



European Union  
Election Observation Mission  
**HONDURAS 2021**  
Final Report



General elections  
28 November 2021





**HONDURAS**

**GENERAL ELECTIONS**  
**28 November 2021**

**FINAL REPORT**

**EUROPEAN UNION ELECTION OBSERVATION MISSION**

**January 2022**

*The Election Observation Missions are independent from the institutions of the European Union.  
The views and opinions expressed in this report are those of the authors and do not necessarily  
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## ACRONYMS

<b>ACHR</b>	American Convention on Human Rights
<b>AMCH</b>	Honduran Community Media Association – <i>Asociación de Medios Comunitarios de Honduras</i>
<b>AmCPRW</b>	Inter-American Convention on the Granting of Political Rights to Women
<b>APH</b>	Honduran Patriotic Alliance – <i>Alianza Patriótica Hondureña</i>
<b>ASJ</b>	Association for a Fairer Society – <i>Asociación para una Sociedad más Justa</i>
<b>CCE</b>	Electoral Consultative Council – <i>Consejo Consultivo Electoral</i>
<b>CDE</b>	Departmental Electoral Council – <i>Consejo Departamental Electoral</i>
<b>CEDAW</b>	Convention on the Elimination of Discrimination Against Women
<b>CME</b>	Municipal Electoral Council – <i>Consejo Municipal Electoral</i>
<b>CNE</b>	National Electoral Council – <i>Consejo Nacional Electoral</i>
<b>COHEP</b>	Honduran Council of Private Enterprise – <i>Consejo Hondureño de la Empresa Privada</i>
<b>CONADEH</b>	Office of the Ombudsperson – <i>Comisionado Nacional de los Derechos Humanos</i>
<b>COPINH</b>	Honduran Civil Council of Popular and Indigenous Organisations – <i>Consejo Cívico de Organizaciones Populares e Indígenas de Honduras</i>
<b>CRPD</b>	Convention on the Rights of Persons with Disabilities
<b>DNI</b>	National ID card – <i>Documento nacional de identificación</i>
<b>EP</b>	European Parliament
<b>EU EOM</b>	European Union Election Observation Mission
<b>FONAC</b>	National Forum of Convergence – <i>Foro Nacional de Convergencia</i>
<b>IACAC</b>	Inter-American Convention against Corruption
<b>IADC</b>	Inter-American Democratic Charter
<b>ICCPR</b>	International Covenant on Civil and Political Rights
<b>ICERD</b>	International Convention on the Elimination of All Forms of Racial Discrimination
<b>IPU</b>	International Parliamentary Union



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<b>LGBTI</b>	Lesbian, Gay, Bisexual, Transsexual and Intersexual
<b>LIBRE</b>	Liberty and Refoundation Party – <i>Partido Libertad y Refundación</i>
<b>PINU SD</b>	Innovation and Social-Democrat Union Party
<b>PLH</b>	Honduran Liberal Party – <i>Partido Liberal de Honduras</i>
<b>PNH</b>	Honduran National Party - <i>Partido Nacional de Honduras</i>
<b>PSH</b>	Salvador de Honduras Party – <i>Partido Salvador de Honduras</i>
<b>RNP</b>	National Civil Registry – <i>Registro Nacional de las Personas</i>
<b>TJE</b>	Electoral Justice Tribunal – <i>Tribunal de Justicia Electoral</i>
<b>TREP</b>	Transmission and announcement of preliminary election results – <i>Transmisión de Resultados Electorales Preliminares</i>
<b>UFTF</b>	Campaign Finance Oversight Unit – <i>Unidad de Financiación, Transparencia y Fiscalización</i>
<b>UNCAC</b>	United Nations Convention against Corruption
<b>UNDRIP</b>	United Nations Declaration on the Rights of Indigenous Peoples
<b>UNOH</b>	National Opposition Unity of Honduras – <i>Unidad Nacional Opositora de Honduras</i>



## I. EXECUTIVE SUMMARY AND PRIORITY RECOMMENDATIONS

The 28 November general elections were competitive, with polling characterised by high turnout and calmness. However, the elections took place in a deeply polarised environment and were marred by high levels of political violence and misuse of State resources, late approval of the election law and by-laws, non-enforcement of political finance regulations, biased State media and a general politicisation of the administration of the elections by the National Electoral Council (CNE). The post-election period saw improved levels of communication by the CNE, including on the publishing of clear and uncontested presidential election results, conceded by all candidates. This increased confidence in the process and led to a peaceful transition of the presidential power and to a smooth yet intense resolution of challenges against highly disputed and contentious legislative and municipal election results. For the first time in Honduras history, a woman was elected President of the Republic.

Following constitutional reforms and an agreement by the three main parties: the Honduran National Party (PNH), Liberty and Refoundation Party (LIBRE) and the Honduran Liberal Party (PLH) to put an end to the 2017 post electoral crisis, in 2019 the Supreme Electoral Tribunal (TSE) was replaced by two new electoral institutions: the Electoral Justice Tribunal (TJE) and the CNE. The political agreement also allowed LIBRE to be represented together with the other two parties in the new electoral bodies and in the National Registry (RNP).

The range of electoral choices increased since the 2017 elections, with three new political parties registered, including the Salvador de Honduras Party (PSH), founded by Salvador Nasralla (a popular TV presenter, who ran in the 2017 elections against President Juan Orlando Hernández). Fourteen political parties contested the general elections. A total of 12 parties, one alliance and two independent candidatures registered for the presidential race, and 14 parties for the legislative and municipal elections with a total of 33,966 candidates, ensuring multiple political options to voters and the competitiveness of the process. Main presidential candidates were Xiomara Castro (LIBRE), Nasry Asfura (PNH) and Yani Rosenthal (PLH).

The legal framework broadly provided for democratic elections and Honduras has ratified the major international and regional instruments covering electoral rights. However, consensus to reform the election law with sufficient time prior to the 2021 general elections was not achieved, with a new election law only adopted one day before the official call for the elections. Legal shortcomings remain, including on provisions for election redress and on active and passive suffrage criteria that unreasonably restrict citizens from participating in elections. During the election campaign, the Congress enacted heavier penalties for offences such as usurpation and forced displacement, penalising social protest, which could be used to curtail the rights to assembly and expression.

The 2019 constitutional reforms created two independent and autonomous electoral bodies, the TJE, the highest authority on electoral justice, and the CNE, in charge of administering the electoral process, whose members are elected by two-thirds of the Congress. The composition of both institutions allows for checks and balances among the main political contestants. However, in the case of CNE, it was detrimental to its institutional independence as well as to its collegial and efficient functioning. On the latter point, EU observers noted blockages and shortcomings in the internal functioning of the institution, including parallel communication lines, which further damaged its efficiency and transparency. In addition, political and personal disagreements among the CNE councillors, sometimes publicly exposed, led to a general weakening of the institutional credibility.

The organisation of the elections by the CNE was marred by late disbursement of funds by the Government, but also by late adoption of regulations, including on polling and counting procedures, transmission and tabulation of results, special recounts, challenges and appeals. The election law left fundamental areas of the management of the electoral process, such as the selection and training of

polling station members and other election staff, as well as election day preparations and management, in the hands of the political parties, with the CNE lacking the means to supervise and ensure quality, uniformity and consistency of the training provided by the parties. Very scarce civic and voter education campaigns were carried out by the CNE and civil society organisations, thus depriving voters of the opportunity to become familiar with the voting procedures.

Between 2020 and 2021, the National Civil Registry (RNP) conducted a massive exercise to provide a new ID card to all citizens over 18 years old, based on a new biometric database designed to be more reliable and consistent. Based on the list of citizens to which an ID card was issued, the final voter register contained 5,182,436 voters (of which 52.7 percent were women). The 2021 voter register was overall considered as more reliable than previous ones as it was purged from deceased and duplicate voters. However, some 400,000 persons who could not retrieve their ID cards before election day were effectively disenfranchised.

Some CNE rulings with different interpretations of the same provisions on nomination of candidates undermined legal certainty and the level-playing field among contestants. Controversies over decisions made by the CNE on the registration of several high-profile candidates intensified during the pre-election period, with CNE councillors publicly expressing their differences to the detriment of the institution and its credibility. The CNE lacked an effective public communication policy to keep parties, candidates and the public informed about decisions taken by the electoral administration.

Regulations respected fundamental freedom of assembly and contestants were able to campaign freely. A surge of electoral violence in the weeks ahead of elections raised the number of killings to 33 since the end of 2020 undermined to an extent the effective opportunity for campaigning and the right to political participation for candidates and voters, in particular ethnic minority groups and human rights activists. Several institutions, including two CNE councillors, made unsuccessful calls on electoral contestants to sign a code of conduct. However, CNE members were unable to agree on a common version to submit to parties, showing their incapacity to reach a consensus even under such circumstances. EU observers reported misuse of administrative resources through the increased distribution of aid vouchers in eight departments, in connection with PNH campaigning. Instances of pressure by Government officials on public employees to attend rallies, to enrol as PNH polling station members and to ensure votes for PNH were also reported.

The political polarisation in the country was reflected in the campaign on social media, which was confrontational and tense, with widespread use of divisive, inflammatory and violent language by a high number of political actors, along with accusations, denunciations of fraud. In general, political actors contributed to the violent narrative and to disinformation of citizens throughout the campaign, without any self-censorship. Although there have been improvements with regards to the oversight of campaign finance, new legislation introduced a temporary one-month exemption on fines to parties and candidates that participated in the March 2021 primary elections for not submitting of expenditure reports, which reinforced the sense of impunity and disregard for the rule of law. In addition, sanctions for not complying with campaign finance regulations are widely seen as too low to be persuasive.

The EU EOM's media monitoring findings showed that the media's electoral coverage largely focused on the three main contenders, with state media noticeably favouring PNH and its presidential candidate Nasry Asfura. PNH also benefited from extensive additional coverage in the state media on governmental projects and achievements. Private media also showed partiality towards specific presidential candidates. For the first time in Honduras, the election law established free airtime slots in the state media to be equitably allocated by the CNE to parties and candidates of the presidential race to present their political proposals to the public. However, the provision was not implemented for the 2021 elections. Media regulations guarantee freedom of expression and right to information. However, the criminal code foresees prison penalties for slander crimes in the media, which may not be in line with international legislation.

Most presidential candidates, political parties, electoral bodies and other key political actors actively used their official profiles on the main social media networks Facebook, Instagram and Twitter for election-related communication. However, misuse of social media contributed to spread disinformation and violent content on contestants. The EU EOM identified Facebook accounts, some created days before election day, spreading disinformation and harmful content against presidential candidates, using paid ads to expand their reach. On Twitter, bot accounts were used to promote narratives for and against the main presidential candidates. Also on Twitter, the EU EOM identified 440 accounts showing a coordinated inauthentic behaviour promoting narratives for and against the three leading parties, PNH, PLH and LIBRE, and their presidential candidates.

The total number of women running in the 2021 elections represented 48 per cent of the candidates at all levels, although only two ran for the Presidency. Despite this relatively high representation as candidates, the open list system for the Congressional election is not conducive for proportional gender representation of elected officials. The 2021 Congress will have a total of 33 congresswomen, accounting for 26 per cent of the total. In both the CNE and the TJE, two out of three members of their directorates are women, as well as 56 and 55 per cent of their staff, respectively. Civil society organisations noted an increase in cases of political violence against women politicians over the months leading to election day.

Although the CNE had information about the number and location of voters with disabilities throughout the country, there were no provisions to facilitate voting, except assisted voting. Specific reasonable accommodation measures such as Braille templates for visually impaired voters, ramps at polling station for voters with reduced mobility or dedicated assistance were not in place.

The TJE operated with an insufficient budget and without an Electoral Procedure Law, despite this being required by the Constitution and the election law. Unclear deadlines of pre-election petitions and rulings, together with CNE's not always making its decisions available, resulted in extremely late decisions, which negatively affected the right to effective redress. The post-electoral period saw intense litigation, with accusations of fraud and requests for recounts, especially at the congressional and municipal levels. By the end of the period available to challenge results, 281 challenges against polling stations results and 10 corrections requests were filed. The PNH was the party that submitted the highest number of challenges to the CNE, while the PSH was the one requesting the most recounts.

The election day saw highest turnout in decades in a peaceful and orderly polling, despite a late start and insufficient training of polling staff, which resulted in a high number of results protocols with inconsistencies. Despite the transmission of preliminary election results (TREP) was only achieved from less than half of the existing voting centres, and not in all 6,383 as planned by the CNE, due to connectivity constraints and non-arrival of the necessary equipment to the centres, the TREP ensured swift presidential election results and contributed to generate public confidence.

Technology used for voter identification and transmission of preliminary results was perceived as an element contributing to transparency and confidence in the election. However, insufficient coordination between the technological solution, its implementation and procurement, the training, and the logistics activities negatively impacted the electoral preparations and, in the case of the TREP, also the immediate post-election period.

The EU EOM identified a number of polling station legislative election results protocols with abnormal number of votes for specific candidates as compared with other candidates within the same party list, which neither appeared to correspond with an established "vote for all candidates" pattern, nor with the votes obtained by the affected candidates in polling stations within the same voting centre. This may suggest that results protocols were tampered with for the benefit of specific candidates. Preliminary criminal investigations have been conducted by the Office of the Public

Prosecutor. Constituencies most affected by this trend were Atlántida, Comayagua, Copán, Cortés, Francisco Morazán, Lempira, Santa Barbara and Yoro.

The CNE announced final presidential results on 20 December and declared Xiomara Castro (LIBRE) president elect of Honduras with 1,716,793 votes (51.12 per cent), followed by Nasry Asfura (PNH), with 1,240,260 votes (36.93 per cent) and Yani Rosenthal (PLH), with 335,762 votes (10 per cent). Almost half million votes separated Castro from Asfura, which contributed to an smooth post-election period. Xiomara Castro obtained the highest number of votes ever for a presidential candidate. Final legislative election results were announced on 28 December. LIBRE obtained 50 seats, followed by PNH, with 44, PLH (22), PSH (10), PAC (1) and DC (1). The election outcome for Congress imposes Castro to seek compromise with parties other than those that supported her during the campaign. PNH remained the most influential party at municipal level with 142 mayoral positions, except for Tegucigalpa and San Pedro Sula, both lost to alliances led by LIBRE.

Complementing past EU recommendations, the EU EOM offers 23 recommendations to the consideration of the Honduran authorities, election institutions, political parties and the civil society. The priority recommendations of the EU EOM to Honduras 2021 are:

- The Congress to undertake a process of electoral legal reform on a cross-party basis well in advance of the next elections involving consultation with the CNE and the TJE, stakeholders and experts, to clarify inconsistencies and shortcomings in the current legislation.
- Strengthen CNE independence from political parties interference to ensure a technical, professional and depoliticised administration of the elections.
- Implement a more effective CNE transparency and public communication strategy, including the prompt and complete publication of all decisions, the conduct of regular consultative meetings with political parties, and the continuous dissemination of information to all stakeholders, especially in the immediate pre and post electoral period.
- Strengthen the capacities of the CNE, the Campaign Finance Oversight Unit (UFTF) and law enforcement bodies to prevent and penalise misuse of administrative resources and to implement, in a timely manner, dissuasive measures against non-compliance with campaign finance provisions, with the aim to contribute to the principle of a level playing field.
- Substitute prison penalties for slander crimes in the media with proportionate sanctions.
- Adopt legal provisions and implement mechanisms to protect women from gender-based political violence, in line with CNE draft law proposal, and ensure that sanctions are enforced.
- Adoption of the Electoral Procedure Law as established in the Constitution so that the TJE has the necessary tools to carry out its electoral jurisdictional responsibilities.
- CNE to design a results tabulation system with traceability features and strengthened results control triggers.



## II. INTRODUCTION

At the invitation of the Government of Honduras and the National Electoral Council (CNE), the European Union deployed an Election Observation Mission to observe the 2021 general elections. The mission was led by Chief Observer and member of the European Parliament from Croatia, Željana Zovko. A core team of ten analysts arrived in the country on 13 October. The mission was strengthened with the arrival of 30 Long Term Observers (LTOs) on 27 October. In addition, the mission was joined by locally recruited Short Term Observers from the EU member states diplomatic community resident in Honduras and neighbouring countries. A delegation of the European Parliament joined the EU EOM for the observation of election day and endorsed its preliminary statement. This brought the full mission strength to 78 accredited observers, drawn from 22 EU member States and Canada.

The EU EOM remained in the country until 17 December to observe the tabulation of final results and post-election developments, including polling station recounts. The EU EOM assessed the whole electoral process against international and regional standards for democratic elections as well as the laws of Honduras. The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation signed at the United Nations in October 2015.

The EU EOM wishes to express its appreciation to the National Electoral Council, the Electoral Justice Tribunal, the National Registry, the Ministry of Foreign Affairs and all other institutions, authorities, civil society and political organisations of the Republic of Honduras for their kind and forthcoming cooperation and assistance throughout the mission's presence. The EU EOM also expresses its appreciation to the Delegation of the European Union in Honduras and the diplomatic missions of EU Member States in the country for their continued support throughout the process.

## III. POLITICAL CONTEXT

**Competitiveness, strong polarisation and episodes of violence against candidates and party activists characterised the pre-electoral period.**

In the fourth elections since the 2009 coup, Hondurans elected on 28 November a president and up to three vice-presidents in a single ticket, the 128 members of the National Congress, mayors and councillors for the 298 municipalities, as well as 20 members to the Central American Parliament (PARLACEN).

Three parties, PNH (61 seats), LIBRE (30 seats) and PLH (26 seats) have dominated the National Congress since 2017.<sup>1</sup> Following constitutional reforms and a political agreement by the three parties to put an end to the 2017 post electoral crisis, LIBRE entered in the newly created electoral bodies and in the RNP (*see section Legal Framework*). Remaining parties alleged that they were side-lined. Despite the reforms, confidence in the electoral bodies and other State institutions remain among the lowest in Latin America.<sup>2</sup> Questions about the integrity and neutrality of state institutions affected the public confidence in the elections and the rule of law.

Fourteen political parties contested the general elections. A total of 12 parties, one alliance and two independent candidatures registered for the presidential race. PNH, LIBRE and PLH chose all their

<sup>1</sup> Five other parties held the remaining eleven seats: *Partido Innovación y Unidad* (PINU-SD, 4), *Alianza Patriótica Hondureña* (APH, 4), *Partido Demócrata Cristiano* (PDCH, 1), PAC (1) and *Unificación Democrática* (UD, 1).

<sup>2</sup> Latinobarómetro 2020, as quoted in [Revistazo](#).

candidates through open and simultaneous primary elections held on 14 March 2021, which were marred by political violence,<sup>3</sup> slow tabulation and the use of the old election law, resulting in two different laws being used in the same process. The presidential candidates resulting from the primaries were Nasry Asfura (PNH), Xiomara Castro (LIBRE) and Yani Rosenthal (PLH).

The range of electoral choices has increased since the 2017 elections with three new political parties registered<sup>4</sup>, including the PSH, founded by Salvador Nasralla, a popular TV presenter who ran the 2017 presidential election against Juan Orlando Hernández. The PSH formed a formal alliance with PINU-SD and registered as National Opposition Unity of Honduras (UNOH) for the presidential election, while maintaining separate lists for Congress and municipalities. On 15 October, UNOH declared a *de facto* alliance for presidency with LIBRE, and Salvador Nasralla (PSH) as well as Doris Gutierrez (PINU-SD) were registered as vice presidential candidates in the Xiomara Castro's ticket. Independent candidate Milton Ávila Benítez also declared his support for the LIBRE presidential alliance on 12 November.<sup>5</sup> While a previously negotiated alliance with PLH did not materialise, several PLH leaders announced their support for Castro shortly before election day.

Political polarisation had risen during the second term of President Juan Orlando Hernández due to the contested 2017 election results, the socio-economic crisis caused by the COVID-19 pandemic and the consequences of the 2020 hurricanes. According to data of 2020, 70 per cent of the Honduran population live in poverty, mostly in rural areas.<sup>6</sup> In the months ahead of the elections, three prominent candidates were accused of different offences by the public prosecutor's office. Two of them received preventive imprisonment orders, including one presidential candidate.<sup>7</sup>

At least 33 homicides of candidates, party representatives and sympathisers were registered since the end of 2020, ahead of election day.<sup>8</sup> In view of the hostile tone of the campaign and the increase in political violence, the UN, the National Forum for Convergence (FONAC) and the churches, called on electoral contestants for a peaceful campaign. In addition, two CNE councillors published two drafts of a code of conduct for political parties but were unable to agree on a common version to submit to the parties. Both the CNE and the political parties showed their incapacity to reach a consensus in such a tense political environment.<sup>9</sup>

#### IV. IMPLEMENTATION OF PREVIOUS EU EOM RECOMMENDATIONS

The EU has previously conducted election observation missions in Honduras in 2013 and 2017. Out of the 15 recommendations offered by the EU EOM 2017, three have been fully implemented, namely on the establishment of campaign spending ceilings, CNE departmental and municipal bodies being relieved from responsibilities for the aggregation of election results and ensuring a more accurate voter register. The latter was achieved through the renewal exercise of ID cards carried out by the RNP

<sup>3</sup> The National Observatory of Violence (ONV) of the *Universidad Nacional Autónoma de Honduras* (UNAH) reported 30 cases identified as political violence for February and March 2021, while the two months before and the four months after the primaries account for eleven cases altogether. A [CONADEH report](#) pointed to problems in the process.

<sup>4</sup> The newest parties are *Partido Salvador de Honduras* (PSH), *Todos Somos Honduras* (TSH), and *Partido Liberación Democrático de Honduras* (LIDERH), all registered with CNE in September 2020.

<sup>5</sup> The *Unidad Nacional Opositora de Honduras* (UNOH) Alliance and the independent candidate Milton Ávila Benítez announced their support to the LIBRE candidature of Xiomara Castro after the deadline to declare a formal alliance passed and remained eligible options on the presidential ballot.

<sup>6</sup> Source: [UNAH Bulletin, April 2021](#).

<sup>7</sup> Roosevelt Ávilez, imayoral candidate for PNH in Talanga (Francisco Morazán) and Santos Orellana, independent presidential candidate representing the *Movimiento Independiente Dignidad y Esperanza* (MIDE)

<sup>8</sup> I UDPAS [fourth newsletter](#) and media reports.

<sup>9</sup> See: [El Heraldo 12 November 2021](#).

between 2020 and 2021, supported by the EU. Two recommendations on provisions for gender parity and alternation in the lists of congressional candidates, as well as enforcement of such provisions by the CNE, were only fully implemented for parties that did not hold election primaries. PNH, LIBRE and PLH implemented them in their lists of primary election candidates. Three recommendations have been partially addressed: the 2021 election law contains provisions on free airtime slots for parties and independent presidential candidates in the state media. However, it was not implemented in the 2021 elections. Article 335B of the Penal Code was abolished in 2018, addressing a 2017 EU EOM recommendation. However, prison penalties for slander, defamation and libel remain unaddressed. Another recommendation on submission of a proof of residence for domicile changes in the voter register was also partially addressed through the ID renewal exercise.

Seven 2017 EU EOM recommendations remained unaddressed, namely on specific campaign ceilings for political parties and for paid political advertisement in the media, the elimination of provisions allowing private media to pay their tax debts by broadcasting institutional ads, improving investigative capacities of the Office of the Public Prosecutor and on the appointment of the CONATEL commissioner by the Congress and not by the President of the Republic. Also, two recommendations on improving the election disputes resolution mechanisms have not been implemented, since the Congress failed to approve a law on election procedures. Finally, while the new ID card does not include information on the gender, there have not been legislative changes to ensure that transgender persons can change their names to reflect their identity, as recommended by the 2017 EU EOM.

## V. LEGAL FRAMEWORK

**The election law was approved just one day before the official call for elections resulting in a compressed timeframe that put high levels of operational pressure on the CNE.**

The legal framework generally complies with international standards for elections. Honduras has ratified the major international instruments covering electoral rights, although the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) has neither been signed nor ratified.<sup>10</sup> In Honduras, international treaties are part of national legislation and, except for the Constitution, they take precedence over the remaining laws of the country.

### **Constitutional Human Rights and electoral legislation**

The legal framework for general elections in Honduras includes the Constitution of the Republic of 1982 and its amendments, the 2021 Election Law of Honduras, the Law of the National Registry of Persons of 2005, as well as the Law of Financing, Transparency and Oversight of Political Parties and Candidates of 2017, as well as CNE and TJE regulations.

The Constitution recognises and protects individual and social fundamental rights, including in providing for public participation and inclusion. It establishes universal passive suffrage for every citizen as well as requirements for active suffrage. Candidates, in addition to being registered to vote, must meet financial requirements, such as opening bank accounts to receive contributions and reporting to the CNE's Campaign Finance Oversight Unit (UFTF)

<sup>10</sup> Honduras has ratified the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the International Convention on the Protection of the Rights of All Workers Migrants, The International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries (ILO Convention 169), the 2007 Convention on the Rights of Persons with Disabilities (CRPD), the Convention against Torture and Other Cruel, Inhuman Forms and Degrading Treatment or Punishment, as well as the Rome Statute of the International Criminal Court.

The constitutional reforms of February 2019 eliminated the TSE and two independent electoral bodies were established, the CNE, in charge of administrative, technical, logistics and procedures, and the TJE, the highest authority in electoral justice.<sup>11</sup> Following the creation of the new electoral bodies, in September 2019, and by virtue of the Special Law for the Selection and Appointment of Electoral Authorities, the members of the CNE and TJE were selected and appointed. The two institutions were composed of by three councillors and magistrates each (and two alternates) elected by two-thirds of the Congress.<sup>12</sup>

Electoral reform was undertaken very late in the process. After two years of discussions in the Congress, the new election law was approved on 26 May 2021, just one day before the official call for elections, undermining the principle of legal certainty and not in line with international and regional good practice.<sup>13</sup> This prevented election authorities, parties and citizens from becoming familiar with the new legislation sufficiently ahead of the elections and generated an environment of insecurity of the applicable framework, since the March primary elections were held under the old election law. The law covers fundamental aspects of the elections. Main features of the new law include the obligation for the CNE to devise a system for the transmission and announcement of preliminary presidential results, the inclusion of biometrics to identify voters at the polling stations, and the partisanship composition of polling station commissions and other election staff, who are appointed at the proposal of the political parties, with the three main positions (president, secretary and first member) always allocated to the three majority parties (PNH, LIBRE and PLH).

On 2 June 2021 a group of minority parties filed a constitutional complaint (*recurso de amparo*) before the Supreme Court of Justice (CSJ) against the new Election Law. According to the petitioners, their right to participate in the polling stations (JRV) was undermined, as only the majority parties would always have representatives in the JRV on election day.<sup>14</sup> The CSJ dismissed the complaint as inadmissible. The 2021 election law does not contemplate CNE's obligation to issue credentials with name and photo for polling stations members and establishes the figure of party agents for those political parties that are not integrated in the polling stations. The law also includes gender parity and alternation in the lists of candidates, in line with a previous EU EOM recommendation, and the creation of a Gender Unit within the CNE to oversee the implementation of the gender provisions

Some ambiguities in the law open the door to different interpretations, namely on the candidate nomination, withdrawal and replacement, registered or *de facto* alliances, and the procedures for electoral justice, especially in actions for the annulment of results before the CNE. Conversely, it appears to be excessively detailed in areas such as the regulation of the TREP and its technological solutions, although even in that regard it was not specific enough since the CNE Regulation for the transmission of preliminary election results and the final tabulation of results was published only one day before the general elections, on 27 November 2021.<sup>15</sup>

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<sup>11</sup> Decree 200-2018.

<sup>12</sup> Decree 71-2019 Special Law for the Selection and Appointment of Electoral Authorities. Electoral Authorities. Attributions, Powers And Prohibitions, art.34 and 39. The Presidency of the National Congress should appoint a Special Multi-Party Commission of the parties represented in Congress for the purpose of making a public call for candidates. The Board of Directors of the National Congress should submit to the Plenary the final selection of the representatives of the electoral bodies with the favourable vote of at least two thirds (2/3) of the deputies.

<sup>13</sup> OAS Electoral Good Practices Guide For Strengthening Electoral Processes, page 10, para 4: "As a democratic principle, certainty presupposes that the basic rules for competing and participating in politics are clear for all parties prior to the start of the respective political processes".

<sup>14</sup> [Source: Noticieros Hoy Mismo, 2 June 2021.](#)

<sup>15</sup> CNE Agreement 20-2021, 27 November 2021

*Recommendation: The Congress to undertake a process of electoral legal reform on a cross-party basis well in advance of the next elections involving consultation with the CNE and TJE, stakeholders and experts, to clarify inconsistencies and shortcomings in the current legislation.*

Consolidated official versions of updated legislation and regulations were only available on a subscription basis in the Official Gazette, which made it difficult to raise sufficient awareness of legal changes and may have undermined the right to access to information <sup>16</sup>.

On 7 October, during the election campaign, the Congress amended the Criminal Code, the Criminal Procedure Code and the Law on Money Laundering. The reform enacts heavier penalties for offences such as usurpation and forced displacement, and it could be used to penalise peaceful protest to weaken the powers of criminal investigators of the Public Prosecutor's Office to investigate corruption.<sup>17</sup> The amendments broadened causes for usurpation to include the use of public property such as roads, streets, parks, or other public places with the purpose of obstructing transit, which may undermine the rights to peaceful assembly and expression, and increased prison penalties from six to ten years. The National Commissioner for Human Rights (CONADEH) considered these reforms to the Criminal Code contrary to public freedoms and human rights, as well as to the Constitution and international treaties.<sup>18</sup>

### **Election system and boundary delimitation**

At the national level, the president is elected by a simple majority along with three vice presidents, for a four-year non-consecutive term. The 20 Honduran members to the PARLACEN are distributed proportionately among the parties according to the results obtained in the presidential election. The 128 members of Congress were elected through a proportional system on open lists in 16 of the country's 18 constituencies, which coincide with the territorial departments. The remaining two constituencies elected one member each. Seats are allocated based on the population in the departments and range from 1 to 23. The number of seats to be elected per constituency was eight in Atlántida, four in Colón, seven in Comayagua, and Copán, 20 in Cortés, nine in Choluteca, six in El Paraíso, 23 in Francisco Morazán, one in Gracias a Dios, three in Intibucá, one in Islas de la Bahía, three in La Paz, five in Lempira, two in Ocotepeque, seven in Olancho, nine in Santa Barbara, four in Valle and nine in Yoro.<sup>19</sup>

The different size of the constituencies may have affected the equality of representation in Congress, as the number of votes needed in order to obtain a seat ranged from 50,000 in El Paraíso to 28,359 in Valle, with 10 constituencies deviating more than ten per cent from the national average of 40,488 votes.<sup>20</sup> Five departments were over-represented, most notably Valle, where the deviation reached 30 percent of the distribution criterion. On the other hand, four departments were under-represented, most

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<sup>16</sup> General comment No. 34 Article 19: Freedoms of opinion and expression. Right of access to information, 19. To give effect to the right of access to information, States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information. States parties should also enact the necessary procedures, whereby one may gain access to information, such as by means of freedom of information legislation.

<sup>17</sup> On 1 November the Head of the Specialised Anti-Corruption Prosecutorial Unit published a [tweet](#) against this reform.

<sup>18</sup> [CONADEH](#) Statement of 13 October.

<sup>19</sup> CNE Agreement 10-2021 on the call for the 2021 general elections.

<sup>20</sup> The number of votes per seat can be approximated by the quotient of the number of registered voters divided by the number of seats returned by each constituency. Likewise, the national average is obtained by dividing the number of registered voters nationwide by the number of seats in the Congress (128). The 2002 Venice Commission Code of Good Practice on Electoral Matters suggests any admissible deviation should seldom exceed ten per cent of the distribution criterion and only 15 per cent in exceptional cases, such as in constituencies returning only one member to the Parliament or quotas for national minorities.

notably the department of El Paraíso, where the deviation reached 24 percent of the distribution criterion.<sup>21</sup>

## VI. ELECTION ADMINISTRATION

**The high level of politicisation was detrimental to CNE institutional independence, collegiality, perceived neutrality and efficient functioning.**

### Structure and composition of the election administration

The 2019 constitutional reforms divided the electoral administration between the TJE, the highest authority on electoral justice, and the CNE, in charge of administering the electoral process.<sup>22</sup> Members of both bodies are elected by two-thirds of the Congress.<sup>23</sup> In practical terms, the selection of the current three principal CNE councillors and TJE magistrates was the result of an agreement between the three parties most represented in the 2017 Congress (PNH, PLH and LIBRE), whereby they were given one member in each institution.<sup>24</sup> While the composition of both institutions allows for checks and balances among main political contestants and partially addressed previous criticisms about the lack of representation of emerging parties in the election institutions, in the case of CNE, it resulted in high politicisation. This was detrimental to its institutional independence, collegiality and efficient functioning.

Temporary structures established ahead of the elections at departmental and municipal levels (18 Departmental Electoral Councils -CDE and 298 Municipal Electoral Councils - CME) as well as the 18,293 polling stations (JRV), follow a partisan structure, established in the law, with their principal members representing the three parties most voted in the last Presidential election and the other two positions allocated to the remaining parties on a rotational basis.<sup>25</sup> Other election staff were also nominated by the CNE from lists provided by the three main parties.<sup>26</sup>

*Recommendation: Strengthen CNE independence from political parties interference to ensure a technical, professional and depoliticised administration of the elections.*

### Administration of the elections

Politicisation of the CNE reached all levels, with all directorates headed by three representatives of each of the three main parties, creating blockages and delays in decision-making as well as shortcomings in the internal functioning of the institution, including parallel communication lines, which further damaged its efficiency and transparency. In addition, political and personal disagreements among the CNE councillors, sometimes exposed publicly, created the feeling that its members were defending the interests of their respective parties rather than working for the public good, leading to a general weakening of the institution and undermining its credibility. With a total

<sup>21</sup> Over-represented departments were Atlántida (23 per cent deviation), Copán and Choluteca (20 per cent), Santa Barbara (24 per cent) and Valle (30 per cent). Under-represented departments were Cortés and Ocotepeque (17 per cent), El Paraiso (23 per cent) and Intibucá (20 per cent).

<sup>22</sup> Decree 200-2018.

<sup>23</sup> Articles 52 and 54 of the Constitution.

<sup>24</sup> Two of the smaller parties (AP and DC) were allocated the two CNE alternate members. The same partisan structure applies to other State institutions such as the RNP.

<sup>25</sup> Articles 42, 44 and 46 of the election law: 'parties most voted in the last Presidential election' or 'majoritarian', correspond to PNH, PLH and LIBRE.

<sup>26</sup> Namely staff in charge of supervising the distribution and storage of election materials and the operators of the transmission of preliminary election results (TREP).



budget of LE 2.700 million (approx. EUR 97,5 million), the 2021 elections (primaries and general) were the most expensive in the history of Honduras.<sup>27</sup> However, on the eve of the election, only 52.5 per cent of the budget had been spent.<sup>28</sup> Delays in the availability of the budget and constraints for its disbursement had a negative impact, particularly on the effective implementation of the technological solutions largely responsible for this high cost.

*Recommendation: Ensure effective financial independence and timely availability of funds for the CNE to efficiently perform the tasks bestowed upon it.*

The organisation of the elections was marked by the late approval of the election law (*see section Legal Framework*), the untimely disbursement of funds to the CNE by the Government and the impact of the COVID 19 pandemic. In addition, set deadlines were often not respected due to insufficient planning that protracted the implementation of the electoral calendar, which impacted down-the-line processes such as printing of ballot papers and forms, accreditation of JRV members, party agents and observers, and distribution of election materials. Insufficient or late adoption of regulations on polling and counting procedures, transmission and tabulation of results, recounts, challenges and appeals, also affected the operations. Generally, the fragmentation, dispersion and sometimes unclear division of tasks among the Directorates led to lack of efficiency and accountability. EU observers reported contrasting levels of cooperation, preparation and working conditions among departmental and municipal electoral councils. Some of them had visible internal political tensions and coped with a lack of information and training but also with poor financial and logistical support from the CNE, letting them rely on their respective parties' support.<sup>29</sup>

The election law left fundamental areas of the management of the electoral process, such as the selection and training of polling station members and other election staff, as well as election day preparations and management, in the hands of the political parties. A CNE initiative to issue personalised accreditations to polling station members to avoid previous practices of parties trafficking with blank cards, failed, partly due to a legal gap and to late or incomplete nominations by political parties, concerned about security of data that could place their members under threat or pressure. Small parties also faced difficulties to find enough people to represent them in the JRV.

While the CNE was responsible for the training of the election staff, including polling station members,<sup>30</sup> it only ensured training of political parties' trainers who, in turn, trained their polling station members through a cascade model. EU observers reported uneven quality and attendance as well as inconsistent methodologies and focus in the field, as the CNE lacked the means to supervise the training provided by the parties. In addition, there was neither an evaluation system nor any guarantee that persons trained were ultimately those working at the polling stations and voting centres. Training of remaining election staff in the voter centres and TREP operators started only a few days before election day and was sometimes conducted through WhatsApp.

*Recommendation: CNE to engage in the selection, consistent training and support to all election staff to ensure independent, impartial and efficient organisation and management of the process.*

The CNE, with the support of international partners, created an online training platform which contained resources for the training of election personnel, but also aimed at informing and training other stakeholders and the general public on election procedures. However, it could only be officially

<sup>27</sup> Source: [El Heraldo, 8 November 2021](#).

<sup>28</sup> Source: [Ministry of Finance statement](#) of 25 November 2021.

<sup>29</sup> Several CDEs lacked adequate office space, equipment, cars and even budget.

<sup>30</sup> Article 40. Election law.

launched on 8 November. Very few civic and voter education campaigns were carried out, both from the CNE and civil society organisations. Most of the information was broadcast through electronic and digital media (TV, radios and social media) and the CNE virtual platform. No information campaign targeting groups with special needs or first-time voters was observed.

Established consultation mechanisms with political parties remained largely inoperative. Since the official call for the elections, the CNE only met three times with Electoral Consultative Council (CCE), where all parties, alliances and independent candidates were represented to ensure information sharing, consultation and collaboration, despite provisions in the election law stipulating that the CNE must call at least for monthly meetings during electoral periods.<sup>31</sup> In addition, the CNE lacked a proactive and open institutional communication strategy to timely disseminate decisions and information about the implementation of the electoral process, with its webpage not regularly updated and most of its communication disseminated through the personal Twitter accounts of the councillors. This affected the overall transparency of the process and the institutional strength of the CNE.

*Recommendation: Implement a more effective CNE transparency and public communication strategy, including the prompt and complete publication of all decisions, the conduct of regular consultative meetings with political parties, and the continuous dissemination of information to all stakeholders, especially in the immediate pre and post electoral period.*

## VII. VOTER REGISTRATION

**The quality of the voter register improved and enjoyed more trust than in previous elections, although some citizens were disenfranchised.**

### The Right to Vote

The right to vote is guaranteed for all citizens aged 18 or above. Restrictions include persons under judicial interdiction and serving members of the Army and Police. Blanket exclusions are contrary to international standards. Prisoners in pre-trial detention or serving short sentences keep their right to vote and the law guarantees the exercise of suffrage rights of persons whose physical or health conditions do not allow for their presence in polling stations<sup>32</sup>, but in practice, there are no provisions to facilitate their registration and effective exercise of these rights.

*Recommendation: Remove restrictions to universal suffrage right and adopt specific measures to ensure the effective exercise of the right and opportunity to vote for citizens in prison, hospitals and with other special condition that are hampering their participation in the electoral process.*

### Voter Registration Procedures

The CNE was responsible for the elaboration, updating and publication of the voter register based on data provided by the RNP of citizens to which an ID card has been issued at the coming of age. The final voter register was published on 7 October and contained 5,182,436 voters (of which 52.7 percent were women), including 15,331 registered out-of-country voters.<sup>33</sup> The election law provides for out-

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<sup>31</sup> Article 58. Election law.

<sup>32</sup> Article 81. Election law.

<sup>33</sup> Out of country voters were allocated to polling stations in Honduran consulates in 14 US cities (Houston, Los Angeles, Miami, New Orleans, New York, Washington, Atlanta, Chicago, Dallas, McAllen, Seattle, Boston, San Francisco and Charlotte) and in Guatemala, El Salvador, Nicaragua, Costa Rica, Panamá and Belize.



of-country voting for the presidential election, but a very limited registration exercise fell short in including the large number of Hondurans living out of the country. The ID card was the only document permitted to identify registered voters at the polling stations.

In line with a previous EU EOM recommendation, between 2020 and 2021 the RNP conducted a nationwide exercise with the aim of providing a new ID card (*documento nacional de identificación – DNI*) to all citizens over 18 years old, based on a new biometric database designed to be more reliable, consistent, and purged from deceased and duplicate entries. Out of the 5.45 million Hondurans who participated in the exercise, 4.8 million received their DNI before election day.<sup>34</sup>

Although the 2021 voter register was considered overall as more reliable than previous ones, some 400.000<sup>35</sup> persons who could not retrieve their ID cards before election day were disenfranchised. In addition, citizens who did not renew their ID cards before the cut-off date of 15 August were removed from the voter register, which the EU EOM considers it may be at odds with constitutional provisions establishing that the voter register is permanent and unchangeable.<sup>36</sup> Finally, EU observers reported inconsistencies, technical difficulties, including loss of data and delays in the registration and/or distribution of ID cards, sometimes politically motivated (as in Francisco Morazán and Olancho departments), that led to disenfranchisement, particularly of voters in remote areas.<sup>37</sup>

The ID card renewal exercise collected information on citizen's residence, which was the basis for allocating voters to the polling stations. However, discrepancies between RNP and CNE cartography led to the reallocation of some 877,000 voters to the voting centres where they voted in 2017.<sup>38</sup> Although RNP and CNE developed active and passive systems<sup>39</sup> to inform people about their final voting locations, some voters were not able to find or access their assigned voting centres<sup>40</sup> without the help and support of political parties.

## VIII. REGISTRATION OF CANDIDATES

### **Some CNE decisions on candidate registration with ambiguous interpretations of the same provisions undermined legal certainty and the level-playing field among contestants.**

The President and the presidential designates must be Honduran by birth, over thirty years old, and enjoy the rights of Honduran citizenship. The Constitution prohibits certain public servants and members of the military from serving as President.<sup>41</sup> To be elected to the National Congress, candidates must be a Honduran by birth, enjoy the rights of citizenship and at least twenty-one years old. No person can stand as a candidate if s/he has a final conviction or a judicial interdiction. Parties with two or more internal movements are required to nominate candidates through open primaries,

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<sup>34</sup> Source: RNP.

<sup>35</sup> This number also included some deceased and citizens who left the country between the ID renewal exercise and election day.

<sup>36</sup> Article 56 of the Constitution, provides that updates to the voter register can be conducted only to purge deceased voters, add new voters, modify citizenship status and make changes to residence.

<sup>37</sup> Some 450.000 inconsistencies of different nature were unveiled, evaluated and corrected, according to RNP. However, several interlocutors considered the number of inconsistencies to be underestimated and that their late resolution hampered the exercise of the right to vote.

<sup>38</sup> Following Decree 63-2021 adopted by the National Congress.

<sup>39</sup> An online search tool was available on CNE website and a targeted SMS campaign was launched for persons relocated to their 2017 voting centres.

<sup>40</sup> Several cases of people assigned to voting centres either far away from where they live or located in areas considered unsafe, were reported, which affected their possibility to exercise suffrage (unless political parties organised transportation).

<sup>41</sup> Art.240 of the Constitution.

whose winning candidates the CNE is obliged to register. Candidates of PNH, PLH and LIBRE were automatically registered following the results of their respective primaries.

The CNE registered 12 political parties, one alliance<sup>42</sup> and two independent candidates for the presidential race, and 14 parties for the legislative and municipal elections with total of 33,966 candidates, ensuring multiple political and candidates' options to voters and the competitiveness of the process. There was no official publication of final list, as candidates at all electoral levels can resign up to one day before the election and be replaced by one of the substitutes in the list or by a candidate proposed by the central authority of the political organisation in the case of the presidential race. For congressional and municipal candidates, political parties or independent organisations can propose a replacement too.

The CNE received 1,362 resignations and disqualified five candidates at the three elective levels. The CNE did not publish its decisions, which is contrary to the election law and international principles on access to public information.<sup>43</sup> Controversies over decisions made by the CNE on the registration of several high-profile candidates intensified during the pre-election period, with CNE councillors publicly expressing their differences to the detriment of the institution's credibility and efficiency.<sup>44</sup> The EU EOM observed cases of acceptance or denial of registration of candidates by the CNE based on ambiguous interpretations of the same provisions of the law.<sup>45</sup> For instance, the CNE accepted the resignation of the UNOH presidential candidate, Salvador Nasralla, and his inclusion as LIBRE vice presidential candidate by majority vote, following the announcement of an alliance for the presidential race between these organisations on 13 October. On 3 November, the CNE dismissed the registration of Roberto Contreras, who was previously registered as independent mayoral candidate for San Pedro Sula, as LIBRE mayoral candidate.<sup>46</sup> Despite similarities between both cases as neither Nasralla nor Contreras participated in the primaries, the same article of the election law was interpreted differently by the CNE councillors. Conversely, the National Congress speaker Mauricio Oliva's registration as a PNH PARLACEN candidate was accepted despite having lost to Nasry Asfura in the PNH presidential election primary.

In addition, Mario Moncada, brother of one CNE councillor, was disqualified from running as mayor of Talanga as a LIBRE candidate, even though the election law does not mention a ban on kinship for municipal candidates. In contrast, the PNH congressional candidate for Copán, cousin of the President of the Supreme Court of Justice, was registered even though such a disqualification is established by law. On 20 January, the CNE decided to disqualify him on the grounds of kinship, which means that he will not be able to serve as a deputy. The absence of clear provisions on the registration and/or disqualification of candidates resulted in uncertainty among voters and impacted on their right to make an informed choice as well as on the overall transparency of the process.

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<sup>42</sup> UNOH (Unidad Nacional Opositora de Honduras) included PSH (Partido Salvador de Honduras) and PINU-SD (Partido Innovación y Unidad - Social Demócrata).

<sup>43</sup> Article 20 of the election law. General Comment 34, para 19.

<sup>44</sup> <https://chtv.hn/politica/rixi-moncada-denuncia-prevaricato-administrativo-por-la-no-inscripcion-de-roberto-contreras/>

<sup>45</sup> Article 115.10 of the election law provides that a candidate cannot be registered if he or she has been a party candidate or has participated in the same election process, including primaries.

<sup>46</sup> LIBRE registered Roberto Contreras brother, Rolando, as mayoral candidate. Following the victory of LIBRE in San Pedro Sula, Rolando Conteras and his deputy Omar Menjívar resigned in favour of Roberto. Source: [ConfidencialHN 11 January 2022](#).

## IX. THE ELECTION CAMPAIGN

### **Campaign was marred by violence, intimidation of voters and misuse of state resources, detrimental to the level-playing field.**

The election campaign officially commenced on 30 August, 90 days before the election day.<sup>47</sup> It ended on 23 November, followed by a five-day silence period which was largely disregarded in urban areas. With the important exception of the new causes for usurpation adopted by the Congress in October 2021, which may undermine rights to peaceful assembly (*see section Legal Framework*), remaining regulations were generally conducive for campaigning. EU EOM observers evaluated positively the facilitation of premises and locations for campaigning by the public administration. A Covid-19 lockdown was in place until 3 October, impacting on the type and the extent of campaign activities. Public health protection measures were generally followed in campaign events, but without strict enforcement.

A surge of electoral violence in the weeks ahead of elections raised the number of killings to 33 since the end of 2020 (*see section Political Context*).<sup>48</sup> In addition, numerous threats and intimidation to candidates, politicians and party activists were reported. Fears of electoral violence undermined the effective opportunity for equal campaigning and the right to political participation for candidates and voters, in particular ethnic minority groups and human rights activists.

Five out of the 15 presidential candidates did not present a government programme and remained vague regarding the policies they promoted, raising questions as to the authenticity of their candidatures. While there were efforts by universities, FONAC and media outlets to facilitate access to such information, initiatives for a debate among the three leading presidential candidates failed, thus limiting the voters' ability to familiarise themselves with political platforms and to make an informed choice.<sup>49</sup>

Parties used billboards, rallies, canvassing and crowdfunding events as means of campaign. Social media platforms were also widely used. Door-to-door visits were used by all participating parties, although to a limited extent by parties and candidates with weaker local structures. The three main political parties were reported to collect names of their supporters, partially used to organise transportation of their respective electorate to the polling stations. PNH party members reported to the EU EOM that the names collection sometimes included the signature of a statement which was used to accurately identify potential voters, which raised questions as to its use as possible coercion, specially on election day (*See section Polling, Counting and Tabulation of Results*).

EU observers reported misuse of State resources through the increased distribution of aid vouchers in eight departments, in connection with PNH campaigning activities.<sup>50</sup> In the remaining nine observed departments, allegations to the same effect were noted. In fact, the government approved on 26 October a new LE 7,000 (approx. EUR 252) voucher, called *bono bicentenario*, with a total cost of LE 1,35 billion (approx. EUR 48,5 million).<sup>51</sup> The distribution also targeted vulnerable populations.<sup>52</sup> Inaugurations of public projects as well as the distribution of food packages and goods by PNH, PLH

<sup>47</sup> Art. 222. Election law.

<sup>48</sup> Source: *Instituto Universitario en Democracia, Paz y Seguridad* (IUDPAS)

<sup>49</sup> Some efforts included multiparty events and broadcasts at regional level.

<sup>50</sup> In Atlántida, Choluteca, Colón, Copán, El Paraíso, Francisco Morazán, Intibucá and Lempira.

<sup>51</sup> [Executive Decree PCM 118-2021](#) of 26 October.

<sup>52</sup> Source: Secretariat for Development and Social Inclusion (SEDIS): "[Bono discapacidad comienza a pagarse hoy a nivel nacional](#)"

and LIBRE were reported by EU observers in 14 departments. All these practices are forbidden by the election law and were neither addressed by the CNE nor by law enforcement bodies.<sup>53</sup>

Instances of pressure by government officials on public employees to attend rallies, enrol as PNH polling station members and to ensure votes for PNH were reported in Atlántida, Choluteca, Colón, Gracias a Dios, La Paz, Lempira, Olancho and Santa Barbara. President Juan Orlando Hernández actively participated in a PNH campaign rally in Lempira on 20 November, which is also forbidden by law.

*Recommendation Strengthen the capacities of the CNE, the Campaign Finance Oversight Unit (UFTF) and law enforcement bodies to prevent and penalise misuse of administrative resources and to implement, in a timely manner, dissuasive measures against non-compliance with campaign finance provisions, with the aim to contribute to the principle of a level playing field.*

## Campaign finance

For the 2021 elections, the CNE set the campaign spending ceiling at LE 78.58, multiplied by the number of registered voters in the respective electoral level and divided by the number of elected positions in the constituency in the case of congressional candidates.<sup>54</sup> For presidential candidates, the ceiling was set at LE 393,632,522.76 (approx. EUR 14.4 million), while for the Francisco Morazán constituency, congressional candidates were allowed to spend LE 3,141,249.17 (approx. EU 113,000). According to EU observers PNH appeared to be the party with the largest campaign resources by far.

There have been some advances in the implementation of the Law of Financing, Transparency and Oversight of Political Parties and Candidates, as the CNE's Campaign Finance Oversight Unit (UFTF) has gained more autonomy, a clearer set of regulations and, only since 2019, a formal budget. However, there has not been advances in setting campaign expenses ceilings to political parties, as recommended by the EU EOM in 2017.<sup>55</sup> The UFTF is underfunded, operating with 65 per cent of its foreseen budget. It has 43 employees, 10 of which are auditors and four lawyers. With the additional electoral budget, 30 more lawyers and 33 more auditors were employed during the electoral process. The UFTF sanctions are widely viewed as too low for the mechanism to be compelling, limiting the institution's impact and creating a sense of impunity. With sanctions set at LE 508,400 (approx. EUR 18,500) for parties not submitting annual reports, the mechanism falls short of being effective.<sup>56</sup> UFTF oversight mechanisms include field audits and verification of campaign finance reports.

While the technical and legal instruments are generally in place, the lack of an effective oversight of campaign funding and spending, as parties and candidates are not obliged to submit reports ahead of election day, together with the absence of a deterring effect of sanctions, resulted in highly unequal chances in the electoral competition, not in line with international and regional obligations.<sup>57</sup> In addition, on 12 November new legislation entered into force on a one-month exemption on fines to parties and candidates for non-submission of campaign finance reports, which reinforced the sense of impunity and disregard for the rule of law on campaign finance.<sup>58</sup>

<sup>53</sup> Art. 233. Election law.

<sup>54</sup> CNE [Agreement 12-2021](#) of 10 June 2021 provides an overview of the spending ceilings which vary for every department and municipality, according to the number of voters.

<sup>55</sup> See CNE Agreement 12-2021

<sup>56</sup> The fine doubles if the report is submitted five days after the deadline and failure to comply with this obligation may lead to the dissolution of the party (Art. 57).

<sup>57</sup> Article 7.3 of the United Nations Convention against Corruption (UNCAC) and Article 5 of the Inter-American Democratic Charter (IADC).

<sup>58</sup> Legislative decree 94-2021.

According to the UFTF, only 39 per cent of the candidates who were required by law to open a campaign account had complied with the obligation.<sup>59</sup> Some 32 per cent of them have submitted campaign expenses reports or declared not having had any campaign expenses for the election primaries. Six internal movements of the three biggest parties have received sanctions because of failure to submit primary campaign reports.

The Honduran Council of Private Enterprise (COHEP) monitored campaign spending and reported that PNH and PLH together spent more than 90 per cent of the spending of all parties on the campaign in online and offline media.<sup>60</sup> Other parties stated not having been able to collect a sufficient amount of funds for an extensive 90-days campaign.<sup>61</sup> All smaller parties informed the EU EOM that they had only partially received the state funds and that they were not able to secure significant private funding. Positively, part of the State funds are reserved for specific groups within the parties, such as for women and for youth. However, representatives of these groups informed the EU EOM that these funds were not always used according to their designated purpose.

*Recommendation: Reinforcement of provisions on State funding to political parties and contestants, including its timely and adequate payment, and effective control of campaign funds ahead of election day to ensure the level playing field in the campaign*

## Online campaigning

Amid the COVID-19 pandemic, social media networks were widely used by most political parties and candidates for campaigning, in particular by smaller parties and independent candidates with less financial resources.<sup>62</sup> LIBRE and PSH expressed to the EU EOM that social media was one of their main tools to reach citizens, whereas the PNH dedicated more resources to the offline campaign. Facebook and WhatsApp were the most used channels for reaching broader audiences. Twitter was widely used for the political debate, for publishing press statements and for exchanging direct accusations between candidates. Instagram served to target the younger audiences and was most actively used by Xiomara Castro (LIBRE) and by youth groups within the three leading political parties. The EU EOM spotted that most candidates and parties had several different social media accounts, both at national and departmental levels. However, 90 per cent of them were not verified by the platforms, seriously limiting the voter's ability to distinguish which were the official sources of online political information.

The campaign on social media was confrontational and tense, reflecting the political polarisation. The EU EOM observed the use of divisive, inflammatory and violent language by a high number of political actors, along with accusations, denunciations of fraud and, at times, insults. In general, political actors highly contributed to the spread of violent rhetoric and to disinform citizens throughout the campaign, without any self-restraint. The violence online increased in the weeks ahead of the elections, with calls to stop what was denounced as “hate campaign” by some political actors.

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<sup>59</sup> A total of 4,980 principal candidates running in a PNH, PLH or LIBRE ticket had an obligation to do so, due to their participation in the primaries.

<sup>60</sup> Source: [COHEP's Campaign Spending Report, December 2021](#)

<sup>61</sup> Paragraph 19 of the United Nations Human Rights Committee, General Comment No. 25 to Article 25 of the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Convention against Corruption (UNCAC) 2005, article 7-3, which calls for reasonable limitations on campaign expenditures and the need for transparency in the funding of candidatures for public elected office.

<sup>62</sup> PSH, *Todos Somos Honduras* (TSH), *Alianza Patriótica Hondureña* (APH) and *Movimiento Independiente Dignidad y Esperanza* (MIDE) among others.

The EU EOM observed that the PNH, LIBRE, PLH and PSH parties actively used paid political ads on Facebook platforms. Facebook included Honduras in its Ads Library Report in March 2021, which was a good development that contributed to more transparency in online campaign spending.<sup>63</sup> However, Google has not introduced the country in its reporting, not allowing for transparency in online ads spending. The mission observed that PNH, PLH and LIBRE invested in online advertising to deliver promotional campaign messages.<sup>64</sup>

The election law<sup>65</sup> is ambiguous as to whether it applies to online and social media or not. On the one hand, it defines the domains in which campaigning is allowed, including "by any other system", which may encompass social media. On the other, the provisions on electoral silence do not mention online or social media platforms, which gives rise to individual interpretation. The EU EOM identified several cases of political parties and candidates that campaigned on social media during the silence period, both through posting content and by using paid advertising. Additionally, opinion polls were promoted on election day, which is forbidden by law.

*Recommendation: Make explicit in the election law that provisions on campaign apply also to online and social media networks.*

## X. MEDIA

**Media regularly provided information on the electoral process and campaign, but unbalanced reporting prevailed both in private and state media, with the latter favouring PNH and Nasry Asfura.**

### Media environment

The Honduran media landscape is vast but polarised. According to data from the National Telecommunications Commission (CONATEL), there are 102 television and 424 radio stations currently operating in Honduras. The concentration of main private radio, TV channels and newspapers in the hands of few media groups, and the strong dependence of media outlets from state advertising generate self-censorship and compromise the objectivity of the information provided to citizens.

Honduras is one of the deadliest countries in America for journalists, who face constant threats, intimidation, abusive judicial proceedings or forced exile, detrimental to investigative journalism. According to the civil society organisation C-Libre, four journalists were killed and 130 were attacked in 2020. The Association of Journalists of Honduras (CPH) has registered 86 assassinations of journalists since 2001, with 92 per cent of those killings remaining unpunished. Most EU EOM media interlocutors highlighted that the 2021 Reporters Without Borders' press freedom ranking places Honduras in position 151 out of 180 countries.

Television and radio are the main sources of information for Hondurans. Radio continues to be the medium with the highest coverage, especially in rural areas. Newspapers have experienced a sharp decline in sales volume in recent years but remain influential in the political debate through their digital editions and social networks.

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<sup>63</sup> [Ad Library Report \(facebook.com\)](#)

<sup>64</sup> See Annex Social Media Monitoring

<sup>65</sup> [Decreto-35-2021](#).



Televisión Nacional de Honduras (TNH) and Radio Nacional de Honduras (RNH) are the main state-owned media available in the country.<sup>66</sup> Both lack financial autonomy and political independence, as their directors are appointed directly by the Minister of Communications and Presidential Strategy and their budgets come from the Presidency of the Republic. In this sense, both TNH and RNH function more as government media than as a public service broadcasters.

*Recommendation: Introduce a law on public media to disengage state media from direct government control in order to become genuine public service broadcasters with editorial independence and financial autonomy.*

In the private sector, the audio-visual market is dominated by the groups Televisión Centro, Emisoras Unidas and América Multimedios. The main television channels with national reach are HCH, Canal 5, Canal 11, Une TV and Q'Hubo TV. Some radio stations also have national reach, such as HRN, Radio Cadena Voces, Radio Globo and Radio América. At provincial level, a considerable number of local media have direct political links. According to EU observers' findings, local candidates or relatives of candidates for the 2021 general elections owned radio or TV stations in Comayagua, Copán, Cortés, Olancho and El Paraíso. There are also some 50 community radio stations, some of them created by indigenous communities.

The print media market is largely controlled by two groups: OPSA, owner of El Heraldo (17,800 print copies daily) and La Prensa (29,000 print copies daily), and Periódicos y Revistas S.A, owner of La Tribuna (46,000 print copies daily). Other newspapers in circulation are El Libertador and El País.

### **Legal framework for the media**

The 1982 Constitution and the 1958 free speech law (*Ley de Emisión del Pensamiento*) guarantee freedom of expression and right to information. Nevertheless, several legal provisions limit those rights. The criminal code foresees prison penalties for slander crimes in the media, and the official secrets law allows government offices to retain information of public interest for 25 years.<sup>67</sup> The main provisions on media coverage of elections are included in the election law.

*Recommendation: Substitute prison penalties for slander crimes in the media for proportionate sanctions.*

Another controversial law, the law of voluntary programme for the rescue and promotion of the communications sector,<sup>68</sup> allows media outlets to settle tax and licence debts by publishing/airing institutional propaganda under conditions set by the President of the Republic. This provision could limit the freedom of expression of concerned media.

*Recommendation: Strengthen independence of private media by repealing provisions on settling tax and licence debts with institutional advertisement.*

The National Telecommunications Commission (CONATEL) is the only media regulatory body, in charge of administering the radio spectrum and adjudicating and revoking radio and TV frequencies. The President and the two commissioners of the institution are directly appointed by the President of the Republic. CONATEL has not allocated new radio and TV frequencies since 2015, allegedly due

<sup>66</sup> Other state-owned media are UTV, TV channel of the Universidad Nacional Autónoma de Honduras, and CNTV 20, TV channel of the National Congress.

<sup>67</sup> *Ley para la Clasificación de Documentos Públicos Relacionados con la Defensa Nacional* (2014).

<sup>68</sup> *Ley del Programa Voluntario de Rescate, Promoción y Fomento del Sector de las Comunicaciones* (2013).

to saturation of the radio spectrum. As a result, more than 30 community radio stations which had requested a frequency and waited in vain for years are currently operating in “free frequency” without the authorisation of CONATEL, facing permanent risk of closure. The Honduras Community Media Association (AMCH) claimed that the delay in the allocation of frequencies is intentional and blamed CONATEL for “systematic persecution of community radio stations”.

For the first time in Honduras, the new election law established free airtime slots in the state media to be equitably allocated by the CNE to parties and candidates of the presidential race to present their political proposals to the public.<sup>69</sup> However, the provision was not implemented for the 2021 elections.

*Recommendation: Implement provisions in the election law regarding the allocation of free airtime slots in the state media to parties and candidates of the presidential race.*

Similarly, the CNE has the legal mandate to ensure compliance with regulations on electoral silence, campaigning and electoral propaganda, including prohibition of dissemination of state propaganda showing the name, voice or image of the head of a public institution, as well as the suspension of public inaugurations and their broadcasting in the media. The EU EOM, however, observed frequent media violations of the three prohibitions, with no actions taken by CNE in this regard.

### **Media monitoring findings**

EU EOM media monitoring found that media outlets regularly provided information on the electoral process and parties’ campaigning, but unbalanced reporting prevailed. Some instances of limitation of freedom of expression and of the media were registered during the observation period, including denial of entry into Honduras of two international journalists from the Venezuelan TV channel Telesur, and threats and attacks on local journalists by candidates and party sympathisers. On election day alone, the Association of Journalists of Honduras (CPH), the Association for Democracy and Human Rights (ASOPODEHU), the Press Association of Honduras (APH) and the National Commission of Human Rights (CONADEH), who joined efforts to respond to media-related complaints, registered a total of 16 reports related to death threats, physical attacks and obstruction to the work of journalists.

Media electoral coverage largely focused on the three main contenders, leaving little space for minor parties and candidates. Few media made efforts to allow candidates to present themselves and their political platforms. In a welcome initiative, private TV channel HCH offered from 17 to 22 November a daily three minute free airtime slot to political parties and candidates who did not have paid-for electoral propaganda in the TV station to present their political proposals.

At provincial level, EU observers reported that some media and journalists in Colón, Comayagua and Olancho charged political parties and candidates for interviews and campaign coverage, limiting therefore the access of contestants (mainly minor parties with scarce financial resources) to the media.

From 25 October to 28 November, the EU EOM monitored a sample of eleven national media, to assess the level of access for parties and candidates to the media as well as the way radios, TV stations and newspapers covered the elections.<sup>70</sup> EU EOM’s media monitoring findings showed that state media noticeably favoured PNH and its presidential candidate Nasry Asfura. During the analysed

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<sup>69</sup> Article 228. Election law

<sup>70</sup> The media monitored by EU EOM included TV stations TNH (State owned), HCH, UNE TV and Canal 5; radio stations RNH (State owned), Radio América, Radio Globo and HRN; and newspapers La Tribuna, El Heraldo and La Prensa. Prime time radio and TV broadcasts were recorded and analysed.



period, Televisión Nacional del Honduras (TNH) allocated to Nasry Asfura (PNH) 47.9 per cent of airtime, while Xiomara Castro (LIBRE) received 2.3 per cent of airtime and Yani Rosenthal (PLH) did not receive any coverage. Radio Nacional de Honduras (RNH) devoted 36.9 per cent of airtime to Asfura, 29.2 per cent to Rosenthal and 0.5 per cent to Castro. In total, PNH related information on TNH and RNH combined reached 53.1 per cent of airtime, against 20.4 per cent allocated to PLH and 5 per cent devoted to LIBRE (*see Annex I: EU EOM Media Monitoring Results*).

Moreover, PNH benefited from extensive additional coverage in the state media on governmental projects and achievements. TNH and RNH also violated articles 232 and 233 of the election law by airing spots showing President Juan Orlando Hernández promoting government achievements and by reporting on public inaugurations.

Private media allocated dissimilar coverage to the different contestants. According to the EU EOM's media monitoring results, most of the media analysed showed partiality towards a specific presidential candidate. UNE TV (97.9 per cent of airtime devoted to Xiomara Castro against 1.8 and 0.2 per cent for Asfura and Rosenthal, respectively), Canal 5 (36.7 per cent of airtime for Yani Rosenthal against 3.9 and 3.6 per cent for Asfura and Castro, respectively), and La Prensa (42.5 per cent of space for Nasry Asfura against 12.3 and 9.1 per cent for Rosenthal and Castro, respectively) registered the most noticeable imbalances (*see Annex I: EU EOM media monitoring results*). HCH, Canal 5, La Tribuna, La Prensa and El Heraldo also violated article 232 of the election law by airing/publishing adverts showing President Hernández promoting Government achievements.

The absence of regulations limiting the amount of parties' propaganda in the media resulted in a huge amount of political advertising in national radio and TV stations. According to EU EOM's findings, the PNH was the party with highest number of ads on TV (71.5 per cent of all political propaganda), radio (42.7 per cent) and newspapers (57 per cent). The PNH campaign in the electronic media included fear spots, contrary to international good practice, namely against communism and abortion.

On 8 November national radio and TV stations started airing CNE's voter education and sensitisation spots, but on a very limited scale. The EU EOM observed, however, that the spots were not aired neither by UNE TV, a private media linked to LIBRE, nor by community radios. Both UNE TV and the AMCH claimed that the CNE intentionally excluded them from the allocation of voter education advertising due to political reasons.

As a result of CNE's permissive interpretation of the election law, all electronic media monitored by the EU EOM ignored the campaign silence period by broadcasting interviews with candidates and party representatives proposing clear campaign contents. With regards to printed media, during the five days of campaign silence period La Tribuna published an unidentified advert showing the image and proposals of PNH candidates Nasry Asfura and David Chávez.

## XI. DIGITAL COMMUNICATION AND SOCIAL MEDIA

### Misuse of social media contributed to spread disinformation and violent content on contestants.

#### Legal framework for the social media

Out of a total population of 9.5 million,<sup>71</sup> only 400,000 Hondurans have a landline internet connection.<sup>72</sup> Many rural areas lack internet access due to a poor infrastructure, low investment and the country's topographical difficulties.<sup>73</sup> Conversely, 7.4 million Hondurans own a mobile phone connection, of whom 6.5 million are mobile internet subscribers.<sup>74</sup> The country's internet penetration remains low, limiting the ability of media, parties, candidates and others to communicate with the public, as well as the ability of the citizens to access information.

Honduras does not have a law on protection of personal data, although the law on transparency and access to public information establishes that personal data will always be protected, and no one can be obliged to provide personal data that may cause discrimination.<sup>75</sup> The country also lacks a law on cybercrime. In 2018, a draft on a national law on "Cybersecurity and Protection Measures against acts of Hate and Discrimination on the Internet and Social Media" was presented to the National Congress, but it was withdrawn before final approval. The 2017 criminal code regulates various cybercrimes, such as hacking, phishing and identity theft.<sup>76</sup>

*Recommendation: Reinforce legislation on data protection and privacy to guarantee citizens right to privacy of their personal data, especially during elections.*

#### Social media environment and monitoring findings

The use of social media platforms for campaigning purposes and for information sharing was high, despite the low levels of internet penetration. Facebook is the most used platform with 5.1 million active users, followed by Instagram (1.6 million) and LinkedIn (573,800).<sup>77</sup> Twitter (255,600 users) is largely used by the political actors for the political debate and for distributing news updates and opinions that were fast picked up by the media outlets. WhatsApp is widespread since some mobile operators offer special low-rate data plans.

Most presidential candidates, political parties, electoral bodies and their members, and other key political actors actively used their official profiles on the main social media networks Facebook, Instagram and Twitter for election-related communication. Despite social media platforms offer users the possibility to verify their accounts,<sup>78</sup> around 90 per cent of the official profiles and pages of the presidential candidates and political parties were unverified. Moreover, in many cases their official social media profiles were not publicly available through their websites. This seriously limited voters'

<sup>71</sup> Source: [National Statistics Institute](#).

<sup>72</sup> National Commission for Telecommunications (Comisión Nacional de Telecomunicaciones – CONATEL), 2<sup>ND</sup> trimester 2021 [report](#).

<sup>73</sup> Source: La Prensa 25 August 2021: "Internet fija llega sólo a 37 municipios de Honduras".

<sup>74</sup> National Commission for Telecommunications (Comisión Nacional de Telecomunicaciones – CONATEL), 2<sup>ND</sup> trimester 2021 [report](#).

<sup>75</sup> [https://www.tsc.gob.hn/web/leyes/Ley\\_de\\_Transparencia.pdf](https://www.tsc.gob.hn/web/leyes/Ley_de_Transparencia.pdf)

<sup>76</sup> [Decree 130-2017](#).

<sup>77</sup> Source: [www.napoleoncat.com](http://www.napoleoncat.com).

<sup>78</sup>A [blue checkmark](#) next to the name indicates that the page or profile is verified by the social media platform, confirming its authenticity

ability to identify the official sources of online political information. Neither the social media platforms, nor the users proactively addressed this situation.

The EU EOM identified numerous cases of disinformation and harmful content against candidates published online and on social networks,<sup>79</sup> particularly WhatsApp, Facebook, Twitter and YouTube (tweets, posts, videos, photos, memes). Social media platforms, mainly Twitter, were also key tools used to debunk such fake news. The mission monitored more than 40 tweets by political actors denying the authorship of information that circulated on WhatsApp and claiming that they were fake.

An investigation by the Honduran observatory of disinformation, Honduras Verifica, found 180 Facebook accounts spreading disinformation, publishing 400 disinformation messages daily<sup>80</sup>. Some of these accounts were created in October and November as “news/media outlets” to actively publish election-related content discrediting the candidates from the leading political parties. The pages used numerous paid ads to micro target groups of the population through the platform and to boost the reach of their narratives, including a fake BBC video discrediting Xiomara Castro.<sup>81</sup>

Since March 2021, Facebook included Honduras in its Facebook Ads Library, which provided more transparency by offering a searchable collection of all advertising running from across Facebook apps and services, including Instagram. However, the EU EOM observed that the number of paid ads on Facebook and Instagram spreading disinformation substantially increased in the days ahead of elections, without Facebook stopping it.<sup>82</sup> From 15 to 29 November, the mission identified 158 paid ads with a total investment of 126,911 lempiras (approx. EUR 4,600) discrediting LIBRE candidates and its vice-presidential candidate Salvador Nasralla. The ads were published from four different Facebook pages, of which three were created by the same user in November. The Google Transparency Report,<sup>83</sup> which contains information about verified advertisers’ spending on election-related ads on Google, YouTube and partner companies, did not show information about Honduras, thus limiting the transparency and accountability in the online political advertising. However, the mission observed the malicious use of Google ads to spread disinformation against Xiomara Castro (LIBRE), pretending to be information pieces from renowned international media outlets such as the BBC (UK), Diario Sport or El Pais XL (Spain). Similar ads were observed on YouTube.

On Twitter,<sup>84</sup> the EU EOM identified 440 accounts showing a coordinated inauthentic behaviour promoting narratives for and against the three leading parties, PNH, PLH and LIBRE, and their presidential candidates. Before election day, 51 Twitter accounts were involved in an inauthentic influence campaign to promote the vote for the PNH presidential candidate, Nasry Asfura, with the hashtag #loquequeremosdepapi (#WhatWeWantFromDaddy).<sup>85</sup> In early November, a cluster of 33 accounts promoted positive content about the PLH presidential candidate, Yani Rosenthal, and his political platform using the hashtag #Con1500lempiras (#With1500Lempiras). The same group of accounts were also monitored discrediting former independent mayoral candidate, Roberto Contreras

<sup>79</sup> From 13 October until 5 December 2021, the mission monitored daily around 1,068 accounts on Facebook, Twitter, Instagram and Tik Tok from the main contestants, political parties, EMBs, public institutions, influencers, digital activists and main political actors. See Annex II Social Media Monitoring Results.

<sup>80</sup> Source: [Honduras Verifica](#).

<sup>81</sup> The Facebook page Distrito News published two Ads on 20-22 and 24-25 November portraying a video discrediting Xiomara Castro and pretending to be news from BBC, that had a total estimated audience of more than 2 million viewers [Ad Library \(facebook.com\)](#)

<sup>82</sup> The EU EOM identified 8 Facebook pages spreading disinformation against PLH and LIBRE actively using social media ads: Catracho Macizo, Distrito News, Diario Post, Hechos Amanecer, CentroAmérica Post, La Otra Cara Latinoamerica, Radio Post, Newsflixx.

<sup>83</sup> [Political advertising on Google – Google Transparency Report](#)

<sup>84</sup> From 13 October until 5 December 2021, the mission monitored daily over 637 Twitter accounts from the main political actors, as well as the Twitter conversation around the elections. See Annex II Social Media Monitoring Results.

<sup>85</sup> The accounts tweeted the same animated video promoting campaign proposals at similar times during the 5-day electoral silence.

(LIBRE), with the hashtag #PolloLoco (#CrazyChicken). The mission also spotted a coordinated negative campaign against the PLH presidential candidate, Yani Rosenthal, launched on 15 November from a Facebook profile.<sup>86</sup> A group of 47 Twitter accounts promoted negative content in a coordinated manner using the hashtag #SiVasConYaniSosNarco (#IfYouSupportYaniYouAreaNarco). From 1 to 3 December, the same group of accounts promoted messages against him with the hashtag #YaniRenunciaYa (#YaniResignNow). A survey conducted by NISOS reported that a coordinated, inauthentic network of 317 Twitter accounts conducted a negative campaign against the PLH and LIBRE presidential candidates since early October.<sup>87</sup>

To combat disinformation during the elections, Facebook increased its network of local partners and provided them with a channel to report hate speech and other violent content that is forbidden by the platform's community standards.<sup>88</sup> There were a few fact checking initiatives in the country.<sup>89</sup> Joining these efforts, the EC-UNDP Joint Task Force on Electoral Assistance launched the initiative iverify.<sup>90</sup> However, none of these measures were enough to address the high level of disinformation during the campaign.

According to Honduras Verifica, around 1,2 million Hondurans consume disinformation through social media platforms, and media outlets are the main sources of disinformation.<sup>91</sup> Better media practices to ensure the verification of the information would be needed. More fact-checking initiatives working independently and enhancing citizen's education and awareness on how to detect this phenomenon rather than contributing to it, would also be necessary.

*Recommendation: Develop cooperation measures to address electoral online disinformation and hate speech such as a collaborative experts network, as well as increased independent fact-checking mechanisms.*

## XII. POLITICAL PARTICIPATION OF WOMEN

### **First woman elected as President despite general underrepresentation of women in politics and heightened levels of gender-based political violence.**

For the first time in the country's history, a woman was elected President of the Republic. The total number of women running in 2021 elections represented 48 per cent of the candidates at all levels, although only two ran for the Presidency. Despite this relatively high representation as candidates, the open list system for the Congressional election is not conducive for proportional women representation of elected officials. The 2021 Congress will have a total of 33 congresswomen, accounting for 26 per cent of the total.<sup>92</sup> Women organisations are advocating for the introduction of a quota system that would ensure effective equal representation of women and men in Congress and in leading elected positions in the municipalities.

Women were well represented in the CNE and the TJE, with two out of the three members of their leadership and 56 and 55 per cent of their staff, respectively. Women were observed in large numbers

<sup>86</sup> Newsflixx (3) [Newsflixx | Facebook](#).

<sup>87</sup> Source: [Nisos. Honduran Elections Report](#), November 2021.

<sup>88</sup> [Facebook Community Standards | Transparency Center \(fb.com\)](#)

<sup>89</sup> [Contracorriente.red | Periodismo de profundidad en Honduras y la región, #FactChecking | Honduras Verifica, El Heraldo – Noticias de Honduras y el mundo, política, deportes, TU NOTA,](#)

<sup>90</sup> [Contenido verificado - iVerify Honduras \(iverifyit.com\)](#)

<sup>91</sup> <https://www.rcv.hn/2021/07/03/mas-de-1-2-millones-de-hondurenos-consumen-desinformacion-en-redes-sociales/>

<sup>92</sup> Source: CNE Resolution 2678-2021. Official announcement of Congressional elections.

in the JRV. The CNE has a Gender and Inclusion Unit, however it was undergoing reorganisation and largely remained inactive during this process.

Although political parties must receive 15 per cent of funds from State funding for the promotion of women political participation and leadership,<sup>93</sup> those are often used for other purposes and they are not specifically monitored, according to women politicians from different political parties. Beyond cultural barriers in a still largely patriarchal society, women face economic obstacles, discrimination, but also very high levels of violence, including within their own parties.<sup>94</sup>

Positively, the CNE presented a draft amendment to the election law and a protocol to fight gender motivated political violence in elections.<sup>95</sup> The draft proposed administrative sanctions for misconducts leading to discrimination of women in the political sphere as candidates or elected officials. The protocol included recommendations on how to report instances of violence and assign the CNE the role to facilitate reporting and resolve instances of discrimination. However, the EU EOM was reported that CSOs and political parties' complaints reporting gender-based violence submitted to the CNE did not lead to any sanction for the perpetrators. Organisations monitoring violence noted an increase over the past nine months in cases of political violence against women politicians, including femicides.<sup>96</sup>

*Recommendation: Adopt legal provisions and implement mechanisms to protect women from gender-based political violence, in line with CNE draft law proposal, and ensure that sanctions are enforced.*

### XIII. PARTICIPATION OF INDIGENOUS AND AFRICAN-HONDURAN PEOPLES

#### **Slight increase in participation by politically marginalised ethnic communities**

According to the last 2011 census, 90.5 per cent of the Honduran population was identified as mixed (*mestizos*) or white, 3.8 per cent as African-Honduran and 5.7 per cent as indigenous, with Lenca, Misquitos, Tolupanos, Chortis, Pech and Tawahkas as the largest groups. The Constitution protects the rights of indigenous communities in its articles 172, 173 and 346, but these rights are barely defined through laws and regulations.

There are no special constituencies or quotas for indigenous or African-Honduran populations. *Garífuna* is the only minority group with a notable representation in the outgoing Congress, with seven members representing four different political parties. A total of 15 *garífuna* congressional and six mayoral candidates representing five different parties ran for the elections. Four were elected for Congress as principal candidates of PSH and PNH and two as alternates. The EU EOM observed an increase of indigenous candidates, mainly on the ticket of LIBRE. Three Lenca candidates were elected for mayoral positions in La Paz, Intibucá and Lempira, representing three different parties.

EU EOM observers received allegations about pressure on indigenous communities, namely by the PNH in Atlántida, Copán, Intibucá, La Paz and Ocotepeque. Against the background of economic marginalisation, civil society organisations expressed concerns regarding indigenous people

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<sup>93</sup> Article 163 of the Electoral Law.

<sup>94</sup> Cf. IUDPAS/UNAH: [La participación de las Mujeres en la política](#), Edición n°1, Elecciones primarias y generales 2021. See also the [Observatorio Político de Mujeres](#) on violence against women in politics during the 2021 electoral period.

<sup>95</sup> Source: CNE's [Iniciativa de Reforma por Adición a La Ley Electoral de Honduras. Disposiciones contra la Violencia Política de Género](#) and [Protocolo contra la Violencia Política de Género](#).

<sup>96</sup> Source: National Observatory of Violence (ONV). *Universidad Nacional Autónoma de Honduras (UNAH)*.

experiencing difficulties in retrieving ID cards as well as being vulnerable to potential vote buying.<sup>97</sup> The Honduran Civil Council of Popular and Indigenous Organisations (COPINH) in Intibucá carried out voter education and information on ID card distribution.

On 23 October, CNE and six ethnic minority organisations signed a collaboration agreement referring to relevant international treaties and obligations, to improve voter education and raising the attention of the electoral body to issues of national minorities and their inclusion in decision making. However, none of the agreed actions were implemented for the 28 November elections.

*Recommendation: Improve access to ID card for national minority groups and implement effective measures to promote their political participation, such as the recognition of decision-making bodies of indigenous communities and define mechanisms to value their decisions.*

#### XIV. POLITICAL PARTICIPATION OF PERSONS WITH DISABILITIES

**Adequate inclusion measures to facilitate participation of persons with disabilities were not implemented.**

According to official data, about 650,000 persons in Honduras have some type of disability, with 219,200 included as such in the voter register.<sup>98</sup> Through the new ID card exercise conducted by the RNP, the CNE had information about the number and location of voters with special needs throughout the country, but there were no provisions to facilitate voting, except assisted voting. Honduras signed and ratified the 2006 UN Convention on the Rights of Persons with Disabilities, which establishes the responsibility of the State to resolve situations of disadvantage for persons with disabilities. However, specific reasonable accommodation measures such as Braille templates for visually impaired voters or dedicated assistance were not in place. The training for members of polling stations did not necessarily include specific sensitisation and instructions, which led to inadequate voting circumstances, such as open voting, or even, in some cases, to exclusion from participation, as reported by EU observers.<sup>99</sup>

On 23 October, CNE signed a cooperation agreement with three organisations representing people with disabilities, with the declared aim of promoting their participation in the elections. However, according to *Coordinadora de Instituciones y Asociaciones de Rehabilitación* (CIARH), these measures were not yet implemented for the 28 November elections and most polling stations were not accessible for voters with reduced mobility.<sup>100</sup>

According to different organisations, a total of 13 candidates with disabilities, representing six different parties, ran for the elections, but none were elected.<sup>101</sup> However, problems throughout the electoral process, such as requests for changes of registration in the voter list, the obligation to actively seek their new ID card at the municipal civil registries as well as voting at polling stations far from the place of residence were particularly challenging for persons with disabilities. In line with an earlier recommendation by the EU EOM, the new electoral law includes a guarantee to facilitate the vote for

<sup>97</sup> EU EOM reports from Atlántida, Copán, Intibucá, Ocotepeque and Olancho.

<sup>98</sup> Source: Ministry of Development and Social Inclusion.

<sup>99</sup> EU EOM observer reports and statements of civil society organisations as well as CONADEH.

<sup>100</sup> For the 2021 elections, only 115 specific helpers were accredited. However, among many other tasks, polling station staff had the role to pay attention to the specific needs of voters with disabilities.

<sup>101</sup> Source: *Federación Nacional de Personas con Discapacidad de Honduras* (FENOPDIH) and *Coordinadora de Instituciones y Asociaciones de Rehabilitación de Honduras* (CIARH).

persons with special physical or health conditions. However, the CNE failed to pass the necessary regulation, and the legal obligation was generally not implemented.

*Recommendation: Increase efforts to include voters with disabilities in the voting process on equal terms with others, prioritise autonomous forms of voting and implement reasonable accommodation measures at the polling stations.*

## **XV. POLITICAL PARTICIPATION OF THE LGBTI COMMUNITY**

### **Political participation of LGBTI persons was marred by discrimination, violence and non-recognition of gender identity as perceived by transgender persons.**

Although there has been some progress, such as the non-mention of gender on the new ID card, LGBTI organisations reported a decrease in the participation of members of their community in the electoral process. Only three candidates running for the National Congress had openly declared their sexual orientation, compared to seven in the 2017 general elections, and there was no transgender candidate this time.<sup>102</sup> Members of the LGBTI community in main political parties faced obstacles to stand as candidates and gain party support, mainly for financial reasons, non-acceptance and discrimination. Small parties appear to be more open, but marginalisation, negative stereotypes and high levels of violence<sup>103</sup>, particularly from some political and religious groups, the media and government officials, are discouraging many from active political participation.

Despite a ruling by the Inter-American Court of Human Rights (IACHR) demanding that Honduras adopt a mechanism to recognise gender identity as perceived by the persons, transgender persons still cannot change their name. LGBTI groups continue to advocate for the recognition of gender identity as it remains an obstacle to their meaningful political participation, including as voters and candidates.<sup>104</sup> Several associations introduced an appeal to the Supreme Court and submitted a proposal to adapt legislation to the requirements of the IACHR and to amend the RNP law accordingly.

Some organisations were very active in defending and advocating for LGTBI rights and to change cultural perceptions through awareness campaigns targeting political parties, candidates and the general public, but also reporting instances of hate speech and political violence as well as violation of their political rights to the CNE. In this regard, on 23 October several organisations signed an agreement with the CNE to promote participation of LGTBI persons and conduct specialised observation.<sup>105</sup> Forty observers were deployed in six main cities to observe and support access to the process for vulnerable groups, including transgender persons. However, the CNE did not undertake any specific action, training or awareness campaign in this regard.

*Recommendation: Recognize gender identity as perceived by the persons and allow name change for transgender persons as required by the Inter-American Court of Human Rights.*

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<sup>102</sup> Only one principal running for *Unión Democrática* (UD), and two alternates respectively running for LIBRE and PSH. None were elected.

<sup>103</sup> Including hate speech, no-vote campaigns for openly declared LGBTI candidates, harassment and even assassination.

<sup>104</sup> Discrepancy between their name and physical appearance caused sometimes impeded access to voting centers and non-acceptance as candidates.

<sup>105</sup> SOMOS-CDC, Colectivo Violeta and COZUMEL-Trans.



## XVI. CIVIL SOCIETY AND INTERNATIONAL OBSERVATION

### Delayed accreditation was detrimental to transparency of the process

The CNE regulation on election observation generally complies with the international declarations of principles for national and international observation. The CNE signed agreements with civil society organisations, as well as with academic institutions, professional bodies and representatives of the private sector. Last-minute delivery of accreditations by the CNE impacted on the citizen observer groups ability to deploy part of their monitors throughout the country as planned, which was detrimental to the transparency of the process.<sup>106</sup>

Despite the pre-electoral environment of fear and violence as well as lack of financial resources that made recruitment, deployment and work of citizen observers difficult, civil society organisations were able to submit 5,200 applications for accreditation to the CNE.<sup>107</sup> The number was slightly higher than in 2017.<sup>108</sup> The main civil society groups which conducted observation included: CONADEH, *Frente Nacional para Elecciones Limpias* (FRENAEL), FONAC, *Foro Social de la Deuda Externa y Desarrollo de Honduras* (FOSDEH), *Asociación para una Sociedad más Justa* (ASJ), *Centro de Estudio para la Democracia* (CESPAD), COHEP, *Instituto de Acceso a la Información Pública* (IAIP), CARITAS and *Red por la Equidad Democrática en Honduras* (REDH). Several organisations regrouped into networks and conducted long-term and thematic observation including on political finance, access of vulnerable groups, political violence, media and social networks monitoring, vote buying, performance of the election administration and election day procedures.<sup>109</sup> However, a lack of resources, coordination and exchange of information led to dispersion or duplication of efforts as well as gaps in the coverage of polling stations on election day.

Some 500 international observers were accredited from organisations and states such as the Organisation of American States, *Jóvenes El Salvador*, the Inter-American Union of Electoral Bodies (*UNIORE*), the Electoral Experts Council of Latin America (*CEELA*) and accredited embassies.

## XVII. ELECTORAL DISPUTES

### Congress failed to pass a law on electoral disputes procedures, as legally required, undermining the right to legal remedy.

Disputes during the pre-election period were adjudicated by the CNE with a possibility to appeal to the TJE. The TJE is the highest authority on electoral justice and its decisions are final without prejudice to the possibility to lodge an appeal as a remedy for constitutional rights (*recurso de amparo*) before the Supreme Court of Justice.

Despite the requirements laid down in the Constitution and the election law, the TJE operated with an insufficient budget and without an electoral procedure law. As a result of the failure to pass such law, the National Congress opted for a special decree empowering the TJE to issue its own regulations and

<sup>106</sup> Although observer groups sent their lists of observers to the CNE before the established deadline, they received the accreditations on the eve of E-Day, which did not allow for their effective distribution to many observers in the field. Some of the accreditations did not arrive at all.

<sup>107</sup> According to information provided by the CNE, some observers were refused accreditation on grounds that some were political activists and even deceased persons. Observer groups received late notice of such cases, increasing their difficulty to deploy their envisaged number of observers.

<sup>108</sup> In 2017, 4,932 national observers were accredited.

<sup>109</sup> Such as FRENAEL, REDH and FONAC.



a manual of jurisdictional procedures in electoral matters.<sup>110</sup> The Electoral Justice Tribunal drew up the rules of procedure for appeals on electoral matters, which entered into force on 2 November and were published on the TJE website on 13 November.

*Recommendation: Adoption of the electoral procedure law as established in the Constitution so that the TJE has the necessary tools to carry out its electoral jurisdictional responsibilities.*

The TJE is the only electoral body that publishes all its resolutions online. It has also created an online platform of free virtual courses and has conducted trainings on electoral justice in three cities: La Ceiba (Atlántida) Choluteca (Choluteca) and Santa Rosa (Copán).

Given the deficiencies of the election law in contentious matters, in order to resolve their challenges and appeals the CNE and the TJE have supported their decisions by supplementary legislation, especially the administrative procedure act and the civil procedure act. On 1 December, two day after the elections, the CNE's regulation on the procedure for administrative actions for electoral complaints entered into force. As the CNE and the TJE do not have decentralised election dispute bodies, all challenges and appeals must be filed in person at their respective General Secretariat in Tegucigalpa. This latter requirement became an obstacle for those candidates outside Tegucigalpa seeking a swift effective remedy.

The election law establishes five days from the day after the general elections, i.e. midnight on 3 December, to file challenges against election results to the CNE. However, one day before the deadline, this timeframe was extended for additional 72 hours because a considerable number of tally sheets were not fully processed and published, which could have deprived plaintiffs of sufficient evidence to support their challenges.

*Recommendation: Establish realistic deadlines for the filing, hearing and determination of pre-election cases, especially in relation to registration of candidates, and for post elections petitions, allowing adequate time for the preparation of cases after the publication of preliminary results*

### **Pre and post-election petitions**

The unclear deadlines for pre-election petitions and decisions, together with CNE's not always making its decisions available, resulted in extremely late and unclear decisions, which affected the right to effective redress. Persistent criticism on the integrity and neutrality of state institutions, including the CNE and the judiciary, by parties and candidates negatively affected confidence in the electoral litigation and the rule of law.

During the primary elections of March 2021, the CNE received a total of 290 challenges filed by the three major political parties that participated in the elections, of which 45 were appealed to the TJE. According to the TJE, the appeals filed were mostly nullity actions for modifications to the primary elections' results protocols and requests for a public administrative recount of primary election ballots.

The post-electoral period was characterised by a calm and peaceful election day followed by a litigation process with accusations of fraud and requests for recounts, especially at the congressional and municipal levels. By the end of the CNE's challenge period, a total of 281 challenges against results at polling stations and 10 correction requests were filed. According to most complaints filed by candidates at the congressional level, there were inconsistencies between the results protocols

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<sup>110</sup> The TJE is legally supported by Decree 71-2019 (which gives powers to the TJE), Decree 187-2020 (which authorises the TJE to issue supplementary rules) and the Constitution (which establishes the TJE as the highest authority in electoral justice).

returned by the polling station staff and the results uploaded in the CNE's website. Other complaints referred to abnormal patterns in the allocation of votes to congressional candidates, suggesting polling station members tampering with the results protocols (*see section Polling, Counting and Tabulation of Results*). The departments with the highest number of challenges were Atlántida, Cortés, Francisco Morazán and Yoro.

The CNE reported that approximately 90 per cent of the challenges were dismissed during the general elections. Although the PNH was the party that submitted the highest number of challenges to the CNE, PSH requested most JRV recounts. The lack of burden of proof, proper training, clear regulation from the CNE, as well as inadequate use and lack of familiarisation with the election law resulted in the rejection of many requests for challenges, just as happened during the primaries where approximately 75 per cent of the challenges filed were dismissed.<sup>111</sup>

The TJE received a total of 88 appeals, with 87 from mayoral and congressional candidates from different political parties, with at least 64 of these requesting recounts. There was also an electoral offence complaint, an appeal against the final voter register and two appeals against the non-registration of the appellant. Two of the recounts were authorized.<sup>112</sup> At municipal level appeals for results were filed in 17 municipalities. At congressional level appeals were made in seven departments.<sup>113</sup> As per the appellant, the PNH led the list with 13 appeals, followed by the PLH with 5 appeals. PSH filed four appeals, as did APH. Finally, LIBRE filed two appeals. As of 31 December, two of the appeals were ready for decision, other two were dismissed and the rest were pending trial.<sup>114</sup>

Once appeals against CNE decisions were submitted, the TJE had 30 days to issue a resolution, with the possibility of a 15-day extension if deemed necessary. This means that between the filing of the challenges before the CNE and the TJE rulings on appeals against CNE decisions may pass more than 60 days, conflicting with the constitutional terms for the inauguration of the congressional and presidential periods.<sup>115</sup> As a result, candidates may be waiting for a response to their claim, while others are already occupying the elected office as of 25 January 2022. Furthermore, candidates dissatisfied with the TJE's decision may appeal to the Constitutional Chamber of the Supreme Court of Justice by means of appeal as a remedy for the constitutional rights, alleging the violation of his or her political rights once the electoral justice is exhausted.

## Public Prosecutor Office

On 2 February 2021, the Electoral Crimes Unit (*Unidad Especializada contra Delitos Electorales*) was reactivated to deal with electoral complaints filed nationwide. During the general elections the Public Prosecutor's Office received 35 complaints for electoral offences, most of them for tampering with election results protocols, of which 25 in Tegucigalpa (3 *ex officio* and already under investigation), 3 in San Pedro, 2 in Comayagua and 2 in Choluteca. As of 31 December, cases were still under investigation.

<sup>111</sup> Source: [ASJ Report of 25 November](#).

<sup>112</sup> The jurisdictional recount requested by the PLH mayoral candidate for Soledad, (El Paraiso), was postponed as the CNE Logistics Centre was still occupied by CNE staff who had carried out the verification and recount of challenges.

<sup>113</sup> Comayagua, Choluteca, Copán, Cortés, Francisco Morazán, Islas de la Bahía and Yoro

<sup>114</sup> The TJE informed that it dismissed 31 out of the 45 received appeals during the primaries. LIBRE was the party that filed most appeals with a total of 22, equivalent to 49 per cent. PLH ranked second with 16, equivalent to 36 per cent, and PNH recorded seven, equivalent to 15 per cent. Likewise, most of the disagreements were at the congressional level with 55 per cent (24 appeals), followed by the municipal level with the 43 per cent (20 appeals) and presidential one was the two per cent (one appeal).

<sup>115</sup> Article 199 of the election law establishes a 30-day period to the CNE after the holding of the elections to announce final results. By that time all administrative complaints (CNE) would have been resolved. Only after this period, appeals can be filed to the TJE, which has 30 days to rule with a possibility to extend for 15 more days. Legislative and presidential terms starts on 25 and 27 January respectively.

On 2 December 2021, following a public complaint<sup>116</sup>, the CNE urgently requested the Electoral Crimes Unit and the Specialised Unit against Corruption to initiate an investigation into the alleged existence of a network within the CNE that sought to favour candidates for Congress and to tamper with results protocols. The CNE also requested the permanent presence of 12 prosecutors 24 hours a day in the Electoral Logistic Centre of the CNE where the verification of results protocols not transmitted from the voting centres was carried out, in order to prevent and combat electoral crime. The Electoral Crimes Unit proceeded to carry out the pertinent investigations ex officio, carrying out on-site inspections in the CNE facilities with the accompaniment of the Police Investigation Directorate (DPI).

## XVIII. POLLING, COUNTING AND TABULATION OF RESULTS

**High turnout during a quiet, peaceful and orderly Election Day, despite a late start and insufficient training of polling staff, resulting in high number of results protocols with inconsistencies.**

### Overview of opening, polling and counting

EU observers visited 282 polling stations throughout election day in 58 municipalities in over 16 departments. Opening was observed in 30 polling stations, voting in 230 and closing and counting in 22. EU observers reported that election day was generally calm, peaceful and even festive with voters turning out in high numbers since the morning and participation reaching over 60 per cent.<sup>117</sup> However, announcements of victory made by top politicians in early hours of the voting, including PNH Secretary General David Chávez, and LIBRE vice presidential candidate, Salvador Nasralla, did not contribute to respect the polling process.<sup>118</sup>

Implementation of procedures was reported as “good” or “very good” in 94 per cent of the observed polling stations, despite delays in the opening and procedural weaknesses during closing and counting. In breach of the electoral silence, party activities were reported outside the majority of the observed voting centres. Voters could not access the CNE website to check their voting locations for a good part of the morning.<sup>119</sup> In addition some could not find their name in the voters’ rolls because they renewed their ID card after the cut-off date.

Issuance of accreditations without names for polling staff and party delegates fuelled suspicions about trafficking of credentials for the benefit of bigger parties. EU observers reported the absence of polling station members belonging to small parties in almost half of the observed polling stations, and a very low presence of party agents (only present in 7.4 per cent of the polling stations). National observers were present in 31 per cent of the observed polling stations.

Counting procedures were complicated, particularly for the congressional level due to the open list system that allowed voters to mark the ballot as many times as there were seats. It was also characterised by confusion and allegations of manipulation that resulted in a high level of disputes and inconsistent congressional results protocols (*see Section Results and Post-Election Environment*).

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<sup>116</sup> [Complaint made by Renán Inestroza PNH congressional candidate.](#)

<sup>117</sup> CNE announced a 62 per cent turnout when presenting first preliminary results on the election evening.

<sup>118</sup> Source: [El Heraldo, 28 November 2021.](#)

<sup>119</sup> The website came back to function around midday.

## Transmission of preliminary election results

Once votes were counted by the polling station members, the results protocols were scanned and, following a data entry verification procedure, transmitted from the voting centres to a results consolidation data centre and to the political parties through a secure connection. As per the election law, the CNE announced preliminary results for the presidential level by 20:00 on the election evening, three hours after closing the polls.<sup>120</sup>

The CNE announcement covered results from 16 per cent of the polling stations. By the end of the election night, the transmission was only achieved from less than half of the voting centres, and not from all of them as planned, due to the untimely distribution of the technological kits, missing equipment and connectivity constraints. EU observers reported that the lack of kits in some voting centres created confusion and affected the overall performance of the counting process. Despite this, the transmission of preliminary election results system (TREP) ensured swift presidential election polling station results in the voting centres where it worked and contributed to generating confidence in the election process. Results were published and regularly updated on the CNE website, which enhanced the transparency of the process. Protocols from polling stations where the TREP was not functional were returned to Tegucigalpa for scanning and tabulation.

## Tabulation

According to schedule, on 29 November the CNE copied the database of the TREP system to feed the tabulation system with the results protocols received on election night for the three electoral levels. As per the pending results protocols, CNE decided to prioritise feeding the system with polling station data entered in the TREP computers on the election evening but not transmitted from the voting centres due to connectivity problems. The results protocols from polling stations where the TREP was not operational at all were scanned at central level for later processing, once they returned to Tegucigalpa. On 1 December, the centralised data verification for the pending results protocols started, lasting until 7 December.

At the end of the tabulation process, almost 10 per cent of the protocols at presidential level were considered invalid due to arithmetic inconsistencies. Rates of invalid protocols reached 25 and 20 per cent respectively for the Francisco Morazán and Cortés constituencies at the legislative level, electing the largest number of members to the Congress. The CNE website published the image of tabulated protocols but no information about the status of non-published protocols, limiting the transparency of the tabulation process and undermining candidates and political parties' efforts to support appeals against election results with official documents in due time.

The EU EOM observed these activities at regular intervals, performed ad-hoc analysis for some protocols and concluded that the verification of results largely depended on the accuracy of the intelligent character recognition system (ICR) in place. In addition, triggers were not established to spot abnormal number of votes to specific candidates.<sup>121</sup> Besides, the system did not allow for a double anonymous data entry, leaving the decision to accept or correct automatically recognised figures, regardless of their accuracy, to TREP operators and polling station members, (*see section Results and Post-Election Environment*).

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<sup>120</sup> CNE Twitters of 28 and [29 November 2021](#)

<sup>121</sup> Annex IV: Samples of potential tampering with results protocols.

In this regard, the EU EOM identified a number of polling station legislative election results protocols with abnormal number of votes for specific candidates as compared with other candidates within the same party list, which neither appeared to correspond with an established “vote for all candidates” pattern, nor with the votes obtained by the affected candidates in polling stations within the same voting centre. (*see Annex IV: EU EOM social media monitoring results*). Constituencies most affected by this trend were Atlántida, Comayagua, Copán, Cortés, Francisco Morazán, Lempira, Santa Bárbara and Yoro. While the impact of this abnormal number of votes seemed to remain relatively low, the EU EOM concluded that it appeared that some legislative election results protocols were tampered with in favor of certain candidates, detrimental to the options of other candidates from the same or different party lists.

*Recommendation: CNE to design a results tabulation system with traceability features and strengthened results control triggers.*

## **XIX. ELECTION TECHNOLOGY**

**Technological solutions contributed to the transparency of the voter identification and the transmission of preliminary results processes despite CNE’s difficulties to coordinate the different actors and activities.**

The use of technology for voter identification and transmission and announcement of election results aimed to provide transparency and security to crucial phases of the polling procedures. In compliance with the election law, each polling station was provided with a fingerprint reader used for biometric identification of voters and polling station staff.<sup>122</sup> The election law also stipulated that the CNE must implement a transmission and announcement of preliminary election results system (TREP) for the presidential election<sup>123</sup>. While preliminary results were meant for informational purposes only, in practical terms they were perceived by the citizens as the final ones and, in fact, served as the basis for the official tabulation. For the 2021 general elections, the CNE planned to implement the TREP to all levels of elections, with 6,383 transmission units covering all voting centres.

While the election law states the CNE must award the TREP system four months before election day, the late allocation of funds prevented the CNE from complying with the election calendar on this matter in due time, negatively impacting on the development of the technological solutions.<sup>124</sup> In addition, the lack of price thresholds in the tender documents also delayed the awarding process. Auditing services were contracted less than two weeks before election day, limiting the chances to run a meaningful audit.

For both the biometrics and the TREP solutions, the tender processes were open to national and international competition and published in the CNE and in the Honduras public procurement system websites, contributing to the transparency and public confidence of the process.<sup>125</sup> However, the transparency of the evaluation process was uneven as CNE only made public the result of the technical evaluation, the price and the name of the awardees for two out of the five tenders.<sup>126</sup> As procurement of electoral services and goods constitutes a major part of the organisation of an election in terms of planning, costs and implementation, integrity and transparency are essential.<sup>127</sup> The awarding of the

<sup>122</sup> Article 263. election law

<sup>123</sup> Article 278. election law

<sup>124</sup> Annex VI: Key dates for the TREP and Biometric tenders

<sup>125</sup> <http://sicc.honducompras.gob.hn/HC/procesos/busquedahistorico.aspx>

<sup>126</sup> Annex V: Breakdown of tenders for the TREP and Biometric solutions.

<sup>127</sup> ICCPR-GC/34 Right of access to information.

TREP solutions (software, equipment, hosting services, telecommunications, and power supply peripherals) to different companies added complexity to the coordination, for which the CNE was responsible despite not having a well-defined project management approach.

Implementation, testing and distribution of the voter identification solution were completed on schedule. Each fingerprint reader contained encrypted data of all constituency voters while only specific polling station voter data was extracted for identification purposes. Biometric voter information was generated from data provided to the CNE by the RNP to produce the voter register (*see Section Voter Registration*). Throughout election day, the fingerprint readers sent turnout data based on identified voters, providing the CNE with valuable information on the participation, although overall turnout was only published by the CNE on the election night at the first announcement of preliminary results.

After several delays, a test on the TREP system was conducted in 285 out of 298 municipalities on 16 November. The exercise was limited in scale and scope to five percent of the 6,383 TREP units and eight percent of the result protocols to be transmitted on election day. The remaining 13 municipalities, located in remote, poor-access areas, were simulated from Tegucigalpa. The EOM observed the exercise in 19 municipalities and in the CNE tabulation monitoring and helpline rooms. Protocols were transmitted with unequal success, due to staff not being sufficiently familiar with the procedures, incomplete TREP units or weak connectivity. Overall, the observers assessed the exercise as useful for the participating polling station staff, who in most of the cases had not been yet trained before the test. However, as the drill neither simulated the same connectivity conditions, nor used a significant number of TREP units, nor transmitted a similar number of results protocols as on election day, its usefulness was limited.

Other essential areas such as the training of TREP workers and logistics were unattended. The CNE only ran half-day cascade training sessions for 450 LIBRE, PNH and PLH trainers on biometric voter identification and results transmission procedures from 12 to 14 November, a few days before the elections, transferring the responsibility of training the polling station members and technical support staff to the parties.<sup>128</sup> Less than 48 hours before elections, the CNE announced that out of the 6,383 technological kits only 1,471 were distributed to the voting centres.<sup>129</sup>

Electoral technology impacted positively in the voting and results transmission processes but missed a holistic implementation approach. CNE failed to coordinate the different actors and activities, including technology, procurement, logistics and training, negatively impacting on the development of the electoral preparations by the CDE and CME and leaving the final users, the polling station staff and the TREP operators, in an uneasy situation.

*Recommendation: CNE to implement an effective governance model with cross-departmental coordination, clear roles and responsibilities, prioritising the needs of the voting and counting processes over the technological solution in place.*

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<sup>128</sup> Five members per 18,273 polling stations and 12,766 technical support staff.

<sup>129</sup> [CNE press statement of 27 November 2021](#).



## XX. RESULTS AND POST-ELECTION ENVIRONMENT

### **Xiomara Castro's clear victory and concessions of defeated candidates and parties made an important contribution to a peaceful post-electoral period.**

On 20 December the CNE announced final presidential results together with the elected representatives to the PARLACEN. On 28 December, the CNE announced the final results of Congressional and municipal elections with the exception of Francisco Morazán and Colón departments where new recounts were ordered. Although the recount process was not finalized, the CNE issued credentials to elected presidential, congressional and PARLACEN candidates on 30 December 2021 and on 7 January 2022 to elected municipal candidates.<sup>130</sup>

According to official final results Xiomara Castro (LIBRE), with 51.12 per cent and 1,716,793 votes, won the presidential election over Nasry Asfura (PNH), with 36.93 per cent and 1,240,260 votes. Yani Rosenthal (PLH) received 10.00 per cent and 335,762 votes, the weakest result for the Liberal Party in its 130-year-history. Xiomara Castro obtained the highest number of votes ever for a presidential candidate. According to different stakeholders, this result translated the will of voters for a change in the way politics are done at national level. The 68.58 per cent turnout was 11 points higher than in 2017, seven points higher than in 2013 and almost 20 points higher than in 2009.<sup>131</sup>

At legislative level, LIBRE secured the majority of the 128-member Congress, with 50 seats (up 20). PNH came second with 44 (down 17) and PLH remained the third most represented party with 22 (down four). PNH and PLH still obtained an important number of seats in Congress. The election outcome for Congress imposes on the president elect to seek compromise beyond the alliance that supported her officially. The fact that Xiomara Castro won in numerous municipalities with a majority for PNH in Congress or the municipality testifies to the ability of voters to differentiate between the various levels of government. With numerous long-standing parliamentarians no longer represented, in particular in the PNH bench, the 2021 elections mark a substantial change within the main three parties and in the political landscape as a whole.

PNH remained the most influential party at municipal level with 142 mayoral positions and retained most municipalities, except for the two largest Honduran cities, Tegucigalpa and San Pedro Sula, which both lost to alliances led by LIBRE. PLH won 90 municipalities and LIBRE 50. PDCH obtained three municipalities, while PSH, PINU, TSH, APH and an independent candidate obtained one each. Alliances of LIBRE and PLH gained six municipalities (*see Annex III: Final election results*).

At the presidential level, PNH obtained a similar number of votes to those achieved in the primary elections. PLH failed to do so, plummeting from some 778,000 to 335,762 in the presidential race.<sup>132</sup> LIBRE obtained some 1,155,000 more votes than in the primaries due, according to interlocutors, to Xiomara Castro being perceived as the consensual option for change.

In the days following the 28 November elections, both LIBRE and PNH showed a will to overcome the tense pre-electoral atmosphere. Nasry Asfura's congratulation to Xiomara Castro for her victory on 30 November as well as the concessions of defeat of the San Pedro Sula and Tegucigalpa PNH mayoral candidates on 29 November were important contributions to a peaceful post-electoral period.

<sup>130</sup> Source: [CNE twitter of 30 December](#) and [CNE Press Release No.13](#) for presidential and congressional candidates, and [CNE Press Release No.14](#) for municipal candidates.

<sup>131</sup> Source: CNE website.

<sup>132</sup> Cf. [CNE | Elecciones Primarias 2021](#) and CNE [results page](#)

The three main parties agreed in their assessment that the electoral process was successful and produced accurate results. Conversely, PSH publicly denounced cases of irregularities and accused CNE of falsifying results to this party's detriment. Together with PNH, PLH and LIBRE, it was the party with the fourth most complaints submitted to the CNE by the end of the complaints period on 6 December. Five small parties will be deregistered according to law, because they did not secure any representation at any level.<sup>133</sup> While PDCH and PAC secured seats in Congress, PDCH, PINU, APH and TSH secured mayoral positions.

### Special recounts and repeat elections

The CNE conducted *ex-officio* recounts of 4,336 results protocols from polling stations showing inconsistencies or lack of compliance with established formalities.<sup>134</sup> After several delays and postponements, the recounts started on 9 December with 42 out of the planned 52 special recount stations, all set up in a single facility. Among the reasons for the delay was a protracted nomination of staff by the political parties, bottlenecks and changes in the accreditation process, dissatisfaction with working conditions and delayed training because of insufficient personnel. The final version of the regulation was only made available after the official launch of the recount on 7 December.

Citizen and OAS observers complained that they could not conduct a meaningful observation of the recount process because of the distance where they were kept. Party agents were not invited to attend the process and the live broadcast on National Channel 8 TV fell short in giving a precise indication of the work being carried out. Allegations of manipulation of results protocols by members of the recount stations were investigated by the Electoral Offence Unit of the Public Prosecutor and led to some arrest orders.<sup>135</sup>

Recounts based on CNE decisions on challenges submitted by parties and candidates started on 26 December for votes corresponding to at least 40 results protocols from congressional and municipal elections in eight departments. TJE-ordered recounts based both on appeals against CNE decisions and on direct submission of challenges started only on 3 January 2022, four days after the scheduled date of 30 December, as the CNE special recounts were not completed by that date.

In two controversial decisions, on 28 December the CNE ordered by majority vote repeat municipal elections in Duyure (Choluteca) and in one polling station of Wampusirpi (Gracias a Dios).<sup>136</sup> The CNE decision argued that in Duyure 186 Honduran citizens who lived in Nicaragua were included in the voter register and that a previous decision ordering their removal from the final voter register on 24 November, four days before the elections, was not followed. The CNE decision also remarked that 141 of these citizens voted in the 2021 elections. In the case of the polling station in Wampusirpi, where a total of 242 votes were cast, the CNE annulled the elections because the voter list had no name and signature of the voters, as established by law. The PNH won the municipal elections in Duyure by 85 votes to a PLH-LIBRE coalition and by 58 votes in Wampusirpi to LIBRE.<sup>137</sup>

The CNE president voted against the repetition of the elections on grounds that the 186 Duyure citizens were eligible voters as per the final voter list, and that their original electoral residence in Duyure was removed by the RNP in an inconsistent manner. These voters were reallocated to Duyure

<sup>133</sup> UD, VAMOS, El Frente, NR and LIDEHR

<sup>134</sup> CNE issued a regulation on 1st December (2484-2021) to allow for the release of protocols with only two signatures, and not three as legally required and of presidential election results protocols with numeral inconsistencies that did not affect the final result.

<sup>135</sup> Three arrest orders were issued on 22 December against members of the recount stations and one member was put in pre-trial detention.

<sup>136</sup> [CNE Resolution SG-71-2021-EG and SG-0149-2021-EG.](#)

<sup>137</sup> Source: [CNE 2021 election results website.](#)



following a legislative decree ordering the RNP to reassign voters wrongly allocated during the ID renewal exercise to the original 2017 polling stations (see section Voter Registration).<sup>138</sup> The CNE president also alleged that the decision was politically motivated as the repetition would only affect municipal elections when the allegedly non-eligible voters also voted for the presidential and legislative elections.

Municipal elections in both municipalities were rescheduled for 9 January. However, following an appeal against the CNE decision filed by the Duyure and Wampusirpi PNH mayoral candidates,<sup>139</sup> the Constitutional Chamber of the Supreme Court repealed the repetition of the municipal elections in both places. The CSJ neither ruled on the merits of the case, nor on the electoral issue, but rather decided on the violation of constitutional guarantees such as due process and the right to a defence, among others. Articles 302 and 303 of the election law details conditions for the annulment of results for any race should the number of affected voters may influence the result of the election.

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<sup>138</sup> Legislative Decree 63-2021

<sup>139</sup> SCO-0015-2022.



## XXI. RECOMMENDATIONS

(Priority recommendations in bold)

No.	CONTEXT (Including reference to the relevant section of the FR)	RECOMMENDATION (priority recommendation in bold)	SUGGESTED CHANGE IN THE LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	KEY INTERNATIONAL & REGIONAL OBLIGATIONS / GOOD PRACTICE
<b>LEGAL FRAMEWORK</b>					
	<p>“Electoral reform was undertaken very late in the process. (...), the new election law was approved on 26 May 2021, just one day before the official call for elections, undermining the principle of legal certainty and not in line with international and regional good practice. This prevented election authorities, parties and citizens from becoming familiar with the new legislation sufficiently ahead of the elections”. <b>Final Report, V. Legal Framework, page 12.</b></p>	<p><b>The Congress to undertake a process of electoral legal reform on a cross-party basis well in advance of the next elections, involving consultation with the CNE and the TJE, stakeholders and experts, to clarify inconsistencies and shortcomings in the current legislation.</b></p>	<p>Election law Other applicable legislation</p>	<p>National Congress</p>	<p><b>RULE OF LAW</b></p> <p><b>ICCPR GC 25, para 9:</b> “The rights and obligations provided for in [ICCPR article 25] paragraph (b) should be guaranteed by law.” (...) “Elections must be conducted (...) within a framework of laws guaranteeing the effective exercise of voting rights.”</p> <p><b>ICCPR GC 34, para. 25:</b> A norm, to be characterized as a “law”, must be formulated with sufficient precision to enable an individual to regulate his or her conduct accordingly and it must be made accessible to the public.</p> <p><b>UNHRC Resolution 19/36.</b> Human rights, democracy and the rule of law 16: “Ensuring that a sufficient degree of legal certainty and predictability is provided in the application of the law, in order to avoid any arbitrariness”.</p>
<b>ELECTION ADMINISTRATION</b>					
2	<p>“Politicisation of the CNE reached all levels (...) creating blockages and delays in decision-making as well as shortcomings in the internal functioning of the institution, (...) which further damaged its efficiency and transparency. (...) “While the composition of both institutions allows for checks and balances among main political contestants and partially addressed previous criticisms about the lack of representation of emerging parties in the election institutions, in the case of the CNE it resulted in high politicisation that was detrimental to its institutional independence, collegiality and efficient functioning.” <b>Final Report, VI. Election Administration, page 14.</b></p>	<p><b>Strengthen CNE independence from political parties interference to ensure a technical, professional and depoliticised administration of the elections.</b></p>	<p>Election law</p>	<p>National Congress Political Parties CNE</p>	<p><b>GENUINE ELECTIONS THAT REFLECT THE FREE EXPRESSION OF THE WILL OF VOTERS</b></p> <p><b>ICCPR, article 25 (c):</b> Every citizen shall have the right and the opportunity: (...) to have access, on general terms of equality, to public service in his country.</p> <p><b>ACHR, art 23(c):</b> Every citizen shall enjoy the following rights and opportunities: (...):to have access, under general conditions of equality, to the public service of his country.</p> <p><b>ICCPR GC 25, Para. 20:</b> “An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted</p>

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					<p>fairly, impartially and in accordance with established laws which are compatible with the Covenant.</p> <p><b>OAS Electoral Good Practices Guide for Strengthening Electoral Processes, section C.1, para 5:</b> “It is important for electoral bodies to be independent as regards their ability to decide and act, without their performance being subject to any governmental, political, or other influence.”</p>
3	<p>“With a total cost of 2.700 million Lempiras, the 2021 elections (Primaries and General) were the most expensive in the history of Honduras (...) Delays in the availability of the budget and constraints in its disbursement had a negative impact, particularly on the effective implementation of the technological solutions largely responsible for this high cost.” <b>Final Report, VI. Election Administration, page 15.</b></p>	<p>Ensure effective financial independence and timely availability of funds for the CNE to efficiently perform the tasks bestowed upon it.</p>	<p>Repeal legislative decree 60-2021</p>	<p>National Congress CNE</p>	<p><b>RULE OF LAW</b></p> <p><b>ICCPR GC 25, Para. 20</b> “An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant”.</p> <p><b>IPU: Model Code of Conduct for Elections, para. 7.1:</b> “Election administrators should be free from interference by government or parties and should be provided with sufficient funds to allow them to fulfil their responsibilities.”</p> <p><b>OAS Electoral Good Practices Guide for Strengthening Electoral Processes, section C.1, para 5:</b> “[Electoral bodies] should have their own budget for executing their activities.”</p>
4	<p>The election law left fundamental areas of the management of the electoral process, such as the selection and training of polling station members and other election staff, as well as election day preparations and management, in the hands of the political parties. <b>Final Report, VI. Election Administration, page 15.</b></p>	<p>CNE to engage in the selection, consistent training and support of all election staff to ensure independent, impartial and efficient organisation and management of the process.</p>	<p>Election law</p>	<p>National Congress CNE</p>	<p><b>GENUINE ELECTIONS THAT REFLECT THE FREE EXPRESSION OF THE WILL OF VOTERS</b></p> <p><b>ICCPR GC 25, Par. 20</b> “An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant”.</p> <p><b>OAS Electoral Good Practices Guide for Strengthening Electoral Processes, section C.1, para 7:</b> “The principal functions of electoral bodies</p>

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5	<p>Established consultation mechanisms with political parties remained largely inoperative. Since the official call for the elections, the CNE only met three times with Electoral Consultative Council (CCE), where all parties, alliances and independent candidates were represented to ensure information sharing, consultation and collaboration, despite provisions in the election law stipulating that the CNE must call at least for monthly meetings during electoral periods. In addition, the CNE lacked a proactive and open institutional communication strategy to timely disseminate decisions and information about the implementation of the electoral process, with its webpage not regularly updated. <b>Final Report, VI. Election Administration, page 16.</b></p>	<p><b>Implement a more effective CNE transparency and public communication strategy, including the prompt and complete publication of all decisions, the conduct of regular consultative meetings with political parties, and the continuous dissemination of information to all stakeholders, especially in the immediate pre and post electoral period.</b></p>	<p>No legislative change required</p>	<p>CNE</p>	<p>include, <i>inter alia</i>: (...) ii) Organizing, monitoring, and managing electoral processes”.</p> <p><b>TRANSPARENCY AND ACCESS TO INFORMATION</b></p> <p><b>ICCPR GC 25, Par. 20</b> “An independent electoral authority should be established to supervise the electoral process and to ensure that it is conducted fairly, impartially and in accordance with established laws which are compatible with the Covenant”.</p> <p><b>ICCPR GC 34 para. 19:</b> States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information.</p> <p><b>UN Convention against Corruption, art. 10(a):</b> 'Adopting procedures or regulations allowing members of the general public to obtain, where appropriate, information on the organization, functioning and decision-making processes of its public administration and (...) on decisions and legal acts that concern members of the public.’</p> <p><b>OAS Electoral Good Practices Guide for Strengthening Electoral Processes, section C.1, para 4:</b> “[Electoral bodies] should have effective mechanisms to ensure transparency and accountability vis-à-vis the population as whole and all political actors involved in the election.”</p>
<b>RIGHT TO VOTE AND VOTER REGISTRATION</b>					
6	<p>The right to vote is guaranteed for all citizens aged 18 or above. Restrictions include persons under judicial interdiction and serving members of the Army and Police. Blanket exclusions are contrary to international standards. Prisoners in pre-trial detention or serving short sentences keep their right to vote and the law guarantees the exercise of suffrage rights of persons whose physical or health conditions do not allow for their presence in polling</p>	<p>Remove restrictions to universal suffrage right and adopt specific measures to ensure the effective exercise of the right and opportunity to vote for citizens in prison, hospitals and with other special condition that are hampering their participation in the electoral process.</p>	<p>Constitution Election Law</p>	<p>National Congress CNE</p>	<p><b>UNIVERSAL SUFFRAGE / RIGHT AND OPPORTUNITY TO VOTE / STATE MUST TAKE THE NECESSARY STEPS TO GIVE EFFECT TO RIGHTS</b></p> <p><b>ICCPR, article 25(b)</b> “Every citizen shall have the right and the opportunity (..) to vote and to be elected at genuine periodic elections (...)”</p>

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	<p>stations, but in practice there are no provisions to facilitate their registration and effective exercise of these rights. <b>Final Report, VII. Voter Registration, page 16.</b></p>				<p><b>ACHR, ART. 23.1.b:</b> Every citizen shall enjoy the following rights and opportunities (...) to vote and to be elected in genuine periodic elections  <b>UN CRPD, article 29:</b> States Parties shall guarantee (...) that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others.  <b>ICCPR GC 21, para. 3:</b> Persons deprived of their liberty enjoy all the rights set forth in the Covenant, subject to the restrictions that are unavoidable in a closed environment.  <b>ICCPR GC 25. para. 14:</b> Persons who are deprived of liberty but who have not been convicted should not be excluded from exercising the right to vote.  <b>OAS Electoral Good Practices Guide for Strengthening Electoral Processes, section B, para 6:</b> “The laws of each country may regulate the exercise of voting or being elected solely on grounds of age, nationality, residence, language, level of education, civil capacity, or conviction by a competent judge in legal proceedings.”</p>
<b>ELECTION CAMPAIGN</b>					
	<p>“EU observers reported misuse of administrative resources through the increased distribution of aid vouchers in eight departments, in connection with PNH campaigning activities. (...) Inaugurations of public projects as well as the distribution of food packages and goods by PNH, PLH and LIBRE were reported by EU observers in 14 departments. (...) The lack of an effective oversight of campaign funding and spending, together with the absence of a deterring effect of sanctions, resulted in highly unequal chances in the electoral competition, which is contrary to obligations stemming from the ICCPR.” <b>Final Report, IX. Election Campaign, pages 19 and 20.</b></p>	<p><b>Strengthen the capacities of the CNE, the Campaign Finance Oversight Unit (UFTF) and law enforcement bodies to prevent and penalise misuse of administrative resources and to implement, in a timely manner, dissuasive measures against non-compliance with campaign finance provisions, with the aim to contribute to the principle of a level playing field.</b></p>	<p>No legislative change required</p>	<p>Government of Honduras                      CNE.                      Office of the Public Prosecutor.                      Political parties</p>	<p><b>GENUINE ELECTIONS THAT REFLECT THE FREE EXPRESSION OF THE WILL OF THE VOTER</b></p> <p><b>ICCPR, GC 25, para. 19:</b> “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”  <b>OAS Electoral Good Practices Guide for Strengthening Electoral Processes, section B, para 6:</b> “To be free, voting must be devoid of pressures of any kind: in other words, a manifestation of the free will of the voter, without any form of coercion. Nobody may be obliged or pressured into revealing her or his choice.”</p>

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8	<p>“The UFTF sanctions are widely viewed as too low for the mechanism to be compelling, especially after the Congress passed a decree to postpone submission of reports and to lower the corresponding fines, limiting the institution’s impact and creating a sense of impunity. With sanctions set at LE 508,400 (approx. 18,500 euros) for parties not submitting annual reports, the mechanism falls short of being effective. UFTF oversight mechanisms include field audits and verification of campaign finance reports. <b>Final Report, IX. Election Campaign, page 20.</b></p>	<p>Reinforcement of provisions on State funding to political parties and contestants, including its timely and adequate payment, and effective control of campaign funds ahead of election day to ensure the level playing field in the campaign</p>	<p>Amendment to the election law and the law on financing, transparency and oversight of political parties and candidates</p>	<p>National Congress UFTF (CNE)</p>	<p><b>PREVENTION OF CORRUPTION/FAIRNESS IN THE ELECTION CAMPAIGN</b></p> <p><b>UNCAC, article 7.3:</b> Each State Party shall also consider taking appropriate legislative and administrative measures (...) to enhance transparency in the funding of candidatures. <b>ICCPR GC 25, para. 19:</b> Reasonable limitations on campaign expenditure may be justified (...) to ensure that the free choice of voters is not undermined (...) by the disproportionate expenditure on behalf of any candidate or party. <b>IADC, art. 5:</b> Special attention will be paid to the problems associated with the high cost of election campaigns and the establishment of a balanced and transparent system for their financing. <b>OAS Electoral Good Practices Guide for Strengthening Electoral Processes, section C1, p. 29, para 6:</b> “Accountability and transparency in the form of suitable oversight and audit arrangements should be core components of the system for financing political parties, organizations, associations, and independent candidacies. Transparency in political financing is fundamental for increasing trust in the electoral system.”</p>
9	<p>The election law is ambiguous as to whether it applies to online and social media or not. On the one hand, it defines the domains in which campaigning is allowed, including "by any other system", which may encompass social media. On the other, the provisions on electoral silence do not mention online or social media platforms, which gives rise to individual interpretation. The EU EOM identified several cases of political parties and candidates that continued campaigning on social networks during the silence period, both through posting content and by using paid advertising. <b>Final Report, VII. Campaign environment, page 22.</b></p>	<p>Make explicit in the election law that provisions on campaign apply also to online and social media networks.</p>	<p>Amendment to the election law CNE Regulations</p>	<p>National Congress CNE</p>	<p><b>PREVENTION OF CORRUPTION/FAIRNESS IN THE ELECTION CAMPAIGN</b></p> <p><b>ICCPR, GC 25, para. 19:</b> “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.” <b>ICCPR GC 34, para. 25:</b> A norm, to be characterized as a “law”, must be formulated with sufficient precision to enable an individual to regulate his or her conduct accordingly and it must be made accessible to the public.</p>

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<b>MEDIA</b>					
10	Televisión Nacional de Honduras (TNH) and Radio Nacional de Honduras (RNH) are the main state-owned media available in the country. Both lack financial autonomy and political independence (...) EU EOM’s media monitoring findings show that state media noticeably favoured PNH and its presidential candidate. <b>Final Report, IX Media, pages 22 and 23.</b>	Introduce a law on public media to disengage state media from direct government control in order to become genuine public service broadcasters with editorial independence and financial autonomy.	Adoption of a law on public media	National Congress /Government	<p><b>FREEDOM OF OPINION AND EXPRESSION / FAIRNESS IN THE ELECTION CAMPAIGN</b></p> <p><b>ICCPR General comment 34, para. 16:</b> “States parties should ensure that public broadcasting services operate in an independent manner. In this regard, States parties should guarantee their independence and editorial freedom. They should provide funding in a manner that does not undermine their independence”.</p> <p><b>UN, OSCE, OAS and ACHPR 2017 Joint Declaration on Freedom of Expression and Fake News, Disinformation and Propaganda Art. 3-c:</b> “States should ensure presence of strong, independent and adequately resourced public service media, which operate under a clear mandate to serve the overall public interest and to set and maintain high standards of journalism”.</p>
11	The Criminal Code foresees prison penalties for slander crimes in the media, and the “Official Secrets Law” allows public offices to retain public information for 25 years. <b>Final Report, IX Media, page 23.</b>	<b>Substitute prison penalties for slander crimes in the media for proportionate sanctions.</b>	Amendment to the Criminal Code	National Congress	<p><b>FREEDOM OF OPINION AND EXPRESSION</b></p> <p><b>ICCPR General comment 34, para. 47:</b> “States parties should consider the decriminalisation of defamation and, in any case, the application of the criminal law should only be countenanced in the most serious of cases and imprisonment is never an appropriate penalty”.</p> <p><b>ICCPR General comment 34, para. 9:</b> “The harassment, intimidation or stigmatisation of a person, including arrest, detention, trial or imprisonment for reasons of the opinions they may hold, constitutes a violation of article 19, paragraph 1”</p>
12	Another controversial law (...) allows media outlets to settle tax and licence debts by publishing/airing institutional propaganda under conditions set by the President of the Republic. This provision could	Strengthen independence of private media by repealing provisions on settling tax and licence debts with institutional advertisement.	Repeal Law of Voluntary Programme for the Rescue and Promotion of the Communications Sector.	National Congress	<p><b>FREEDOM OF OPINION AND EXPRESSION</b></p> <p><b>ICCPR General Comment 34, para. 41:</b> “Care must be taken to ensure that systems of government subsidy to media outlets and the placing of</p>



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	limit the freedom of expression of concerned media. <b>Final Report, IX Media, page 23</b>				government advertisements are not employed to the effect of impeding freedom of expression.” <b>OAS Electoral Good Practices Guide for Strengthening Electoral Processes, p. 24, para 2:</b> “For media to genuinely fulfill their democratic purpose, they need to have legal and financial autonomy.”
13	For the first time in Honduras the election law established the availability of free airtime slots in the state media to be equitably allocated by the CNE (...) However, the provision was not implemented for the 2021 elections. <b>Final Report, IX Media, page 24.</b>	Implement provisions in the election law regarding the allocation of free airtime slots in the state media to parties and candidates of the presidential race.	No legislative change required.	CNE	<b>FAIRNESS IN THE ELECTION CAMPAIGN</b>  <b>Council of Europe Recommendation of Measures Concerning Media Coverage of Election Campaigns (2007), Chapter II (1 and 2),</b> “...regulatory frameworks should also provide for the obligation to cover election campaigns in a fair, balanced, and impartial manner... such an obligation should apply to both public service media and private broadcasters.”
<b>DIGITAL COMMUNICATION AND SOCIAL MEDIA</b>					
14	Honduras does not have a law on privacy and on the protection of personal data, although the Law on Transparency and Access to Public Information establishes that personal data will always be protected, and no one can be obliged to provide personal data that may cause discrimination or any kind of harm. <b>Final Report, X. Digital Communication and Social Media, page 26.</b>	Reinforce legislation on data protection and privacy to guarantee citizens right to privacy of their personal data, especially during elections.	Amendment of data protection provisions in the existing legislation Law on Transparency and Access to Public Information	National Congress	<b>RIGHT TO PRIVACY</b>  <b>ICCPR, article 17:</b> “No one shall be subjected to arbitrary or unlawful interference with his privacy... everyone has the right to the protection of the law against such interference or attacks”. <b>ACHR, article 11:</b> “No one may be the object of arbitrary or abusive interference with his private life, his family, his home, or his correspondence (...)” <b>ICCPR, GC 16, para. 10:</b> “the gathering and holding of personal information on computers, data banks and other devices, whether by public authorities or private individuals or bodies, must be regulated by law”. (...) Effective measures have to be taken by States to ensure that information concerning a person’s private life does not reach the hands (...)”.
15	The EU EOM identified numerous cases of disinformation and harmful content against candidates published online and on social	Develop cooperation measures to address electoral online disinformation and hate speech such	No legislative change required.	Government, CNE, political parties, media, CSOs, other	<b>FAIRNESS IN THE ELECTION CAMPAIGN</b>

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	<p>networks. (...) The number of paid ads on Facebook and Instagram spreading disinformation substantially increased in the days ahead of elections (...) On Twitter, the mission identified 440 accounts showing a coordinated inauthentic behaviour promoting narratives for and against the three leading parties and their presidential candidates. <b>Final Report, X. Digital Communication and Social Media, pages 26 and 27.</b></p>	<p>as a collaborative experts network, as well as increased independent fact-checking mechanisms.</p>		<p>election stakeholders, digital intermediaries.</p>	<p><b>ICCPR, GC 25, para. 19:</b> “Voters should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind.”  <b>UN, OAS, OSCE Joint Declaration on Freedom of Expression and Fake News, Disinformation and Propaganda, art. 3.e:</b> “States should take measures to promote media and digital literacy, including by covering these topics as part of the regular school curriculum and by engaging with civil society and other stakeholders to raise awareness about these issues. <b>Art. 3.f:</b> States should consider other measures to promote equality (...), including with a view to addressing the negative effects of disinformation and propaganda.”  <b>UN, OAS, OSCE Joint Declaration on Freedom of Expression and Elections In the Digital Age:</b> “States should consider supporting positive measures to address online disinformation, such as the promotion of independent fact-checking mechanisms and public education campaigns, while avoiding adopting rules criminalising disinformation.”</p>
<b>POLITICAL PARTICIPATION OF WOMEN</b>					
16	<p>“Positively, the CNE presented a draft amendment to the election law and a protocol to fight gender motivated political violence in elections. The protocol included recommendations on how to report instances of violence and assign the CNE the role to facilitate reporting and resolve instances of discrimination. However, the EU EOM was reported that CSOs and political parties submitted complaints reporting gender-based violence to the CNE that did not lead to any sanction for the perpetrators.” <b>Final Report, XI. Political Participation of Women, page 29.</b></p>	<p><b>Adopt legal provisions and implement mechanisms to protect women from gender-based political violence, in line with CNE draft proposal, and ensure that sanctions are enforced.</b></p>	<p>Adopt CNE draft law proposal on gender motivated political violence.</p>	<p>National Congress Office of the Public Prosecutor CNE</p>	<p><b>WOMEN’S PARTICIPATION IN PUBLIC AFFAIRS/ EQUALITY BETWEEN MEN AND WOMEN / RIGHT TO EFFECTIVE REMEDY</b></p> <p><b>ICCPR, article 2(3)(a).</b> “To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed.”  <b>CEDAW article 2(c):</b> States parties to establish legal protection of the rights of women on an equal basis with men and to ensure through competent national tribunals and other public institutions the</p>

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					<p>effective protection of women against any act of discrimination.</p> <p><b>Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women. Article 5</b> Every woman is entitled to the free and full exercise of her civil, political, economic, social and cultural rights, and may rely on the full protection of those rights as embodied in regional and international instruments on human rights. The States Parties recognize that violence against women prevents and nullifies the exercise of these rights.</p>
<b>PARTICIPATION OF INDIGENOUS AND AFRICAN-HONDURAN PEOPLES</b>					
17	<p>“EU EOM observers received allegations about pressure on indigenous communities, mainly by PNH, in Atlántida, Copán, Intibucá, La Paz and Ocotepeque. Civil society organisations expressed concerns regarding indigenous people experiencing difficulties in retrieving ID cards as well as being vulnerable to potential vote buying.” <b>Final Report, XII. Political Participation of Indigenous and African Honduran peoples, page 29.</b></p>	<p>Improve access to ID card for national minority groups and implement effective measures to promote their political participation, such as the recognition of decision-making bodies of indigenous communities and define mechanisms to value their decisions.</p>	<p>Constitution</p>	<p>National Congress CNE RNP</p>	<p><b>FREEDOM FROM DISCRIMINATION / STATE MUST TAKE THE NECESSARY STEPS TO GIVE EFFECT TO RIGHTS</b></p> <p><b>ICCPR, art. 3:</b> “Equal right of men and women to enjoy all civil and political rights.”</p> <p><b>ILO Convention 169, article 6.1(b):</b> Governments shall (...) establish extent as other sectors of the population, at all means by which these peoples can freely participate, to at least the same levels of decision-making in elective institutions.”</p> <p><b>UNDRIP, art. 2-</b>Indigenous peoples and individuals are free and equal to all other peoples and individuals and have the right to be free from any kind of discrimination, in the exercise of their rights, in particular that based on their indigenous origin or identity.</p> <p><b>UNDRIP, art. 3-</b> Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.”</p>

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<b>POLITICAL PARTICIPATION OF PERSONS WITH DISABILITIES</b>					
18	<p>“Specific reasonable accommodation (...) were not in place (...). Problems throughout the electoral process, such as requests for changes of registration in the voter list, the obligation to actively seek their new ID card at the municipal civil registries or a PS far from the place of residence were particularly challenging for persons with disabilities.” <b>Final Report, XIV. Political Participation of Persons with Disabilities, page 30.</b></p>	<p>Increase efforts to include voters with disabilities in the voting process on equal terms with others, prioritise autonomous forms of voting and implement reasonable accommodation measures at the polling stations.</p>	<p>No legislative change required. Adopt CNE Regulation</p>	<p>CNE Government of Honduras</p>	<p><b>FREEDOM FROM DISCRIMINATION</b></p> <p><b>UN CRPD, article 29:</b> States Parties shall guarantee (...) that persons with disabilities can effectively and fully participate in political and public life on an equal basis with others, inter alia, by: (i)Ensuring that voting procedures, facilities and materials are appropriate, accessible and easy to understand and use; (ii)Protecting the right of persons with disabilities to vote by secret ballot.</p>
<b>POLITICAL PARTICIPATION OF THE LGBTI COMMUNITY</b>					
19	<p>“Despite a ruling by the Interamerican Court of Human Rights (IACHR) demanding that Honduras adopt a mechanism to recognise gender identity as perceived by the persons, transgender persons still cannot change their name. LGBTI groups continue to advocate for the recognition of gender identity as it remains an obstacle to a meaningful political participation, both as voters and as candidates.” <b>Final Report, XV. Political Participation of LGBTI Community, page 31.</b></p>	<p>Recognize gender identity as perceived by the persons and allow name change for transgender persons, as required by the Inter-American Court of Human Rights.</p>	<p>Amendment to the RNP law</p>	<p>RNP</p>	<p><b>FREEDOM FROM DISCRIMINATION / STATE MUST TAKE THE NECESSARY STEPS TO GIVE EFFECT TO RIGHTS</b></p> <p><b>ICCPR, article 2.1:</b> Each State Party to the present Covenant undertakes to respect and to ensure to all individuals (...) the rights recognized in the present Covenant, without distinction of any kind, such as race, colour, sex, (...).</p> <p><b>ICCPR GC 25, para. 3:</b> No distinctions are permitted between citizens in the enjoyment of these rights on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.</p> <p><b>ACHR article 1:</b> The States Parties to this Convention undertake to respect the rights and freedoms recognized (...), without any discrimination for reasons of race, colour, sex, language, religion, political or other opinion (...).</p> <p><b>IACHR Advisory Opinion OC-24/17, paras 142 and 143.</b></p> <p><b>Judgment of the Inter-American Court of Human Rights, Case of Vicky Hernández et al. v. Honduras, 26 March 2021, paragraph 172:</b> This Court considers it is necessary to order the State, within two years of notification of this Judgment, to adopt</p>

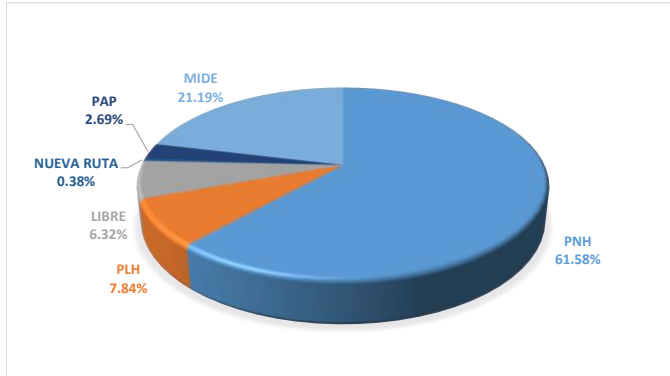
No.	CONTEXT (Including reference to the relevant section of the FR)	RECOMMENDATION (priority recommendation in bold)	SUGGESTED CHANGE IN THE LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	KEY INTERNATIONAL & REGIONAL OBLIGATIONS / GOOD PRACTICE
					a procedure for the recognition of gender identity. This procedure should allow persons to adjust their identity data, in identity documents and public records, in such a way that these are in conformity with their self-perceived gender identity. <i>(Unofficial translation)</i>
<b>ELECTION DISPUTES</b>					
20	“The TJE operated (...) without an Electoral Procedure Law despite it having been a requirement laid down in the Constitution and the Election Law.” <b>Final Report, XVI. Electoral Disputes, page 32.</b>	<b>Adoption of the electoral procedure law as established in the Constitution so that the TJE has the necessary tools to carry out its electoral jurisdictional responsibilities.</b>	Adoption of the electoral procedure law	National Congress	<b>RULE OF LAW / RIGHT TO EFFECTIVE REMEDY</b>  <b>ICCPR, article 2(3)(a).</b> “To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity.”
21	“The election law establishes five days from the day after the general elections (...) to file challenges to the CNE. However, one day before the deadline, it was extended for additional 72 hours, as a considerable number of tally sheets were not fully processed and published, which could have deprived plaintiffs with sufficient evidence to support their challenges.” <b>Final Report, XVI. Electoral Disputes, page 33.</b>	Establish realistic deadlines for the filing, hearing and determination of pre-election cases, especially in relation to registration of candidates, and for post elections petitions, allowing adequate time for the preparation of cases after the publication of preliminary results.	Amendment to the election law. Adoption of a law on election disputes procedures. CNE regulations	National Congress	<b>RIGHT TO EFFECTIVE REMEDY / RIGHT TO A FAIR AND PUBLIC HEARING</b>  <b>ICCPR, article 2(3)(a).</b> “To ensure that any person whose rights or freedoms as herein recognized are violated shall have an effective remedy, notwithstanding that the violation has been committed by persons acting in an official capacity.” <b>Resolution adopted by the Human Rights Council*19/36 Human rights, democracy and the rule of law, para 16d.</b> “Taking active and consistent measures aimed at increasing awareness among the population of their human rights and of their possibilities of resorting to remedies, as established by law and international human rights instruments and mechanisms, when their rights are infringed.”
<b>TABULATION OF RESULTS AND POST-ELECTION ENVIRONMENT</b>					
22	“The EU EOM observed these activities on a regular basis and performed ad-hoc analysis for some protocols and concluded that the verification of results largely depended on the accuracy of the Intelligent Character Recognition system (ICR) in place. In addition, triggers were not established to	<b>CNE to design a results tabulation system with traceability features and strengthened results control triggers.</b>	No legislative change required. CNE Regulation	CNE	<b>GENUINE ELECTIONS THAT REFLECT THE WILL OF THE PEOPLE</b>  <b>ICCPR, article 25(b)</b> Every citizen shall have the right and the opportunity (...) to vote and to be elected at genuine periodic elections (...).

No.	CONTEXT (Including reference to the relevant section of the FR)	RECOMMENDATION (priority recommendation in bold)	SUGGESTED CHANGE IN THE LEGAL FRAMEWORK	RESPONSIBLE INSTITUTION	KEY INTERNATIONAL & REGIONAL OBLIGATIONS / GOOD PRACTICE
	spot abnormal numbers of votes to specific candidates." <b>Final Report, XVIII. Polling, Counting and Tabulation of Results, page 36.</b>				<b>ICCPR GC34 para. 19:</b> States parties should proactively put in the public domain Government information of public interest. States parties should make every effort to ensure easy, prompt, effective and practical access to such information.
<b>ELECTION TECHNOLOGY</b>					
23	"Electoral technology impacted positively in the voting and results transmission processes, but missed a holistic implementation approach. CNE failed to coordinate the different actors and activities, including technology, procurement, logistics and training, negatively impacting the development of the electoral preparations." <b>Final Report, XX. Election Technology, page 38.</b>	CNE to implement an effective governance model with cross-departmental coordination, clear roles and responsibilities, prioritising the needs of the voting and counting processes over the technological solution in place.	No legislative change required.	CNE	<b>GOOD PRACTICE</b>  <b>Conference of the States Parties to the United Nations Convention against Corruption. Resolution 5/4, para 22 :</b> "States parties to put effective processes in place to promote transparency, competition and objective decision-making in public procurement systems, in line with article 9 of the Convention

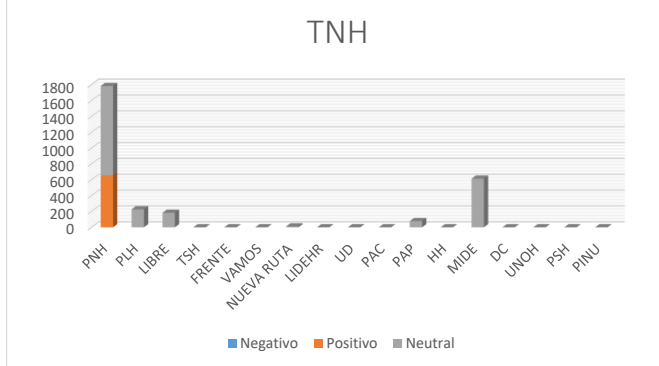
ANNEXES

Annex I: EU EOM media monitoring results

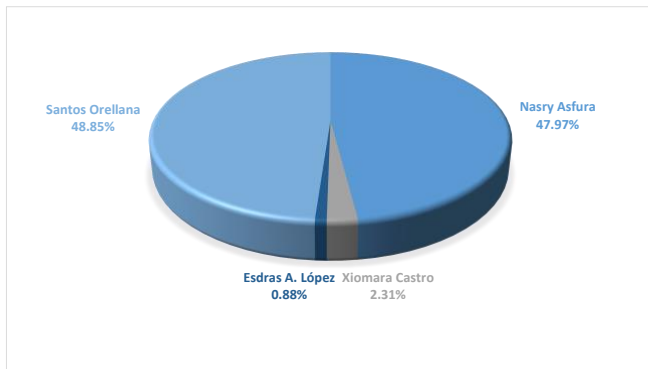
TNH



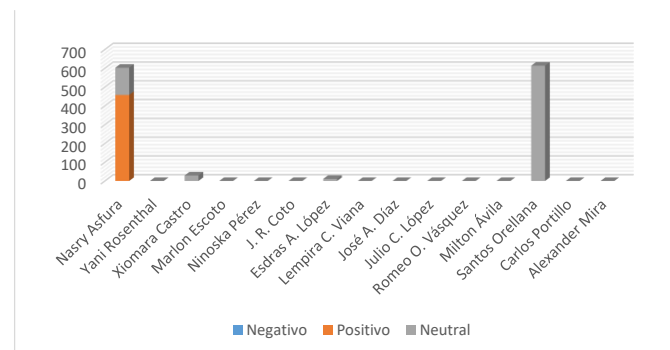
Coverage in TNH by political parties. Advertisements and opinion pieces excluded



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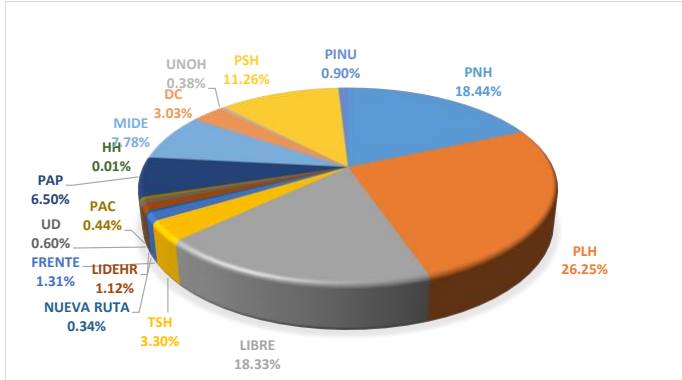


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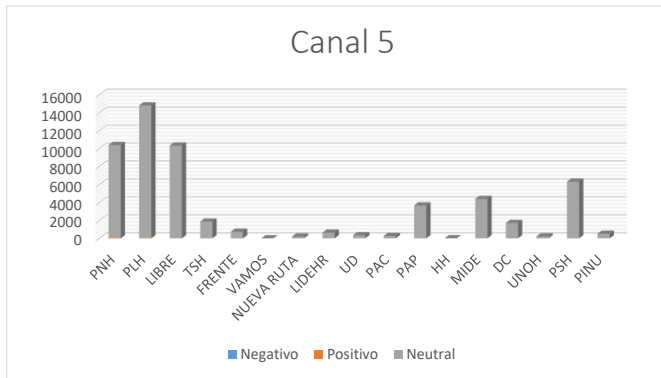


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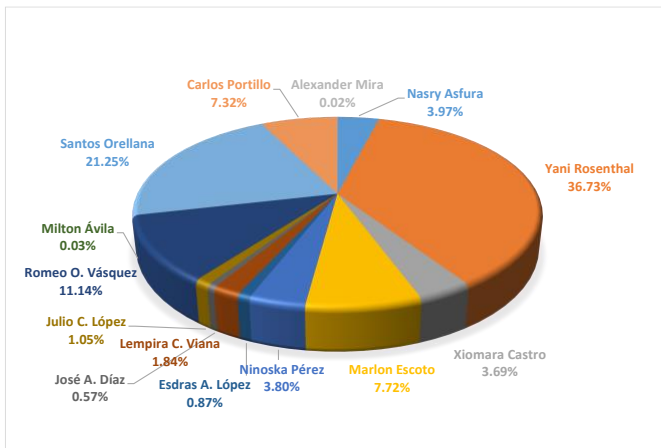
**CANAL 5**



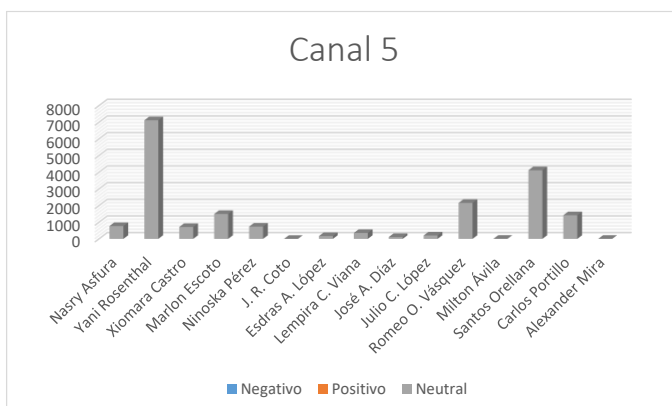
Coverage on Channel 5 by political parties. Advertisements and opinion space excluded.



Tone of coverage by political parties. Advertisements and opinion space excluded.



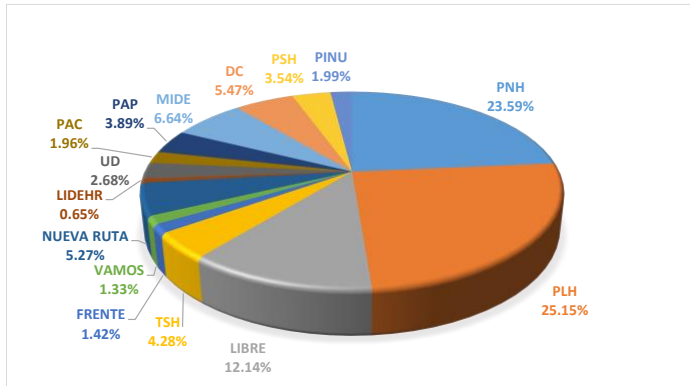
Coverage on Channel 5 by candidates. Advertisements and opinion pieces excluded.



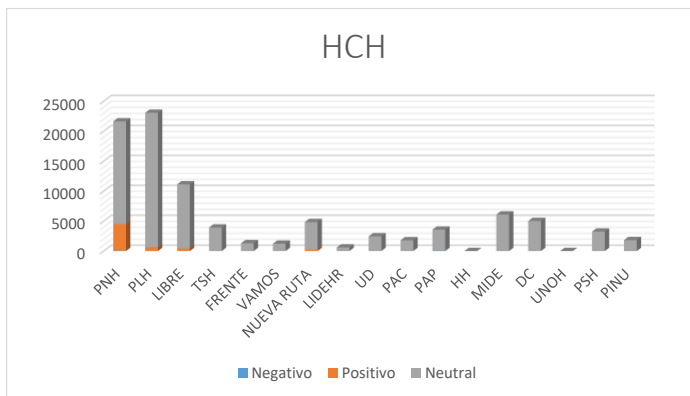
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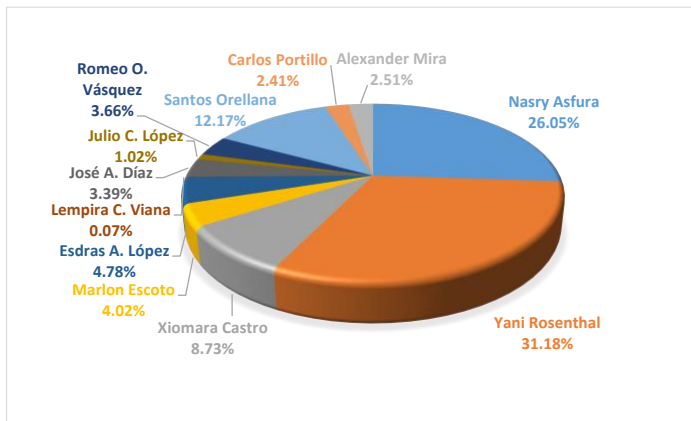
**HCH**



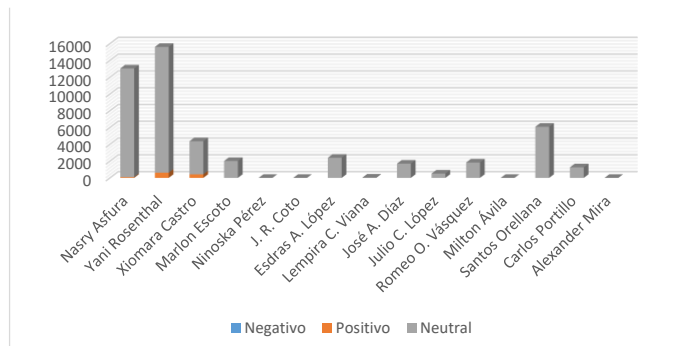
HCH coverage by political parties. Advertisements and opinion spaces excluded.



Tone of coverage by political parties. Advertisements and opinion spaces excluded.

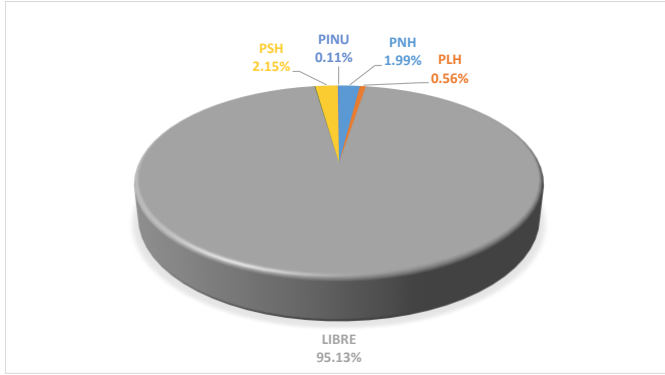


HCH coverage by candidate parties. Advertisements and opinion pieces excluded.

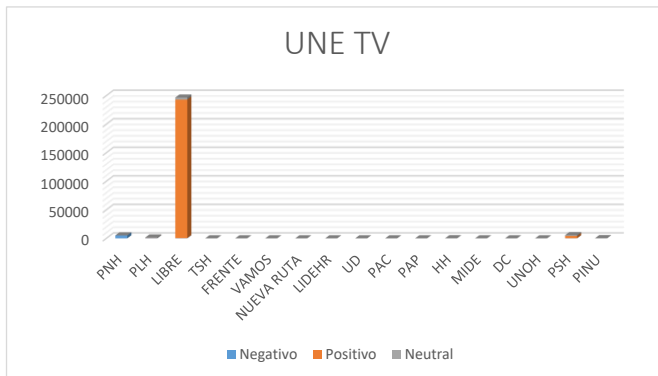


Tono de la cobertura por candidatos. Anuncios y espacios de opinión excluidos.

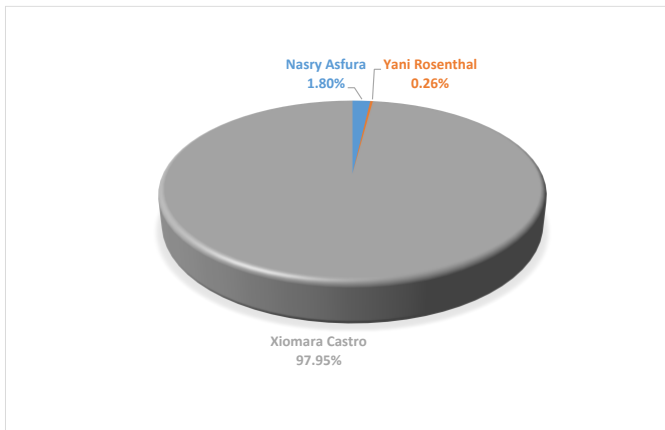
**UNE TV**



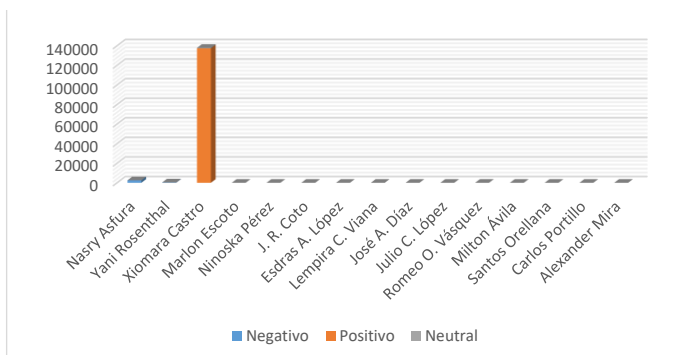
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*Tone of coverage by political parties. Advertisements and opinion space excluded.*

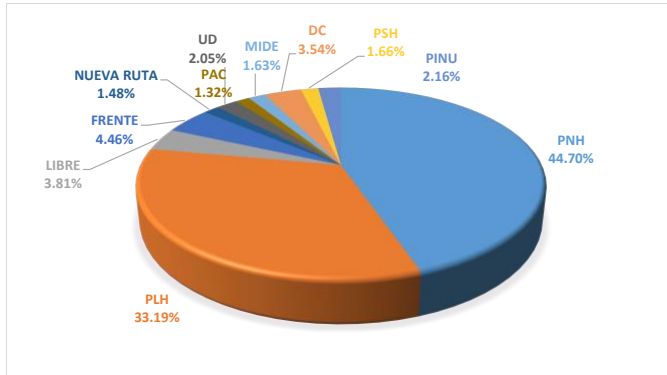


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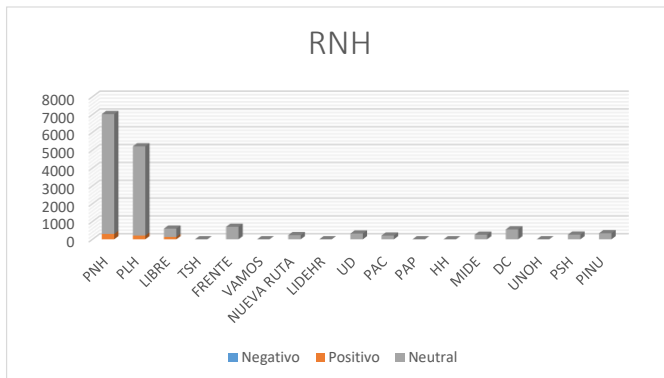


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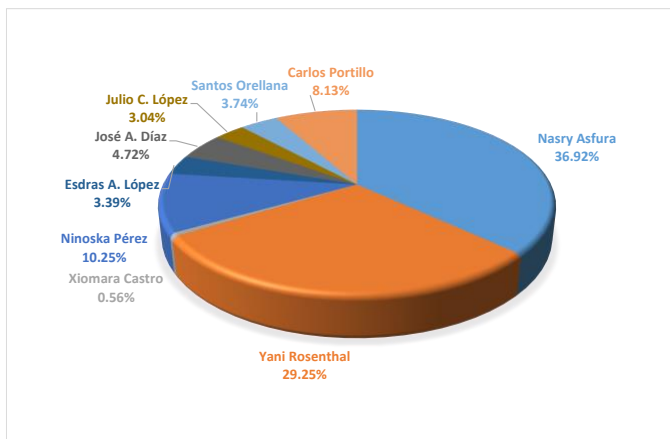
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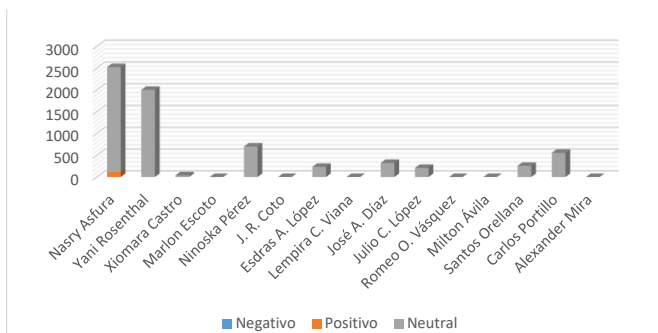
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Tone of coverage by political parties. Advertisements and opinion spaces excluded.

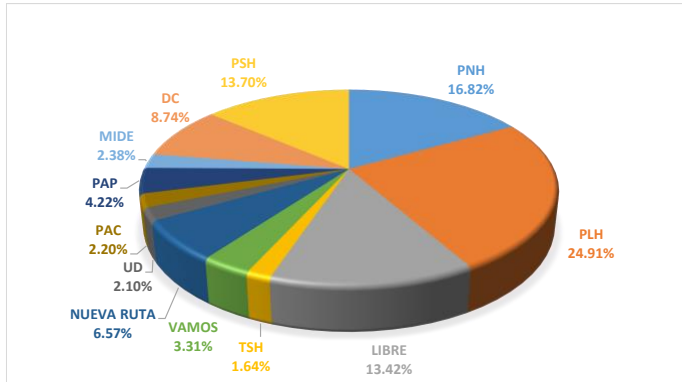


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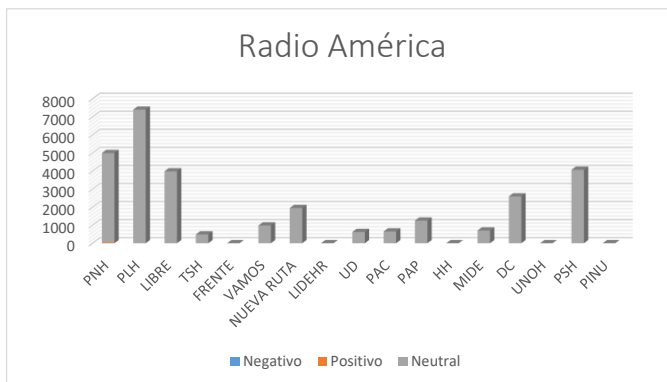


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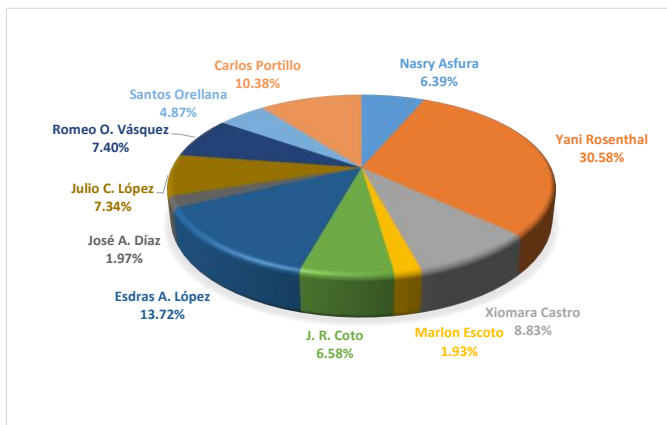
**RADIO AMÉRICA**



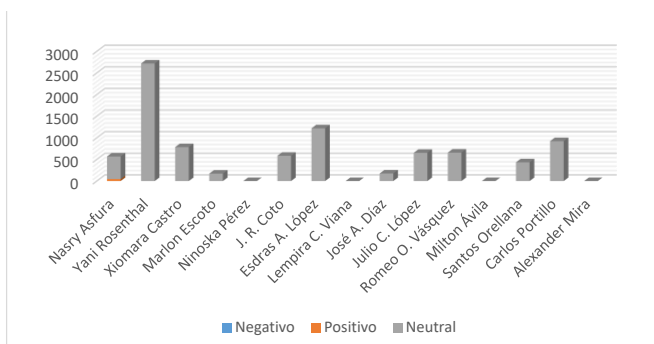
Coverage on Radio America by political parties. Advertisements and opinion space excluded.



Tone of coverage by political parties. Advertisements and opinion space excluded.

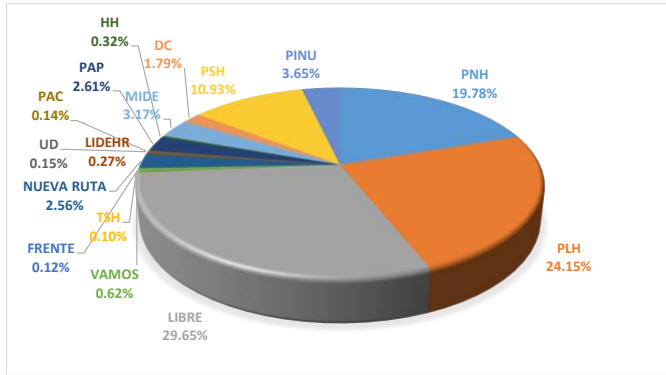


Coverage on Radio America by candidates. Advertisements and opinion space excluded.

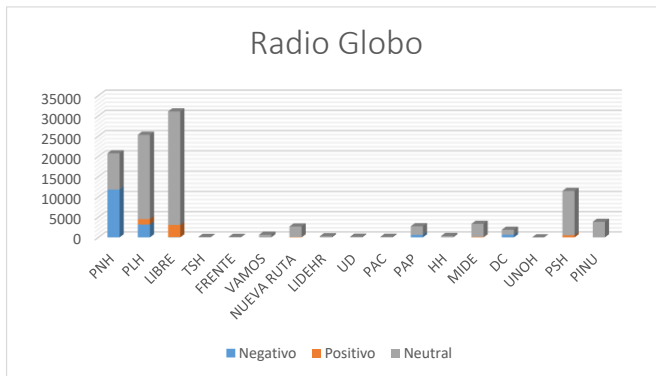


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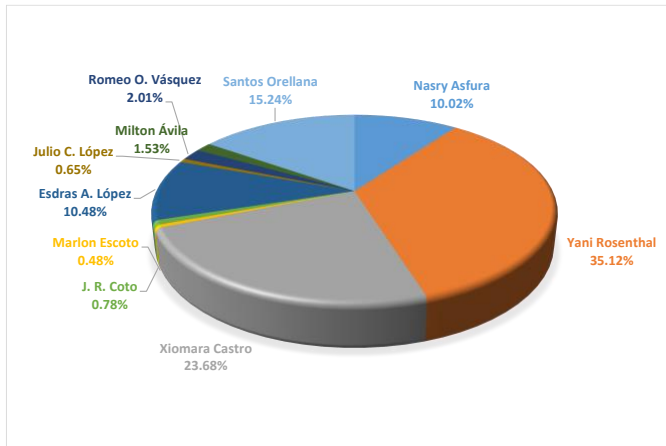
**RADIO GLOBO**



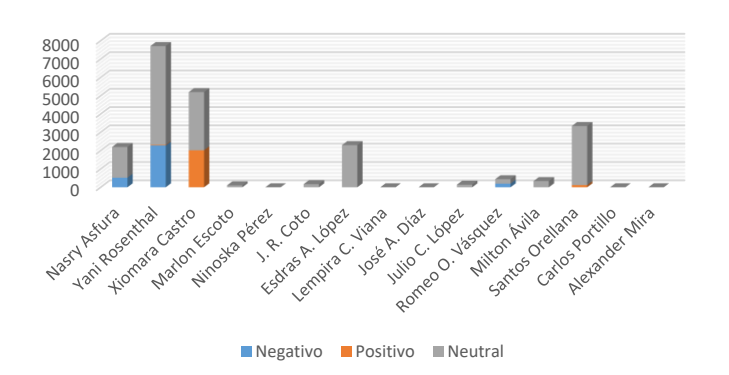
Coverage on Radio Globo by political parties. Advertisements and opinion pieces excluded.



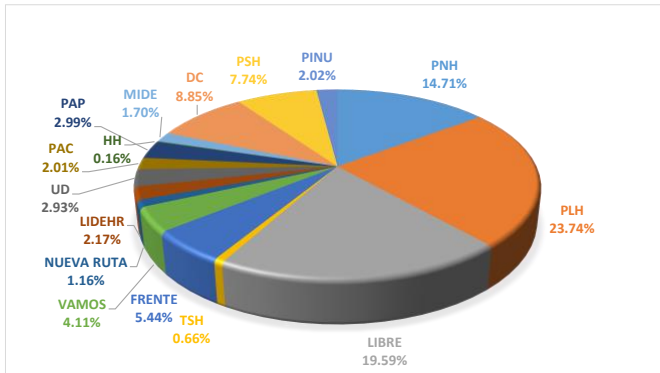
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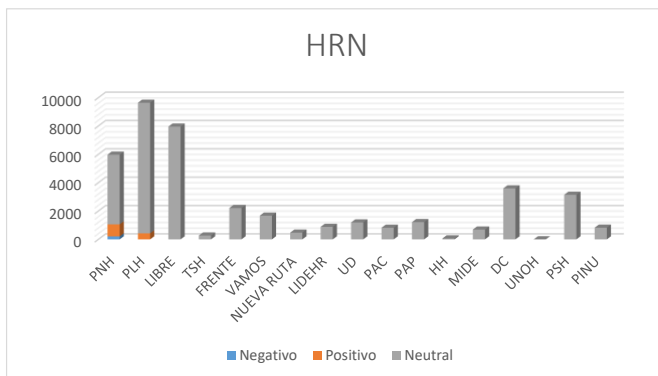
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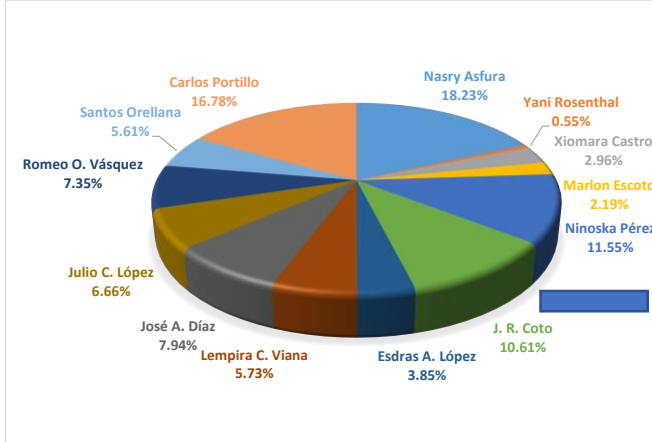
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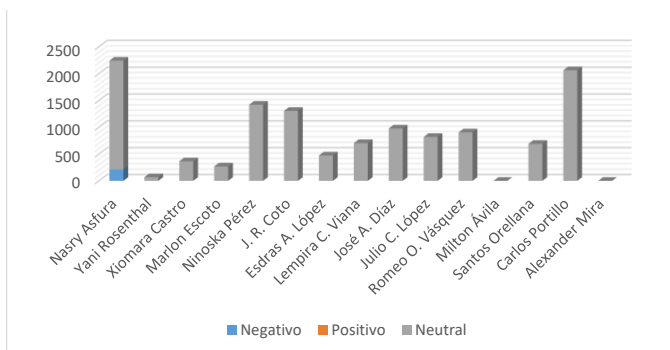
Coverage on HRN by political parties. Advertisements and opinion pieces excluded.



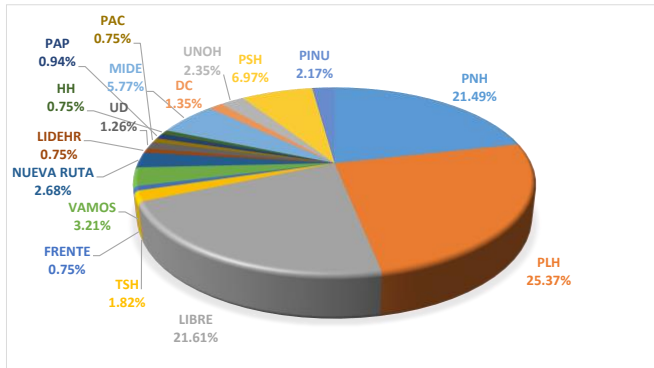
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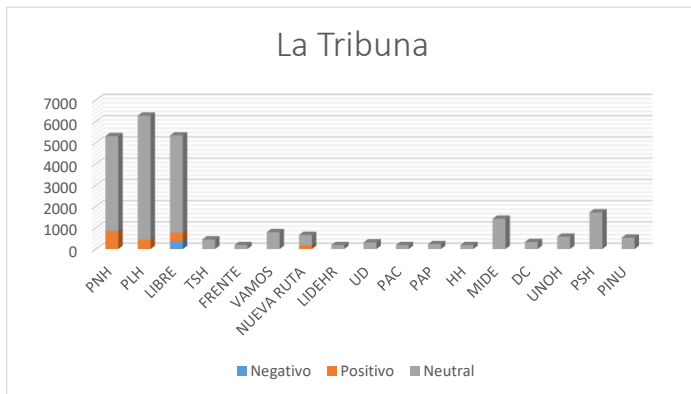
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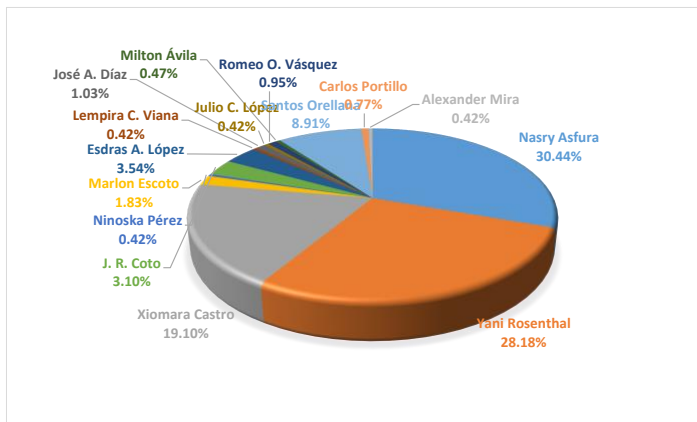
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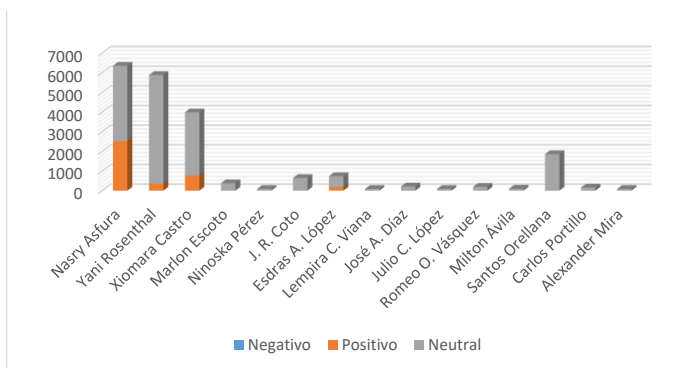
Coverage in La Tribuna by political parties. Advertisements, editorials and opinion pieces excluded



Tone of coverage by political parties Advertisements, editorials and opinion pieces excluded

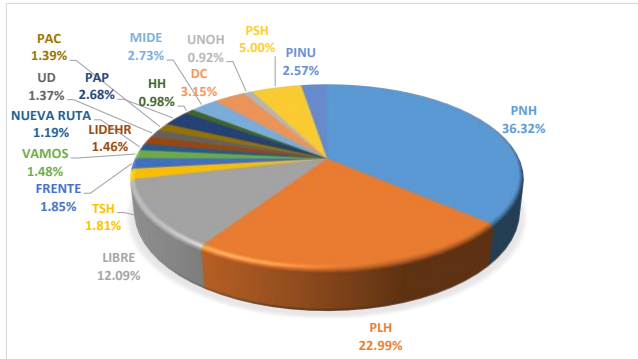


Coverage in La Tribuna by candidates. Advertisements, editorials and opinion pieces excluded.

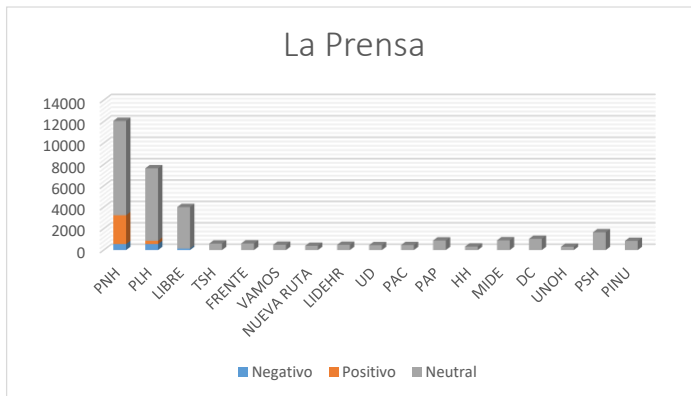


Tone of coverage by candidates. Advertisements, editorials and opinion pieces excluded.

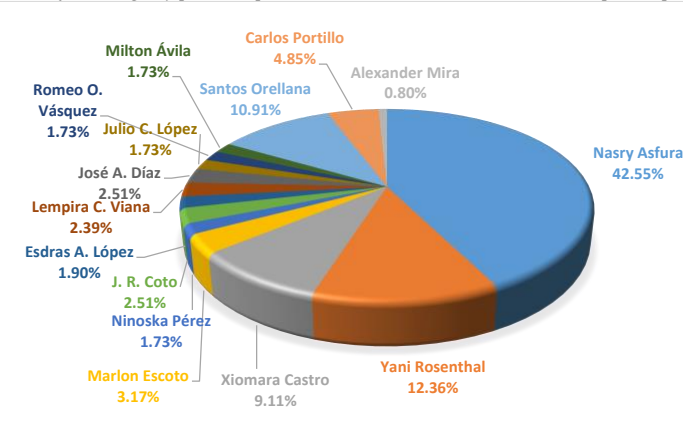
### LA PRENSA



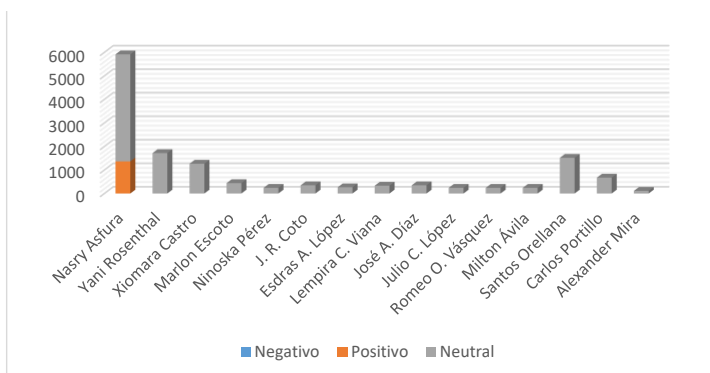
Coverage in La Prensa by political parties. Advertisements, editorials and opinion pieces excluded.



Tone of coverage by political parties. Advertisements, editorials and opinion pieces excluded.



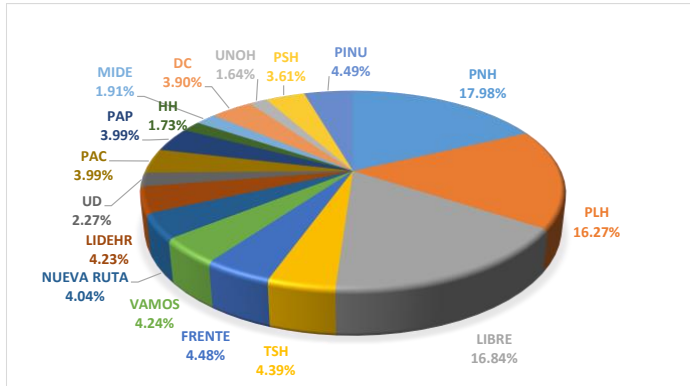
Coverage in La Prensa by candidates. Advertisements, editorials and opinion pieces excluded.



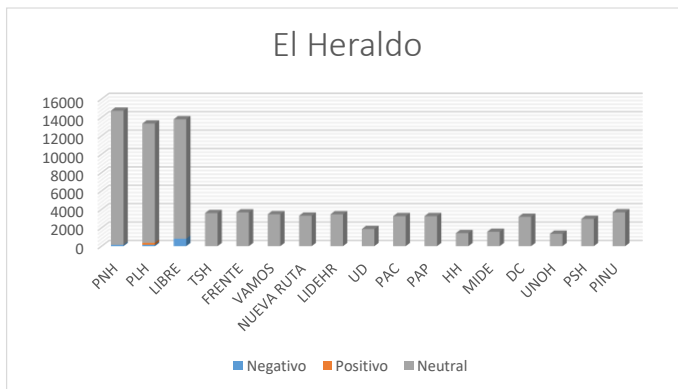
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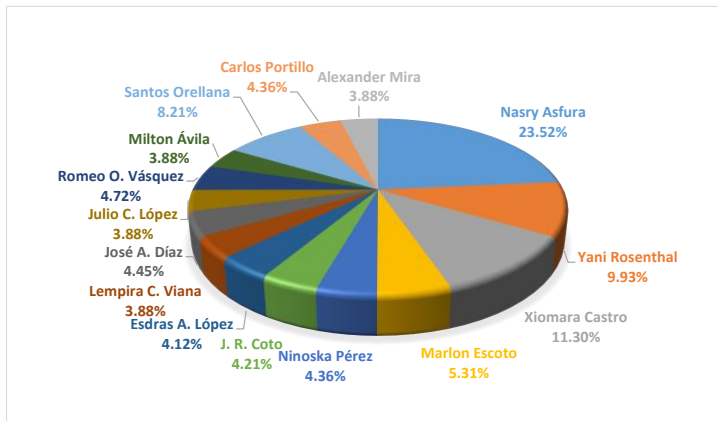
### EL HERALDO



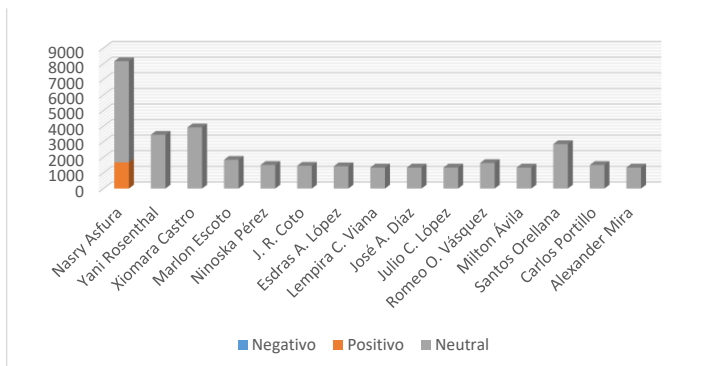
Coverage in El Heraldo by political parties. Advertisements, editorials and opinion pieces excluded.



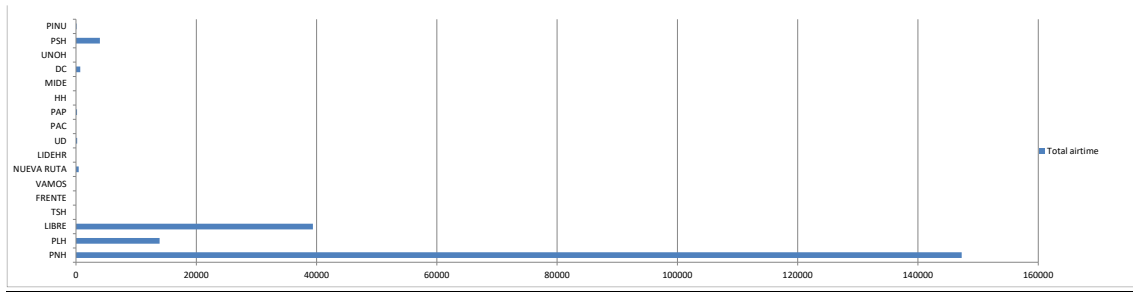
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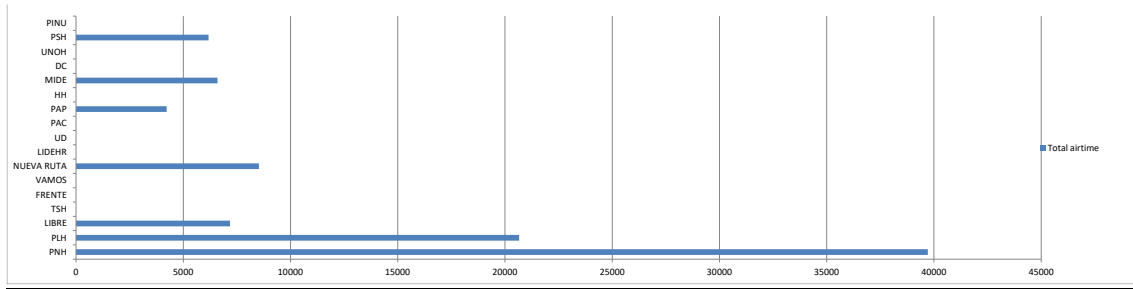
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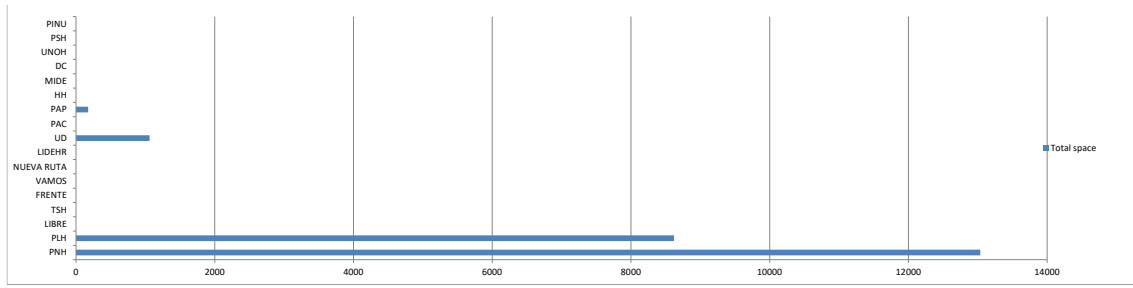
Tone of coverage by candidates. Advertisements, editorials and opinion pieces excluded.



Political advertising and propaganda on TV



Political advertising and propaganda on Radio



Political advertising and propaganda in newspapers

## Annex II. EU EOM social media monitoring results

### Selected sample of Facebook, Twitter, Instagram and Tik Tok accounts

The EU EOM Honduras 2021 monitored **1,053 social media accounts** of a selected sample of political actors to capture key campaign trends across the main social media platforms: **Facebook, Twitter, Instagram and Tik Tok**. The monitoring period was **from 13 October 2021 until 5 December 2021**.

The selection of the sample was done considering the following:

- Official accounts of all presidential candidates, including Salvador Nasralla (PSH), who later became LIBRE Vice President, and Milton Benitez (Honduras Humana), who also joined the LIBRE alliance.
- Official accounts of all political parties.
- A selection of candidates for Mayoral consisting of two candidates per each of the four leading parties and coalitions (PNH, LIBRE, PLH, PSH) from the two most representative municipalities (Central and San Pedro Sula).
- A selection of candidates for Deputies consisting of two candidates per each of the four leading parties and coalitions (PNH, LIBRE, PLH, PSH) from four representative Departments (Francisco Morazán, Cortés, Atlántida y Choluteca).
- Official accounts of the Electoral Bodies and their main representatives.
- Official accounts of public Institutions and main representatives.
- A selection of social media influencers, including political, social and religious influencers, as well as journalists.
- A selection of digital activists, which included Civil Society Organizations representing Women, the LGTBI community, Minorities and persons with disabilities.
- Official accounts of International Organisations in the country.
- Third-party accounts, including Twitter and Facebook accounts spreading disinformation.

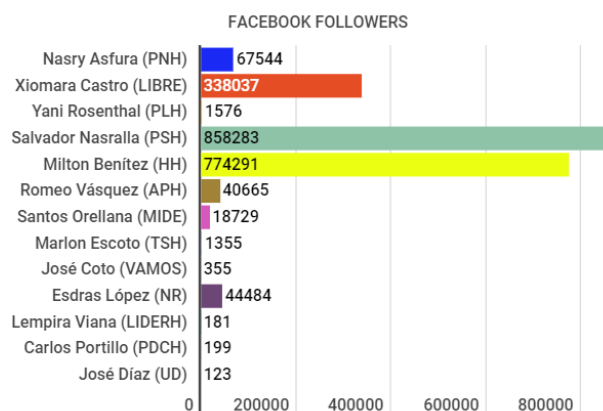
SAMPLE OF ACCOUNTS	Number of Facebook profiles/ pages	Number of Twitter accounts	Number of Instagram accounts	Number of Tik Tok accounts
Presidential candidates	13	12	8	6
Political parties	13	9	10	2
Mayoral candidates	7	10	6	3
Candidates for Deputies	29	23	26	12
Electoral bodies	6	16	7	0
Public institutions	7	8	0	0
Social media influencers	11	55	10	5
Digital activists	18	30	11	0
International organisations	6	12	5	0
Third-party accounts *	191	462	4	0
<b>TOTAL: 1,053</b>	<b>301</b>	<b>637</b>	<b>87</b>	<b>28</b>

(\*) The EU EOM monitored over 440 Twitter accounts showing a coordinated inauthentic behaviour amplifying narratives in favour and against the presidential candidates of the three leading parties, as well as 180 Facebook accounts (pages, groups, profiles) that were spreading disinformation.

## I. Social media presence of presidential candidates and political parties

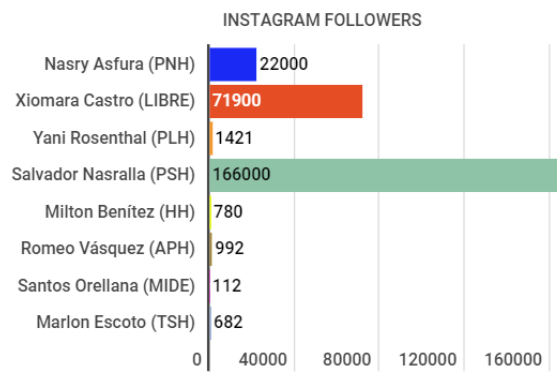
The graphs show the social media presence and number of followers of the political parties and all the presidential candidates at the start of the race, including Salvador Nasralla (PSH), who later became LIBRE Vice President, and Milton Benítez (Honduras Humana), who also joined the LIBRE alliance on 12 November.

### Followers of Presidential Candidates

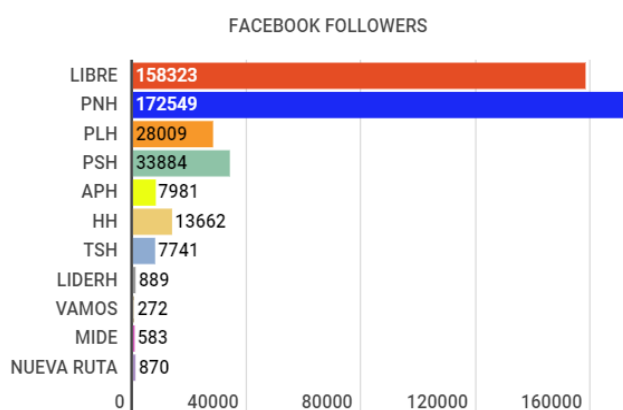


Xiomara Castro (LIBRE) experienced a remarkable growth in followers over the monitoring period in all platforms. On Facebook, she went from 169,000 on 16 November to 338,000 on 5 December, a 50 per cent growth in only 19 days. On Instagram, her following grew from 4,000 on 23 October to 71,900 on 5 December. At the end of the monitoring period (5 November) her account had become the second most followed one on Twitter and Instagram.

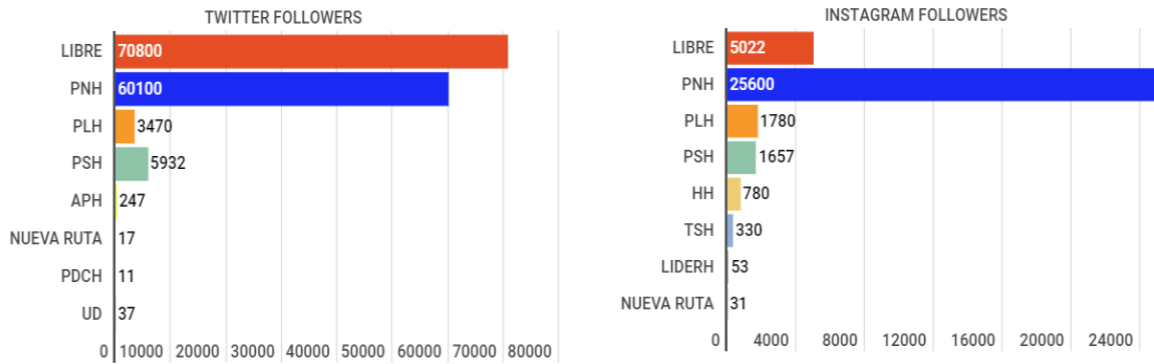
Out of 15 presidential candidates, 13 had official Facebook accounts, the most used social media platform in Honduras also for political campaigning. Salvador Nasralla, the LIBRE Vice President, was the most followed political actor in all three social media platforms: Facebook (858,283), Twitter (223,900) and Instagram (166,000), and also the most active one. Milton Benítez, journalist and independent candidate for Honduras Humana (HH), was the second most followed political actor on Facebook (774,291) on his page “El Perro Amarillo” (The Yellow Dog).



### Followers of Political Parties



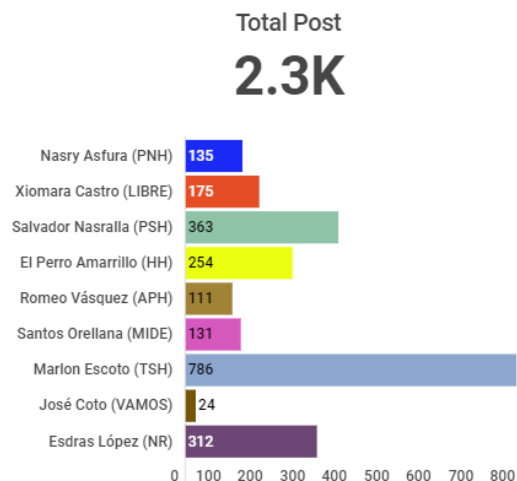
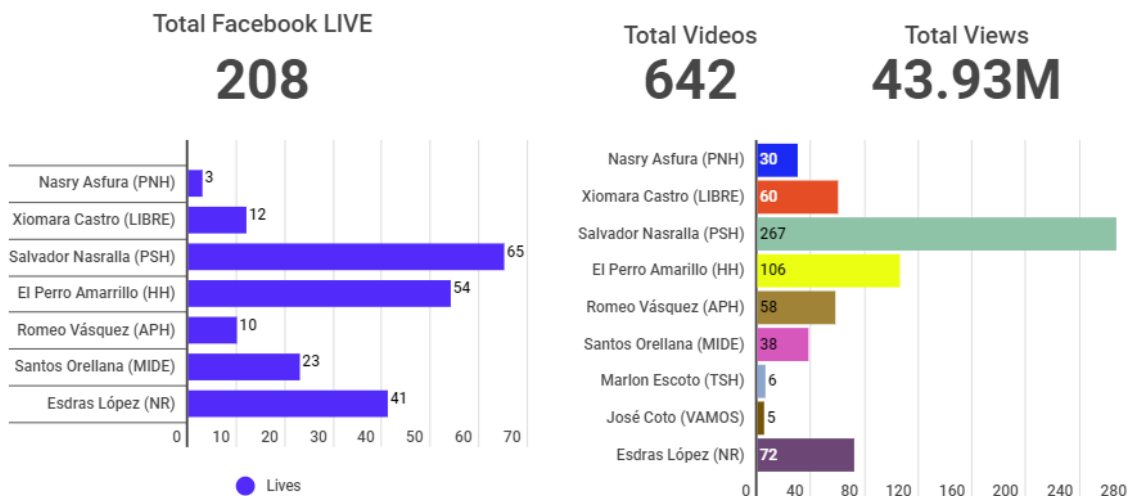
PNH was the political party with the highest number of followers in all three platforms at the start of the monitoring period. On Facebook, PNH (172,549) remained the most followed political party, despite a low increase in followers (4.13%) over the monitoring period. In contrast, LIBRE’s following grew by 30.5 per cent over the same period, with a remarkable peak of 25.7 per cent the week after E-Day, becoming the second most followed party (158, 323). On Twitter, LIBRE (70,800) surpassed PNH (60,100) in number of followers. On Instagram, PNH (25,600) remained the most followed one, increasing its following by 7.3 per cent from 13 October to 28 November.



## II. Social media activity of the presidential candidates and political parties per platform

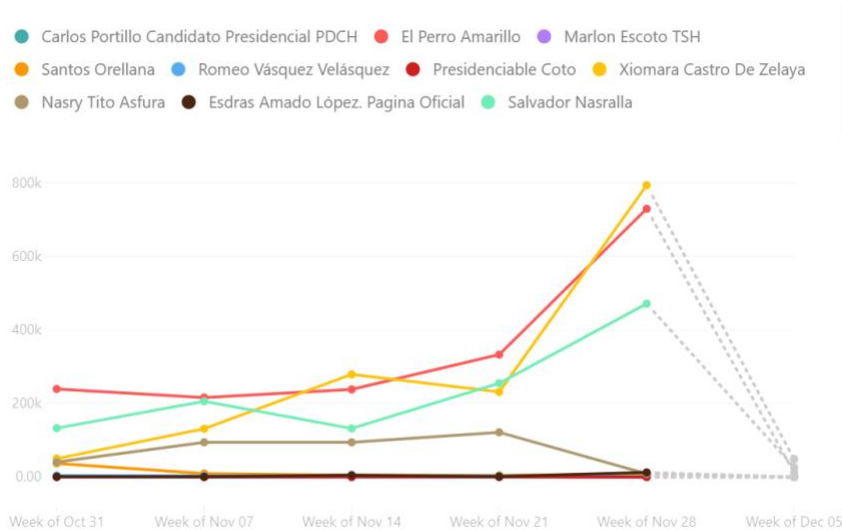


### FACEBOOK PRESIDENTIAL CANDIDATES



Salvador Nasralla, LIBRE Vice President, was the most active political figure doing Facebook LIVE (65), obtaining 2.5 million total views. He was also the most active one sharing videos (267) to promote his campaign activities and to actively make allegations of corruption, fraud and irregularities in the election process. Milton Benitez (HH), who campaigned from his page “El Perro Amarillo” (the Yellow Dog), was second in number of Lives (54) and videos (106). He streamed almost daily a controversial live show highly critical against the Government.

The presidential candidates published altogether a total of 2,300 posts. Marlon Escoto (TSH) led in number (786), although obtaining little reach, followed by Salvador Nasralla (363).



**Total Interactions  
(reactions, comments,  
shares)**

**4.98M**

*From 1 Nov. to 5 Dec., the Facebook pages of the presidential candidates had 4.98 million interactions.*

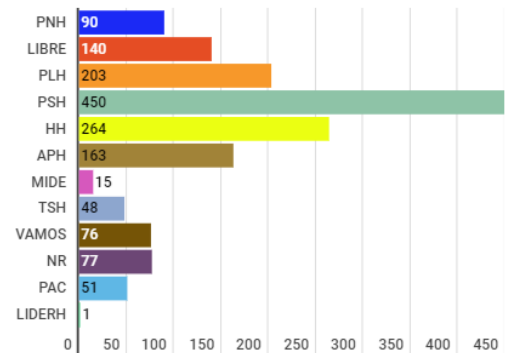
Xiomara Castro (LIBRE), Milton Benitez (HH) -campaigning from his page ‘‘El Perro Amarillo’’ (the Yellow Dog)-, and Salvador Nasralla, LIBRE Vice President, received the highest number of interactions on their respective pages. Xiomara Castro reached her highest peak on election day (800,000), as did Milton Benitez (780,000), both with various posts and videos announcing the presidential victory. On 30 November, after the elections, Milton Benitez live streamed the EU EOM Honduras 2021 press conference announcing the preliminary results (228,385 total views).



**FACEBOOK POLITICAL PARTIES**

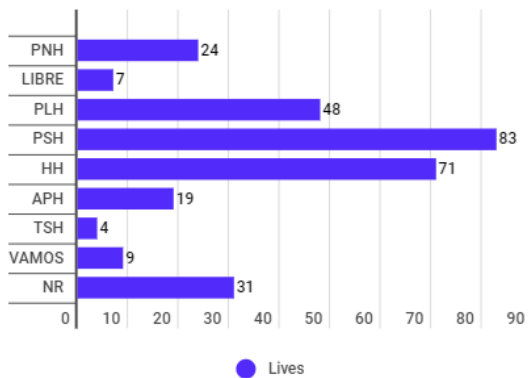
The smaller political parties used more social media for political campaigning. The PSH, was the most active one in number of posts (450), videos (244) and Lives (83). After the alliance with LIBRE on 13 October, their content focused on promoting the vote for PSH’s deputies. Honduras Humana (HH), the independent movement of Milton Benitez, was the second most active page in number of posts (264) and Lives (71), sharing similar content on his other page ‘El Perro Amarillo’(El perro Amarillo).

Total Post  
**1.6K**



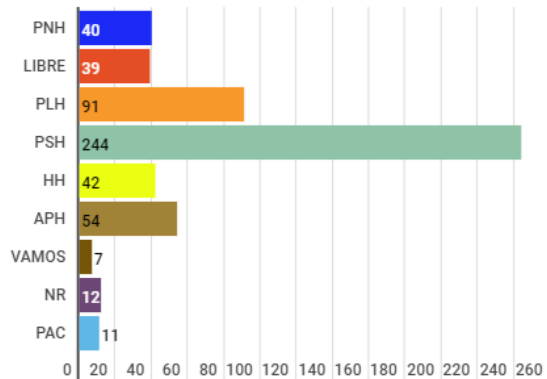
Total Facebook LIVE

**296**



Total Videos

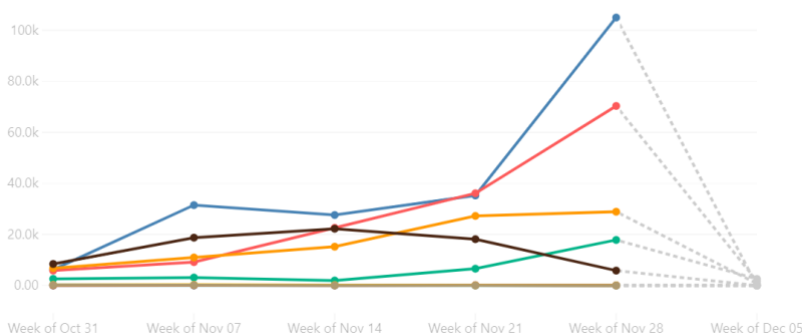
**540**



Total Views

**4.74M**

- Partido Libre ● Todos Somos Honduras ● Partido Nacional de Honduras
- Honduras Humana ● Partido VAMOS ● Oficial Partido Salvador De Honduras
- Partido Nueva Ruta de Honduras - PNRH ● Partido Anticorrupción de Honduras - PAC
- Partido Alianza Patriótica Hondureña ● Partido Liberal de Honduras



**Total Interactions**  
(reactions, comments, shares)

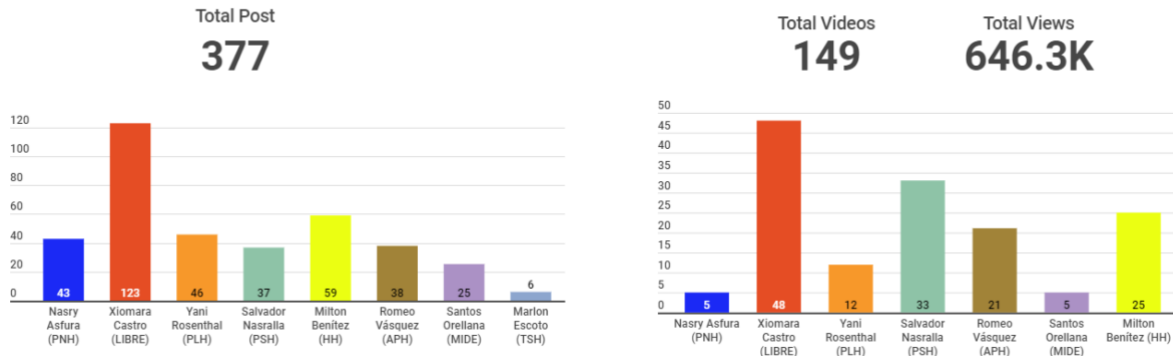
**552.3K**

*From 1 Nov. to 5 Dec., the Facebook pages of the political parties received 552,300 total interactions.*

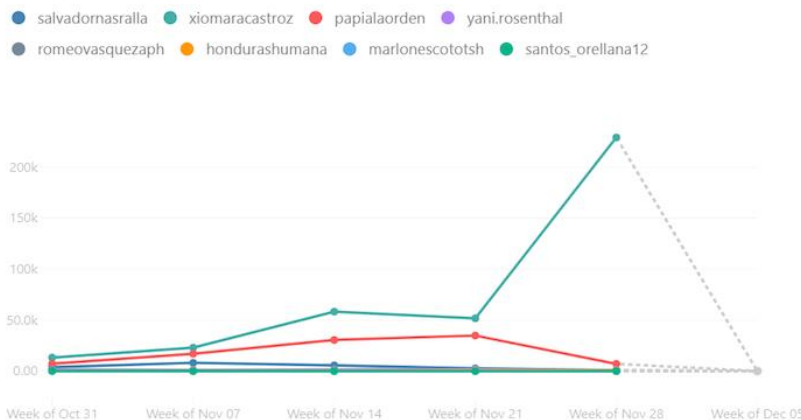
During the observation period, LIBRE received 205,700 total interactions on their page, followed by PNH (147,000). LIBRE had a remarkably growth in interactions from 21 to 27 November, as the page increased its activity. For example, the page published 12 videos and 12 photos on the closure of their campaign in Tegucigalpa, as well as a Facebook Live (113,000 total views).

 **INSTAGRAM PRESIDENTIAL CANDIDATES**

Presidential Candidates Instagram



Xiomara Castro (LIBRE) was the most active presidential candidate on Instagram, publishing 123 posts and 48 videos, followed by Milton Benitez (HH), with 59 posts and 25 videos. From 14 to 20 November, she increased her activity publishing 36 per cent of her total posts, actively sharing messages about her Government plan and campaign tour. Yani Rosenthal's (PLH) account became active in November, and soon surpassed Nasry Asfura (PNH) in number of posts (46) and videos (12). However, the EU EOM observed that Yani Rosenthal's account had few posts published, and the next day there were three times as many posts with earlier publication dates.



**Total Interactions (reactions, comments, shares)**

**502.5K**

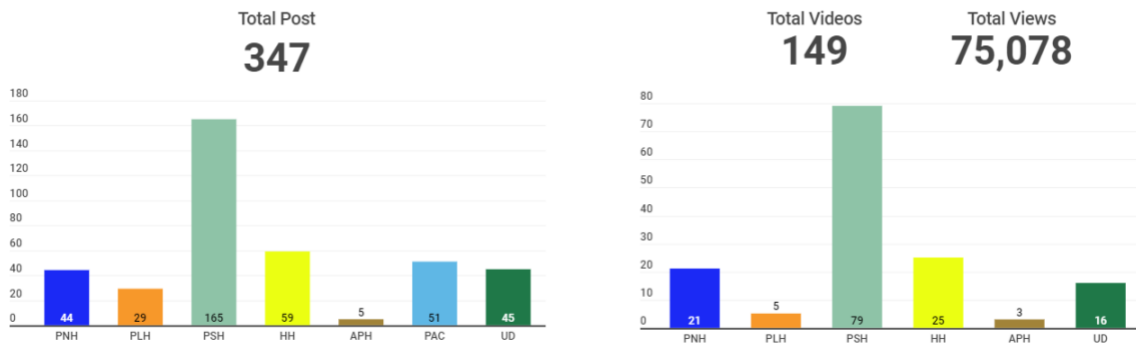
*From 1 Nov. to 5 Dec., the Instagram accounts of the presidential candidates received 502,500 total interactions*

Xiomara Castro (LIBRE) had the highest number of interactions (375,800), followed by PNH's Nasry Asfura (96,300), and Salvador Nasralla, LIBRE Vice President (20,900). The interactions on Xiomara Castro's account increased steadily one week before the elections, reaching the highest peak on E-Day (229,000) with the announcement of her presidential victory. PNH had their highest peak on 17 November (41,007), decreasing to 7,010 interactions on election day.

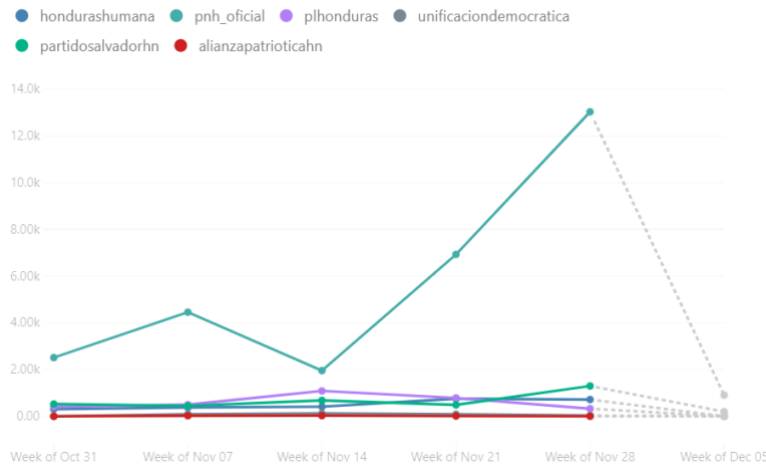


 **INSTAGRAM POLITICAL PARTIES**

Political Parties Instagram



PSH stands out as the most active political party, publishing 165 posts and 79 videos. From 14 to 20 November, PSH posted 34 per cent of all posts published during the observation period. Their content focused on promoting the vote for their candidates for deputies. The second most active party was Milton Benitez’s Honduras Humana (HH) with 59 posts and 25 videos.



**Total Interactions**  
 (reactions, comments, shares)

**39.1K**

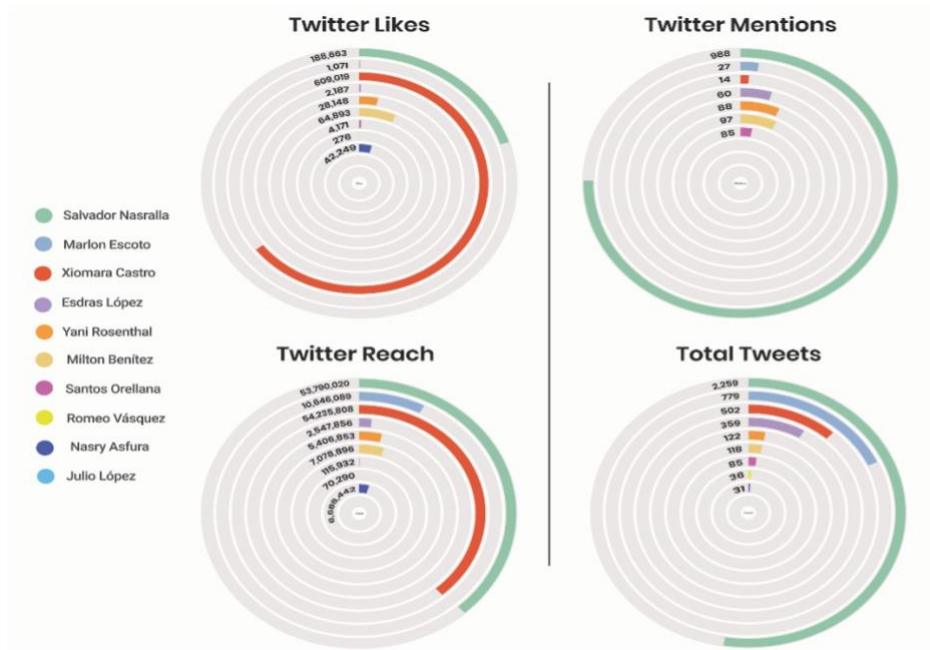
*From 1 Nov. to 5 Dec., the Instagram accounts of the political parties received 39,100 total interactions*

PNH received the highest number of total interactions (30,600 interactions), despite publishing less posts (44) than PSH (165) or HH (59). Their highest peak occurred from 21 to 27 November, with posts and videos promoting the events closing the campaign in San Pedro Sula and Tegucigalpa.



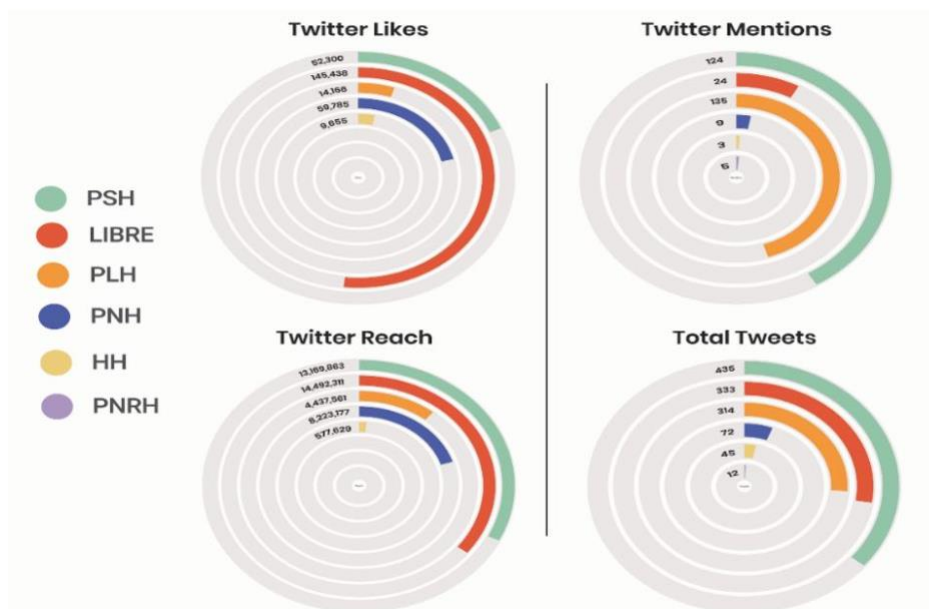
## TWITTER PRESIDENTIAL CANDIDATES

Salvador Nasralla, LIBRE Vice President, was the most active figure on Twitter with 2,259 tweets over the observation period, that reached 53.7 million users. He made 988 mentions in total. The EU EOM Twitter account (@mouehonduras2021) was among the top 5 most mentioned ones by Salvador Nasralla, mostly to denounce irregularities and fraud. Xiomara Castro (LIBRE) was second in number of tweets (502) obtaining a reach of 54 million users.



## TWITTER POLITICAL PARTIES

PSH was the most active party in number of tweets (435) reaching 13 million users. LIBRE was the second most active one with 333 tweets that reached 14.4 million users, followed by the PLH with 314 tweets.



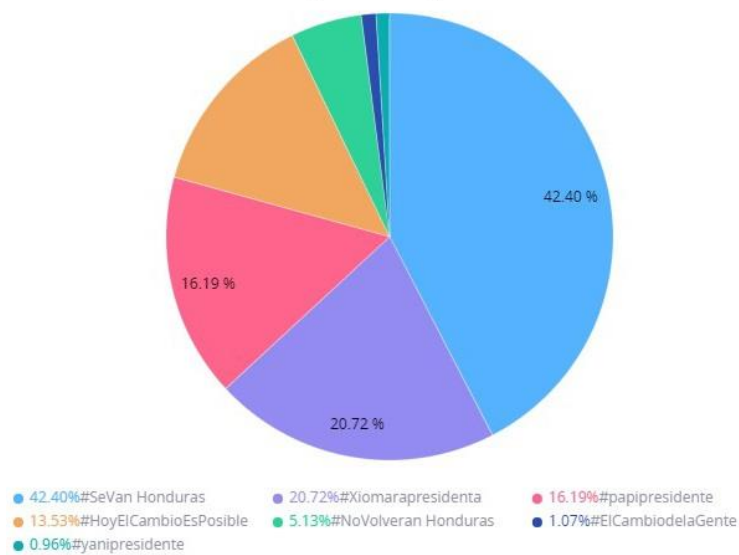


## POLITICAL HASHTAGS MOST USED ON TWITTER

There were two main narratives on social media networks: the LIBRE coalition and their supporters used **#SeVan** (#TheyLeave) in reference to kicking the PNH out of power, whereas the PNH launched the counter-campaign **#NoVolverán** (#TheyWillNotComeBack). Alongside this, the PLH used **#ElCambioDeLaGente** (#TheChangeOfPeople) to promote their programme. The PSH promoted the vote for their candidates for Mayoral and Deputies with **#HoyElCambioEsPosible** (#TodayTheChangeIsPossible).

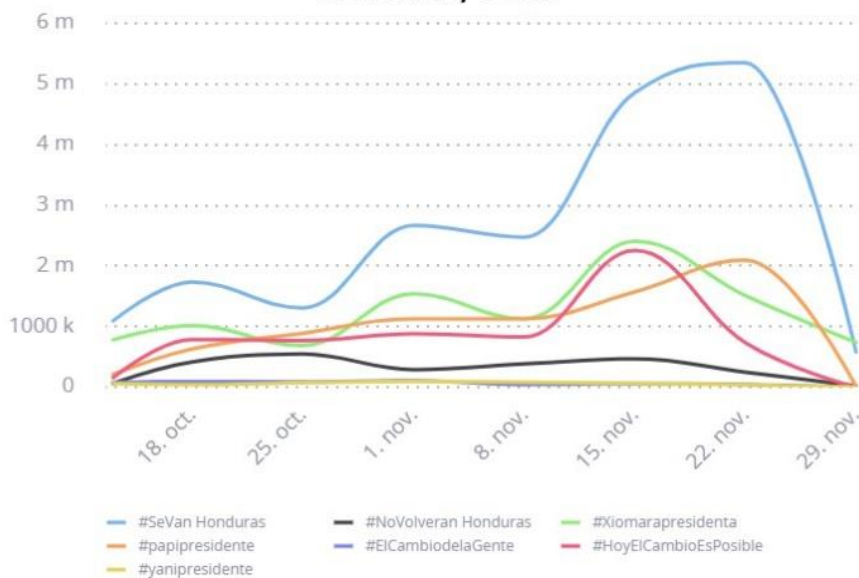
In addition, the most used hashtags to support the presidential candidates of the three leading parties were: **#XiomaraPresidenta** (#XiomaraPresident) for LIBRE, **#PapiPresidente** (#DaddyPresident) for PNH and **#YaniPresidente** (#YaniPresident) for PLH.

Comparison by Reach



A comparative analysis of the hashtags' reach on Twitter from 13 October until election day on 28 November shows that **#SeVan** (42.40 per cent) and **#XiomaraPresidenta** (20.72 per cent) were the most used hashtags, followed by **#PapiPresidente** (16.19 per cent), **#HoyElCambioEsPosible** (13.53%) and **#NoVolverán** (5.13 per cent).

Mentions by reach



Since the start of the monitoring period on 13 October, **#SeVan** was consistently the most mentioned hashtag, with a notable increase the weeks ahead of the election on 28 November.



## WORD CLOUDS

The below visualizations show the most prominent or frequent words used on Twitter around the two main hashtags #SeVan and #NoVolveran from 13 October until the elections on 28 November 2021. The words in green and blue show a positive and neutral sentiment respectively, while the red ones show a negative sentiment.



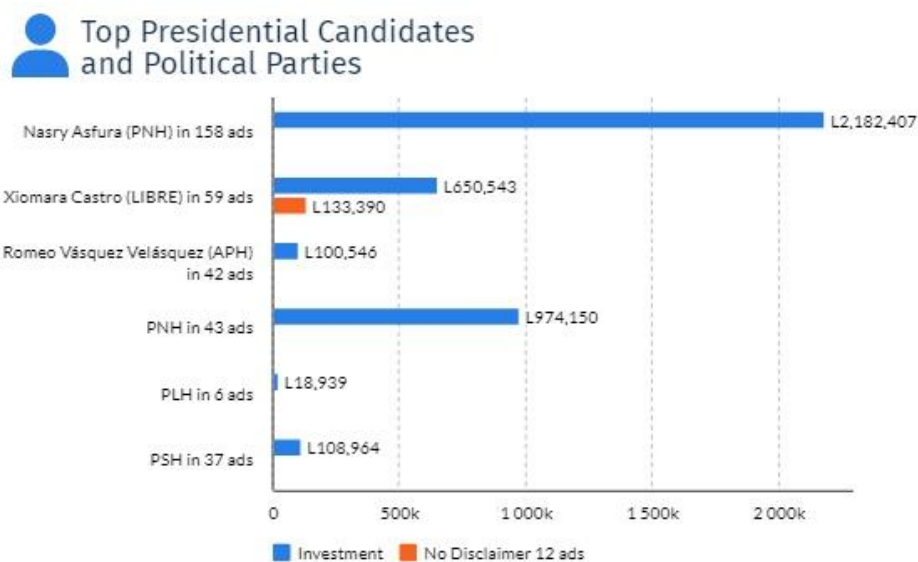
The below visualizations show the most prominent or frequent words used on Twitter around the three leading political parties, LIBRE, PNH and PLH, from 13 October until the elections on 28 November 2021. The green and blue words show a positive and neutral sentiment respectively, and the red ones show a negative sentiment.



## IV. Paid political advertising on social networks and online

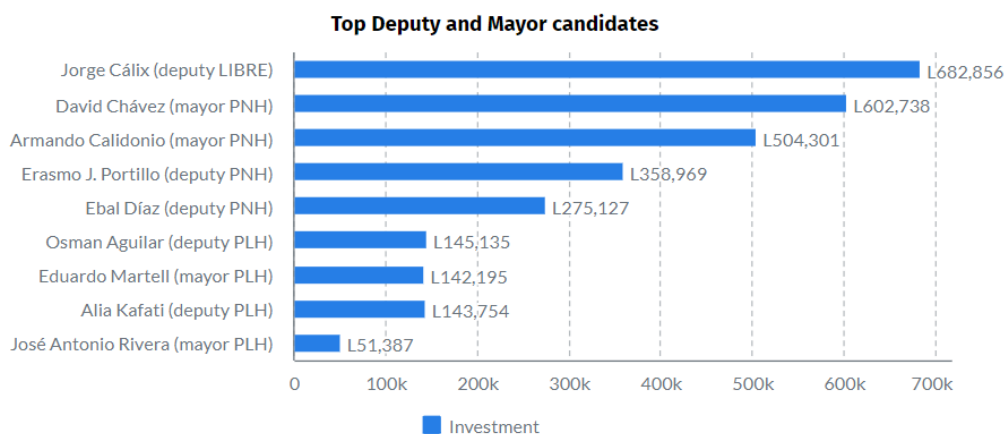
### Paid political advertising on Facebook and Instagram

Data from Facebook Ads Library for all advertising about “social issues, elections and politics” from September 6 until December 4, 2021, running from across Facebook apps and services, including Instagram.



PNH, LIBRE, PLH, and PSH were the most active political parties investing in paid ads. PNH was the top advertiser with 43 ads and an investment of L974,150, followed by PSH (37 paid ads).

Among the presidential candidates, Nasry Asfura (PNH) was the top advertiser with 158 ads and the biggest investment of all (L2,182,407). Xiomara Castro (LIBRE) was second with a total of 59 paid ads, of which 12 were identified as “without disclaimer”. This means that they were not categorized as *Ads about social issues, elections, or politics*, which is required by Facebook in political advertising, along with disclosing who paid for the ad.



Deputy and Mayor candidates were very active using paid ads, in particular from PNH and PLH. Jorge Cálix (Deputy candidate for LIBRE) was the top investor (L682,856). However, despite a lower investment (L275,127), Ebal Díaz (Deputy Candidate of PNH) was the top advertiser in number of ads among all political candidates and parties with 667 paid ads by 4 December 2021.



## Paid Political advertising on Google Ads and Youtube

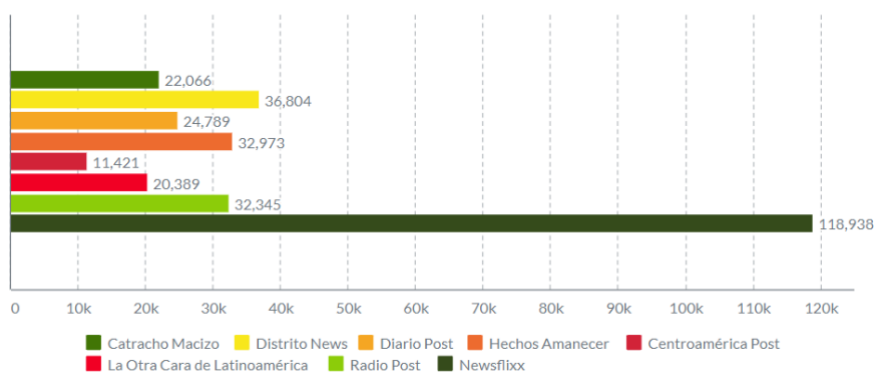
The EU EOM identified that PNH, LIBRE and PLH used paid political advertising on Google and YouTube. A number of ads were observed in national and international media outlets, such as La Prensa (Honduras), Diario las Americas (Miami) and El Mundo (Spain). LIBRE’s ads led to the website [www.votaporxiomara.com](http://www.votaporxiomara.com) (“Vote for Xiomara”). PNH’s ads led to the website [www.loquequeremosdepapi.com](http://www.loquequeremosdepapi.com) (“What We Want From Daddy”). Neither the quantity nor the investment could be systematically monitored, since the Google Transparency Report was not available in Honduras.



## V. Online political disinformation

### Investment in Facebook Ads

L.299,725 spend reaching 6,297 followers



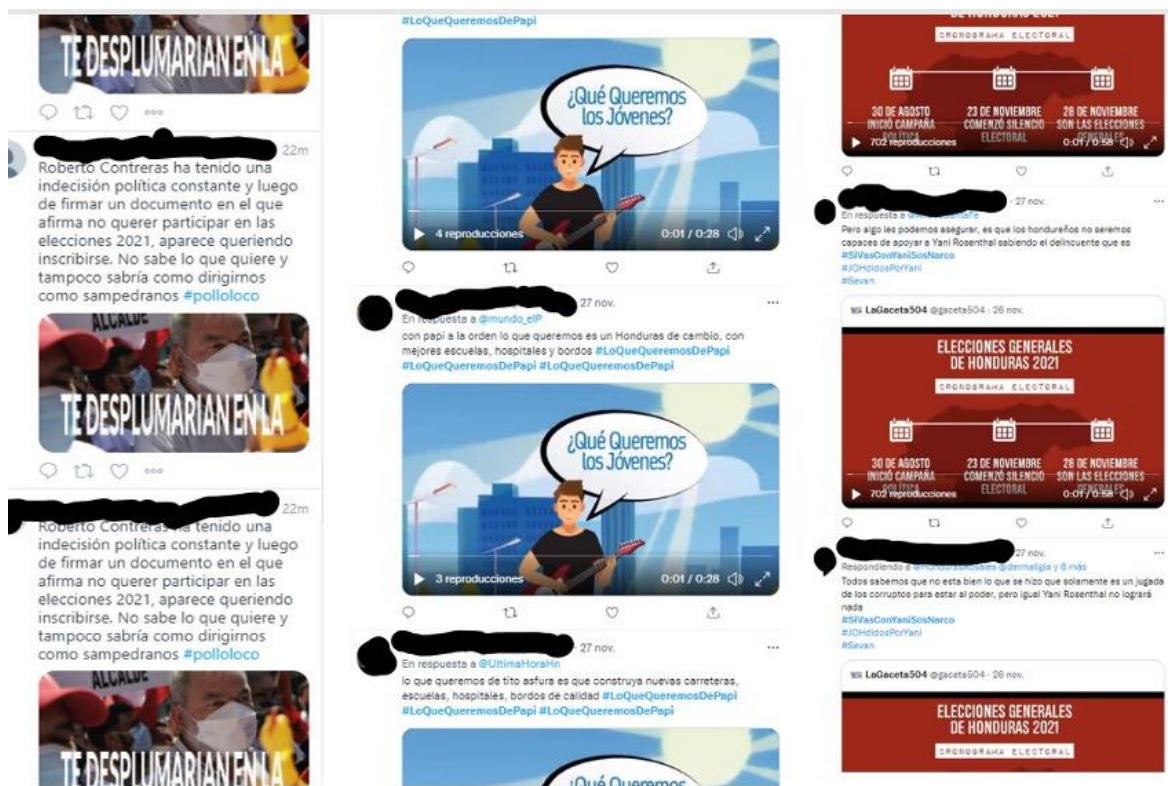
The EU EOM identified 8 Facebook accounts, created between October and November 2021, that were actively spreading disinformation about the presidential candidates using paid ads, more specifically about Xiomara Castro (LIBRE) and Yani Rosenthal (PLH). Altogether, the pages published 158 paid ads (L299,725) over the observation period.

Some of these ads were set up to look like news items from renowned media outlets, such as the BBC. The same type of fake ads were advertised on Google and YouTube, appearing in international media outlets such as El Pais XL (Spain) and diario Sport.

One of these accounts, [Newsflixx](#) was created as a personal blog on 22 October to ridicule and discredit the presidential candidate Yani Rosenthal (PLH). Content published on this account served as the origin of various waves of coordinated negative influence campaigns on Twitter against him. The account stopped its activity on 4 December 2021, a week after the elections.

## Coordinated influence campaigns

The EU EOM identified various online influence campaigns over the observation period, and over 440 Twitter accounts showing an inauthentic coordinated behaviour. In October, various waves of coordinated tweets from fake Twitter accounts spread the same content discrediting Roberto Contreras, former mayoral candidate for San Pedro Sula (LIBRE) using hashtag #PolloLoco (#CrazyChicken) at the exact same time. Groups of fake accounts were identified amplifying positive narrative about the presidential candidate Nasry Asfura (PNH), including a promotional video with hashtag #LoQueQueremosDePapi (#WhatWeWantFromDaddy), a few days before the elections. A group of at least 47 twitter accounts showing inauthentic behaviour engaged in discrediting Yani Rosenthal (PLH) over different periods of time using three different hashtags: #SiVasConYaniSosNarco (#IfYouSupportYaniYouAreANarco), #JohdidospoYani (#FuckedByYani) and #YaniRenunciaYa (#YaniResignNow), the week after the elections.

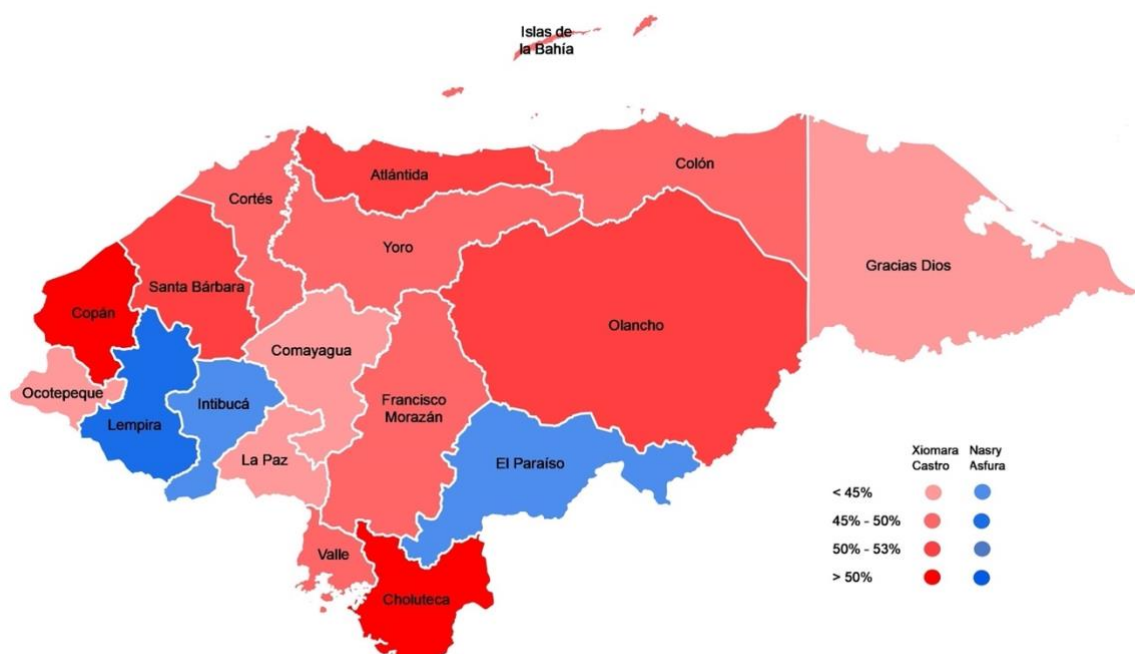


### Annex III. Final election results.

#### Final presidential election results

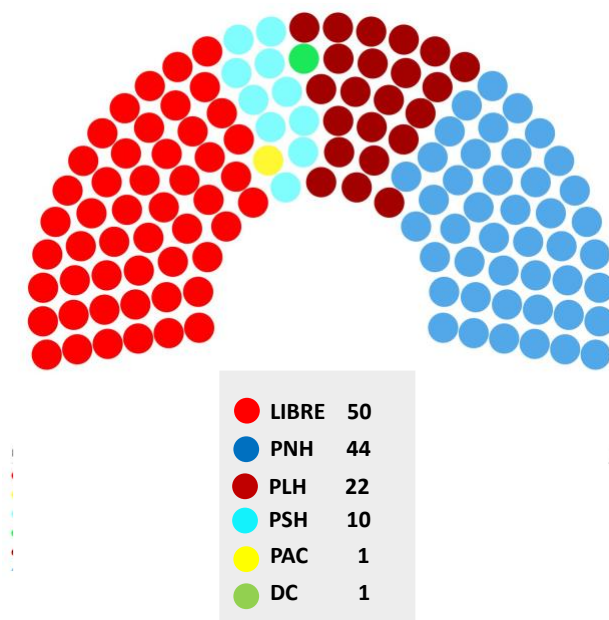
CANDIDATE	POLITICAL PARTY	# VOTES	PERCENTAGE
Xiomara Castro	LIBRE	1,716,793	51.12%
Nasry Asfura	PNH	1,240,260	36.93%
Yani Rosenthal	PLH	335,762	10.00%
Milton Ávila Benítez	INDEPENDENT	7,103	0.26%
Carlos Mauricio Portillo	PDCH	9,260	0.21%
Romeo Vásquez Velásquez	APH	6,556	0.20%
Kelin Ninoska Pérez Gómez	FRENTE AMPLIO	6,053	0.18%
Esdras López Rodríguez	NR	5,911	0.18%
Alexander Mira	UNOH	5,711	0.17%
Marlon Escoto Valerio	TSH	5,382	0.16%
Jose Alfonso Díaz Narváez	UD	5,081	0.15%
Julio Cesar López Casaca	PAC	4,181	0.12%
Jose Ramón Coto García	PDSC	3,768	0.11%
Lempira Viana Mora	PLDH	3,361	0.10%
Santos Rodríguez Orellana	MIDE	3,274	0.10%
<b>VALID VOTES</b>		<b>3,358,456</b>	
BLANK VOTES		79,979	2.23%
NULL VOTES		142,495	3.99%
<b>TOTAL VOTES CAST</b>		<b>3,580,930</b>	<b>68.58%</b>

#### Presidential election results by Department

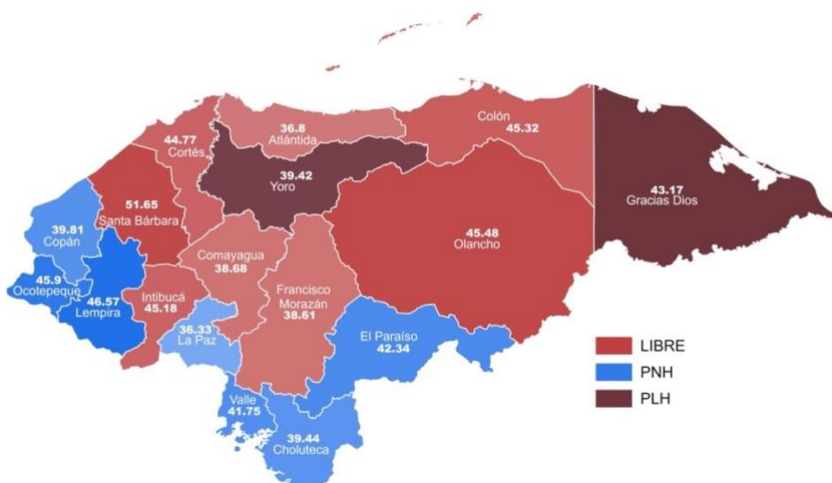




Congressional election results by party



Congressional election results by department



ATLANTIDA

PARTY/ALLIANCE	SEATS	VOTES	%
LIBRE	3	337,840	36.80%
PNH	3	292,941	31.91%
PLH	1	165,510	18.03%
PSH	1	63,453	6.91%

COLÓN

PARTY/ALLIANCE	SEATS	VOTES	%
LIBRE	2	143,302	45.32%
PNH	1	110,590	34.97%
PLH	1	32,825	10.38%

**COMAYAGUA**

PARTY/ALLIANCE	SEATS	VOTES	%
LIBRE	3	389,356	38.68%
PNH	3	363,139	36.08%
PLH	1	138,306	13.74%

**COPÁN**

PARTY/ALLIANCE	SEATS	VOTES	%
PNH	3	306,407	39.81%
LIBRE	2	235,546	30.61%
PLH	2	174,500	22.67%

**CORTÉS**

PARTY/ALLIANCE	SEATS	VOTES	%
LIBRE	9	3,911,737	44.77%
PNH	4	1,703,562	19.50%
PSH	4	1,633,215	18.69%
PLH	2	915,815	10.48%
PAC	1	106,230	1.22%

**CHOLUTECA**

PARTY/ALLIANCE	SEATS	VOTES	%
PNH	4	541,944	39.44%
LIBRE	3	421,753	30.69%
PLH	2	262,969	19.14%

**EL PARAÍSO**

PARTY/ALLIANCE	SEATS	VOTES	%
PNH	3	407,259	42.34%
LIBRE	2	326,918	33.99%
PLH	1	167,100	17.37%

**FRANCISCO MORAZÁN**

PARTY/ALLIANCE	SEATS	VOTES	%
LIBRE	9	4,662,090	38.61%
PNH	7	3,694,990	30.60%
PSH	4	1,945,399	16.11%
PLH	2	962,383	7.97%
PDCH	1	166,845	1.38%

**GRACIAS A DIOS**

PARTY/ALLIANCE	SEATS	VOTES	%
PLH	1	12,312	43.17%

**INTIBUCÁ**

PARTY/ALLIANCE	SEATS	VOTES	%
LIBRE	1	101,943	45.18%
PNH	1	68,436	30.33%
PLH	1	36,725	16.28%

**ISLAS DE LA BAHÍA**

PARTY/ALLIANCE	SEATS	VOTES	%
PLH	1	7,765	39.16%

**LA PAZ**

PARTY/ALLIANCE	SEATS	VOTES	%
PNH	1	70,320	36.33%
LIBRE	1	66,364	34.29%
PLH	1	44,264	22.87%

**LEMPIRA**

PARTY/ALLIANCE	SEATS	VOTES	%
PNH	2	273,056	46.57%
LIBRE	2	225,887	38.52%
PLH	1	73,190	12.48%

**OCOTEPEQUE**

PARTY/ALLIANCE	SEATS	VOTES	%
PNH	1	42,825	45.90%
PLH	1	28,092	30.11%

**OLANCHO**

PARTY/ALLIANCE	SEATS	VOTES	%
LIBRE	3	502,555	45.48%
PNH	3	426,348	38.58%
PLH	1	122,829	11.11%

**SANTA BARBARA**

PARTY/ALLIANCE	SEATS	VOTES	%
LIBRE	5	767,692	51.65%
PNH	3	569,403	38.31%
PLH	1	82,586	5.56%

**VALLE**

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<b>PARTY/ALLIANCE</b>	<b>SEATS</b>	<b>VOTES</b>	<b>%</b>
PNH	2	110,936	41.75%
PLH	1	89,968	33.86%
LIBRE	1	55,835	21.01%

**YORO**

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<b>PARTY/ALLIANCE</b>	<b>SEATS</b>	<b>VOTES</b>	<b>%</b>
LIBRE	4	612,366	39.42%
PNH	3	543,497	34.99%
PLH	1	214,748	13.82%
PSH	1	110,489	7.11%

**ANNEX IV. Samples of potential tampering with results protocols.**

Polling station 4333, San Pedro Sula (Cortés): Votes for LIBRE and PNH candidates marked in red appear not to follow the same pattern as the votes for other candidates from the same lists and from neighbouring polling stations 4332 and 4334 in the same voting centre.

CNE		INICIO DEL ESCRUTINIO: 9:08		FINALIZACIÓN DEL ESCRUTINIO: 11:00		ACTA DE CIERRE DIPUTADOS		CORTES SAN PEDRO SULA URBANA COL. CALIFORNIA CEN ALCE EDUARDO ALAMAZ LAJONTE NO. 2		JUV. N° 4333		ELECCIONES GENERALES 2021	
LIBRE	PNH	UN	DC	UD	OTROS	LIBRE	PNH	UN	DC	UD	OTROS	LIBRE	PNH
003	001	000	001	000	152	025	001	000	004	000	019	125	000
003	002	000	001	000	021	021	007	000	004	002	019	128	000
003	003	000	002	000	012	022	001	000	004	000	012	135	000
003	003	001	007	000	027	030	001	000	004	000	010	030	001
003	002	000	007	000	102	023	001	000	004	000	011	027	001
003	001	000	003	000	029	025	000	000	004	001	012	027	000
003	001	000	003	000	032	022	000	000	004	000	013	025	002
003	001	000	002	000	033	024	000	000	004	001	013	027	000
003	001	000	001	000	014	024	000	000	004	002	012	030	000
003	001	000	002	000	751	022	000	000	004	001	013	025	000
003	001	001	002	000	027	024	000	000	004	005	011	025	000
003	001	000	003	000	052	026	000	000	005	000	014	025	000
003	001	000	001	000	025	023	000	000	004	000	012	025	000
003	001	000	001	000	011	025	000	000	004	000	011	025	000
003	001	000	002	000	023	022	000	000	004	000	013	025	000
003	001	000	000	000	023	024	000	000	004	000	013	025	000
003	001	000	001	000	023	023	000	000	004	000	012	025	000
003	002	000	085	000	077	024	001	000	005	000	011	025	000
002	001	000	001	000	022	024	000	000	004	000	012	025	000
002	001	000	002	000	024	024	000	000	004	000	011	023	000

	Jossie R. Garrido 2019 785 0924 Nanday Vancet 2010 774 0075 Wilfredo Vilchavez 2011 176 04 363 Maria Sol Beliz 2008 769 9 0444	Juan Carlos Pineda 2017 726 0201 Carlos Hernandez 2000 170 0045	190 170 012 003 Eddie Mejia 2001 201 0402
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CNE		INICIO DEL ESCRUTINIO: 7:26		FINALIZACIÓN DEL ESCRUTINIO: 9:05		ACTA DE CIERRE DIPUTADOS		CORTES SAN PEDRO SULA URBANA COL. CALIFORNIA CEN ALCE EDUARDO ALAMAZ LAJONTE NO. 2		JUV. N° 4332		ELECCIONES GENERALES 2021	
LIBRE	PNH	UN	DC	UD	OTROS	LIBRE	PNH	UN	DC	UD	OTROS	LIBRE	PNH
001	000	001	004	001	071	018	000	000	001	000	010	025	003
001	000	001	001	001	068	018	000	000	001	002	011	026	002
001	000	002	003	001	071	015	000	001	001	000	010	028	002
002	000	001	001	001	069	015	000	000	001	000	012	024	003
002	000	001	002	001	069	019	000	000	002	000	010	025	003
001	000	001	001	001	067	014	000	001	001	001	010	027	002
001	000	001	001	001	066	016	001	000	001	001	011	023	002
001	000	001	001	001	066	016	000	000	001	000	009	029	003
001	000	001	001	001	066	016	000	000	001	000	011	023	002
001	000	001	001	001	068	016	000	001	001	000	011	023	002
001	001	001	001	000	067	013	000	001	001	000	009	024	002
001	000	001	001	000	063	014	001	000	001	000	012	023	002
002	000	001	001	000	065	013	000	000	001	000	009	022	002
002	000	002	001	000	064	014	000	000	001	000	013	022	002
002	000	001	002	000	063	014	000	000	001	000	010	026	002
002	000	001	002	000	062	014	000	000	001	000	009	024	003
001	000	001	001	000	062	013	000	000	001	000	009	023	002
001	000	001	001	000	063	014	000	000	001	000	009	022	002
001	000	001	001	000	062	013	000	000	001	000	009	022	003
001	001	001	002	003	062	014	000	000	001	000	009	024	002

	Juan Velazquez 2017 143 00 2272 Henry Santos 1997 170 00 0008 Juan Reyes 2002 202 00 0051	Araceli Lopez 2017 02 02 0202 Lidia Medina 2016 02 02 0202	158 140 005 013
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**CNE** INICIO DEL ESCRUTINIO: 08:45 FINALIZACIÓN DEL ESCRUTINIO: 11:00  
**ACTA DE CIERRE DIPUTADOS**  
 CORTES SAN PEDRO SULA  
 UPRISA  
 CUL. CALPAJUL  
 CEB. ALBA ROSARIO ALBAZ LAGOS NO. 2  
 JULY N° 4324  
**ELECCIONES GENERALES 2021**

LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS
001	001	000	002	001	000	060	028	000	000	001	004	007	020	000						
001	000	002	002	000	058	035	000	000	002	005	007	020	000							
001	000	001	002	000	059	030	000	000	001	005	006	020	000							
001	000	001	002	001	063	031	000	000	002	004	005	020	000							
003	001	002	001	000	060	031	000	000	002	002	007	020	000							
001	000	002	001	000	058	030	000	000	001	003	005	020	000							
001	000	009	001	000	054	030	000	000	001	003	007	023	000							
001	000	004	002	001	062	029	000	000	001	003	005	022	000							
002	000	003	001	000	060	030	000	000	001	003	005	020	000							
001	001	002	002	000	058	028	000	000	002	003	005	020	000							
001	000	002	001	000	060	029	000	000	001	003	005	020	000							
002	000	002	001	000	059	028	000	000	001	003	005	020	000							
001	001	003	002	000	059	028	000	000	001	003	005	020	000							
001	000	002	001	000	060	028	000	000	001	003	005	020	000							
001	000	007	001	000	059	026	000	000	001	003	005	020	000							
002	000	002	002	001	060	026	000	000	001	003	005	020	000							
001	000	003	003	001	060	028	000	000	001	003	005	020	000							
001	000	002	002	001	060	026	000	000	001	003	005	020	000							
001	000	001	001	001	051	028	000	000	001	003	005	022	000							
001	000	002	002	001	059	028	000	000	001	003	005	022	000							

Polling station 9584, Tegucigalpa (Francisco Morazán): votes for PNH candidates marked in red appear not to follow the same pattern as the votes to other candidates from the same list and from neighbouring polling stations 9583 and 9585 in the same voting centre.

**CNE** INICIO DEL ESCRUTINIO: 7:00 FINALIZACIÓN DEL ESCRUTINIO: 9:20  
**ACTA DE CIERRE DIPUTADOS**  
 FRANCISCO MORAZAN  
 DISTRITO GENERAL  
 UPRISA  
 RD. EL REPARTO  
 JULY N° 4324  
**ELECCIONES GENERALES 2021**

LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS	LISTA	CANDIDATO	VOTOS
003	000	002	002	001	074	033	000	003	007	000	016	028	004							
003	003	007	000	001	064	024	000	000	003	000	013	143	003							
003	000	002	003	001	068	029	000	009	004	000	014	132	004							
003	000	003	001	001	068	022	000	001	003	000	015	122	002							
003	000	002	000	001	066	021	000	001	003	000	011	077	004							
007	000	003	001	001	065	021	000	002	004	000	013	140	002							
003	000	002	001	001	067	022	000	001	005	000	014	148	003							
003	000	002	000	001	070	023	000	002	004	000	010	093	003							
003	000	001	001	002	066	022	001	001	004	000	013	180	004							
003	000	001	000	002	068	021	000	001	003	000	014	177	004							
003	000	001	000	001	079	021	000	001	003	001	011	200	004							
003	000	001	000	001	065	021	000	001	005	000	013	082	002							
003	000	002	001	001	060	022	000	002	004	001	012	074	003							
004	000	001	000	001	061	021	000	001	003	000	012	078	002							
003	000	002	000	001	065	021	000	001	003	000	012	063	002							
003	000	002	000	001	067	022	000	001	003	000	012	061	002							
003	000	001	000	001	066	024	000	001	009	000	012	062	003							
003	000	002	000	001	061	022	000	001	003	000	012	063	002							
003	000	001	000	001	063	022	000	001	003	000	012	062	002							
003	000	001	000	001	062	021	000	001	003	002	012	064	002							
003	000	001	000	001	062	021	000	001	002	000	012	053	001							
003	000	001	000	001	059	023	000	000	002	004	000	053	001							
003	000	002	001	001	058	020	000	001	004	000	009	058	002							



**CNE** INICIO DEL ESCRUTINIO: 07:30 FINALIZACIÓN DEL ESCRUTINIO: 09:30  
**ACTA DE CIERRE DIPUTADOS** FRANCISCO MORAZAN DEPARTAMENTO CENTRAL, URBANA, BO. EL REPARTO ANTICENTRO LOCAL, BO. EL REPARTO  
JEV N° 5562

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45			
001	002	003	004	005	006	007	008	009	010	011	012	013	014	015	016	017	018	019	020	021	022	023	024	025	026	027	028	029	030	031	032	033	034	035	036	037	038	039	040	041	042	043	044	045				
001	001	000	000	000	000	001	000	000	000	001	000	000	000	000	000	000	000	001	000	000	000	000	001	000	000	000	000	001	000	000	000	000	000	000	000	001	000	000	000	000	000	001	000	000	000	000		
[Handwritten data for 45 rows]																																																
																									185	150	016	019																				

**CNE** INICIO DEL ESCRUTINIO: 08:35 FINALIZACIÓN DEL ESCRUTINIO: 11:35  
**ACTA DE CIERRE DIPUTADOS** FRANCISCO MORAZAN DEPARTAMENTO CENTRAL, URBANA, BO. EL REPARTO ANTICENTRO LOCAL, BO. EL REPARTO  
JEV N° 5563

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45			
001	002	003	004	005	006	007	008	009	010	011	012	013	014	015	016	017	018	019	020	021	022	023	024	025	026	027	028	029	030	031	032	033	034	035	036	037	038	039	040	041	042	043	044	045				
001	000	001	000	000	001	000	000	000	001	000	000	000	000	000	000	001	000	000	000	000	001	000	000	000	000	001	000	000	000	000	000	000	000	001	000	000	000	000	000	001	000	000	000	000	001	000	000	000
[Handwritten data for 45 rows]																																																
																									202	157	008	004																				





**ANNEX V. Transparency of the TREP and the voter identification biometric solutions:**

<b>Solution</b>	<b>Scope</b>	<b>Tender ID</b>	<b>Evaluation</b>	<b>Awardee</b>
TREP	Lot 1. Transmission, tabulation and dissemination software and hosting infrastructure	CNE-PEG-UCCE-001/2021	Public	Grupo MSA S.A.
TREP	Lot 2. TREP kits equipment	CNE-PEG-UCCE-001/2021	Public	Consorcio Tecnológico Centroamericano
TREP	Lot 3. Power supply peripherals	CNE-PEG-UCCE-001/2021	Public	International Technology Group S.A.
TREP	Satellite communications from voting centres	CNE-PEG-UCCE-045/2021	Non-public	Smartmatic
TREP	Telecommunications equipment and services	CNE-PEG-UCCE-048/2021	Non-public	TIGO and CLARO
Biometrics	Lot 1. Biometric motor and migrations and deduplication services	CNE-PEG-UCCE-003-2021	Public	Smartmatic International Holding B.V.
Biometrics	Lot 2. Biometric handhelds	CNE-PEG-UCCE-003-2021	Public	Smartmatic International Holding B.V.
TREP / Biometrics	Audit services	CNE-PEG-UCCE-070-2021	Non-public	CGST Corp

**ANNEX VI. Key dates for the TREP and Biometric tenders:**

<b>Solution</b>	<b>Tender ID</b>	<b>Published</b>	<b>Submission deadline</b>	<b>Award</b>	<b>Contract Signature</b>
TREP	CNE-PEG-UCCE-001/2021 Lot 1	11-08-2021	20-08-2021	25-08-2021	05-10-2021
TREP	CNE-PEG-UCCE-001/2021 Lot 2	11-08-2021	20-08-2021	25-08-2021	27-09-2021
TREP	CNE-PEG-UCCE-001/2021 Lot 3	11-08-2021	20-08-2021	25-08-2021	27-09-2021
TREP	CNE-PEG-UCCE-045/2021	12-10-2021	14-10-21	Unknown	Unknown
TREP	CNE-PEG-UCCE-048/2021	12-10-2021	15-10-2021	Unknown	Unknown
Biometrics	CNE-PEG-UCCE-003/2021 Lot1	14-08-2021	26-08-2021	01-09-2021	27-09-2021
Biometrics	CNE-PEG-UCCE-003/2021 Lot 2	14-08-2021	26-08-2021	01-09-2021	27-09-2021
Both	CNE-PEG-UCCE-070/2021	01-11-2021	08-11-2021	Unknown	15-11-2021



