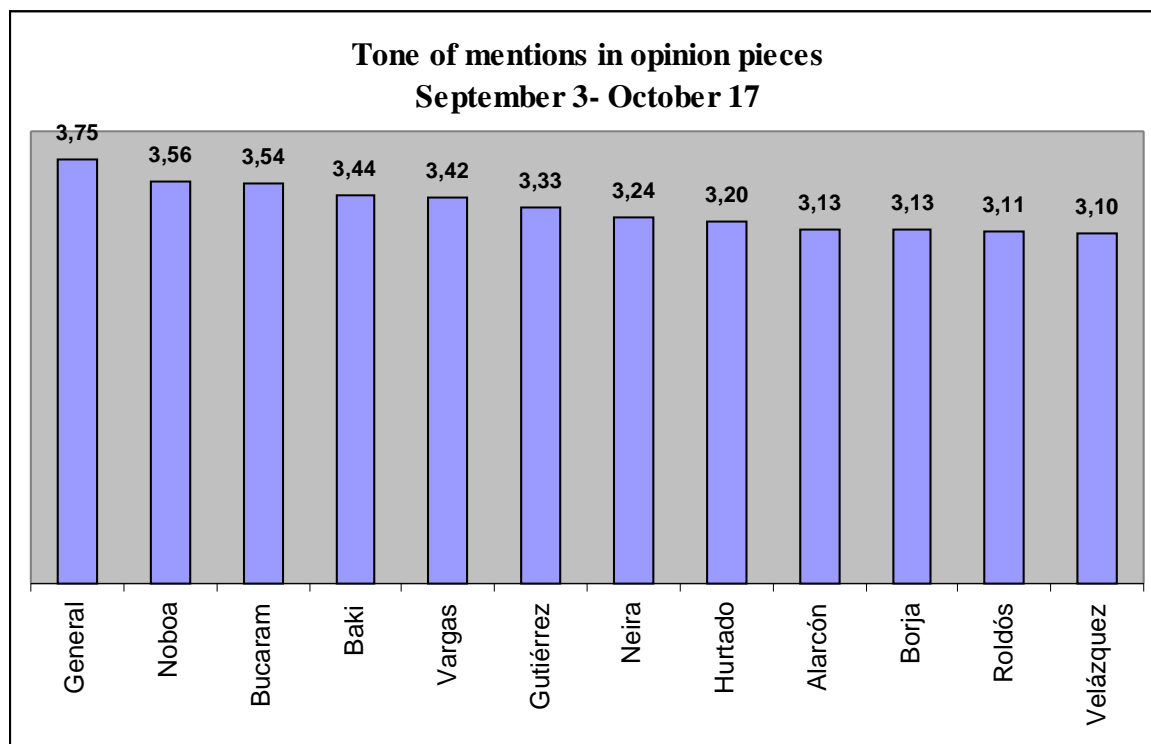
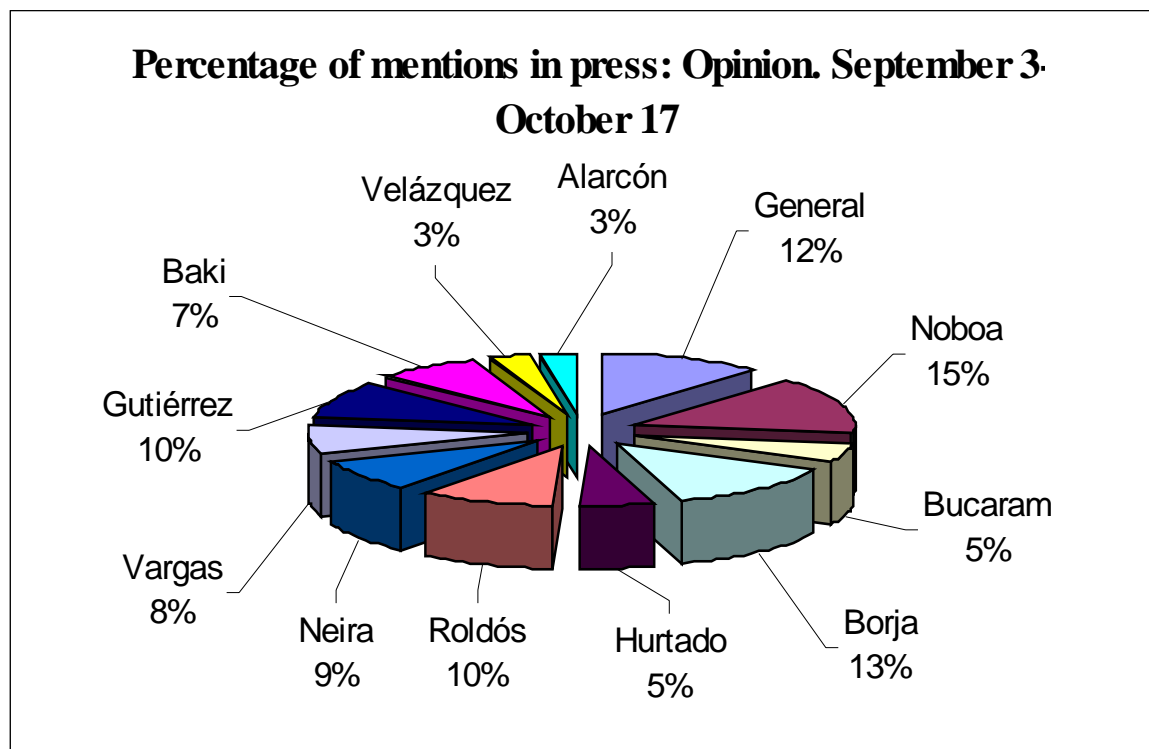
(*) Tone goes from 1 very favourable, to 2 moderately favourable, 3 meaning neutral, 4 moderately unfavourable to 5 very unfavourable.

A.2.1 Percentage of mentions

1. Noboa	15.26%
2. Borja	12.82%
3. General	12.07%
4. Roldós	9.94%
5. Gutiérrez	9.88%
6. Neira	8.69%
7. Vargas	7.50%
8. Baki	7.25%
9. Hurtado	5.44%
10. Bucaram	5.19%
11. Velázquez	3.13%
12. Alarcón	2.81%

A.2.2. Tone of mentions

1. General	3.75
2. Noboa	3.56
3. Bucaram	3.54
4. Baki	3.44
5. Vargas	3.42
6. Gutiérrez	3.33
7. Neira	3.24
8. Hurtado	3.20
9. Alarcón	3.13
10. Borja	3.13
11. Roldós	3.11
12. Velázquez	3.10
MEAN	3.33

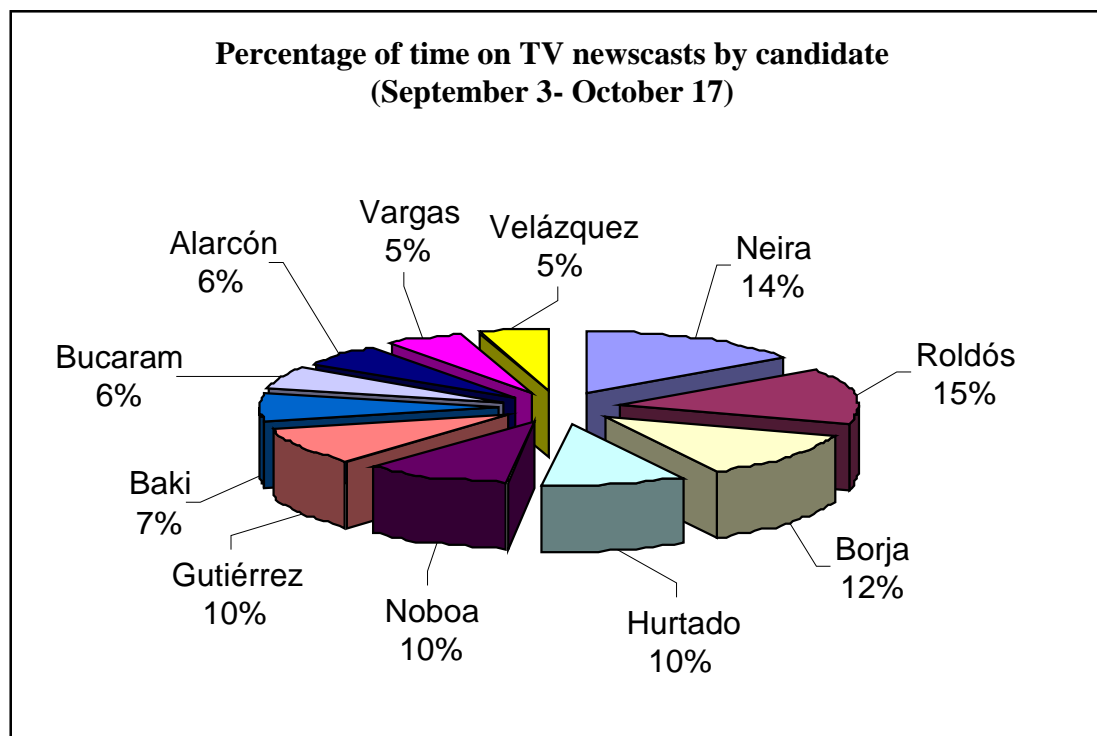


B. TELEVISION

Source: EU Electoral Observation Mission to Ecuador analysis with data by Impulso Comunicadores / Participación Ciudadana

B.1. Percentage of time on TV newscasts by candidate

1. Neira	15.20%
2. Roldós	14.58%
3. Borja	12.38%
4. Hurtado	9.86%
5. Noboa	9.64%
6. Gutiérrez	9.61%
7. Baki	6.98%
8. Bucaram	5.90%
9. Alarcón	5.75%
10. Vargas	5.49%
11. Velázquez	4.60%



C. ELECTORAL EXPENDITURE

Source: EU Electoral Observation Mission to Ecuador analysis with data by Impulso Comunicadores / Participación Ciudadana

	USD	Percentage
1. Noboa	1,648,932.78	30.79%
2. Bucaram	949,528.13	17.73%
3. Neira	818,972.15	15.29%
4. Borja	568,727.91	10.62%
5. Roldós	417,142.04	7.79%
6. Baki	382,117.18	7.14%
7. Gutiérrez	262,866.99	4.91%
8. Hurtado	161,306.18	3.01%
9. Alarcón	138,892.99	2.59%
10. Velázquez	6,529.66	0.12%
11. Vargas	0	0.00%

2. SECOND ROUND OF THE PRESIDENTIAL ELECTION (2 to 21 November, 2002)

A. PRESS

Source: European Union Electoral Observation Mission to Ecuador

Total number of pieces: Information = 563 (62%) / Opinion = 339 (38%)

Information

Noboa
46%

Gutiérrez
54%

Opinion

Noboa
48%

Gutiérrez
52%

Number of mentions

Information

Noboa
44%

Gutiérrez
56%

Opinion

Noboa
42%

Gutiérrez
58%

Tone of mentions

Information

Noboa
3.06

Gutiérrez
3.05

Opinion

Noboa
3.7

Gutiérrez
3.47

Number of headlines

Information

Noboa
45%

Gutiérrez
55%

Opinion

Noboa
33%

Gutiérrez
67%

Number of pictures

Information

Noboa
48%

Gutiérrez
52%

**Mentions of vicepresidents
 Information**

Cruz 67%	Palacio 33%
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**Mentions of wives
 Information**

Azín 58%	Bohórquez 42%
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Opinion

Azín 30%	Bohórquez 70%
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* **Note:** Information includes news and informative features. Opinion covers editorials, op-eds, cartoons and letters to the editor. Tone goes from 1 to 5: 1 means very favourable; 2, moderately favourable; 3, neutral; 4, moderately unfavourable; and 5, very unfavourable.

B. TELEVISION

B1. Time on TV newscasts by candidate

	Time	Slots
Gutiérrez	54.83%	55.35%
Noboa	45.17%	44.65%

B2. Tone of TV coverage

	Positive	Negative	Neutral
Gutiérrez	61.69%	14.58%	23.73%
Noboa	67.23%	18.91%	13.87%

C. ELECTORAL EXPENDITURE (USD)

	TV	Press	Total
Gutiérrez	243,654.02	40,339.57	283,993.59
Noboa	967,167.62	65,018.98	1,032,186.60

ANNEX II

TWO CASE STUDIES ON THE CONDUCT OF ELECTION DAY

The following two case studies have been chosen from the observers' reports in different provinces in order to illustrate social and political environments where the elections were either well conducted or poorly administered.

Election Day in the province of Imbabura: An exemplary case of compliance

Electoral observers in the Northern province of Imbabura visited around 40 Polling Stations (PS) during the first round and 20 during the second round, and could testify that almost everything occurred normally everywhere. Here is a summary report of what they saw.

Opening of PS

The opening of PS happened on time and at least five out of seven PS members were present and dealt efficiently with voting materials, which had been duly delivered by military personnel. Voters started coming to vote around 7 am. In the second round, in 90% of the polling centres there was an information post set up at the entrance with maps of location of the PS. People who approached the information post were given the relevant information by the military official in charge of the post.

E-DAY developments

Throughout the different cantons visited, it could be observed that turnout was high, and that electoral procedures were being handled efficiently by PS officials. In addition to the high voter turnout, the division into separate queues of women and men was done in an orderly manner and without any disturbance. The atmosphere was good and people seemed to be at ease and no kind of political campaign or intimidation occurred. Outside the polling centres, there were stalls with food and people offering plastic holders for the voters' certificates. The presence of the police outside all the polling centres did not interfere with the process.

Even though the logistical conditions in some polling centres were poor, the centre coordinators tried to be ingenious and found quick solutions to unpredicted situations. For example, in one of the PS in Cotacachi, the coordinator had to redistribute some of the ballots from one PS to another because these were missing, and this was done without allowing the problem to affect the voting process. Once the situation was resolved he complied with the necessary procedures by contacting the TPE magistrate in order to inform him.

Although most PS were set up outside the classrooms, polling booths were normally located inside the classroom in order to ensure the secrecy of the vote. In some PS disabled people were seen being provided with help in order to facilitate compliance with their obligations as citizen and were allowed to move to the front of the queue in accordance with the manual regulations.

Considering that in two out of the six cantons visited (Cotacachi and Otavalo) there are large indigenous populations, it is to be noted that no difference in the conduct of voting compared with the other cantons was perceived. Namely, for the first round voters experienced some difficulties in voting with all the five ballot papers while in the second round they took less time

and seemed more aware of the voting procedures. Therefore, no difference was observed in the casting of the vote between the indigenous people and the rest of voters.

Regarding the presence of other observers, volunteer members of the civil society organization Participación Ciudadana were frequently encountered. Moreover, political party delegates were more frequently present on the first than on the second round.

Closing and counting at the PS

Polling stations closed generally on time with no voters still queueing outside the PS, and the counting proceeded in an orderly manner. All the polling officers were present throughout the counting and they easily reached unanimous agreement on the blank and invalid votes in accordance with the PS manual. The overall counting process took about two hours for the first round, and less than 45 minutes for the second round. Once the counting was finished, the results were handed over outside the PS and each party observer was given a copy of the tally sheet. Then, the tally sheets were properly packed in their respective envelopes and picked up by the military officers responsible for the collection of election.

Counting at the Provincial Electoral Tribunal

In both rounds the public session at the TPE started at 9 pm. For the first round there was a high presence of the media and the general public interested in the results at local level while for the second round the hall was nearly empty with only EU observers present for the opening of the session. The work at the TPE was well organized and procedures were followed in a transparent manner. The envelopes were opened in full view of the public and the results were announced out loud. Although for the first round there were some technical problems in the introduction of the *actas* bar code into the computer which delayed the process, this neither changed the outcome nor detracted from the good conduct of the TPE.

Elections in Illagua Chico, a Tungurahua Village

Illagua Chico, a purely Kichwa community in the Parroquia Quisapincha (Cantón Ambato, Provincia Tungurahua) was one of the two newly-established Polling Centers province-wide during the 2002 elections in Tungurahua. Two of the 1,130 Juntas Receptoras de Votos (JVRs) of the province were established there in order to reduce the distance for voters in four communities living in and around Illagua Chico. Most voters live within walking distance of the Polling Center.

We observed the closing of Mesa 2 (women). At that time, one quarter of the voters who had arrived during the day had not been able to cast their ballot, as their names did not appear on the voter list. This list had been drawn up a few weeks before by some employees of the Tribunal Electoral Provincial (TEP), who had gone from house to house to register the people. Everybody who was not at home (e. g. because they were out in the fields) had not been registered.

At 5 p.m., the Polling Station was closed, and major chaos broke out. The JRV members obviously never had received any training, and asked the observers and a military policeman what to do. After some time, a coordinator from Mesa 1 (men) told them to sort the ballots. So the ballot box was opened, and the votes piled on the table where the unused ballots were lying, mixing completed and unused ballots. Everybody (the Junta members, the party delegates, the coordinator from the TEP) took a pile of papers into a corner and started to sort. Votes fell to the ground, children ran around the table, several people from the community

came in and helped as well, and only a few fighting dogs were missing to complete the chaos. This went on for about an hour, with people sorting and re-sorting the ballots all the time, but never counting them. At some point everybody left the room, leaving the observers alone with all the votes lying on the table.

There would have been ample opportunity for fraud, but no attempt was observed. The three party agents who participated in the counting were all from the same party, Amauta Jatari. When people came back, after about half an hour, at 6.30 p.m., a junior coordinator who had been helping at Mesa 1 told them to start counting. The military policeman took over the role of head of counting, but even he did not know the rules. Up to four candidates could be voted for in Tungurahua, but every correctly marked ballot with only 2 or 3 votes for particular candidates ("voto individual") was ruled invalid. Any time when candidates had been voted for individually (not "en plancha") and these candidates were not from the same party, the vote was ruled invalid – obviously, the belief was: "One can only vote for one party."

The light was so bad that it was barely possible to see the peoples' scribbles on the ballots – more than 80% of the voters were illiterate (using thumbprints to sign the voter list) and most of them had not even known how to hold a pen. The outcome was that of about 270 votes, not even 70 were valid (120 were blank, the rest invalid) --- scarcely one quarter of the votes cast!! And even worse, out of this remaining quarter, probably a further half should have been "invalidated", because they were not properly marked: e. g. votes were ruled valid for a certain party if a scribbling was next to the vice president's head or on his photo, whereas if, on the other hand, there was another mark of a pen (by accident) or some dirty mark somewhere else on the paper, it was ruled invalid.

The Junta did not count the cast ballots and was not able to add the figures correctly in the end, as nobody knew how to count up to 272, which was the number of voters who had cast their ballots. (Only 268 votes were counted, but nobody noticed the discrepancy between 268 and 272.) The envelope with the results was sealed first, and only afterwards did the Junta notice that they had to fill in some more *Actas de Resúmen*. They did not have these figures any more and asked the observers if we had written them down. We do not know if in the end the ballots were re-counted, or how the *Acta de Resumen* was filled out. When we left, at about 8 p.m., the presidential count had been completed, but no *actas* had been filled out, and it was clear that the process would take at least until midnight.

Generally speaking, no fraud, no deliberate miscounting, no favouring of one party, nor any misconduct of a party delegate was observed, although there had been plenty of opportunity for fraud. We do not know if in the end the *acta* was signed by the President and the Secretary of the JRV, but if it had not been, the Electoral Law provides that they should have been sentenced to 6 months in prison and one year's loss of civil rights, which in this case would be unlikely to encourage this community to get more involved in the future with formal democratic procedures.

When I tried to get more information the next day about Illagua Chico at the Tribunal Electoral provincial, one of its *vocales* told me that additionally at the women's Mesa in Illagua Chico, nearly 300 women had queued up for almost the whole day, because there had been hundreds of ballot papers missing, so people had not been able to vote. Instead, they had received *certificados de presentación*, which had run out after a short time. They had then gone in search of new ones, which had taken hours, but they had run out of these again, and in the end, they had handed out handwritten papers which stated 'This paper can be exchanged for a *certificado de presentación*.' – Alas, when I cross-checked this story, it turned out that the vocal had been confusing Illagua Chico with another indigenous community in the Canton of Pelileo,

and in Illagua Chico they had in fact run out of *certificados de presentación*, but within a few hours the Tribunal had been able to send additional ones.

In mid-November, I went back to Illagua Chico in order to prepare election observation for the 2nd round, and I used the opportunity to enquire how people had felt about the first round. “Everything has been fine, no problems, everything was normal”, I was told – which rather shows the low expectations people have of formal democratic procedures. Everything is fine as long as they are not blamed for not complying with the formal rules of a game they do not understand.

ANNEX III

RESULTS FROM OBSERVATION OF VOTING AND CLOSING AT POLLING STATIONS

Results from observation of voting at polling stations	Table 1	
	FIRST ROUND 328 JVC	SECOND ROUND 349JVC
	Yes	Yes
Opening of Polling Station:		
1. Did the Polling Station open on time?	63%	56%
2. If not at what time did the Polling Station open? Give time:*		
3. Were all Polling Station members present?	64%	77%
Attendance at Polling Station:		
4. Were there more than one different political parties delegates present? **	62%	26%
5. Were national observers groups present at the Polling Station?	20%	25%
Electoral material:		
6. Was there any electoral material missing during your visit?	14%	13%
Organization and procedures:		
7. Were some people unable to vote?	33%	49%
8. Were disabled / blind provided appropriate assistance to vote? ***	18%	3%
9. Were voters provided instructions on how to vote in a comprehensive and neutral way? ****	65%	69%
10. Was the secrecy of the vote respected?	78%	87%
11. Were the ballot papers introduced separately into the ballot box?	39%	99%
12. Was the prohibition on campaigning within polling centers respected?	89%	84%
13. Was the indelible ink properly applied?	88%	79%
14. Did you observe any problems concerning indigenous voting? *****	2%	3%

Results from observation at closing of polling stations *	Table 2			
	FIRST ROUND		SECOND ROUND	
	27 CASES		28 CASES	
	Yes	No	Yes	No
Closing of Polling Station:				
At what time did the Polling Station close?	17:00		17:00	
How many voters were queuing at 17h? Give an approx. Nr.	**		***	
Counting procedures at Polling Station:				
Was the counting procedure interrupted?	4	23	0	28
Were national observers groups present at the counting?	7	20	6	22
Were there more than one different party delegates present?	25	2	23	5
Were party delegates allowed to check the ballots?	18	9	22	6
Were formal complaints regarding counting presented?	2	25	1	27
Were the tally sheets filled and signed?	23	4	28	0
Did all party delegates receive the result forms?	22	5	19	9
Were the results posted outside the polling station?	19	8	23	5
	19	8	23	5
Overall assessment of the voting process:				
Good – No significant problems	20		24	
Minor problems – Not sufficient to affect the outcome	4		4	
Major problems - May affect results	3		0	

* The figures are given in absolute numbers rather than percentages due to the small total number which is equivalent to the number of observer teams attending the closing of polling stations.

** 25 CASES: 1PS - 15 / 1PS - 5 / 1PS - 80 / 1PS - 2 / 21PS - 0

*** 28 CASES: 1PS – 3

First round: (20 october 2002) Provinces: 16. JVC: 328 / *Second round:* (24 november 2002) Provinces: 14. JVC: 349

ANNEX IV

SOME INDICATORS OF DEFICIENCIES FOUND AT THE POLLING STATION

	TOTAL NATIONAL	SIERRA PROVINCES	COAST PROVINCES	ORIENT AMAZONIA
Polling station staff not complete:				
1 st Round	36%	21%	13%	2%
2 nd Round	23%	6%	16%	1%
Only one or no party representative present at polling stations (Voting):				
1 st Round	30%	22%	8%	0%
2 nd Round	43%	25%	18%	0%
Only one or no party representative present at polling stations (Closing):				
1 st Round	7%	7%	0%	0%
2 nd Round	17%	3%	14%	0%
Missing voter information on where to vote:				
1 st Round	33%	22%	8%	3%
2 nd Round	12%	8%	4%	0%
Secrecy of the vote not totally preserved:				
1 st Round	22%	14%	7%	1%
2 nd Round	13%	7 %	6%	0%
Indelible ink was not properly applied:				
1 st Round	12%	9%	3%	0%
2 nd Round	21%	11%	9%	1%