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STATEMENT OF THE SECOND NDI/CARTER CENTER PRE-ELECTION DELEGATION TO THE PALESTINIAN ELECTIONS

An international delegation organized jointly by the National Democratic Institute for International Affairs (NDI) and the Carter Center has concluded a second pre-election mission to review the Palestinian electoral process in the West Bank, Gaza Strip and East Jerusalem. After an intense week of observation and analysis, the delegation is encouraged by the emerging focus of the political discussion on democratic procedures that has occurred in recent days among groups across the political spectrum. Despite a substantially compressed timetable, the registration process seems to have gone rather well, and the prospects for an election without violence or disruption have improved over the last month. The peace process has permitted elections; in turn, it now appears that free elections could strengthen the peace process.

The delegation includes Ambassador Harry Barnes and Dr. Robert Pastor from The Carter Center; Dr. Alex Grigorievs, former member of the Latvian Parliament; Dr. Mohamed Guessous, leader of the Socialist Union of Popular Forces in Morocco; and Thomas O. Melia, Senior Associate at NDI. The delegation held meetings with Yassir Arafat and officials of the Palestinian Authority (PA); leaders of virtually all political parties and groups; journalists and human rights activists; civic leaders, domestic observers, candidates and election officials; and Israelis.

Throughout the pre-election period, NDI and Carter Center representatives based in the West Bank and Gaza Strip will continue to monitor preparations for the elections, voter and candidate registration, the campaign, political environment, media coverage of the elections, the role of security forces and voter education efforts. At the time of the elections, NDI and The Carter Center will organize a multinational delegation of election and regional experts, elected officials, and political party leaders, led by former U.S. President Jimmy Carter.

The delegation was encouraged to hear Palestinian leaders, including those from Islamist groups, describe the elections as the basis of political legitimacy and the key to long term stability. These leaders told us that they want the elections to proceed without disruption or violence, whether they eventually choose to participate or not. Chairman Arafat is presently engaged in a dialogue with Islamist critics of the PA and the Oslo accords that we hope will lead to their participation in the elections. We hope this dialogue may be expanded to other groups so as to integrate all Palestinians into a peaceful political process.

All political groups with whom the delegation spoke welcomed the presence of international observers as an essential element of these elections. This represents their recognition of the importance

of a transparent and accountable electoral process and the positive role that the international community can play in reinforcing the process. We also note the importance of monitoring by impartial, civic-minded Palestinians as provided in the election law and the Interim Agreement, and we appeal to the PA and the Central Election Commission (CEC) to facilitate their work.

For the electoral process to succeed, it is necessary that the PA demonstrate greater respect for human rights, freedom of speech, and the rule of law. We are concerned about the serious reports of press censorship, arbitrary detention without due process, torture, and even deaths in detention. Many Palestinians also expressed their concern about the intrusion of a growing security apparatus into many aspects of civil society in a manner that inhibits debate and dissent.

The PA needs to take immediate steps to dispel these fears and create an open environment more conducive to meaningful elections. Toward that end, we recommend the following:

-- First, the Attorney General needs to respond fully to the requests of the Independent Commission on Human Rights and others for investigations of human rights violations.

-- Second, the delegation recommends the establishment of a legal framework for independent radio and television and the modification of the Press Law of June 1995 to respect rather than inhibit freedom of the press and speech.

-- Third, the encouraging recognition by the PA of the need for access to the media for all candidates ought to be reinforced by timely publication and implementation of specific guidelines. It is essential that all candidates will have equitable access to the media to present their messages and that news programming by the Palestinian Broadcasting Corporation will also reflect balance and fairness.

-- Fourth, more broadly, PA officials, including the security services, should take prompt steps to assure the public that the people's rights to express their views freely will not be infringed.

Our delegation has witnessed many elections in transitional countries, and in most cases, the registration process has been delayed and marred with serious irregularities. Here, we have heard no serious complaints about the process to date, despite the last minute shortening of the registration period or about the impartiality of election officials. Indeed, the polling station officials have been widely praised for their diligence and impartiality.

The preliminary voters' lists were completed on time and sent to the polling stations. Although the lists unfortunately have not always been posted at the stations, and voters do not seem to be checking for errors, the election officials have been working hard to review the lists and send their corrections to the District Election Offices. The range of errors varies a good deal, but we were informed that the rate of error on the preliminary list averages at this time about 5%. If this statistic turns out to be accurate, that would represent a great accomplishment. According to the official timetable, the final list will be sent to all polling stations on December 30, and we hope that officials post it immediately so that all parties and voters can check the names. This will reduce uncertainty on election day.

To hold elections on January 20 will require a vigorous commitment to the electoral framework and timetable. The Central Election Commission (CEC) should have been appointed much earlier but certainly before the beginning of candidate nominations on December 14. It is now urgent that the new Commission as well as the Election Appeals Court be appointed immediately and that the CEC publicize

the final timetable in order to provide transparency and predictability in the closing month of the electoral process.

Based on experiences in other countries, we anticipate that fears of multiple voting by some could emerge as the election day approaches. We therefore suggest that the new CEC consider at this time two widely-used techniques to enhance public confidence in the integrity of the process: indelible ink and signing the registration list by each voter.

We have been impressed by the cooperation between Palestinian and Israeli authorities thus far on virtually all issues related to the electoral process. The decision by Israel to expedite redeployment is one measure of this cooperation, as was the smooth procedure for reviewing the electoral list. The fulfillment of all commitments undertaken in the Interim Accords, including the release by Israel of Palestinian prisoners, as agreed, will bolster confidence in the process. Israel should facilitate travel between the West Bank and Gaza for Palestinian election officials, who have been hindered on occasion in their work. Both parties also need to give greater attention to the need for easier access and mobility for other Palestinians traveling between the West Bank and Gaza for election-related purposes, such as journalism, civic education, political party development, domestic monitoring, and international observation.

This election must be understood in its historic context. After many decades of conflict, Palestinians in the West Bank, Gaza, and East Jerusalem have their first opportunity to choose their leaders in a general election. It is clear to us that no one is fully satisfied with the Oslo Accords. Both Israelis and Palestinians have had to make painful and difficult compromises to reach this point. But as the process of self-determination envisaged in the Accords acquires more substance for the Palestinians, more and more of them are coming to rely on democracy as the best mechanism for addressing their concerns. New political parties and coalitions are taking shape; candidates are coming forward; people are beginning to debate their future in a framework of peace and pride. Even while the graffiti of the recent past is so evident, a new language of democratic discourse is emerging and gradually re-shaping the political landscape.

We are worried about the chilling effect that the actions of security services are having on Palestinian democratic development. Nonetheless, of all that we witnessed, what impresses us the most is the determination of the overwhelming majority of the Palestinian people to secure their rights and establish a peaceful political culture that could serve as a basis for a democratic society.

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