

POST-ELECTION STATEMENT

INTERNATIONAL OBSERVER DELEGATION TO THE GUATEMALAN NATIONAL ELECTIONS

1990
November 17, 1991

The international delegation sponsored by the National Democratic Institute has completed its preliminary assessment of the Guatemalan electoral process. This statement is the consensus view of a 27-member delegation that includes individuals from 14 nations representative of the full spectrum of democratic tendencies.

We came to Guatemala as representatives of the international community of democracies to demonstrate support for free and fair elections. The election we witnessed yesterday is historic in that it will facilitate the first transition of power from one civilian government to another in more than 30 years.

We congratulate the Guatemalan people and the institutions that participated in the electoral process, particularly the Supreme Electoral Tribunal, for the peaceful and orderly election we observed at locations throughout the country. If, as we expect, the second round of the presidential election is as fair and transparent as the first, Guatemala will have successfully completed this historic process and a new and legitimate civilian government will take office.

The NDI observer mission was present in Guatemala to collect information on all phases of the electoral process. Two monitoring teams visited the country during the campaign period. A 40-page report was prepared for the delegation reflecting the work of these groups. All members of these earlier teams are also members of this delegation.

Particular concern was expressed in the pre-election report about the violence perpetrated against candidates for public office, political activists and others involved in the electoral process, as well as the underlying causes of this violence. These violent acts, which included the deaths by assassination of six political leaders, clearly

were designed to inhibit political activity and to constrain debate. Guatemala's democracy cannot be fully consolidated until this effort to subvert the process by violent means is ended.

The campaign period permitted the major candidates and parties to bring their messages to the people despite the violence. The major parties had ample access to the media outlets of the country and used a number of other standard campaign techniques to make the voters aware of their positions. Smaller parties, which did not have special relationships with media outlets and lacked resources, were less successful in exposing the voters to their views.

The delegation arrived in Guatemala on Thursday, November 8. During its stay, the delegates met with President Cerezo, the leading presidential candidates, the Supreme Electoral Tribunal, human rights groups, labor unions, representatives of the private sector and security officials. On election day, the delegation collectively visited more than 400 voting sites in 45 municipalities.

The delegation's coverage was extensive, reaching Huehuetenango in the west, Nebaj in the north, Esquipulas in the east and Escuintla in the south. The teams visited some of the more remote indigenous communities in the interior of the country, observing the process in towns that had never been visited by foreign observers.

The balloting procedures on election day were particularly efficient. Indeed, delegation members who had witnessed several elections indicated that this was one of the most technically proficient they had seen. The process was peaceful, orderly and free of any overt intimidation. The police provided security for the voting and were generally helpful. The military, which has a heavy presence in some of the areas of conflict, stayed in the background. They were ready to assist in case of any incidents but were unobtrusive.

The tabulation of votes, which is still underway, has been systematic and without any suspicion of fraud. Our delegation observed the counting process in the first phase at several voting sites throughout the country and found the process open and fair.

Decisions to declare ballots null and void were taken in the presence of party observers in a fair manner.

Our delegation observed that a number of ballots were invalidated because of apparent inadvertent mistakes by the voter. A meaningful percentage of the null votes seemed to be a result of the desire of voters to express support for the candidacy of Gen. Efraín Ríos Montt, although it is impossible to quantify this support through a simple examination of the ballots. Ríos Montt's candidacy was ruled invalid by the judicial system because of a constitutional prohibition against those who had taken part in *coups d'états*.

Members of our delegation met with Gen. Ríos Montt and listened to his political and legal case. We noted his stated desire to control his supporters and to prevent violence.

Our delegation received several reports of voters who possessed national identification cards (*cedulas*) whose names were not on the registration rolls. We had other reports of individuals who had been issued more than one *cedula* and who were confused as to their proper identification number. These matters and others were taken up by registration officials at local tribunal offices and in nearly all cases were resolved in favor of permitting the individual to vote.

Many Guatemalans with whom we spoke expressed concern about the turnout, which according to available figures is about 55 percent of the registered voters. Several factors may have contributed to this decline in turnout from the 69 percent turnout in 1985. A change in the law, which made voting voluntary in 1990, a right rather than a duty, may be one factor. There were other, more troublesome possibilities as well. These include: the remote location of voting places, especially in the rural areas; the lack of transportation in these areas; the assignment of voting sites some distance from the voters' neighborhoods in urban areas; the concentration of sites in relatively few locations (a system which may have facilitated security arrangements but not voting); the fear of violence on election day; and the general alienation of a large segment of the population from the political process.

The most difficult problem underlying the formal success of the electoral process is the exclusion of large sectors from effective participation in Guatemalan society. The climate of violence and the assassination of political leaders has discouraged the discussion and debate of many issues such as land reform and human rights.

Indigenous groups, by virtue of their exclusion from the economy and institutions of Guatemalan society, lack both the opportunity and the incentives to organize or participate in national political life. Of the 70 percent of the population that was registered to vote, many of these were in this alienated, indigenous group and did not vote. Participation among women was particularly low in some areas. We observed regions where an estimated 95 percent of the indigenous voters were men.

Our delegation wishes to state that, as successful as the electoral process was, it occurred within an excessively narrow frame of reference. Most of those who did not either register or vote are indigenous peoples. We hope that the newly elected government will address this serious problem in all its dimensions. All democracies must both seek to broaden participation in the political process and to preserve the fundamental human rights of all its citizens. We note that this is one of the principal tenets of the Central American peace accords.

These serious problems underscore that elections do not automatically translate into successful, even viable, democracies. Guatemala has demonstrated that it remains on the democratic path by its conduct of a fair and transparent election. We hope and expect that the government that takes office as a result of this electoral process will commit the entire nation to the process of strengthening and expanding Guatemala's democracy.