

THE MAY 7 PANAMANIAN ELECTIONS

A Pre-Election Report

**Prepared for the
NDI/NRIIA International Delegation**

April 24, 1989

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I. INTRODUCTION

The May 7, 1989 Panamanian national and local elections are drawing considerable attention from the international community, particularly of governments in the Western Hemisphere. This is a result of hemispheric interest in promoting democratic forms of government, and the perception that a fair election could help resolve Panama's severe political and economic crises. It is in this context that various institutions, including the National Republican Institute for International Affairs (NRIIA) and the National Democratic Institute for International Affairs (NDI), are planning to observe the upcoming elections.

Both Institutes have considerable experience in this field. They co-sponsored a 44-member international delegation for the 1986 snap elections in the Philippines, and a smaller joint delegation observed the constitutional referendum in Haiti the following year. NDI also has organized international delegations for the aborted November 1987 elections in Haiti, the October 1988 presidential plebiscite in Chile and the November 1988 National Assembly elections in Pakistan.

For the Panamanian elections, the Institutes are planning to co-sponsor a 60-member international delegation. The delegation includes former heads of government, legislators, political party leaders and electoral experts from Latin America, North America, Europe and Africa. The delegation represents a range of ideologies within the democratic political spectrum, and the United States contingent will be evenly balanced between Republicans and Democrats.

A. The Advance Team

To prepare for the NDI/NRIIA delegation, an eight-member advance team visited Panama from April 3-10, 1989. The team sought: to explain the objectives of an international delegation sponsored by the institutes to Panamanian government, military, and electoral officials, political party representatives, leaders of civic organizations and others; to assess the political situation in Panama and the prospects for free and fair elections on May 7; and to make the necessary logistical arrangements for the international delegation.

The team included:

Glenn Cowan, NDI consultant and expert on computerization and the development of independent monitoring capacities;

Tracy Doherty, NRIIA consultant;

Mark Feierstein, NDI program officer;

Larry Garber, NDI senior consultant on electoral processes;

Robert Henderson, NRIIA vice president;

Leticia Martinez, NDI logistics coordinator;

Janine Perfit, NRIIA senior program officer; and

Stacy Sticht, NRIIA program officer.

To obtain an assessment of the situation throughout the country, the team visited the towns of Aguadulce, Chitre, Colon, David, Penonome and Santiago in addition to holding meetings in Panama City, the capital (Appendix 1 contains the delegation's itinerary and reports from the towns visited). Before leaving Panama, the team prepared a brief statement announcing, in general terms, the Institutes' plans for observing the elections (See Appendix 2).

This report describes the political situation in Panama a month before the elections. It focuses particular attention on the electoral process, the complaints regarding the process as presented primarily by the opposition, and the monitoring capabilities of different Panamanian institutions. Based on conversations with magistrates on the Electoral Tribunal and opposition representatives, the report also discusses the prospective role of international observers in the process.

B. Previous Monitoring Efforts

The advance team took note of two excellent previous reports on the electoral situation. The first was issued by the Inter-American Commission on Human Rights, an organ of the Organization of American States, which visited Panama from February 27 to March 3. The second was released by a multinational delegation, acting under the auspices of the Council of Freely-Elected Heads of Government, which visited Panama from March 12 to 16. The members of the delegation were designated by Council members former U.S. President Jimmy Carter, former Costa Rican President Daniel Oduber and Venezuelan President Carlos Andres Perez. Both reports analyzed the electoral process and raised concerns about the environment in which the elections are occurring. [Copies of the Commission and Council reports are included in the delegation's briefing book].

The NRIIA/NDI advance team explained that the Institutes' observation effort was independent of the efforts by the Inter-American Commission on Human Rights, the Council and others who had visited Panama during the past month or who would be visiting Panama before or during the elections. Nonetheless, as discussed in more

detail later in the report, these visits by different organizations appear to be having some impact on the Electoral Tribunal. However, the effect on the government and, more importantly, the Panamanian Defense Forces (PDF) is more difficult to discern.

II. CURRENT POLITICAL SITUATION

A full-fledged electoral campaign is underway in preparation for the voting on May 7. Banners, billboards, flags, and posters festoon the country. The candidates for president and vice president are running national campaigns through the electronic and print media and make frequent public appearances. Rallies and caravans of cars have been the most frequent means to mobilize and demonstrate support.

The opposition Democratic Alliance of Civic Opposition (ADOC) has sought to portray the election as a referendum on General Manuel Antonio Noriega, commander-in-chief of the PDF. The opposition coalition has issued few detailed policy proposals, emphasizing instead Noriega's suppression of civil liberties and the military's predominant role in government and economic affairs. Opposition figures decry more than 20 years of "military dictatorship" and want the military to resume the more apolitical role it played until 1968. The opposition promises to establish the supremacy of civilian authority over the military in public affairs and has said it will seek to remove Noriega from his position in the PDF.

The pro-government Coalition for National Liberation (COLINA) has sought to energize its diverse coalition behind the nationalist themes of independence and sovereignty. COLINA's campaign has focused on

Panama's relationship with the United States and the sensitive issues surrounding the transfer of control over the Panama Canal. The patriotism of opposition candidates is regularly questioned by the COLINA leadership. The opposition is accused of being traitors, involved in a United States attempt to keep the canal.

The COLINA platform and stump speeches stress continuity with the revolution of former head of the National Guard Omar Torrijos and the reordering of political life that has evolved since 1968 and that has given opportunities to thousands of people previously excluded from positions dominated by the nation's "oligarchy." As Torrijos is still held in esteem by many Panamanians, not surprisingly, COLINA's leading party, the Democratic Revolutionary Party (PRD), which was founded in 1979 by Torrijos, has wrapped itself and presidential candidate Carlos Duque in the imagery of the Torrijos era. For example, several posters show a young Duque standing next to Torrijos, accompanied by words of praise for the candidate from Torrijos: "the most honest and loyal man I have known." Also, COLINA television advertisements accuse the opposition of wanting to reverse the social advances achieved under Torrijos.

The most current polling data, conducted by a respected Venezuelan organization, shows COLINA trailing ADOC 56 percent to 24 percent. However, this is based on head-to-head comparisons of the three presidential candidates. Many observers believe individual PRD candidates can out poll Duque and retain or win legislative and municipal seats, though reliable polling in these races is unavailable.

The present government and the military have not hid their support for the COLINA slate of candidates. Recent statements by Noriega and Minister-in-Charge of the Presidency Manuel Solis Palma contribute to the opposition fears that the elections will not be fair. For example, in a March 28 speech, Noriega stated that "we (the military) will not be passive witnesses to anybody's victory other than COLINA's." That same day, Solis Palma said: "I want to tell the ministers, the deputy ministers, and the directors and deputy directors of autonomous state institutions that doing a good job is not enough. One must be a nationalist and a Panamanian."

The government has also tried (apparently with no success) to make a campaign issue of the economic sanctions imposed by the United States last year. The sanctions seem to have contributed to the government's declining popularity by worsening the plight of the average Panamanian. There are also reports of hunger in the poorer metropolitan areas along the Panama/Colon corridor where over 60 percent of the population lives.

III. RECENT DEVELOPMENTS IN THE ELECTORAL PROCESS

There is continued confusion in Panama concerning details of the electoral process. Just a few weeks before the elections, provisions of the Electoral Code are being amended and interpretations are still being debated. While the existing uncertainty hampers the ability of individuals or groups to monitor the process or to file complaints with authorities, the opposition has documented many alleged violations of the Electoral Code.

Subsequent sections of this report deal with specific allegations by opposition activists regarding what they see as irregularities in the preparations and process. While these charges are described in this report, it was not the advance team's purpose to make a detailed investigation of each charge, but to consider how these charges might impact on the observer mission. On the whole, the advance team concluded there is a general lack of confidence in the electoral process by many Panamanians, and that the May 7 elections are not as sound as the Institutes have seen elsewhere. These conclusions strengthen our conviction that international missions can contribute to free and fair elections in Panama, and that the Institute's joint mission should proceed.

A. Electoral Registry

The opposition contends the government has been tampering with electoral registries by deleting opposition supporters and adding fictitious names to permit government partisans to vote more than once. In a memo to the Electoral Tribunal, Guillermo "Willy" Cochez, a leading Christian Democratic legislator, alleged that this operation is being directed by a PDF major. In one of many formal complaints he has filed with the electoral prosecutor (fiscal), Cochez charged that in the district of El Guasimo in Los Santos province, the number of voters on the electoral registry has increased from 376 to about 800. Most of the people on the list, he said, have identification card (cedula) numbers that correspond to the provinces of Panama and Colon, and are unknown to the town's residents.

The opposition has published lists of voters who allegedly have been deleted from the electoral registries or have been assigned to polling places far from their homes. Assigning voters to polling sites at inconvenient locations would serve two purposes, according to the opposition. First, it would discourage the voter from casting his or her ballot. Second, it would enable the government to issue a cedula in that person's name to another voter. However, according to the Electoral Tribunal director in David, much of the problem stems from the fact that voters assume that they will be assigned to vote at the site nearest their residence, even if they have moved and have failed to inform the Electoral Tribunal.

The opposition has also published a list of people who allegedly have more than one cedula number, which would enable them to vote more than once if they appear on the electoral registry at more than one voting table (mesa). Cochez filed a complaint charging that photographs for duplicate cedulas have been taken in the National Bank and in casinos.

The opposition has noted the unusually large increase in the number of registered voters -- 29 percent -- since 1984 and concluded there are large numbers of fictitious voters or many individuals listed on the registry more than once. However, the president of the Electoral Tribunal told the delegation that the unusual increase occurred because the 1982 census, upon which the 1984 registry was based, was incomplete. For these elections, the Tribunal says an extra effort was made to register those eligible to vote who had not previously registered.

B. Voting by the Armed Forces

One of the opposition's greatest concerns is that members of the 15,000-member Panama Defense Forces will vote more than once, as they allegedly did in 1984. When the Electoral Code was completed last year, the opposition was partially satisfied with a provision that required members of the armed forces to vote at the end of the day; thus making multiple voting more difficult. However, a pamphlet of instructions (cartilla, p. 17) prepared by the Electoral Tribunal for use by electoral officials lists members of the armed forces among those who can vote at any time when the polls are open. The opposition, noting that only the Legislative Assembly is empowered to amend the Electoral Code, criticized the Tribunal for having made the change on its own.

An additional source of concern and confusion has been whether members of the armed forces must appear on the electoral registry of the mesa where they will be casting their ballot. According to Article 8 of the Electoral Code, "party pollwatchers, firemen and members of the armed forces assigned to mesas ... can vote where they perform their functions, so long as they appear on the [national] Electoral Registry." However, Article 9 provides that the aforementioned individuals do not also have to appear on the electoral registry list of the individual mesa where they are performing duty.

In contrast, all other prospective voters, including election officials and medical personnel working on election day, cannot vote unless their names appear on the electoral registry of the mesa where they seek to vote. Election officials and medical personnel must

request permission from the Electoral Tribunal to cast their ballots at a mesa other than their assigned one at least one month before the elections. Ten days before the elections, the Tribunal will publish a list of newly-assigned sites and a second list noting where these individuals were to have voted. Each mesa would then receive a list of voters originally assigned to that mesa, and two additional lists containing voters added to that mesa (list of inclusions) and those reassigned to another mesa (list of exclusions.)

During its visit, the advance team discovered a manual that indicated some people could vote without appearing on the mesa's electoral registry. The manual, published by the Panamanian Association of Business Executives (APEDE) for opposition poll watchers, highlights those "who can vote without being on the electoral registry, nor on the additional list at each mesa."

The president of the Electoral Tribunal, Yolanda Pulice de Rodriguez, assured the advance team that the manual was incorrect and that the Tribunal would inform those who produced it. The Tribunal vice president, Luis Carlos Chen, said that anyone who will have to vote at a site other than his assigned one because of professional responsibilities must inform the Tribunal and appear on an inclusion list. But in a telephone conversation with Chen following the team's return to Washington, the Tribunal vice president acknowledged that the armed forces was resisting the requirement to appear on the additional mesa list and that the interpretation in the APEDE document could be correct. Chen indicated that the Tribunal would be meeting on April 17 to clarify the matter.

C. Intimidation

Both the government and the opposition have been accused of intimidating voters. The most frequently expressed charge by the opposition is that the government has been firing public employees sympathetic with the opposition. Minister of Commerce Isaac Hanono was quoted in a pro-government paper saying that loyalty to the regime is a valid criterion for job security. The advance team also received a copy of a form that has allegedly been distributed to government employees asking them for the names of three people that the public employees can "guarantee" will vote for the government (Appendix 3).

The opposition is unsure how the forms might be utilized, as it would be difficult for an employee to guarantee the votes of the three people on the list. There is speculation, though, the government would use these names to prepare a list of apparent sympathizers to prove its popularity and justify a government victory. This is consistent with the government's alleged pressuring of public workers to register in the PRD. A pro-government paper recently disclosed the number of members in each political party, with the PRD enjoying a large advantage. The opposition contends the government should be mobilizing support for its candidates and encouraging voter turnout rather than registering new party members.

The opposition has also charged that the government has been handing out food to people in exchange for punching their cedulas in the same place the cedula will be punched on May 7 after they have voted. Such people mistakenly believe they have sacrificed their right to vote. However, a punched cedula is only one device electoral

officials utilize to determine whether someone has already voted. If the voter's signature does not appear next to his name in the electoral registry at his assigned mesa, he or she can still vote. The advance team was unable to obtain estimates of the number of people who have had their cedulas punched and believe they have been disenfranchised.

The government has also allegedly threatened isolated Indian communities with loss of assistance if they do not vote for COLINA in large numbers. Meanwhile, an opposition activist acknowledged to the advance team that the some 5,000 workers on the sugar plantation of former President Eric Arturo Del Valle have allegedly been told that if the opposition candidates in their district do not win, the workers will lose their jobs.

As the campaign entered the final month, reports of violence against opposition figures increased. On April 5, suspected regime militants kidnapped an opposition alternate legislative candidate and beat and threatened him. More recently, Carlos Arellano Lennox, a Christian Democratic legislator, accused government supporters of attacking his office with molotov cocktails. There is increasing concern that more widespread violence may break out in the days preceding the election or on election day. The government apparently plans to station paramilitary troops outside polling sites on election day. The opposition was particularly disturbed by a photo of a heavily armed paramilitary in a pro-government paper on April 7 with the caption "with blood and gunfire, we will defend the triumph of COLINA on election day."

D. Government and Military Role in COLINA Campaign

Opposition representatives throughout the country continue to complain that the government is utilizing state resources in favor of COLINA candidates. They reported that government employees are doing campaign work during work hours and that government property such as automobiles have been used for campaign purposes. At the Panamanian Defense Forces headquarters in the city of David, members of the advance team saw campaign posters urging voters to support COLINA and reject the ADOC candidates.

E. Tribunal's Handling of Complaints

The opposition has filed many formal complaints with the Tribunal about alleged violations of the Electoral Code committed by the government and military. In this respect, the opposition has sought to utilize available legal avenues, notwithstanding its frequently expressed belief that the Electoral Tribunal is merely in place to help the regime engineer electoral fraud.

The opposition has complained that the fiscal -- who is responsible for protecting citizens rights, monitoring the conduct of those involved with electoral procedures and prosecuting electoral abuses -- has not properly investigated the complaints filed by the opposition. "The electoral prosecutor is investigating absolutely nothing," Cochez wrote in a memo to the vice president of the Tribunal. The fiscal has been accused of avoiding meetings with the opposition and of taking too much time to resolve cases in which the right of candidates to appear on the ballot has been challenged.

Responding to these charges, the vice president of the Tribunal told the delegation that despite the many complaints filed by the opposition with the fiscal, the opposition has failed to adequately substantiate their claims. In an attempt to demonstrate the Tribunal's good faith, it has offered to permit representatives of NDI and NRIIA to review the opposition's complaints filed with the fiscal.

F. Release of Results

The Tribunal recently issued a decree prohibiting the media from releasing unofficial election results. This is of particular concern to the opposition because it plans to conduct an independent vote count and will want to publicize the figures obtained through its count, particularly if there are delays with the official count. According to media operators, it is unclear whether radio or television stations can interview someone who mentions the results of an independent vote count. Media operators fear that if they defy or test the prohibition, they may be arrested or lose their operating licenses.

G. Press Restrictions

Opposition newspapers remain closed, and restrictions have tightened on independent radio and television stations. On April 17, the Justice Ministry suspended a daily radio program directed by Cochez for violating a law that prohibits the dissemination of false news. The ministry did not specify how Cochez had allegedly violated the law.

The opposition also fears that the government may take advantage of the recent arrest in the United States of Carlos Eleta on drug charges in order to pressure the television station (Channel 4) owned by the Eleta family to limit its coverage of the opposition. Channel

4, Panama's most independent station, has already received a notice indicating it owes \$2 million in back taxes, a charge the Eletas believe is politically inspired.

IV. PREPARATIONS FOR ELECTION DAY

A. Designation of Election Officials and Party Pollwatchers

The Electoral Tribunal appoints three election officials (president, secretary and vocal) to administer each of the national and regional counting boards and the 4,255 mesas. Those appointed to the mesas, according to the Electoral Code, are to have basic mathematical, organizational and administrative skills.

Each of the 11 registered political parties had until April 7 to name representatives (jurados) to the mesas and counting boards. Among the opposition parties, the Christian Democrats expect to cover about 90 percent of the mesas, while the Authentic Liberals and Molirena hope to have representatives at about 70 percent of the mesas.

B. Voter Education Campaigns

The Electoral Tribunal and other institutions and organizations have been campaigning to encourage citizens to vote and inquire about their polling sites before election day. The Electoral Tribunal has run public service announcements in the print and electronic media explaining the voting procedure and announcing its voter information service. It has also placed small posters in public areas listing the telephone numbers of a service designed to notify people where they have been assigned to vote on May 7.

Political parties have been campaigning door-to-door and in public areas to encourage people to find out where they are to vote on May 7. Opposition parties in particular are afraid people may show up at the polling site where they voted in 1984 and discover they have been reassigned to another site.

The Catholic Church has played a relatively minor role in the electoral process. But on April 5 it issued a statement, read in churches on April 9, encouraging citizens to study the candidates and parties, and to vote for those who will benefit society as a whole. The National Civic Crusade also began a series of television spots in early April to encourage people to vote.

C. The Counting Process

Official Count

Official election results will be tabulated and promulgated by the various counting boards. The presidential tallies will be based on results accumulated from the 40 congressional district (circuito) counting centers. These circuitos will receive counts from each voting table (mesa) on official forms (actas) prepared at each polling place. There are 4,255 mesas at 1,944 polling places.

Official copies of these mesa level actas will eventually go to the national counting board and the national electoral board but are not part of the vote tally. Thus, at the national level only the national total and the 40 circuito results will be made public -- not the mesa by mesa tallies that make up the circuit counts.

As there will be no official mesa-level results announced at the national level, vote count comparisons must be based on accumulated

circuito or national figures. This makes early monitoring difficult as any parallel system could well be counting different mesas than those being reported officially.

It appears that the official government counting system will rely on moving the mesa level actas from the 1,940 polling places to the 40 circuito counting centers by some form of ground transportation. The circuito centers will communicate only their totals (not the mesa results) to Panama by electronic means.

It is presumed that these circuito level returns will commence whenever the circuito counting board sees fit and not at any specified interval. Thus, returns from one circuito might represent 40 percent of the total for that circuito while returns from another might be only fragmentary.

This system will make it difficult to make early accurate judgments about the overall outcome of the presidential race. Also, the absence of a legitimate voting history will make election-night forecasting pure guesswork until a considerable body of results are available.

The Defense Forces Count

It is rumored that the military will have access to mesa level returns throughout the night. These returns will be communicated from each polling place (1,940) by PDF personnel equipped with radio transceivers. Thus, the PDF should know early in the evening the results of the presidential election.

The Combined Opposition Count

Opposition vote tally watchers will bring mesa level returns from the polling places directly to one of 800 private homes throughout the country. From here they will be entered mesa by mesa into a micro-computer based data system.

Information from these centers will be faxed to one of the 10 provincial centers where it will be entered into a second micro-computer system. This provincial level data will be faxed to six different computer sites in Panama City for the accumulation of a national total.

This system will be used first at noon on election day to forecast turnout and to provide a rudimentary vote count based on the numbers of ballots removed from each mesa. This will be attempted again at 5:30 p.m. After the polls close, the system will forward a tabulation of the mesa level tally, which may be communicated even before the actual actas are certified.

The designers and managers of this system believe they can report 75 percent of the national returns two hours after the polls have closed. However, the scope and complexity of the undertaking may make this goal difficult to achieve.

Independent Count

There is a proposal, still in the planning stage, for lay members of the Church, acting with the sanction of the Church hierarchy to organize a statistical "quick count" operation modeled on that performed by the Committee for Free Elections in Chile. If this proposal develops and proves workable, it will serve two purposes.

First, it will provide the Church, Panama's most respected national institution, with an independent basis for assessing the results, particularly if there are conflicts between the official and opposition results. Second, the quick count should be able to project a winner of the presidential race relatively soon after the polls close.

V. INTERNATIONAL OBSERVERS

The issue of international observers has been a source of considerable discussion and controversy in Panama. The government has exhibited contradictory attitudes toward the presence of observers. The opposition, meanwhile, from the moment it decided to participate in the electoral process, has emphasized the importance of their being large numbers of international observers present for the elections.

A. Government Perspective

In 1986, magistrates on the Panamanian Electoral Tribunal participated in a meeting of election officials from countries in Central America and the Caribbean at which the Protocol of Tikal (named after the Guatemalan city where the meeting occurred) was adopted. As part of an effort to strengthen regional electoral institutions, the protocol committed the participating election officials to invite colleagues from other countries to observe elections in their country. The host country election officials would assume the responsibility of hosting and facilitating the observation effort. Pursuant to the protocol, the Panamanian Electoral Tribunal has been invited to designate observers for elections in neighboring countries, most recently for the March 19 election in El Salvador.

For the May 7 Panamanian elections, the Tribunal acknowledged and sought to fulfill its responsibilities under the protocol by inviting 30 observers from Central American and Caribbean countries. Initially, the Tribunal indicated that the Center for Electoral Training and Promotion (CAPEL), a Costa Rican-based organization that is part of the Inter-American Institute of Human Rights, would coordinate this observer effort. CAPEL has informally coordinated similar endeavors in other countries. However, CAPEL, fearful of being used by the government, responded cautiously to the suggestion that it coordinate the official observer effort.

Three CAPEL representatives visited Panama from April 3-6 to evaluate the situation. After meetings with government and electoral officials and political party leaders, CAPEL indicated to the Electoral Tribunal it would agree to coordinate the official observer effort only if certain conditions were met. These included: access to all aspects of the process and complete freedom in conducting the observation effort. In addition, CAPEL, in a departure from its previous practice, said it would issue a public report concerning its observations. While the Tribunal exhibited some interest in reaching an accommodation with CAPEL, the conditions ultimately were rejected by the government.

With CAPEL out of the picture, the Tribunal requested that the loosely-organized Association of Central American and Caribbean Electoral Bodies coordinate the official observer effort. On April 6, the Tribunal released a list of the 30 individuals who had been invited as observers (see Appendix 4). Not surprisingly, given the machinations surrounding the above process, the political opposition in

Panama has viewed with cynicism the Tribunal's pronouncement regarding its invitation of official election observers.

B. Opposition Attitude

The opposition has long stressed the importance of a large-scale international observer presence. The role the opposition expects the observers to play, however, is not always evident. On one level, observers are viewed as necessary to provide moral support for those participating in the process. At a second level, the observers' presence at polling sites is viewed as essential to deter fraud; thus the need for observers to visit polling sites throughout the country, even in remote areas. Finally, the observers are critical for reporting to the international community the fraud that is viewed by many in the opposition as inevitable. Observers have performed each of the above roles, singularly or in combination, for elections in other countries.

The Panamanian opposition's desire for large numbers of observers must be understood in the context of what transpired in 1984. That year, Panama held its first presidential election in 16 years. A close contest developed between the government-backed candidacy of Nicolas Ardito Barletta and the candidacy of Arnulfo Arias. Election day proceeded smoothly, until the counting of the votes began. At this point, according to the opposition, the government, seeking to deny Arias a victory at all costs, engaged in a fraud that allowed Barletta to be pronounced the victor by 1,713 votes.

The international community's reaction to the 1984 elections was muted. The elections occurred on the same day as the presidential

election run-off in El Salvador where media attention was focussed. While there were some international observers present for the Panamanian elections, they left soon after the balloting was complete, and many of them made public statements endorsing the process. The few observers who followed the process to its denouement and commented critically were basically ignored. The international community, including the United States, while acknowledging that the election may have been somewhat flawed, apparently concluded that the flaws were not sufficiently grave to warrant questioning the new government's legitimacy. Consequently, Barletta's inauguration was attended by high-ranking delegations from all of Latin America.

As set forth in Anatomy of a Fraud, a book prepared by Raul Arias de Para, a Christian Democratic alternate legislator, the opposition played the electoral game in 1984 by the established rules, despite viewing many of the rules as unfair, at least as applied by the Electoral Tribunal. The opposition's detailed complaints and challenges, filed with the appropriate authorities, did not result in either a credible examination of the evidence or international support for the opposition's position.

For the 1989 elections, the opposition is determined not to let history repeat itself. This time, if there is fraud, the opposition hopes it will draw the attention of the international community, and that any government emerging from a fraud will lack legitimacy. The opposition has stressed the importance of observers' monitoring all aspects of the process, including the campaign, the election day and, most important, the entire counting process.

To ensure that a large number of observers are present, various civic organizations associated with the opposition have formed the Committee to Support International Observers. The committee has sent invitations to political party leaders and others in countries around the world urging them to designate observers. The committee is offering to cover all in-country expenses of the observers, and to provide transportation and interpretation for them as necessary. The committee hopes that more than 200 individuals will respond to its invitation, allowing it to disperse these observers throughout Panama on election day.

C. Independent Observer Efforts

In addition to this effort, several organizations, including NRIIA and NDI, are organizing free-standing observer delegations. These delegations will arrange accommodations, transportation and interpretation independent of any Panamanian groups participating in the electoral process. They also will seek to meet with a broad spectrum of Panamanians to ensure they have obtained adequate information to make an objective assessment of the process.

With respect to independent observer efforts, government and military officials indicated to the delegation sponsored by the Council of Freely-Elected Heads of Government that anyone would be free to visit the country without hindrance. Indeed some military officials acknowledged that observers "would be beneficial to the process so long as they did not intervene in the process".

Since the council delegation's visit, however, the government's position has appeared to harden. The government continues to emphasize

that only the 30 official observers will have access to the polling and counting sites. Other individuals visiting the country at the time of the elections will be treated merely as tourists.

The sincerity of the government's commitment to permit individuals to visit Panama without hindrance at the time of the elections, however, is now open to question. On April 19, in an apparent attempt to deter United States nationals from visiting Panama for the elections, the Ministry of Tourism announced that beginning April 21, U.S. citizens would have to obtain a visa from a consulate recognized by the Solis Palma regime. Previously, U.S. citizens only had to obtain a tourist card from an airline. Nationals of countries other than the U.S. also have encountered difficulties obtaining visas. Further, while the NRIIA/NDI advance team was in Panama, a representative of the Ministry of Commerce indicated that everyone registering at the hotel where the Institutes planned to stay in Panama City would require permission from the ministry. The Institutes also are concerned by reports that government agencies would have to approve the rental of vehicles by private leasing agencies.

At the same time, the NRIIA/NDI advance team received assurances from the Electoral Tribunal that it would cooperate with the delegation being organized by the institutes to the extent possible. To date, the Tribunal has been very cooperative with international visitors, briefing them on the details of the electoral process and offering them opportunity to discuss their concerns with the relevant Tribunal officials. The Tribunal assured the delegation there were no laws preventing travel on election day throughout the country.

D. The Institutes' Plan of Action

Given the international interest in the May 7 elections and the requests made by several major actors participating in the electoral process, NRIIA and NDI are proceeding with plans to organize a high-level international delegation for the elections. The Institutes believe the presence of such a delegation for the elections will support the process and is consistent with contemporary practice, particularly in Latin America. The delegation, however, will not take sides in the elections nor attempt to supervise them. The Institutes recognize that the ultimate judgment about the electoral process will be made by the Panamanian people. The delegation will abide by all Panamanian laws, and will not interfere in the electoral process.

Representatives of the Institutes will begin arriving in Panama on April 25 to make final arrangements for the delegation and to obtain additional information on the electoral environment. The majority of the delegates will arrive in Panama on May 4. After a day of briefings in Panama City, the delegation will divide into teams that will visit the different regions of Panama on election day. Following the elections, the delegation will regroup in Panama City for a debriefing and, depending on the situation, issue a statement to the media. A small number of delegates will remain in Panama until the winners are proclaimed.

SCHEDULE OF MEETINGS
April 3-8, 1989
PANAMA

PANAMA CITY

Monday, April 3

- 11 a.m. Committee to Support International Observers
- 12:30 p.m. ADOC Representatives
- 3 p.m. Luis Carlos Chen
 Vice President
 Electoral Tribunal
- 5 p.m. National Civic Crusade

Tuesday, April 4

[Meetings outside Panama City, see infra]

Wednesday, April 5

- 11:30 a.m. Fernando Eleta
 Owner
 T.V. Channel 4
- 8 p.m. Luis Carlos Chen
 Vice President
 Electoral Tribunal

Thursday, April 6

[Meetings outside Panama City, see infra]

Friday, April 7

- 8:30 a.m. Sergio Rodriguez
 ADOC Campaign
- 10 a.m. Electoral Tribunal:

 Yolanda Pulice de Rodriguez
 President

 Luis Carlos Chen
 Vice President

 Carlos Bonilla
 Secretary General

3 p.m. Lamberto Mantovani
ADOC Campaign

6 p.m. U.S. Embassy:

John Maisto
Deputy Chief of Mission

Michael Polt
Political Counselor

7 p.m. Church Laity Involved in Election Monitoring

Saturday, April 8

9 a.m. Jose Chen Barria
Member, National Directorate
Christian Democratic Party

5 p.m. Fernando Eleta
Manager
RPC Radio

7 p.m. Fernando Nuñez Fabrega
Director
Radio Stations

PENONOME

Tuesday, April 4

4:30 p.m. Fran Martin
Legislative Candidate
Authentic Liberal Party

6 p.m. Carlos Calero
Representative, National Civic Crusade
(Aguadulce)

Wednesday, April 5

9 a.m. Major Maylin
Zone Commander

10 a.m. Colina Headquarters

AGUADULCE

11 a.m. Luis F. Narvaez R.
ADOC Legislative Candidate

Manuel E. Pinzon
ADOC Council Candidate

Noon Jose Fogarty
PRD Headquarters Representative

SANTIAGO

3 p.m. National Civic Crusade Representatives

5 p.m. Vladimir Salazar
Representative
Colina Headquarters

CHITRE

8 p.m. National Civic Crusade Representatives

Thursday, April 6

8 a.m. David Solis
Secretary
Christian Democratic Party

Jose T. Castellero
Director
Christian Democratic Campaign

9:30 a.m. Jorge Luis Pinilla
General Secretary
Liberal Party

Cesar Salerno
Candidate for Representative

11 a.m. Colina Headquarters

DAVID

Tuesday, April 4

10 a.m. National Civic Crusade:

Carlos Secchi
Miguel Brenes, Jr.

11:30 a.m. Librado Montenegro
Candidate for the Legislature
MOLRIENA

Noon Camilo Brenes
Candidate for Legislature
Christian Democratic Party

- 1 p.m. Authentic Liberal Party
Candidates for Legislature:

Miguel A. Garcia R.
Edgar A. Depuy Garcia
Enrique A. Fernandez M.
- 3:30 p.m. Jaime O. Watson Diez
Director
Electoral Tribunal
Chiriqui Province
- 5 p.m. Christian Democratic Party Representatives
- 7 p.m. Second Lieutenant Ibarra
Chiriqui Province
Fifth Zone Command

COLON

Wednesday, April 5

- 2 p.m. Anayansi Ehlers
National Civic Crusade
- 3 p.m. Rafael Arosemena
Coordinator
Civic Crusade in Colon
- 4:30 p.m. Dr. Mario A. Vlieg
Coordinator
Democratic Revolutionary Party
- 5 p.m. Dr. Alfredo A. Ehlers
General Secretary and Candidate for
Legislature
Christian Democratic Party

Advance Team Report
Aguadulce, Chitre, Penonome, Santiago

Robert Henderson
NRIIA

Mark Feierstein
NDIIA

The cities of Aguadulce, Chitre, Penonome, and Santiago are a two- to three-hour drive from Panama City. In a three-day trip to the region, the advance team met with senior political and military officials and opposition activists. Although the four provinces of Cocolé, Herrera, Los Santos, and Veraguas only represent about one-fourth of the vote, they are more remote and prone to electoral irregularities than other areas that can be more easily reached from Panama City. The Civic Crusade and the opposition have asked the observer delegation to deploy delegates in the interior in the hopes their presence will deter fraud and boost the morale and determination of those Panamanians interested in a free and fair election.

The team was cautiously but correctly received in the three provincial military headquarters it visited. The military was interested in hearing that there were plans to deploy observers in their areas, curious about the "official status," or lack thereof of these observers, and concerned about security arrangements that might need to be made. The advance team anticipates no problems from the PDF in the interior that do not reflect policy decisions taken at the national level.

The reception of the advance team in COLINA headquarters in the three provinces and in the offices of associated parties contrasted sharply with the relative lack of meetings in Panama. With the exception of a brief but friendly lecture about official versus unofficial observers from a lower ranking PRD functionary in Penonome,

the government parties representatives were delighted to have an opportunity to express their point of view to foreign visitors. In addition to taking the opportunity to talk at some length about the work of their respective parties in the provinces, these officials agreed to brief the observer teams or identify spokesmen to do so.

The ADOC representatives with whom the team met in the interior were uniformly enthusiastic about the prospect of international observers in their areas, yet were pessimistic about their chances on election day given what they believed would be massive and systematic fraud on the part of the government in cooperation with the PDF. The level of organization and sophistication among these representatives of the opposition varied from province to province, but a full slate of candidates is being offered and each province had an active get-out-the-vote campaign underway.

The Christian Democratic Party appeared to be the best-organized party in the opposition alliance in the three provinces. Throughout the three provinces the banners, flags, and posters of the opposition coalition were evident. Aguadulce and Santiago appeared to have the most well-developed Civic Crusade organizations, with a higher level of enthusiasm and a clear sense of the strategy they would employ to observe, report, and protect the vote on election day. For example, in Santiago, a comprehensive briefing on the numbers, locations, and nature of the problems expected was given to the advance team. In Santiago and Aguadulce, Civic Crusade representatives identified those areas where they believed international observers would be most useful.

The area circumscribed by the triangle of Penonome, Santiago, and Chitre has a high population density for rural Panama. It is a rich

agricultural area with citrus, irrigated grain, and produce alternating with rich grasslands with large number of cattle. It is not uncommon to see small herds of cattle being driven between fields down highways and secondary roads by vaqueros on horseback, with the cattle competing with motor vehicles for the right of way. Land ownership is widespread with small cattle ranches interspersed with larger agricultural holdings and even a few haciendas of considerable proportions.

The major towns are also transshipment points for agricultural products, although a variety of subsidiary economic activity has grown along with the concentrations of population. Small manufacturing enterprises are outnumbered by the agricultural equipment repair and supply establishments. The hotels and restaurants in these areas are designed to service a rural clientele though the accommodations are adequate and rates are reasonable. Food and transport are especially less expensive than in the Panama City metropolitan area.

---Prepared by Robert Henderson

Advance Team Report
Colon
April 5, 1989

Janine Perfit
NRIIA

Larry Garber
NDIIA

Colon is the second largest city in Panama. Located at the north end of the Panama Canal on the Atlantic Ocean, it can be reached by car from Panama City in a one-and-a-half hour drive on a two-lane highway. It is a depressed and impoverished area. The economic crisis has hit the city hard, leaving its residents with many social problems, including high unemployment, and little hope for a better future.

Advance team meetings with members of the National Civic Crusade and the Christian Democratic Party addressed issues of threats, violence, and intimidation of voters and opposition candidates from government forces. Crackdowns have discouraged participation in opposition activities. Selected acts of repression of candidates have frightened the population as a whole.

The opposition in Colon expects the government to commit such fraudulent acts as allowing people to vote who are not on the electoral register, cutting back electricity during the count, changing the totals on the actas, stealing ballot boxes, and intimidating opposition pollwatchers.

Despite all these measures, the Crusade and the opposition parties believe there will be a large voter turnout in favor of the opposition. The Christian Democrats, as the largest and best organized of all the ADOC parties, is training jurados. Much of their work focuses on jurados in those areas where people are less educated and, therefore, will be more prone to electoral fraud. The Christian Democrats expect to have jurados covering nearly every mesa in Colon Province.

Participants in these meetings welcomed international observers, but were unsure of the role they could play without official accreditation. They believe the election is an issue to be decided by Panamanians.

The advance team also paid courtesy calls on a member of the Colon Electoral Tribunal and the Coordinator of the PRD for Colon. Both meetings were cordial, and each anticipate the return of the observer delegation.

— Prepared by Janine Perfit

Advance Team Report
David, ChiriquiLarry Garber
NDI/AJanine Perfit
- NRI/A

The southwestern province of Chiriqui is an agricultural center that has not been as hard hit by Panama's economic crisis as other areas of the country. David, the capital of Chiriqui, is Panama's third largest city and lies close to the Costa Rican border. It can be reached by a one-hour domestic flight that departs daily from Panama City. The circuito of David (4.1) has 46 voting centers and 175 mesas. Almost 70 percent of the electorate of the circuito will vote in the city of David.

Advance team meetings with members of the Civic Crusade and opposition parties addressed issues of pre-electoral fraud, election day fraud, voter intimidation and election-related violence.

Many methods of pre-electoral abuses that are being employed by the pro-government forces in Chiriqui are the same as those reported in Panama City. Abuses of the registration process are reported to be widespread. Opposition leaders claim that an estimated 9,000 opposition supporters have been removed from the electoral register or have not received cedulas. Pro-government supporters and members of the military, on the other hand, are said to have received duplicate cedulas with different numbers to permit them to vote more than once. In addition, it was reported that in one area, a camera belonging to the Electoral Tribunal had been moved to a private home where tribunal employees could freely distribute duplicate cedulas.

As in other areas, reports are widespread that government resources are being used to help the COLINA campaign and government

employees are being coerced to register for COLINA parties. The opposition claims a campaign of psychological warfare on voters is already taking place. The coercion of government employees and threats and intimidation against opposition supporters has had a restraining effect on voters. Many may not vote out of fear. Many others believe the elections will be cancelled.

Fraud during the counting process is expected in rural and Indian areas where communication is difficult, and in other areas that will vote heavily against the government. Of particular concern are circuitos 4.4 (hard to reach and with a large Indian population), 4.5 (hard to reach and a large battalion is stationed there), and 4.7 (an extremely rural area). The Christian Democratic Party is well-aware of these problem areas and plans to cover them with jurados as best they can.

In preparation for election day, the ADOC parties in Chiriqui have appointed and trained two jurados per party for each mesa. ADOC has had particular success with youth and business group volunteers who are willing to defend the vote and the count. Except in one circuito (4.4), 100 percent of the mesas are covered by opposition jurados.

The advance team in David also paid courtesy calls on the director of the Electoral Tribunal of Chiriqui and a military officer of the Fifth Province Zone Command. The team was welcomed cordially by the Electoral Tribunal director and the military officer, who explained that the electoral process is working smoothly, that he is responding to the complaints of the opposition (particularly with respect to those who have been left off the registry) and that international observers would be allowed to travel freely throughout the province. The

military officer with whom the team met also acknowledged that those present on election day could travel freely throughout the province. Additional meetings were attempted, but not held, with the president of the PRD, the mayor of David, and the local religious leadership.

-- Prepared by Janine Perfit

National Democratic Institute
for International Affairs

National Republican Institute
for International Affairs

FOR IMMEDIATE RELEASE

April 7, 1989

A seven-member advance team from the National Republican Institute for International Affairs (NRIIA) and the National Democratic Institute for International Affairs (NDI) has just concluded a six day visit to Panama and recommended that the Institutes continue to monitor closely the situation in the country during the month preceding the election. The purpose of the visit was to prepare for a 50-member international delegation that the Institutes are organizing for the May 7, 1989 elections. The observer delegation will include former heads of government and parliamentarians from countries around the world.

In planning for the observer delegation, the advance team visited Aguadulce, Chitre, Colon, David, Panama City, Penonome and Santiago, meeting with government, military and electoral officials, political party leaders, representatives of civic organizations and others. The team reviewed the current political situation, preparations for the elections and reports of various participants concerning the process. The team will

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prepare a detailed report describing its observations that will be used to brief the international delegation.

The observer delegation should arrive in Panama on May 4, with deployment to cities around the country on May 6 and visits to polling sites on May 7. Some members of the delegation will remain until the official results are proclaimed.

As in previous observer missions organized by the Institutes, the delegation will not support any coalitions, parties, or candidates, will not interfere in Panama's internal political affairs and will abide by all laws of the country. The delegation will report its observations to the international community, while recognizing that it is for Panamanians to judge the integrity and fairness of the electoral process.

NDI and NRIIA have organized a number of international observer missions and have developed a reputation for impartiality and professionalism.

For further information about the planned international observer delegation, please contact the NRIIA and NDI offices at the numbers shown.

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7 ABRIL, 1989

Siete miembros del Instituto Nacional Republicano sobre Asuntos Internacionales (NRIIA), y del Instituto Nacional Democrático (NDI), han terminado una visita de seis días en Panama y recomiendan que los dos institutos sigan muy cerca la situación en el país en el próximo mes.

El intento del equipo fue de hacer las preparaciones para la visita de una delegación internacional que consiste de 50 personas los cuales los institutos estan organizando para las elecciones del 7 de mayo de 1989.

La delegación de observadores incluye ex-jefes de gobiernos, líderes políticos, legisladores y expertos de sistemas electorales de varios países del mundo.

En su visita, el equipo de los institutos visitaron las ciudades de Aguadulce, Chitré, Colon, David, Panamá, Penonomé, y Santiago, reuniendose con Oficiales del Gobierno, Las Fuerzas de Defensa y Oficiales Electorales. Al mismo tiempo, aprovecharon citas con líderes de partidos políticos, representantes de

organizaciones cívicas y varios otros personajes. El equipo revisó la situación política del momento, las preparaciones que se han hecho para estas elecciones y reportajes de varios participantes en el proceso.

El equipo preparará un reporte extenso que servirá para describir sus observaciones y para poder dar un informe completo ante la delegación internacional.

La delegación de observadores se espera en Panamá el cuatro de mayo, la misma se separa el día seis de mayo entre varios equipos para visitar ciudades alrededor del país para presenciar la votación el 7 de mayo.

Unos miembros de la delegación se quedarán en Panamá hasta que los resultados oficiales se confirmen.

Como en misiones previstas, organizadas por los dos institutos, la delegación no dará apoyo a ningún partido, candidato o coalición. No van a intervenir en los asuntos políticos internos de Panamá y respetarán todas las leyes del país.

La delegación reportarán sobre sus observaciones a la comunidad internacional, reconociendo al mismo tiempo con énfasis que será

el pueblo Panameño que servirá de juez en reconocer la integridad y limpieza del proceso electoral.

El NDI y el NRIIA han organizado varias misiones de observadores internacionales y han sido reconocidos por su imparcialidad y profesionalismo.

Para más información sobre la delegación de observadores internacionales, favor de ponerse en contacto con las oficinas de NDI número: (202) 328-3136 y del NRIIA número (202) 783-2280.

List of 30 Observers Invited by the Electoral Tribunal

OBSERVADORES

1. ANTIGUA Y BARBUDA: Oficina de Elecciones de Antigua-Barbuda. Krithly Hill, Supervisor de Elecciones. Colbin Sobera. Tel. 462-1068.

2. COSTA RICA

Gonzalo Brenes, magistrado presidente del Tribunal Supremo de Elecciones. Rafael Villegas, magistrado.

Cecilia Cortés, CAPEL.

Ernesto Montenegro.

Rodolfo Pacheco Ledezma, director general del Registro Civil. Tel: 34-0404. Marta Ordóñez Tel: 63-0072. María de los Angeles Sequeira.

3. EL SALVADOR

Ricardo Pardoza, presidente del Consejo Central de Elecciones. Jorge Alberto Díaz, miembro del Consejo Central de Elecciones. Tel: 98-0491 al 98.

4. GUATEMALA

Lic. Arturo Herbruger Asturias, magistrado presidente. Arturo Manuel Adams, magistrado. Germaine Castellanos, magistrado Tel. 24-2371.

5. HONDURAS

David Reyes, magistrado presidente.

Yolanda Vargas, magistrada.

Lidia Alvarez Sugastuma, jefe de Identidad.

Adán Palacios.

César Augusto Tomá, Tel: 22-1483.

6. JAMAICA

Neal Lee, miembro del Comité Electoral.

Lloyd A. Yvonna, miembro del Comité Electoral. Tel: 92-20-425.

7. NICARAGUA

Mariane Fiallos, magistrado presidente del Consejo Supremo Electoral.

Cáris García, magistrado.

Dionisio Jorge Palacios, magistrado.

Rosa Marina Zelaya, suplente.

8. REPUBLICA DOMINICANA

Froilán Tabares, magistrado presidente del Tribunal Supremo de Elecciones.

Dr. José SIM Gatón, Tel: 635-3223 y 641-1662.

9. SANTA LUCIA

Justin McClair Daniel, magistrado presidente. Tels: 46-2226 y 46-23811.

10. DERECHOS HUMANOS

Dr. Sonia Picado, Daniel Zavatta.