

EUROPEAN PARLIAMENT

AD HOC DELEGATION FOR OBSERVATION OF ELECTIONS IN ECUADOR

REPORT

on the delegation visit

to observe the second round of the elections in Ecuador

24 November 2002

17 December 2002
SDI/LMG/ck

Introduction:

At its meeting of 21 November the Conference of Presidents granted authorisation for a second visit by the four-member delegation which had taken part in the observation of the first round of the general elections in Ecuador so that it could also take part in the observation of the second round of the presidential elections.

The delegation for the second round comprised:

Jannis Sakellariou (PSE, D), leader
Fernando Fernández Martín (PPE-DE, Es)
Emilio Menéndez Del Valle (PSE, Es)

(Fernando Fernández Martín chaired the delegation during the first round and Francisca Sauquillo (PSE, Es), who took part in the observation of the first round, was unable to take part in the second owing to other commitments.)

The delegation worked in complete harmony with the European Union Election Observation Mission led by Emma Bonino, MEP; various working meetings were held with the EU mission and the delegation took part in the final press conference.

The first round:

The delegation submitted a report on the observation of the first round.

Even though none of the parties or political forces taking part in the first round of the elections reported any cases of election fraud, there were allegations of disorder regarding the conduct of the elections and the calculation of votes.

In Palestina and Naranjito, two cantons in Guayas, and in Cojimíes, the general elections were postponed until 27 October.

The problems stemmed from a number of complaints, particularly in the regions of Guayas and Los Ríos, which would not be fully resolved until after the second round. Nevertheless, the Supreme Electoral Court declared that this would not affect the composition of the legislature given that in both cases the complaint concerned candidates from the same party.

Preparations for the second round:

Largely thanks to the recommendations made by the observation missions, particularly that from the EU, the Supreme Electoral Court remedied many of the shortcomings and problems detected during the first round of the elections.

The problem concerning the lack of training for polling station staff was not adequately resolved, since the Supreme Electoral Court did not have the necessary financial resources.

The consequences were less serious than during the first round, given that staff could at least fall back on the experience acquired on 20 October.

The election campaign:

The two candidates increased their campaign resources for the second round. A change of strategy and even image could be seen in both candidates. The campaign was not free of personal attacks on the opponent.

Ecuadorian electoral legislation had imposed ceilings on advertising expenditure for each of the rounds. Two of the political forces involved in the first round had exceeded those limits. The legislation had not stipulated what type of penalty would be incurred. The election authorities fined the candidates involved.

During the second round, both candidates exceeded the limits and the electoral authority decided to suspend the campaign in the media. Both candidates challenged this measure because the penalty differed from that imposed during the first round. The penalty was not very effective, since the television channels continued to broadcast publicity material from the candidates because the contracts had been concluded earlier and they had received no official communication from the Supreme Electoral Court prohibiting the broadcasting of such material.

In the days leading up to the elections an explosion occurred in an army ammunition depot in the city of Riobamba (Chimborazo); it caused extensive damage and around ten people were killed. Even though little damage was caused to election material or installations, the electoral authorities decided to suspend the elections in the city, postponing them to the following week. Some of the people we spoke to expressed concern that, in the event of a narrow margin between the two candidates, the winner would not be known until the Riobamba results were announced. 96 000 people are registered to vote in the city, 1.19% of the national total.

Even though it had been announced on several occasions, no joint debate was actually held between the two candidates. A debate was held between the wives of the two candidates, which was followed with great interest by the audience.

Meetings with the electoral authorities:

The delegation was received by the President of the Supreme Electoral Court (TSE), Carlos Aguinaga, who explained the difficulties which had arisen in the count following the parliamentary elections. At the time of our meeting, 21 November, final results were still pending in two of the 22 provinces, Guayas and Los Ríos.

With regard to the situation in Riobamba, the President of the TSE raised the possibility of cancelling the elections which had been postponed until 1 December if the winning candidate's margin of victory was sufficiently large that the elections in Riobamba would be without consequence. The delegation expressed its disagreement with this option, since

it would mean depriving the citizens of Riobamba of the possibility of exercising their right to vote.

Meetings with the candidates:

The delegation held a meeting with the candidate of the Partido Sociedad Patriótica 21 de Enero, Lucio Gutiérrez. The former colonel expressed his satisfaction at the presence of international observers at the Ecuadorian elections and referred to the problems found during the first round, described above.

With regard to the internal situation, he referred, during a frank exchange of views, to the ethnic and social crisis in his country. The main internal problems were deep-rooted corruption and the poverty which affected a significant proportion of the country. To this must be added the consequences of the worsening conflict in Colombia, which had led to an increase in border insecurity and in crime.

Looking to the future, and presenting specific objectives and a more detailed programme than in the first round, he advocated the return of and an increase in foreign investment through improving legal certainty for such investment. This investment would make it possible to combat poverty and give a fresh boost to job creation.

Finally, he referred to other problems which would have to be tackled, including mediation in the Colombian conflict and the fight against deforestation.

One member of the delegation, Fernando Fernández Martín, held a parallel meeting with the Sociedad Patriótica candidate for vice-president, Alfredo Palacio, in Guayaquil.

The delegation had also requested a meeting with the PRIAN candidate, Álvaro Noboa, who stated that he did not intend to receive any election observation delegation until the elections had been concluded.

Conduct of the elections:

Number of voters: 8 154 425
Polling station officers: 37 282
Men: 4 054 254
Women: 4 104 171

Voting is compulsory in Ecuador.

The lack of information and congestion at polling stations were avoided by deploying the police and army to provide information and direct voters. This made it possible to prevent the confusion which arose in some polling stations during the first round.

The opening of polling stations proceeded in a satisfactory manner, albeit not at the scheduled time. In some cases, polling station staff failed to arrive in time or delegates from the political parties were not present.

The greater simplicity of the second round, with votes being cast only for the President, prevented the problems linked to the existence of five different ballot papers which all had to be placed separately into the same ballot box, as had been the case in the first round.

Given that voters were now aware that men and women would be voting in separate polling stations, the confusion which had arisen in the first round did not recur.

The calculations were completed within a reasonable time and results were announced as they became available.

Results:

Lucio GUTIÉRREZ	2 803 243	54.79%
Álvaro NOBOA	2 312 854	45.21%

Blank votes:	50 983	0.88%
Spoiled ballot papers:	640 074	11.02%

The fact that men and women cast their votes at separate polling stations means that voting preferences can easily be differentiated. Among men, 51.58% voted for Gutiérrez and 47.72% for Noboa; among women, the difference between the votes was smaller. This result can be explained, at least in part, by the fact that Noboa's wife has been extremely active in the social and health areas.

The number of women casting blank or spoiled votes was also considerably higher than the corresponding number of men.

Assessment:

Both rounds of the elections were conducted in normal conditions and can be considered acceptable according to international standards. Many of the shortcomings noted could have been avoided if information campaigns had been conducted in the weeks leading up to the elections, providing information on the location of polling stations, for example, and on recent reforms such as separate voting for men and women.

Electoral legislation needs to be reviewed in order to prevent problems such as those linked to sanctions where the admissible expenditure is exceeded, and to avoid unilateral decisions by the electoral authorities, which are always open to question.

Even though the observation mission comes to an end after the elections, it is necessary for our Institution to reflect on the enormous problems with which the candidate elect will be faced: poverty, underdevelopment and corruption, from a structural point of view. However, the spilling-over of the Colombian conflict and the forthcoming decision imposing a visa requirement on Ecuadorians wishing to leave the country to travel to EU countries must also not be forgotten.

The task facing the future President is enormous. First of all, at internal level, he will have to obtain support in the legislative Chamber, as his party did not win such backing in the elections. At external level, he will have to overcome the reservations held in some quarters who have little confidence in his political experience and populist approach.

Democracy is stable. It has proved capable of responding to the serious problems which have arisen in Ecuador in the past, and for this reason the elections were conducted without major problems.

The leader of the delegation, on behalf of the chairman of the Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy, Mr Elmar Brok, delivered, through the Ambassador representing the EU Presidency, an invitation to Lucio Gutiérrez to appear before that committee in his capacity as candidate elect. This will provide an opportunity to demonstrate the support on the part of the EU and our Institution which the candidate deserves in view of the immense and complex task facing him.

**PUBLIC DECLARATION
SECOND ROUND OF THE PRESIDENTIAL ELECTION
ECUADOR 2002**

Hotel Hilton Colón, Quito, 25 November 2002, 10 a.m.

The European Union Election Observation Mission, led by the MEP Emma Bonino and present in Ecuador since 9 September, has observed the campaign for the second round. A total of 65 observers were deployed for the polling and counting on 24 November, including a European Parliament delegation led by Jannis Sakellariou, MEP. The observers visited practically all the provinces in the country and more than half of its parishes over the two rounds of the elections. On polling day we were present in 15 provinces, 107 cantons and 400 polling stations, as well as in centres for the rapid transmission of results and centres for calculating the results in the provinces visited.

General assessment

Pending the election on 1 December in some parishes of the province of Chimborazo, to which citizens have a constitutional right, the Mission considers that voting and counting in the second round proceeded in normal conditions and the election process must be considered acceptable according to international standards. The Mission congratulates the people for their massive participation, once more, in exercising the right to vote. The turnout was higher than that in the first round, and the vast majority of voters cast a valid vote, even though some leaders made public statements justifying the possibility of spoiling ballot papers. In fact, the percentage of spoiled ballot papers was similar to that in the first round, and the percentage of blank votes was significantly lower.

Election day

In its earlier report of 12 November, the Mission expressed its concern at the possibility that the shortcomings noted in the first round could recur in the second as regards the organisation of polling stations, the counting, calculation and publication of results and, in general, the lack of adequate coordination between the Supreme Electoral Court and the Provincial Electoral Courts.

Fortunately, the electoral procedure in the second round was conducted in a much smoother and more effective manner than in the first round. Polling stations were better organised and voters were better informed of where to vote. Because counting was simpler this time, it was conducted more swiftly and efficiently. Even though it is not yet complete, the official calculation of results has proceeded smoothly up to now.

Final remarks

We congratulate the media on the openness and fairness with which, in general, they have treated the two candidates; the members of the armed forces and national police force, who acted independently and professionally in carrying out their tasks of supporting the election process; and the civil society organisation Participación Ciudadana on its mobilisation activities and its setting of standards of public ethics. We regret that personal accusations were made between the candidates during the campaign, and on occasion publicity material was used which was intimidating for the public.

The European Union highlighted this Observer Mission as a gesture of confidence in the process of democratic institutionalisation in Ecuador. Now that our activities will soon be coming to an end, we very much hope that the new authorities elected for the Presidency, the Congress and other government bodies, acting within the constitutional framework, will steer the democratic system at the high level which the public wishes and will strengthen the institutions of a state governed by the rule of law.

The Mission will continue its observation work in the calculation centres and in next Sunday's voting in Riobamba. In a few weeks, the Mission will publish a final assessment report on the election process as a whole, including considerations as regards improvements for the future. The text of this declaration and of previous declarations can be found, in Spanish, on our web page at the following address:

<http://www.ue-moee.org/declaracion.html>

PARLAMENTO EUROPEO

DELEGACIÓN PARA LAS RELACIONES CON LOS PAÍSES DE SUDAMÉRICA Y MERCOSUR

Delegación para la observación de las elecciones (2ª vuelta) en Ecuador 24 de noviembre de 2002

Programa

Jueves, 21 de noviembre		Madrid/Quito
17.20	Llegada a Quito (vuelo IB 6635 proveniente de Madrid) Traslado de la delegación e instalación en el Hotel Swissôtel Av. 12 de Octubre 1820 y Luis Cordero Quito Tel +593 2 / Fax +593 2	
18.30	Reunión con el Sr. Carlos AGUINAGA , Presidente del Tribunal Supremo Electoral <i>Lugar: Tribunal Supremo Electoral Avda. 6 de Diciembre 3606 y Bosmediano, Piso 2</i>	
20.30	Cóctel en honor integrantes Misiones Internacionales Observación Electoral y Asistencia Técnica ofrecido por el Presidente del Tribunal Supremo Electoral	
Viernes, 22 de noviembre		Quito/Guyaquil
08.30	Desayuno con los Embajadores de la UE	
Sábado, 23 de noviembre		Guayaquil
09.00	Reunión con el Cnel. Lucio GUTIÉRREZ , Partido Sociedad Patriótica 21 de Enero <i>Lugar: Federico Páez 335 y Arízaga Luque</i>	

- 17.15 Salida de la Misión de Observación Electoral de la UE hacia Guayaquil con el vuelo IQ 319
- Llegada e instalación en el
Hotel HILTON COLÓN
Francisco De Orellana Mz 111
GUYAQUIL
Tel. +593 4 2689 000
Fax +593 4 2689 149
- 20.30 Cena ofrecida por el Parlamento Europeo en el Centro Bancario, con autoridades de Guayaquil

Domingo, 24 de noviembre	Guayaquil
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- 07.00 Ceremonia inicio Segunda Vuelta Electoral con la presencia del Presidente de la República.
*Lugar: Rotonda (Monumento a Bolívar y San Martín)
Malecón y 9 de Octubre*
- 09.00-14.00 Observación electoral
- 16.00 Regreso a Quito (vuel IQ 192)
- 17.00 Asistencia a conteos en colegios electorales
- 20.00 Presentación de primeros resultados electorales

Lunes, 25 de noviembre	Guyaquil / Madrid
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- 10.00 Conferencia de prensa "Declaración formal con la valoración de la Misión de Observación Electoral de la UE en Ecuador sobre la conducción de la votación y escrutinio en base a informes preparados por observadores en todo el país"
Lugar: Hotel HILTON
- 13.00 Almuerzo con el Presidente de la República
Lugar: Palacio Carondeletl
- 18.40 Regreso de la delegación hacia Europa

PARLAMENTO EUROPEO

Delegación para la observación de las elecciones en Ecuador (2ª vuelta)

24 de noviembre de 2002

Lista de Participantes

Miembros de la Delegación

Nombre	Apellido	Grupo político	País
Sr. Jannis	SAKELLARIOU • <i>Comisión de Asuntos Exteriores, Derechos Humanos, Seguridad Común y Política de Defensa</i> Presidente de la Delegación	PSE	Alemania
Sr. Fernando	FERNÁNDEZ MARTÍN • <i>Comisión de Desarrollo y Cooperación</i>	PPE-DE	España
Sr. Emilio	MENÉNDEZ DEL VALLE • <i>Comisión de Asuntos Exteriores, Derechos Humanos, Seguridad Común y Política de Defensa</i>	PSE	España

Grupos Políticos de los Miembros de la Delegación

PPE-DE - Grupo del Partido Popular Europeo (Demócrata-Cristianos) y Demócratas Europeos
PSE - Grupo del Partido de los Socialista Europeos

Secretaría de la Delegación

Sr. Luis **MARTÍNEZ-GUILLÉN** Administrador Principal