

1990 Elections in the Dominican Republic

Report of an Observer Delegation

Co-sponsored by

*The Council of Freely
Elected Heads of
Government*

and the

*National Democratic
Institute for
International Affairs*

Foreword by Jimmy Carter

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and
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I. Introduction

The May 16 presidential election in the Dominican Republic was the closest and among the most disputed in the country's history. According to official results, President Joaquin Balaguer, the incumbent, defeated his principal challenger, former President Juan Bosch, by 1.2 percent of the total votes. Bosch charged fraud, and threatened to bring his supporters into the streets to prevent a premature announcement by the Electoral Board of his defeat. A delay of two months between the election and the proclamation of Balaguer as the winner raised questions about the electoral process and the results.

The Central Electoral Board (JCE) of the Dominican Republic invited former President Jimmy Carter, chairman of the Council of Freely-Elected Heads of Government, to observe the elections. Carter then asked the National Democratic Institute for International Affairs (NDI) to help organize and co-sponsor a delegation with the Council, whose headquarters is at The Carter Center of Emory University. This is the report of the delegation.

Based on its observations of the balloting, counting, and tabulation of the votes and a review of the irregularities presented by the political parties, the delegation concluded that the allegations of fraud were not substantiated. Four weeks after the election, after a meeting with several leaders of opposition parties, and with their knowledge, President Carter sent a letter to the president of the Central Electoral

Board in which he wrote: "I have not yet seen fraud, by which I mean a pattern of irregularities that favors a particular candidate or party." No additional evidence of fraud was provided to President Carter since he sent that letter.

President Carter and the delegation were complimented by the JCE, political leaders and the press for their successful efforts to encourage the parties to use legal channels to resolve electoral disputes in the days following the elections and avoid street demonstrations that could have led to violence. President Carter was also instrumental in establishing procedures to enable the parties and electoral council to verify the final results.

"Your contribution has been fundamentally important in assuring the veracity of the electoral process in the Dominican Republic," the electoral board president wrote Carter in a letter, dated June 5, 1990. "The electoral board and the Dominican people we serve are deeply grateful for your effort and for your continued interest in our country."

The delegation members were former President Jimmy Carter; Prime Minister George Price of Belize, vice chairman of the Council; former First Lady Rosalynn Carter; Genaro Arriagada, vice president of the Chilean Christian Democratic Party; Robert Pastor, director of the Latin American and Caribbean Program at the Carter

Center; Curtis Cutter, president of Interworld Consultants and a senior consultant to NDI; Casimir Yost, executive director of the World Affairs Council of Northern California and former Republican professional staff member of the Senate Foreign Relations Committee; Jonathan Hartlyn, associate professor of political science at the University of North Carolina; Mark Feierstein, NDI program officer; and Santiago Canton, an NDI consultant.

During a visit to the United States in October 1989, Bosch met with NDI officials and requested they send a delegation, if possible to be led by President Carter, to observe the Dominican Republic's presidential, legislative and municipal elections on May 16, 1990. Bosch phoned President Carter in late April 1990 and asked him personally if he would observe the elections. Carter responded that he would consider doing so, but only if the other political parties or the elec-

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toral board would also extend an invitation. In a letter dated May 4, 1990, but received on the

afternoon of May 8, eight days before the elections, Carter received an invitation from the electoral board. Carter accepted "with the understanding that this invitation extends to us [the delegation] total access to the electoral process, including to the polling sites and permission for our presence during the vote count." [see Appendix 1 for the invitation and response.]

Because of the delegation's arrival on May 14, just two days before the elections, it was unable to evaluate accusations of pre-election day irregularities, such as tampering with voter registration lists. During meetings with leaders of the four largest political parties, none presented documented evidence of pre-election fraud. All candidates indicated they would accept the results of a fair election.

Dominican history is replete with election controversies. The elections in 1966 were supervised by an Organization of American States (OAS) peace-keeping force, but were protested by Bosch, who had been overthrown in a civil-military uprising three years earlier. The major opposition parties declined to participate in the 1970 and 1974 elections, in which Balaguer was reelected with wide margins. In 1978, Antonio Guzman, candidate of the opposition Dominican Revolutionary Party, was declared the winner, but only after the Carter Administration protested in strong terms the suspension of the vote count. In 1986, challenges of the results and accusations against members of the electoral tribunal delayed the announcement of Balaguer's victory until nearly two months after election day.

Former President Bosch and other opposition leaders encouraged NDI and President Carter to observe the elections because they viewed the electoral board as biased in favor of the incumbent; others questioned the board members' competence. In his meeting with President Carter on May 15, Bosch said that what Carter did in 1978 "gives you moral authority in this election." Bosch said he expected problems in the election, "but because you are here, there will be no fraud. Your presence will prevent that."

The delegation hoped that its presence at the 1990 elections would promote participation and confidence in the process. As in elections elsewhere, the delegation considered such issues as the ability of parties to monitor the voting and counting; safeguards to prevent double voting; security of the ballot box and sheets; and opportunities and procedures for parties to challenge decisions by election officials.

The delegation met with the major candidates, electoral officials, party leaders, and civic leaders. Given the small size of the delegation, it was necessary to focus almost exclusively on the presidential election. The delegation evaluated evidence presented to it; it also coordinated its activities with other observers from the OAS and the San Jose-based Center for Electoral Promotion and Training, know by its Spanish acronym, CAPEL.

Appendix 6: Letter from President Carter to Electoral Board

May 20, 1990

From President Jimmy Carter
To Junta Central Electoral and People of Dominican Republic:

The national elections have proceeded in an orderly, peaceful, and honest manner. However, because of the closeness of the contest, it will be impossible to determine the results until all the votes have been counted. A number of concerns have been expressed by the major candidates that must be addressed.

In order to comply with the election laws of the country and to assure an orderly and accurate determination of the final results, I suggest the following:

- 1) No more public bulletins should be issued after no. 18.
- 2) Challenges of accuracy and procedure at the local and national level should be made by the political parties, and assessed by election officials in accordance with existing laws of the country. This process should continue expeditiously.
- 3) The central computer count should continue, but the results should be shared only with the JCE and international observers.
- 4) When the computer tabulation is completed, one list of all actas with vote tabulations should be delivered to the major party candidates. Three days will be given to compare these data with the actas held by the parties and to report any differences to the JCE and international observers.
- 5) Discrepancies will be resolved by the JCE and international observers, and corrected data entered into the central computers.

I suggest that no official results be promulgated until I return to the Dominican Republic on Friday, May 25, to consult with the major candidates and to assist personally in the final stages of this process.

In the meantime, it is very important that all political party leaders urge their supporters to remain calm and support the conclusion of a successful election, confident that the results will accurately represent the expressed will of the free and sovereign people of the Dominican Republic.

Sincerely,

Jimmy Carter
Jimmy Carter

Recibido el día 20 del mes
de Mayo del año 1990
a las 9:30 PM

Sec. e:ri de la Junta Central Electoral

[Signature]

Appendix 9: Letter from Jimmy Carter to President Joaquin Balaguer

May 22, 1990

To President Joaquin Balaguer

As you know, I was invited by the Junta Central Electoral to participate as an international observer in the Dominican Republic election. Prime Minister George Price, representatives of the Organization of American States and CAPEL, and I have worked closely with the Junta officials and the major political party leaders to insure that the announced results would be accurate and accepted as such by all the people of your country.

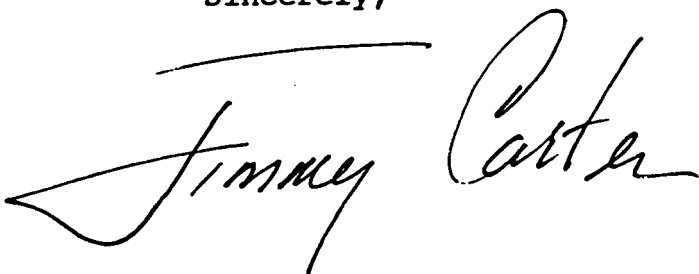
With the full approval and participation of JCE President Tavares, we assured all major candidates personally and through a press conference that they would be provided a list of all actas received in the Computer Center, along with the vote tabulations. This is necessary so that the parties can compare their own results with those included in the election bulletins and report any apparent discrepancies for assessment. Only when this is done can a final and acceptable announcement be made of the election results.

If the latest tabulation is accurate, it appears that you are the leading candidate at this time. It is crucial that, when made, the final announcement of the voters' decision will be accepted. However, I understand that the JCE announced yesterday afternoon that political parties would not be given a list of actas which might be checked for accuracy. Withholding this information from the candidates -- for any reason -- casts doubt on the openness and integrity of the process.

I urge you respectfully, as President and as a major candidate, to assure that the previous commitments are fulfilled without further delay, so that we international observers can complete our duties and attest that commitments have been honored and that the election process has been conducted properly and accurately.

As you will remember, I announced last Friday that I would return to Santo Domingo on May 25th to carry out my international observer role as previously requested by the JCE. I look forward to seeing you on my return visit.

Sincerely,

A handwritten signature in cursive script that reads "Jimmy Carter". The signature is written in dark ink and is positioned below the typed name "Jimmy Carter".

Appendix 15: Letter from Jimmy Carter to Dr. Froilan Tavares

THE
CARTER CENTER
OF EMORY UNIVERSITY



June 13, 1990

To President Froilan J. R. Tavares

Thank you for your letter of June 5th and your generous comments about my role in assuring the veracity of the electoral process. You asked for my views on the election, and I am writing to you in response to that request.

I have met today with several leaders of opposition parties, and they described the steps that will be taken to conclude the electoral process, including the challenges. As you know, I was much impressed by the technical organization of the election. Although I have since seen evidence of irregularities, it is hard to judge their significance, and I have not yet seen evidence of fraud, by which I mean, a pattern of irregularities that favors a particular candidate or party.

I trust that the democratic process will continue to a final conclusion, and that all parties will be included in every stage of that process to assure that they have had an adequate opportunity to convey their concerns. That is the best way to ensure that all sides fully accept the results. I have been impressed how the people and leaders of the Dominican Republic respect democracy and the positive effect that such respect has on society. It is my continued hope that the electoral process of 1990 will be completed in a peaceful manner, and that all sides will celebrate the democracy that is your country's most valuable possession in a united and respectful way.

Sincerely,

A handwritten signature in cursive script that reads "Jimmy Carter". The signature is written in black ink and is positioned below the word "Sincerely,".

Dr. Froilan J. R. Tavares
President of the Junta Central Electoral
Santo Domingo
Republica Dominicana