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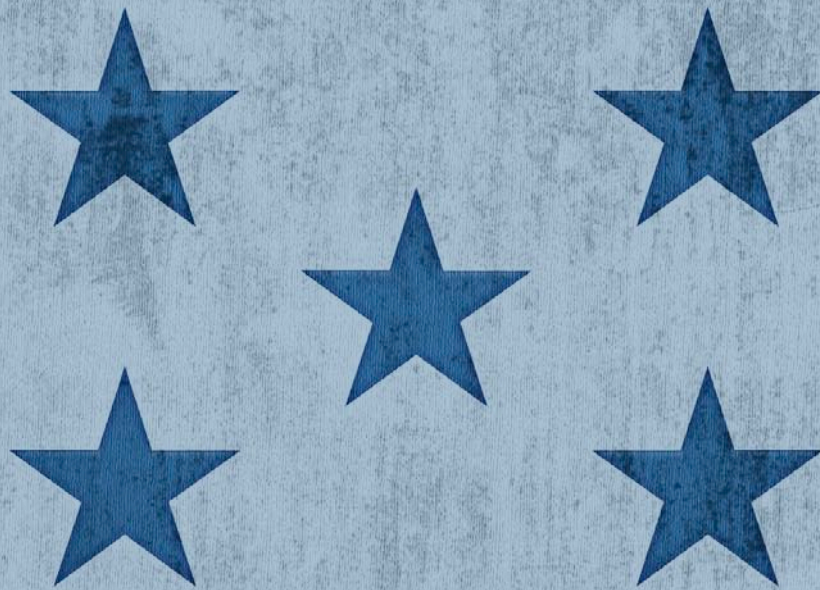# HONDURAN GENERAL ELECTIONS

Final Report

International Election Assessment Mission

National Democratic Institute for International Affairs

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HONDURAN GENERAL ELECTIONS

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January 27, 2010

National Democratic Institute for International Affairs

THE NATIONAL DEMOCRATIC INSTITUTE FOR INTERNATIONAL AFFAIRS

The National Democratic Institute (NDI) is a nonprofit, nonpartisan, nongovernmental organization that responds to the aspirations of people around the world to live in democratic societies that recognize and promote basic human rights. Since its founding in 1983, NDI and its local partners have worked to support and strengthen democratic institutions and practices by strengthening political parties, civic organizations and parliaments, safeguarding elections, and promoting citizen participation, openness and accountability in government.

Build Political and Civic Organizations: NDI works with local partners to help build the stable, broad-based and well organized institutions that form the foundation of strong civic culture. Democracy depends on these mediating institutions – the voice of an informed citizenry, which link citizens to their government and to one another by providing avenues for participations in public policy.

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With staff members and volunteer political practitioners from more than 100 nations, NDI brings together individuals and groups to share ideas, knowledge, experiences and expertise. Partners receive broad exposure to best practices in international democratic development that can be adapted to the needs of their own countries. NDI's multinational approach reinforces the message that while there is no single democratic model, certain core principles are shared by all democracies.

The Institute's work upholds the principles enshrined in the Universal Declaration of Human Rights. It also promotes the development of institutionalized channels of communications among citizens, political institutions and elected officials, and strengthens their ability to improve the quality of life for all citizens.

ACKNOWLEDGEMENTS

NDI extends its gratitude to all 22 members of the international assessment delegation who volunteered their time and expertise to contribute to the mission's work. The delegates, representing eight different countries from the Americas and Europe, visited Honduras from November 25 to 30. Prior to the election, members of the mission met with key stakeholders in the electoral process, including four of the five presidential candidates and other representatives of political parties; the TSE; representatives of the Catholic and Evangelical religious communities; leaders of the National Resistance Front against the Coup d'État; human rights organizations; members of the Verification Committee for the Tegucigalpa/San José Accord; leaders of HD and ME; and prominent academics. The delegation deployed eight teams to six different regions across the country, including the Central District of Tegucigalpa and Comayagüela (Francisco Morazán); Comayagua (Comayagua); Danlí (El Paraíso); Juticalpa (Olancho); La Ceiba (Atlántida); and San Pedro Sula (Cortés)/El Progreso (Yoro). Each team visited individual polling places and reported on the electoral conditions, including: opening and closing of the voting stations; presence of voting materials; presence of political party representatives; evidence of violence or voter intimidation; the voting and counting process; and the delivery of polling station results to the municipal electoral authorities.

NDI expresses its appreciation to the many government officials, candidates, political party and civic leaders, and poll workers who met with the international assessment mission delegates and provided insight into the 2009 Honduran general elections. Similarly, the Institute thanks the citizens of Honduras for their warm welcome and for sharing their time and opinions with the assessment mission members. The views of the many people with whom the mission met were invaluable in providing NDI with a comprehensive view of the process on election day.

Kenneth Wollack
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National Democratic Institute

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EXECUTIVE SUMMARY

On November 29, 2009, Honduras held general elections for almost 3,000 offices across the country—executive, legislative, municipal and supranational. These elections took place under complex political conditions that varied significantly from previous electoral processes in the country. While the elections were convoked and candidates selected under the procedures set forth by Honduran law, the events of June 28, 2009, when President Manuel Zelaya Rosales was overthrown in a *coup d'état*, deepened the country's political crisis. Zelaya's ouster polarized Honduran society between those who opposed it as illegal and those who claimed that the move marked the legal replacement of a president who had violated constitutional provisions. As a result of the ensuing political instability, Honduras experienced two distinct campaigns: one between those supporting the removal of President Zelaya and those opposing his ouster; the other between the parties and candidates contesting the November elections.

In the context of this crisis and sharply conflicting perspectives of different sectors of society on the events before, during, and after the *coup d'état*, some argued that credible elections leading to a new, democratically elected government could represent an important step forward if they led to a genuine national reconciliation process. This interpretation led, in good measure to the international and domestic efforts at mediation and negotiation between the two sides, and encountered partial success in the signing of the Tegucigalpa/San José Accord. Although differing interpretations of the Accord led to a breakdown of the national reconciliation process, the elections took place as scheduled.

It was in the context of the Tegucigalpa/San José Accord that NDI decided to send an international assessment mission as a mechanism to provide verifiable information and offer an impartial, independent opinion on election day to developments interested domestic and international actors. The mission, composed of electoral experts from the Americas and Europe, held briefings with key stakeholders and deployed to six locations on election day. The mission's preliminary report of December 1, 2009, presented its principal findings and set forth key recommendations for improvements to the electoral process and steps to resolve the political crisis.

Just as the political crisis and divisions within Honduras developed long before the tumultuous events of June 28, the crisis did not end with the November 29 elections. Following his decisive victory in those elections, as he takes office on January 27 President Porfirio "Pepe" Lobo and the other newly elected Honduran leaders have the opportunity and responsibility to do everything possible to overcome the divisions in the country. This is the best way to respond to the hopes and aspirations of the Honduran people. NDI is releasing this final report in the hope that it can further support the recommendations made in December, by providing Honduran society and the international community with a succinct, balanced, impartial and independent analysis of the elections of November 29, 2009.

INTRODUCTION

On November 29, 2009, the Republic of Honduras held general elections for almost 3,000 elected offices across the country. The overwhelming winners were Porfirio "Pepe" Lobo and his National Party (*Partido Nacional de Honduras*, PNH). Lobo was elected president with 56.6 percent of the vote and the PNH won an absolute majority of seats in Congress (71 of 128 deputies in the National Congress, *Congreso Nacional*, CN). In addition to voting for the presidency and congressional deputies, citizens elected three presidential designates (vice presidents), 20 deputies to the Central American Parliament (*Parlamento Centroamericano*, PARLACEN), 128 deputies to the National Congress, and the members – mayors, vice mayors and councilmembers – of the 298 municipal councils. In total, 14,500 candidates sought 2,896 elected positions. The

Hondurans wait to vote in a voting center in Tegucigalpa.

candidates of the two major parties, the Liberal Party (*Partido Liberal de Honduras*, PLH) and the PNH, had been chosen in primaries held in November 2008.

The elections took place under complex political conditions that varied significantly from previous electoral processes in the country. The official convocation of the elections took place under the procedures and official timeframe set forth in the Honduran Constitution, and the candidates of the two major parties were selected in the primaries held on December 2, 2008, accepted by all of the country's political parties. However, the events of June 28, 2009, when President Manuel Zelaya Rosales was overthrown in a *coup d'état* – in clear violation of the Inter-American Democratic Charter – deepened the country's political crisis and created a difficult environment for

the elections, due both to the scale of the resulting polarization as well as the international community's rejection of the coup and the electoral process.

Zelaya's ouster polarized Honduran society between those who opposed it as illegal and those who claimed that the move marked the legal replacement of a president who had violated constitutional provisions. Honduras was widely condemned internationally and suspended from the Organization of American States (OAS). As a result of the confrontation and political instability in the lead-up to the November 29 elections, Honduras experienced two distinct campaigns: one between those supporting the removal of President Zelaya and those opposing his ouster; the other between the parties and candidates contesting the November elections. The precise impact of the confrontation regarding the coup on the election campaign itself was difficult to measure; NDI heard conflicting assessments from different sectors of society and impartial, verifiable information was difficult to obtain.

Some argued that holding these elections under the existing conditions, including political restrictions and reported violations of human rights, would legitimize a *coup d'état* and establish a precedent that could be used to unseat elected governments elsewhere. Others asserted that the Honduran voters' will, as expressed through the ballot box, should be sufficient to overcome the crisis and repair the country's breach with the international community. Still others argued that credible elections leading to a new, democratically elected government could represent an important step forward if they led to a genuine national reconciliation process.

This third interpretation inspired, in good part, the international and domestic efforts at mediation and negotiation between the two sides, and encountered partial success in the signing of the Tegucigalpa/San José Accord, which established a nine-point program to reestablish democratic institutionality and promote national reconciliation. Both parties' failures to follow through on commitments made under the accord made it clear that their differences were greater than the will to negotiate. However, the accord remained an important reference point internationally and within the country even as its implementation stalled.

It was in the context of the Tegucigalpa/San José Accord that NDI decided to send an international assessment mission as a mechanism to offer an impartial, independent opinion on the election day process for interested domestic and international

actors. The purpose of NDI's election mission was not to take a position on the larger political crisis, nor even about the entirety of the electoral process in motion, but rather to provide useful information for Hondurans to evaluate the elections and the level to which they could help in overcoming the crisis.

The limited scope of this mission, defined as an assessment mission rather than a traditional election observation mission, was necessary to conform to standards set forth in the widely recognized Declaration of Principles for International Election Observation, which the Institute participated in launching together with the United Nations and The Carter Center, and has been signed by 35 leading intergovernmental and nongovernmental organizations and formally acknowledged with appreciation by a vote of the United Nations General Assembly. Deploying a formal election observation mission would have required the dispatch of long-term observers and pre-election missions as well as the deployment of large numbers of observers throughout the country on election day. Instead, NDI decided to send a smaller international assessment mission that would analyze election day developments and the preceding period to the best of its ability, and avoid, given its limited scope, drawing conclusions about the overall electoral process, in accordance with the Declaration.

The mission, composed of electoral experts from the Americas and Europe, released its preliminary report on December 1, 2009, presenting its principal findings and setting forth key recommendations for improvements to the electoral process and steps to resolve the political crisis. Based on these preliminary findings and taking into account further exchanges with Honduran actors, as well as the final data provided by the largest Honduran domestic election observation group Making Democracy (*Hagamos Democracia*, HD), NDI is releasing this final report in the hope that it can further support the recommendations made in December, by providing Honduran society and the international community with a balanced, impartial and independent analysis of the elections of November 29, 2009.

NDI's delegation heard repeatedly that the crisis began before June 28 and will continue after these elections unless a genuine reconciliation process begins. The newly elected leaders of Honduras have the opportunity and responsibility to do everything possible to overcome the divisions in the country. The Institute underscores that this is the best way to respond to the hopes and aspirations of the Honduran people.

POLITICAL BACKGROUND

As candidate of the Liberal Party, Manuel "Mel" Zelaya had been elected President of the Republic of Honduras on November 27, 2005. After three and a half years in office, on June 28, 2009, President Zelaya was arrested by the military and flown to exile in Costa Rica – an action quickly condemned by the international community as a *coup d'état*. His removal from office came in response to Zelaya's defiance of court orders to cancel a June 28 survey to determine if Hondurans supported adding a fourth ballot box (*cuarta urna*) for the November general elections on convening a constituent assembly to revise the country's constitution. The president of Congress, Roberto Micheletti, had strongly opposed Zelaya's proposal and the 2009 presidential candidates of the country's two largest parties – Zelaya's own PLH as well as the opposition PNH – accused Zelaya of seeking to use the vote to perpetuate himself in office. The June 28 survey was initially conceived as a referendum, but on June 24 Congress passed a special law regulating plebiscites and referendums,

A Honduran citizen votes in Tegucigalpa.

barring any referendums from being called 180 days before election day. Due to this legal impediment, President Zelaya dropped his effort to conduct a binding referendum, and ordered the executive branch instead to conduct a nonbinding "public survey" to gauge the people's support for a November referendum on a constituent assembly. By the time the survey was to be held, opponents included the majority of the legislature, the judiciary, the attorney general, the Catholic Church hierarchy, the evangelical groups, business associations, and four of the five political parties in the legislature, including President Zelaya's own PLH. Supporters included unions, rural farmer organizations, ethnic minorities, women's groups, and a minority in Congress, including some Liberal deputies and members of the Democratic Unification Party (*Partido Unificación Democrática*, UD).[1]

Following Zelaya's ouster, the Honduran Supreme Court issued documents asserting that an arrest warrant had been issued against him for failing to comply with Supreme Court decisions. Congress voted to depose Zelaya as president and replace him with Micheletti, next in line constitutionally and also from the PLH. Zelaya's exile by the military halted a judicial process before a trial could be held. Zelaya's ouster polarized Honduran society between those who opposed it as illegal and those who

claimed that the move marked the legal replacement of a president who had violated constitutional provisions.

The political environment in Honduras following these events was marked by continued disputes between Micheletti's *de facto* administration, the anti-Micheletti forces within Honduras and the international community. Micheletti maintained that he was the legitimate president of Honduras, and that what occurred was "constitutional substitution." A range of opposition to Micheletti emerged, including a group calling itself the "National Resistance Front against the *Coup d'État*" (*Frente Nacional de Resistencia contra el Golpe de Estado*) that conducted daily demonstrations in Tegucigalpa and some other regions. After June 28, Honduran society faced a series of restrictions on civil liberties, including periodic curfews and controls, shutdown of media outlets and strong police repression of demonstrations. A number of Zelaya administration officials and other political and social leaders left the country or went into hiding. According to the Committee of Families of Detainees and Disappeared of Honduras (*Comité de Familias de Detenidos y Desaparecidos de Honduras*, COFADEH), there were 4,234 documented violations of human rights in the country between June 24 and October 15, 2009.[2] The Inter-American Commission on Human Rights visited Honduras in September

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1. Meyer, Peter J. "Honduran-U.S. Relations." Washington, D.C.: Congressional Research Service, November 2009.

2. *Comité de Familias de Detenidos y Desaparecidos de Honduras*, "Segundo Informe: Violaciones de derechos humanos en el marco del golpe de Estado en Honduras: Cifras y rostros de la represión." Tegucigalpa: October 2009.

A voter in San Pedro Sula verifies that she has voted.

and found that there was a "pattern of excessive use of public force" against public demonstrations, "resulting in deaths, cases of torture and mistreatment, hundreds of injured, and thousands of arbitrary detentions."[3]

On July 4, invoking the Inter-American Democratic Charter, the Organization of American States (OAS) unanimously suspended Honduras, demanding that Zelaya be reinstated. The following day, Zelaya attempted to fly back to Tegucigalpa, but the Honduran military prevented his plane from landing, and the deposed president flew to Nicaragua instead. Some Latin American presidents accompanied Zelaya on a number of these trips, issuing strong statements condemning the coup. The United States also condemned Zelaya's removal as a coup. With the backing of the OAS and encouragement of the United States, Costa Rican President Oscar Arias assumed a mediating role in the conflict. This prompted both sides to send representatives to meet in San José, Costa Rica. The final proposal, the 12-point San José Accord, which would have advanced the November 29 general elections to October, was accepted in principle by Zelaya. However, two of the points – an amnesty for Zelaya and his return to office – were rejected by the Honduran Supreme Court, and the accord was not implemented.

The deposed president's initial efforts to return to Honduras over the summer failed. After months of constant travel to Latin American capitals and Washington, Zelaya entered Honduras undetected and took safe haven on September 21 in

3. Inter-American Commission on Human Rights, "Preliminary Observations on the IAHCR Visit to Honduras." November 2009. Available online at http://www.cidh.org/Comunicados/English/2009/60-09eng.Preliminary.Observations.htm. Also see the IAHCR's final report, "Honduras: Human Rights and the *Coup d'État*." Washington, D.C.: December 2009. Available online at http://cidh.org/pdf%20files/ HONDURAS2009ENG.pdf.

the Brazilian Embassy in Tegucigalpa, surrounded by Honduran security forces and subject to arrest were he to leave diplomatic premises.

After initially denying Zelaya's presence in the country, Micheletti declared a 24-hour curfew that lasted two days. On September 27, Micheletti declared a "state of siege" (*estado de sitio*) for the maximum 45 days permitted by the Honduran Constitution, which would have coincided with most of the election campaign period for the November 29 general elections. The decree suspended constitutional guarantees, which included freedom of speech and assembly, and protection against arrest without warrant. Following protests from presidential candidates and the international community, the state of siege was lifted three weeks later.

On October 30, representatives of Micheletti and Zelaya reached an agreement, commonly referred to as the Tegucigalpa/San José Accord. Building on the San José Accord, provisions included: a congressional vote on Zelaya's reinstatement to office; the establishment of a unity government with representatives of both sides and the political parties; renunciation by Zelaya of any attempts to reform "non-amendable" provisions of the constitution (i.e. concerning reelection); the agreement of both sides to respect the results of the regularly scheduled November general elections, with international observation, leading to a peaceful handover of power on January 27, 2010; establishment of a truth commission to investigate events before June 28; and a verification committee with international participation to monitor implementation of the accord. The document set a timetable for implementation of select elements of the agreement: the verification commission was to be set up by November 2; the unity government was to be established by November 5; and the truth commission installed in the first half of 2010. However, the accord did not include a specific deadline for Congress to vote on the issue of Zelaya's reinstatement.

The agreement initially raised hopes that a process for national reconciliation had begun, but progress on its implementation quickly stalled. The verification commission was formed, composed of a representative from each Honduran side and two international participants: former Chilean President Ricardo Lagos and U.S. Secretary of Labor Hilda Solis. However, the unity government foreseen by the agreement was not formed. Micheletti argued that since the accord mandated a new unity government, but did not specify who would preside over it, he was in the position of leading the cabinet and approving any nominees. Zelaya refused to nominate candidates for the new cabinet and subsequently publicly repudiated the accord and rejected the November 29 elections as illegitimate. Micheletti and his supporters insisted that the elections alone provided a solution to the crisis by allowing Hondurans to choose their leaders, and called on the international community to send observers and to restore normal relations with Honduras. Micheletti announced that he would remove himself from November 25 until December 2 to enable citizens to focus on the election, but did not actually step down.

ELECTORAL BACKGROUND

Legal Framework

The legal framework in place for the electoral process generally provided for democratic elections. The 2009 general elections were governed by the Constitution of Honduras, the Law on Elections and Political Organizations (*Ley Electoral y de las Organizaciones Políticas*, LEOP) of May 15, 2004, and other electoral and political regulations.

The Constitution and law provide for the simultaneous election every four years of the president, three president-designates, Congress, mayors, vice-mayors, members of municipal councils and deputies to the Central American Parliament. For the 2009 elections, the president and president-designates were elected on a single ticket by simple majority of all votes cast; the votes cast in this race also were used to allocate Central American Parliament deputies on a proportional basis. Each department was apportioned congressional seats proportionally to its population, and seats were allocated by open-list proportional representation,[4] with the exception of the two departments with only one deputy, where a simple majority was used. Municipal councils were elected using closed-list proportional representation.[5]

Following the democratic transition in 1982, Honduras undertook a number of reforms including, among others: separating the National Civil Registrar (*Registro Nacional de las Personas*, RNP) from the electoral authorities; regulating political campaigns and the public financing of parties; establishing quotas for women candidates; and instituting measures designed to insulate the Supreme Electoral Tribunal (*Tribunal Supremo Electoral*, TSE) from partisan influence. Despite these important changes to the laws governing elections, reforms were not always realized or applied consistently. For example, laws establishing a 30 percent quota for women candidates have not been enforced and campaign spending has not been regulated as the law directs.

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4. In 2009, the system used to elect deputies was an open-list proportional representation system that allowed *panachage*. Voters could cast as many votes as there were seats to be filled, and could vote for candidates from any number of parties; however, a voter could cast only a single vote for any one candidate. Seats were then allocated proportionally between parties using an electoral quotient and greatest remainders, based on the sum of the votes received by a party's candidates. Finally, each party's seats were awarded to the candidates from that party that received the largest number of individual votes.

5. The first and second candidate on the list of the party that received the largest number of votes were elected mayor and vice-mayor, respectively. Municipal council seats, like congressional seats, were divided among parties using an electoral quotient and greatest remainders.

The Supreme Electoral Tribunal

The TSE was created as an independent institution to replace the former and explicitly partisan National Elections Tribunal (*Tribunal Nacional de Elecciones*, TNE), with the responsibility to ensure the integrity of the country's elections. Based on the civil registry maintained by the RNP, the TSE develops the voter registry (*Censo Electoral*). The TSE conducts electoral operations; announces results and officially declares the winners; and registers political parties, alliances and independent candidates and oversees their finances. The Tribunal appoints the local electoral bodies, conducts election training and civic education and resolves any electoral disputes.

The TSE is composed of three magistrates and one substitute magistrate, each elected by two-thirds of the National Congress for a five-year term with the possibility of reelection. In preparation for the 2009 elections, the legitimacy of the current TSE was challenged by some elements of Honduran society, noting that three magistrates—two full members and one substitute member—were elected even though they held elected office, in apparent violation of the Constitution.[6] A pending court case challenged the legal standing of those magistrates. In addition, even though the TSE is defined under law as independent and nonpartisan, the magistrates were elected in

Hondurans outside of a voting center after voting in San Pedro Sula.

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6. Article 52 of the Constitution bars any elected official from being elected as a TSE magistrate. Of the current TSE magistrates, one was a member of Congress and another a municipal councilmember at the time of their election.

NDI Assessment Mission delegates meet with the Supreme Electoral Tribunal (TSE) prior to election day

accordance with an agreement to provide representation to all parties with deputies in Congress except the UD. All parties, including the UD, are represented in a Consultative Council that formally represents the interests of the Honduran parties before the TSE.

Voter Registry

The RNP is independent from the TSE and responsible for registering citizens and issuing identity cards. The RNP provides the TSE with the information used for the voter registry.

In 2006, the RNP planned to renew the citizen identification cards and develop an updated civil registry that excluded migrants and deceased persons. This updated civil registry would have facilitated the removal of people who had died, migrated or become legally disenfranchised from the voter registry. Due to a lack of funding, however, the RNP postponed this process, leaving the TSE with no choice but to use a voter registry that many considered inflated and outdated. Some analysts estimate that up to one million people in the voting registry have either migrated or died, even as new voters coming of age are added to the registry. For that reason, inaccuracies within the registry are responsible for a portion of the declining participation rate observed in Honduran elections since 1997. The voter registry used in the 2009 general elections consisted of approximately 4.6 million citizens, out of a population of almost 7.9 million people. No independent audit of the voter registry has been conducted.

Electoral Preparations

On May 29, 2009, the TSE issued the official call for the November 29 elections, in accordance with article 159 of the Law on Elections and Political Organizations, which establishes that general elections will be called for the last Sunday of the month of November of the year before the end of the presidential term of office, in this case January 27, 2010.

Under direction of the TSE, there were 18 Departmental Electoral Tribunals (*Tribunal Electoral Departamental*, TED), 298 Municipal Electoral Tribunals (*Tribunal Electoral Municipal*, TEM), and 15,269 polling places (*Mesa Electoral Receptora*, MER). According to the LEOP, all parties currently represented in Congress are entitled to a representative in these bodies. However, the law permits these bodies to function with the presence of representatives from only three of the five parties.

In response to problems experienced during the 2005 electoral process, including a breakdown in the tabulation process that left the TSE without official results,[7] Congress passed additional reforms to the LEOP in 2007. These reforms clarified the sequence of the counting process. Further changes modified the role of the armed forces: the TSE assumed full responsibility for logistical implementation in their stead, and assumed titular command of the armed forces for the month preceding the elections. The TSE assigned members of the armed forces to accompany new electoral "custodians" in distributing the election materials.[8]

In November 2008, the Liberal and National parties participated in TSE-organized primary elections to select their candidates for all elected posts.[9] An OAS observer delegation

7. Early in the process, the TSE president – a member of the PLH – announced Manuel Zelaya of the Liberal Party was the winner. Representatives of the National Party initially objected. However, the National Party candidate – Porfirio "Pepe" Lobo, the same candidate representing the PNH in the 2009 elections – eventually conceded defeat. Official figures gave Zelaya 49.9% of the vote to 46.17% for Lobo. The OAS observation mission noted that the TSE was able to report initial results only after 72 hours; see Organization of American States, "Informe de la Misión de Observación Electoral en la República de Honduras: Elecciones Generales, 27 noviembre 2005," p. 12. Washington, D.C.: October 2008. Available online at http://scm.oas.org/doc_public/SPANISH/HIST_08/CP21210S04.DOC.

8. However, for the 2009 general elections, the TSE was unable to recruit enough custodians to cover all the voting centers and, as a result, the armed forces distributed election materials unaccompanied in many parts of the country. Another important reform altered the system of campaign finance to provide guaranteed ongoing funding for parties based on a percentage of the budget rather than on a certain amount per vote.

9. Lobo won 81% of the PNH presidential primary vote. Former Vice President Elvin Santos, though originally ruled constitutionally ineligible to run by the TSE, became the PLH nominee following a series of events that included congressional passage of a special decree; legal proceedings that resulted in the Supreme Court's reversal of portions of the 2001 and 2004 constitutional reforms; and a 52%-32% primary victory by his proxy candidate, Mauricio Villeda, over Roberto Micheletti, then president of Congress.

considered the primaries to be free and fair. However, as in 2005, the system for transmission of results worked poorly, delaying announcement of results for a prolonged period. The Transmission of Preliminary Electoral Results (*Transmisión de Resultados Electorales Preliminares*, TREP) received around 70 percent of the data correctly, after which the transmission of results broke down. TEM and TED systems for tabulating results also underperformed.

Article 19 of the LEOP states that TEM and TED members shall be appointed by the TSE between 15 and 60 days prior to the election, and represent all the participating political parties, coalitions and independent candidates. The lack of capacity of the smaller parties to put forward enough representatives for all the MERs, TEMs and TEDs, and the TSE's practice of providing blank credentials to parties, has led to incidents of smaller parties selling their credentials to the PNH and PLH, according to some analysts. In previous elections, the two main parties had been accused of taking advantage of their increased presence on TEDs and TEMs, as well as the absence of smaller parties, to commit fraud. The 2007 electoral reforms increased the importance of the TEDs and TEMs by making them responsible for adding the votes of the level below them—according to these norms, the TEMs tabulate the results from individual polling stations, and send those results to the TEDs, which tabulate results for the department and send them to the TSE for the final national count. However, seeking to avoid the problems that seriously delayed vote counting in the 2005 and 2008 elections, tally sheets (*actas de cierre*) from individual MERs were transported to the national tabulation center in Tegucigalpa and tabulated there.

Throughout 2009, the TSE worked to train its permanent staff and the potential members of the polling stations,[10] strengthen

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10. The United Nations Development Programme (UNDP) and the International Foundation for Electoral Systems (IFES) had supported

its capacity to present preliminary results on a timely basis through the TREP project, and compensate for a lack of information-technology expertise by contracting to third parties the reception and processing of TREP transmissions and official election results. A portion of the technical assistance provided to the TSE by the international community was suspended after Zelaya was deposed. At the time, some experts expressed concern that the sudden removal of support could have an adverse effect on the more technical procedures implemented by the Tribunal, such as the TREP.

The Campaign Period

Pre-election Environment and Restrictions on Media and Civil Liberties

In the wake of the events of June 28, restrictions were placed on journalists and media outlets. The state of siege decreed on September 27 suspended constitutional guarantees, which included freedom of speech and assembly, and protection against arrest without warrant. Under this suspension of civil rights, security forces closed two opposition media outlets and reportedly damaged broadcast equipment. International and domestic human rights groups raised concerns about these and other developments (see also "Political Background," above).

Broadly accepted international standards for democratic elections demand that a number of fundamental rights be respected, including, among others: the right to express a political opinion; the right to seek and impart information through media; the right to move freely in the country to conduct or participate

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TSE training of potential members of the MERs on all aspects of election-day operations – opening, voting, closing, counting and result transmission – in the hope that political parties would put forward these trained individuals for accreditation as MER members by the TSE. However, the TSE repeated the practice of giving the parties blank MER member credentials.

Table 1

Candidate Withdrawals by Position Elected and Political Party

Office	PNH	PLH	PDCH	PINU	UD	Independents	Total
Mayor	3	8	6	6	17	2	42
Vice-mayor	7	15	4	5	8	1	40
Municipal councilmember	39	27	5	6	17	3	97
President	0	0	0	0	0	1	1
President-designate	0	1	0	0	1	3	5
Deputy	1	16	1	26	40	0	84
Substitute deputy	5	17	5	22	13	0	62
PARLACEN deputy	1	0	1	1	0	0	3
PARLACEN substitute deputy	0	2	1	0	0	0	3
Total	56	86	23	66	96	10	337

Source: *Mirador Electoral*, based on data provided by the TSE

in a campaign; and the right to protection and equality before the law. Government-imposed restrictions on civil liberties, including limits on expression, assembly and protest, had the potential to infringe on some of these key rights. Different sectors of Honduran society perceived these restrictions, and ultimately their impact on the process, in very different ways.

Political Parties and Candidates

Five parties participated in the presidential and legislative elections,[11] with additional parties and independent candidates participating in the municipal elections. Some candidates, including the independent presidential candidate, Carlos H. Reyes, dropped out of the race in protest over the failure to reinstate Zelaya.

Those parties and candidates that continued contesting the elections expressed different views on how the political crisis

had affected their ability to campaign. Some contended that the campaign was conducted fairly and even pointed to improvements, such as increased media access for smaller parties, which participated in 32 widely broadcast policy forums. Nonetheless, many noted that restrictions on civil liberties and tensions in some regions made traditional forms of campaigning, including holding rallies and posting campaign materials across the country, more difficult. Some parties said that internal divisions regarding the political crisis left their parties weakened in the face of the upcoming elections.

Political organizations were affected to varying degrees by candidate withdrawals. During the 2009 election campaign there were a total of 337 withdrawals, shown in Table 1, which affected all levels of the election, including the independent presidential candidate, Carlos H. Reyes. While this number represented less than three percent of all candidates, it distinguished these elections from previous processes and demonstrated the effects of the political crisis and divisions within the country.

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11. These five parties, the same parties that were represented in the outgoing Congress, were the Christian Democratic Party of Honduras (*Partido Demócrata Cristiano de Honduras*, PDCH); the Innovation and Unity Party – Social Democrats (*Partido Inovación y Unidad Social Demócrata*); the PLH; the PNH; and the UD.

ELECTION DAY

In general, November 29 unfolded in a peaceful and orderly manner. Domestic election monitoring organizations and participating political organizations did not report systematic political, organizational or technical problems that affected the process. However, isolated incidents occurred, such as a violent incident that arose in San Pedro Sula, where security forces dispersed a march against the elections and several participants were wounded or detained.

The threats prior to election day regarding potential violence against the elections related to the general environment of confrontation and the political crisis did not come to pass. The absence of violence or active forms of boycotting, such as blockades, also helped ensure that the TSE's organizational and technical procedures were implemented as planned.

Election administration

Functioning of the Polling Stations (MER)

Polling station staff set up polling stations normally on election day and the information provided by members of the mission as well as the reports by HD – the principal domestic monitoring organization – indicated that polling officials largely conducted their work in agreement with the procedures established in the legal framework and technical procedures, despite isolated problems.[12]

Voting at most polling stations began within an hour of the scheduled opening and materials were distributed without serious problems. The timeliness in opening the polls compared favorably with other recent polls in the region.

On election day, the TSE announced that the voting period would be extended for one hour, from 5 p.m. to 6 p.m. The TSE's objective in extending voting was to increase participation; while this decision was publicized in the media, it was not received by the staff at all polling stations, evidenced by the fact that 52 percent of polling stations closed between 4 and 5 p.m., while 42 percent closed between 5 and 6 p.m.[13]

In previous elections, out-of-country voting was held in Honduran consulates in the United States, where 18,000 Honduran citizens are registered. These consulates remained under the authority of representatives of the deposed president at the time of the November elections. As a result, the TSE organized alternative voting locations where representatives of

NDI President Ken Wollack and former Congressman Sam Gejdenson inside a polling center on election day in Tegucigalpa.

the parties participating in the elections organized and oversaw these *ad hoc* voting stations.

While many aspects of the process took place without widespread or serious flaws, some problems, which were reported by domestic monitors and witnessed by the Institute's international assessment mission, did occur. Misuse of party-allocated credentials for polling station officials appeared to allow the overrepresentation of the two largest parties at the polling stations. This practice contributed to the perception that the two dominant parties had inflated their presence at polling tables by acquiring or purchasing credentials intended for smaller parties. Should this practice be proven—and, according to various independent Honduran analysts as well as some political actors, it has been prevalent in past elections—it would create an imbalance among the contending political forces that could undermine confidence in the impartiality of election authorities at the municipal and departmental levels.

Vote Counting

While the counting process was generally adequate and effective, certain difficulties were observed. Particular problems were witnessed in counting congressional ballots in departments with large numbers of congressional seats, where poll workers encountered difficulties in rapidly counting and tallying large numbers of votes on each ballot.

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12. See *Hagamos Democracia* Final Report, attached as Appendix B.

13. *Ibid.*, p. 11.

The TSE employed new measures to improve the counting process, which traditionally have been marred by a lack of transparency and allegations of fraud. The Tribunal allowed public viewing of the count at polling stations. Initial confusion occurred in some voting centers where members of the public were removed from watching counting procedures. The TSE, however, immediately broadcast announcements reinforcing its earlier order to allow open viewing of the count, prompting polling stations that had failed to observe the new measures to reopen their doors to outside observers. This effort to increase transparency in the counting process was a marked improvement over past practices and had the additional benefit of facilitating the work of domestic observers, including those participating in a quick count of election results.

Transmission of Results

The TSE implemented a significant technical effort to generate confidence in the results, taking measures to try to achieve faster and more transparent transmission. As an added measure of transparency, the TSE facilitated the presence of observers and political party representatives in the computer center where the national tabulation took place, so that they could monitor the transmission of results on site. The TSE also designed the system for the Transmission of Preliminary Election Results (*Transmisión de Resultados Electorales Preliminares*, TREP) to facilitate the faster delivery of results from the presidential election and composed a TREP management team composed of representatives of the five political parties. Additionally, the TSE refined the official tabulation system through an electronic barcode tracking system for tally sheets.

At the time the preliminary results were announced on election night, the TREP had received slightly more than 60% of the results. However, the mechanisms for verifying TREP data suffered from technical problems, as the TSE itself recognized that night, which led the TSE magistrates to delay the release of the results.

Election Results

The TSE finally released the TREP results at 9:00 p.m. on election night, publicly indicating that the data were not verifiable and recognizing the technical problems experienced. The election night presidential results were clear; the difference between the two main contenders was considerable and was supported by similar figures projected by an independent quick count conducted by HD (see "Domestic and International Observation," below). This independent verification facilitated the acceptance of the results by the losing candidates.

The TSE released its final declaration of the election results (reflected in Tables 2 and 3 and Figures 1 and 2) on December 21, which contained no major changes in percentages of votes received among the presidential candidates in comparison to its election night announcement. Porfirio "Pepe" Lobo of the National Party was confirmed as president-elect; the PNH also won an absolute majority in Congress and elected the mayors of a majority of the country's municipalities.

Table 2
Results of the 2009 Honduran Presidential Election

Candidate	Votes	Percentage
Porfirio Lobo (PNH)	1,213,695	56.56%
Elvin Santos (PLH)	817,524	38.09%
Bernard Martínez (PINU)	39,960	1.86%
Felicito Ávila (PDCH)	38,413	1.79%
César Ham (UD)	36,420	1.70%
Valid votes	**2,146,012**	**100.00%**
Null votes	92,604	
Blank votes	61,440	
Total votes cast	**2,300,056**	**Turnout 49.89%**
Voter registry	4,611,211	

Source: NDI, based on TSE data

Figure 1
Seats Won by Party, 2009 Honduran Congressional Election

Total: 128 seats
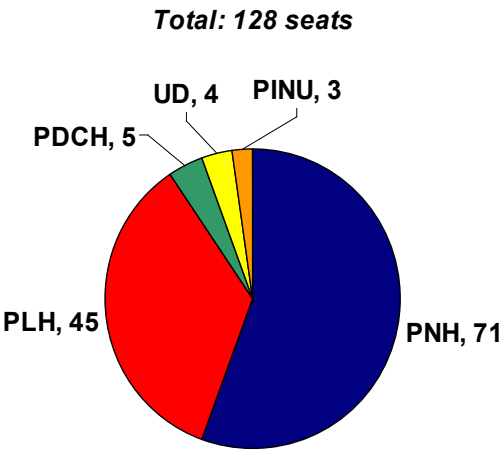
Source: NDI, based on TSE data

Citizen Participation and Turnout

Turnout became a highly politicized issue, as both opponents and supporters of the deposed president looked to this figure as a measure of popular support for their respective positions. The period leading up to the elections witnessed calls both for participation in, and boycott of, the elections. Pronounced calls for participation in the process came from parties and other

sectors, such as the Catholic and Evangelical churches. Calls for boycotting the elections came from several different groups throughout the country.

Table 3

Municipalities Won by Party, 2009 Honduran Municipal Election

Party	Municipalities
PNH	189
PLH	106
PDCH	2
PINU	0
UD	0
Independents	1
Total	298

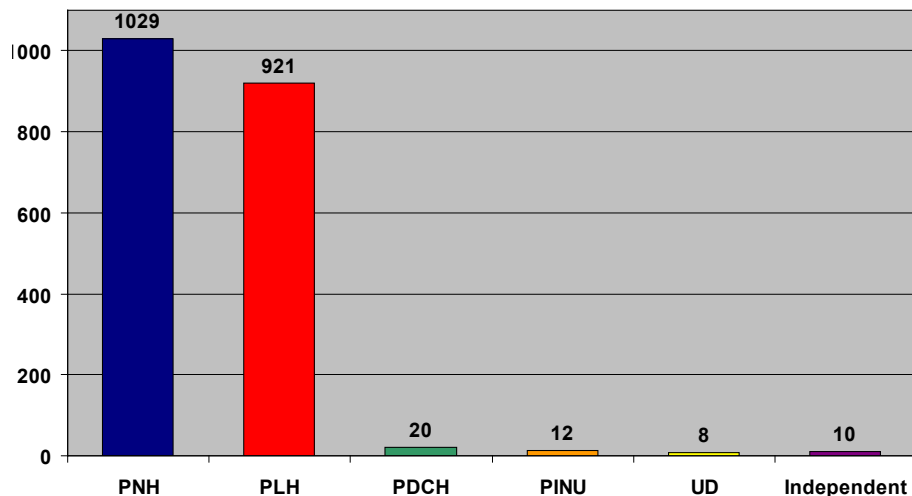*Note*: The winning party in a municipality received the positions of mayor and vice-mayor.

Source: NDI, based on TSE data

Figure 2

Councilmembers (Regidores) Elected by Party, 2009 Honduran Municipal Election

Source: NDI, based on TSE data

Efforts to boycott were not coordinated at a national level, since many pro-Zelaya factions were divided on how to react to the crisis. The level of citizen support for abstention was also difficult to measure. Isolated threats of violence, including planted bombs and vandalism, were noted in the weeks before the polls. In response to threats of boycott and other unrest surrounding the elections, the TSE announced an enhanced nationwide military presence and a special police operation to guarantee public order on election day. Some civil society representatives expressed the fear that threats of violence, as well as increased security measures – including military roadblocks and heightened police presence – could "militarize" the election and discourage turnout among some voters.

Reports from NDI mission members and domestic observers indicated moderate turnout as a percentage of those listed on the voter registry throughout the day. On election night, the TSE presented an initial estimate of a 61% turnout rate without explaining the derivation of this figure, while HD projected a level of turnout below 50%.[14] This discrepancy, and the lack of a constant explanation, constituted a major topic of debate regarding the elections, and was used by some sectors as an argument that the elections suffered from problems of legitimacy due to low participation. The Preliminary Report of the NDI International Assessment Mission recommended that the TSE clarify the discrepancy. However, no such explanation was forthcoming.

The final official results released by the TSE (Table 2 above) showed a reduction in turnout from the 61% cited on election night to approximately 50%. This continued the trend of declining turnout seen since the 1997 elections. Between 1997 and 2001, participation declined by 8%; between 2001 and 2005 by 11%; and between 2005 and 2009, by slightly more than 5%. However, due to the outdated voter registry, the actual significance of these percentages is unclear.

On election day, there were few problems related to the electoral registry. Data provided by domestic observers suggest that, while there were instances of voters not appearing on the voter registry at a significant number of polling stations, the volume of these incidents would not have impacted the results of the election in any way. However, this fact in itself would constitute a sufficient reason to audit the registry to establish its level of accuracy prior to the next elections.

Conduct of Political Organizations and Candidates

The competition between political parties and candidates was shaped by the limitations that resulted from the political crisis, whose impact the assessment mission was unable to establish due to the limitations of the mission and the sharply different conclusions presented by Honduran actors. Partisan activity on election day was generally within established bounds, including information booths for voters and party representatives serving as polling station staff, among other actions. In certain

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14. See HD's Bulletin No. 4, included in Appendix C, and HD's final report.

voting centers, campaign materials were witnessed within polling stations, but this was not a consistent problem nationwide.

Throughout election day and after the announcement of the results, parties, candidates and their supporters remained calm. In all cases, parties accepted the data provided by the TSE and recognized the victory of the winning candidate. This gesture was central in the peaceful conclusion to election day.

Domestic Monitors and International Election Observation

Domestic election monitors made an important contribution to the transparency of the election process. The civic coalition Election Watch (*Mirador Electoral*, ME) monitored aspects of the pre-election period – including media, campaign finance and compliance with election law – as well as the post-election period. NDI's civic partner HD, a coalition of diverse Honduran civic groups,[15] organized a successful Parallel Vote Tabulation (PVT) or "Quick Count"[16] of qualitative and quantitative aspects of the presidential election, covering more than 1,000 polling stations.

During the press conference where the TSE presented the preliminary results obtained from the TREP, HD delivered the results of the presidential election quick count in a sealed envelope. The TSE publicly presented HD's results, which showed clear agreement regarding the projections for each candidate, but a notable difference regarding the projections of voter turnout and abstention (see above, "Citizen Participation and Turnout"). The level of precision of this count was high, as shown in Table 1, and provided a trustworthy, independent source of information.

Demonstrably open to the work of accredited domestic observers, the TSE facilitated their accreditation and took steps to ensure their access to polling stations. When informed of isolated cases where polling station staff prevented observers from observing the vote count, the TSE intervened to ensure their access by publicly reiterating TSE instructions to open the vote count at polling stations to the public, including

domestic and international observers and representatives of the media.

Table 4

Comparison of the TSE's Official Results and *Hagamos Democracia* Quick Count for the Presidential Election

Political Party	TSE Official Results	HD Projection	Difference
PNH	56.56%	55.85%	0.71%
PLH	38.09%	38.47%	0.38%
PINU	1.86%	1.92%	0.06%
PDCH	1.79%	1.93%	0.14%
UD	1.70%	1.83%	0.13%
Turnout	49.87%	48.70%	1.17%

Source: NDI, based on data provided by the TSE and *Hagamos Democracia*

The European Union, OAS and The Carter Center decided not to send observers to the November 29 elections in the absence of Zelaya's return to office and following the breakdown in the implementation of the Tegucigalpa/San José Accord. The TSE extended invitations to multiple organizations and prominent individuals to observe the elections and announced that hundreds of observers had been accredited. Most election magistrates from the region declined the invitation.

Regrettably, the TSE offered funding for transportation, lodging and meals, and a number of the international observers accredited for the elections accepted this offer. The Declaration of Principles for International Election Observation states that international election observers should not accept funding or logistical support from the government whose elections are being observed, as it may raise a significant conflict of interest.

Role of Security Forces

As legally established and traditionally practiced in Honduras, the military plays a role in the electoral process beyond security, providing logistical support such as transporting polling materials, including results data. In recent years, the military's role in elections was placed directly under the control of the TSE – a decision that was reemphasized in the Tegucigalpa/San José Accord.

However, following the military's role in deposing President Zelaya, concerns were raised about the impartiality of the members of the armed forces. In response to these concerns, the TSE attempted to limit this role through the creation of the office of *electoral custodian*, a civilian with titular responsibility for distributing the material and managing the telephones used for the TREP. Despite efforts to recruit civilians to serve this

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15. The *Hagamos Democracia* consortium includes: Caritas (*Pastoral Social Cáritas de Honduras*), the Evangelical Cofraternity of Honduras (*Confraternidad Evangélica de Honduras*), the Federation of Non-Governmental Organizations for the Development of Honduras (*Federación de Organizaciones No Gubernamentales para el Desarrollo de Honduras*, FOPRIDEH) — composed of more than 70 NGOs representative of the diversity of opinion in the country on President Zelaya's ouster — and the Metropolitan University of Honduras (*Universidad Metropolitana de Honduras*, UMH).

16. A PVT uses election returns from a statistically significant number of randomly selected polling sites to project election results.

role, the TSE could not reach the number needed and, in the majority of cases, relied solely on the armed forces to distribute and collect electoral material.

Members of NDI's mission did not witness improper influence over the electoral process on the part of security forces. The military and police had a visible presence on election day, as noted by HD's election day statements.[17] However, this presence did not appear to interfere with the process and only a few incidences of abuse of power were noted.

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17. See HD Bulletin No. 2 in Appendix C.

Table 5
November 29, 2009 General Elections
Domestic Monitors and
International Observers

Type	Total
International Observers	486
Domestic Monitors	3,634
Total	4,006

Source: TSE data provided by *Mirador Electoral*

POST-ELECTION PERIOD

Shortly after the elections, Lobo's victory was recognized by the United States and a handful of other Latin American countries, but many countries withheld recognition and continued to push for Zelaya's restoration. On December 2, the Honduran Congress held the vote mandated by the Tegucigalpa/San José Accord and overwhelmingly rejected Zelaya's restoration. Zelaya remained in the Brazilian Embassy. Various efforts to mediate continued seeking to facilitate Zelaya's departure to a third country, Micheletti's departure from office, and the formation of a unity government to transfer power to Lobo. In January, as proposals for a political amnesty were under discussion in the Honduran Congress, five military commanders were summoned to appear before a Supreme Court judge on charges of expelling Zelaya from Honduras in violation of the Constitution. In addition, Congress began discussing the issue of granting amnesty to all those involved in the events of June 28, possibly extending to the military officials involved. On January 20, President-elect Lobo announced that once inaugurated, he would offer safe passage for Zelaya and his family to the Dominican Republic. Also on January 20, Micheletti announced that while he was not resigning, he would move out of the presidential palace and leave the cabinet in charge of daily operations for the six days leading up to the January 27 inauguration of Lobo.

Discussion of whether to end Honduras's international isolation once Lobo assumed the presidency continued within the international community. Divisions persisted inside Honduras, with many groups who had pressed unsuccessfully for Zelaya's restoration shifting after the November elections to demands for convoking a Constituent Assembly.

RECOMMENDATIONS

Based on the observations of the Election Assessment Mission, information received from various political and social actors, and the analysis of reports issued by domestic observers, NDI presents the following recommendations to Honduran strategic actors, focused on improving the operation of the electoral system and political parties in the country.

1. Overall Political Situation

1.1   Establish, as soon as possible, the Truth Commission envisioned under the Tegucigalpa/San José Accord. The purpose of the Commission is to clarify what happened before, and after the June 28 ouster of President Zelaya. It should also specifically examine human rights violations that preceded the November 29 elections.

1.2   Design and conduct studies on the impact of the institutional breakdown and political crisis on confidence in Honduran political institutions, as well as prospects for restoring progress toward democratic consolidation, after the elections to create a source of firm and verifiable information that can serve as a basis for the design and implementation of strategies for national reconciliation.

2. Legal Framework

2.1   Initiate a new set of electoral reforms to strengthen the TSE's independence and reinforce the Tribunal's autonomous organizational and technical capacity.

2.2   Undertake legal reforms to reduce the institutional role of the armed forces in organizing elections, strengthening the role of civilian actors in all spheres.

3. Electoral Administration

3.1   Conduct a comprehensive evaluation of the 2009 electoral process to assess the progress made and identify remaining technical and organizational challenges. This evaluation should serve as a basis to define strategies for strengthening the TSE in the period before the next electoral process.

3.2   Reinforce the process for selection, training and accreditation of polling station staff to build on the visible improvements in their performance and eliminate the practice of distributing blank credentials to political parties.

3.3   Conduct an external and independent audit of the voter registry that would permit the TSE, political parties and the public to determine the accuracy of the registry and, on that basis, design strategies for its improvement in advance of the next elections.

3.4   Further develop the TSE's capacity to implement processes for the transmission of results. For the 2009 elections, publish the official results for all national and local officials by individual polling station, in an electronic format that is accessible to all those who wish to analyze the data and evaluate their accuracy.

4. Political Actors and Citizens

4.1   Promote analysis of the current state of the political party system and the impact of the political crisis on political parties that could serve for the design and implementation of systemic reform and modernization. Promote parties' adaptation to the changes in society as an important factor for restoring progress toward democratic consolidation and reinforcing the institutionalization of the political system in its entirety.

4.2   Strengthen civic election observation initiatives to guarantee the effective assimilation of observation and quick count methodologies on the part of domestic actors.

4.3   Develop and implement in a timely manner strategies to promote electoral participation and overcome the decade-old trend of increasing abstention.

4.4   International election observers should refrain from accepting funding or logistical support from the government whose elections are being observed, in accordance with the Declaration of Principles for International Election Observation.

APPENDIX A

Preliminary Report of the National Democratic Institute International Election Assessment Mission to the Honduran General Elections of November 29, 2009

Tegucigalpa, December 1, 2009

This preliminary report is offered by the National Democratic Institute's (NDI) assessment mission to the November 29, 2009, Honduran general elections.

I.   Introduction

These elections were convoked by the Supreme Electoral Tribunal (*Tribunal Supremo Electoral*, TSE), and all the candidates were selected before President Manuel Zelaya was deposed on June 28. Since Zelaya's ouster, the already existing polarization and the political crisis in the country intensified and the holding of the elections themselves was challenged both inside and outside the country. In July, Honduras was suspended from active membership in the Organization of American States (OAS) for violating the OAS Democratic Charter through a coup d'etat.

Since June, Honduras has experienced two distinct campaigns: one between those supporting the removal of President Zelaya and those opposing his ouster; the other between the parties and candidates contesting the November elections. The broader conflict relating to Zelaya's ouster had an impact on Honduran society and the country's international standing. Its precise impact on the electoral campaign, however, is difficult to measure as different sectors of society express conflicting assessments and impartial, verifiable information is difficult to obtain.

Some have argued that holding these elections under current conditions would legitimize a coup d'etat and establish a precedent that could be used to unseat elected governments elsewhere. Others have asserted that the Honduran voters' will, as expressed through the ballot box, should be sufficient to overcome the crisis and repair the country's breach with the international community. Still others have argued that credible elections leading to a new, democratically elected government could represent an important step forward if they lead to a genuine national reconciliation process.

The purpose of NDI's election mission was not to take a position on these larger political issues nor should its presence in Honduras be viewed as such. Rather, the mission sought to provide an impartial assessment of the conduct of the electoral process. The conduct of these elections will inevitably affect conditions for overcoming the political divisions in the country; and the findings of international elections experts can help to provide an impartial source of information that Hondurans may draw on to help reach their own assessment of the elections process and to undertake, after the elections, the steps necessary to implement meaningful measures that can advance national reconciliation and democratic governance.

The decision to send this mission to Honduras was taken shortly after the signing of the Tegucigalpa/San José Agreement, which set out a process for resolving the country's political

stalemate. However, given severe time constraints, NDI was unable to send a formal international election observation mission in accordance with standards set forth in the widely recognized Declaration of Principles for International Election Observation, which is endorsed by 35 leading intergovernmental and nongovernmental organizations. The Declaration has also been formally acknowledged with appreciation by a vote of the United Nations General Assembly. Deploying an observer mission consistent with the Declaration would have required the dispatch of long-term observers and pre-election missions to assess thoroughly the campaign period, as well as the deployment of large numbers of observers throughout the country on election day. Instead, NDI decided to send a more limited, specialized assessment mission to provide an impartial, objective source of information regarding this process. According to the Declaration, such missions do not draw broad conclusions about the overall process.

The delegation hopes that its findings and recommendations will contribute to concerted efforts by Hondurans to move forward after the elections with concrete steps toward national reconciliation in a way that overcomes the ongoing political crisis, advances democratic institutions and restores the international standing of the country.

II.   Election Day

On November 29, Honduran citizens elected a new president and three presidential designates, 20 deputies to the Central American Parliament, 128 deputies to the National Congress (*Congreso Nacional*, CN) and the leaders of 298 municipalities. In total, 14,500 candidates – some chosen in primaries held in November 2008 – sought 2,896 elected positions countrywide.

Election day was generally peaceful and orderly. No systematic problems in the process were reported by Honduran domestic election monitors or political contestants. There was, however, an incident in San Pedro Sula, where a protest march against the unfolding elections was forcibly dispersed by police. A number of protesters were reportedly injured and detained.

Voting at most polling stations began within an hour of the scheduled opening and materials were distributed without serious problems. The timeliness in opening the polls compared favorably with other recent polls in the region. Despite minor or isolated problems, polling station officials generally conducted their duties during the voting process in a professional manner.

The TSE employed new measures to improve the counting and tabulation processes, which traditionally have been marred by a lack of transparency and allegations of fraud. The Tribunal allowed public viewing of the count at polling stations and permitted observers and party representatives to monitor central tabulation centers. Initial confusion occurred in some stations where members of the public, and some observers, were removed from watching counting procedures. The TSE, however, immediately broadcast announcements reinforcing its earlier order to allow open viewing of the count, triggering polling stations to reopen their doors. This effort to increase transparency in the counting process was a marked improvement over past practices.

To counter past problems of a nontransparent and sometimes incomplete tabulation of results, as was the case during the 2005 elections, the Tribunal took steps to improve the transport of results from polling sites to the central tabulation center in Tegucigalpa. Additionally, the TSE increased outside checks on the tabulation of ballots, contributing to greater transparency in the process. The Tribunal's effort, however, to announce comprehensive preliminary results of the presidential election within hours of the end of voting was unsuccessful.

While many aspects of the process took place without widespread or serious flaws, some problems, which were reported by domestic monitors and witnessed by this delegation, did occur. Misuse of party-allocated credentials for polling station officials appeared to allow the overrepresentation of the two largest parties at the polling stations. This practice contributes to the perception that the two dominant parties are inflating their presence at polling tables by acquiring or purchasing credentials intended for smaller parties. Certain difficulties were also observed surrounding the counting process, especially the tally of the legislative races.

In previous elections, out-of-country voting was held in Honduran consulates in the United States, where 18,000 Honduran citizens are registered. These consulates remained under the authority of representatives of the deposed president at the time of the November elections. As a result, the TSE organized alternative voting locations where representatives of the parties participating in the elections organized and oversaw these ad hoc voting stations.

Political Parties and Candidates

Many parties were active on election day, hosting information tents where they assisted voters in finding their polling station and encouraged support for their candidates. While this practice seemed well received by many voters, some of these booths were within 50 meters of the polling center, in violation of the law. Further, campaign material was found inside some polling centers, triggering complaints by voters and party representatives.

On election day, major parties and candidates were actively monitoring the process at the national level, especially regarding preparations around and analysis of the results transmission. When the Tribunal announced partial returns on election day, losing presidential candidates conceded. The release of an independent vote count (as described below) helped increase confidence in the preliminary transmission of the presidential election results.

Election Observers

Domestic election observers made an important contribution to the transparency of the election process. The civic coalition, Election Watch (*Mirador Electoral*), monitored aspects of the pre-election period, including media, campaign finance and compliance with election law. The group will continue to monitor the post-election period and release a report of its findings in the coming weeks. NDI's civic partner, Making Democracy (*Hagamos Democracia,* HD)[1], a coalition of

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[1] The Hagamos Democracia coalition includes: Pastoral Social Cáritas de Honduras, Confraternidad Evangélica de Honduras, Federación de Organizaciones No Gubernamentales para el Desarrollo de Honduras (FOPRIDEH) and Universidad Metropolitana de Honduras (UHM).

diverse Honduran civic groups, organized a Parallel Vote Tabulation (PVT) or "Quick Count"[2] of qualitative and quantitative aspects of the presidential election, covering more than 1,000 polling stations. Despite isolated problems experienced by HD observers in gaining access to the counting process, the group successfully completed a PVT, projecting results that tracked the partial returns announced by the Tribunal on election night. However, discrepancies existed between HD's projection of voter turnout and initial information provided by the Tribunal. Hopefully, this discrepancy will be clarified once the TSE's final, detailed results are announced. In a positive development, the TSE facilitated the work of domestic election monitors throughout the election process. In fact, the Tribunal officially presented HD's findings at its election night press conference.

The European Union, OAS and The Carter Center decided not to send observers to the November 29 elections in the absence of Zelaya's return to office and following the breakdown in the implementation of the Tegucigalpa/San José Agreement. The TSE extended invitations to multiple organizations and prominent individuals to observe the elections and announced that hundreds of observers had been accredited. Most election magistrates from the region declined the invitation.

Regrettably, the TSE offered funding for transportation, lodging and meals, and a number of observers accepted this offer. The Declaration of Principles for International Election Observation states that international election observers should not accept funding or logistical support from the government whose elections are being observed, as it may raise a significant conflict of interest.

Citizen Participation

The period leading up to the elections witnessed calls both for participation in, and boycott of, the elections. Pronounced calls for participation in the process came from parties and other sectors, such as the Catholic and Evangelical churches. Calls for boycotting the elections came from several different groups throughout the country.

Efforts to boycott were not coordinated at a national level, since many pro-Zelaya factions were divided on how to react to the crisis. The level of citizen support for abstention was also difficult to measure. Isolated threats of violence, including planted bombs and vandalism, were noted in the weeks before the polls. In response to threats of boycott and other unrest surrounding the elections, the TSE announced an enhanced nationwide military presence and a special police operation to guarantee public order on election day. Some civil society representatives expressed the fear that threats of violence, as well as increased security measures – including military roadblocks and heightened police presence – would discourage turnout among some voters.

The Role of Security Forces

As legally established and traditionally practiced in Honduras, the military plays a role in the electoral process beyond security, providing logistical support such as transporting polling

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[2] A PVT uses election returns from a statistically significant number of randomly selected polling sites to project election results.

materials, including results data. In recent years, the military's role in elections was placed directly under the control of the TSE – a decision that was reemphasized in the Tegucigalpa/San José Agreement. However, following the military's role in deposing President Zelaya, concerns were raised about the impartiality of the members of the armed forces. In response to these concerns, the TSE planned to provide a sufficient number of so-called civilian "custodians" to be present at each voting center when sealed election materials were transported by the armed forces. Despite these efforts, the Tribunal was ultimately unable to meet full recruitment goals for these custodians. To date, the delegation is not aware of any problems of delivery of election materials during the results transmission process.

The military and police had a visible presence on election day. However, this presence did not appear to interfere with the process and only a few incidences of abuse of power were noted.

NDI recognizes that the credibility of an electoral process extends beyond election day and that all aspects of the process must be considered. Among other factors, these include: the conditions set up by the legal framework for the elections; the ability of citizens to seek and receive sufficient and accurate information about their political choices; the ability of political competitors to organize and reach out to citizens to win their support; the freedom that citizens and political competitors have to engage in the political and electoral process without fear of intimidation, violence or retribution; the conduct of voting, counting, tabulation and announcement of results; the investigation and resolution of complaints; and the conditions surrounding the formation of a new government. Due to the limits of this assessment mission, NDI was unable to independently conduct a thorough evaluation of the pre-election period. This assessment is based on information gathered from diverse representatives of Honduran society.

III.   Pre-Election Process

Election Administration and Preparation

Legal Framework

The legal framework in place for the electoral process generally provides for democratic elections, but the law, in some areas, was inconsistently applied. The 2009 general elections were governed by the Constitution of Honduras, the Law on Elections and Political Organizations (*Ley Electoral y de las Organizaciones Políticas*, LEOP) and other electoral and political regulations. The Honduran Constitution stipulates that all activities and procedures related to elections are the responsibility of the Supreme Election Tribunal. Since the democratic transition in 1982, Honduras has undertaken a number of reforms including: separating the National Civil Registrar (*Registro Nacional de las Personas*, RNP) from the electoral authorities; regulating political campaigns and the public financing of parties; establishing quotas for women candidates; and instituting measures designed to insulate the TSE from partisan influence.

Despite these important changes to the laws governing elections, reforms were not always realized or applied consistently. Laws establishing a 30 percent quota for women candidates have not been enforced; campaign spending has not been regulated as the law directs; and the TSE remains party based. Further, a pending court case challenges the legal standing of three of

the four electoral magistrates. They were selected even though they held elected office, an alleged violation of constitutional provisions.

A portion of the technical assistance provided to the TSE by the international community was suspended when Zelaya was not reinstated as president. At the time, some experts expressed concern that the sudden removal of support could have an adverse effect on the more technical procedures implemented by the Tribunal, such as the program for rapid transmission of results.

Voter Registry

The present voter registry, which is based on the civil registry maintained by the National Civil Registrar, consists of approximately 4.6 million citizens out of a population of almost 7.9 million people. Between 2001 and 2009, the number of Honduran citizens increased by 20 percent, while the number of registered voters increased by 33 percent. Between 2001 and 2005, however, the actual number of votes cast dropped by 4 percent, as the abstention rate increased by nearly 34 percent. Some analysts believe that the increasing abstention rate is partially due to an inflated voter registry that has absorbed new citizens, but has not been purged of the estimated one million people who have migrated or died. The voter registry has been an area of concern among some Hondurans and problems with the registry have been flagged by monitors of past elections. Despite repeated concerns regarding the accuracy of the list, no independent audit of the voter registry has been conducted. Due to a lack of funding, a planned replacement of identity cards that would have resulted in a revamped electoral registry in 2006 did not occur, leaving the TSE with no alternative but to use a voter registry that many consider bloated and outdated.

The Campaign Period

Pre-election Environment and Restrictions on Media and Civil Liberties

In the wake of the events of June 28, restrictions were placed on journalists and media outlets. Following the return of the ousted president to the country, a "state of siege" (*estado de sitio*) was decreed on September 27 and extended three weeks into the official campaign period. The decree suspended constitutional guarantees, which included freedom of speech and assembly, and protection against arrest without warrant. Under this suspension of civil rights, security forces closed two opposition media outlets and reportedly damaged broadcast equipment. The Inter-American Commission on Human Rights and other international and national human rights groups raised concerns about these and other developments, citing: closures of, and threats against, certain media outlets; arbitrary detentions; violations of freedom of expression; and excessive use of public force against demonstrations.

Broadly accepted international standards for democratic elections demand that a number of fundamental rights be respected, including, among others: the right to express a political opinion; the right to seek and impart information through media; the right to move freely in the country to conduct or participate in a campaign; and the right to protection and equality before the law. Government-imposed restrictions on civil liberties, including limits on expression, assembly and protest, had the potential to infringe on some of these key rights. The delegation found that

different sectors of Honduran society perceived these restrictions, and ultimately their impact on the process, in very different ways.

Political Parties and Candidates

Five parties participated in the presidential and legislative elections, with additional parties and independent candidates participating in the municipal elections. Some candidates, including the independent presidential candidate, Carlos H. Reyes, dropped out of the race in protest over the failure to reinstate Zelaya. The delegation heard conflicting anecdotal information on the exact number of candidates who had officially or unofficially withdrawn in apparent protest, with estimates varying from 70 to 250.

Those parties and candidates that continued contesting the elections expressed different views on how the political crisis had affected their ability to campaign. Some contended that the campaign was conducted fairly and even pointed to improvements, such as increased media access for smaller parties, which participated in 32 widely broadcast policy forums. Nonetheless, many noted that restrictions on civil liberties and tensions in some regions made traditional forms of campaigning, including holding rallies and posting campaign materials across the country, more difficult. Some parties said that internal divisions regarding the political crisis left their parties weakened in the face of the upcoming elections.

IV.   Recommendations

In the spirit of international cooperation, the delegation offers the following recommendations to help overcome divisions in Honduran society, strengthen electoral processes and advance democratic institutions.

- The Truth Commission envisioned under the Tegucigalpa/San José Agreement should be established as soon as possible. The purpose of the Commission is to clarify what happened before and after the June 28 ouster of President Zelaya. It should also specifically examine human rights violations that preceded the November 29 elections.

- The Supreme Electoral Tribunal should expeditiously make public official election results by polling stations for all races conducted on November 29 and publish this information on its website in an electronically accessible format that enables independent analysis.

- A new or updated voter registry should be created as a means to build confidence in the electoral process and to provide an accurate basis for voter eligibility. As a first step, an independent audit of the current list should be undertaken to inform the design of the new or updated list.

- Honduran election law should be applied in a way that meets both the spirit and the letter of provisions establishing independent electoral authorities.

- The TSE should cease the practice of distributing blank credentials to parties for the purpose of accrediting polling place officials. The legislature and Tribunal should consider reform measures to ensure that voting and counting processes are not susceptible to undue partisan influence.

- The Tribunal should reduce its reliance on military forces to provide logistical support for the administration of elections.

- The Tribunal should increase training for election officials at the polling station level, especially regarding the counting process.

The delegation heard repeatedly that the crisis began before June 28 and will continue after these elections unless a genuine reconciliation process begins. Regardless of the controversy over the holding of these elections under current circumstances, the newly elected leaders of Honduras have the opportunity and responsibility to do everything possible to overcome the divisions in the country. This is the best way to respond to the hopes and aspirations of the Honduran people.

The delegation expresses its gratitude to the Hondurans across the political divide who generously shared their time and views with the assessment mission. Their observations and insights enabled the delegation to carry out its mission.

V.   The Assessment Mission and its Work

The mission included: Horacio Boneo, former Director, United Nations Electoral Assistance Division, Argentina; Luis Alberto Cordero, former Executive Director, Center for Electoral Promotion and Assistance (CAPEL), Costa Rica; Matt Dippell, Deputy Director for Latin America and the Caribbean, NDI, United States; Sam Gejdenson, former Member of Congress and Ranking Member of the House Foreign Affairs Committee, United States; Michele Manatt, international relations consultant, United States; Eduardo Nuñez, NDI Representative for Honduras and Guatemala, Costa Rica; Marek Peda, elections expert, Poland; Philip Robbins, Chairman of the Board of Directors, National Law Center for Inter-American Trade, United States; Salvador Romero, former President-Magistrate, National Electoral Court, Bolivia; Jim Swigert, Regional Director for Latin America and the Caribbean, NDI, United States; Maureen Taft-Morales, Specialist in Latin American Affairs, Congressional Research Service, United States; Félix Ulloa, former Magistrate, Supreme Electoral Tribunal, El Salvador; and Kenneth Wollack, President, NDI, United States.

These delegates were joined by NDI staff members Sara Barker, Keila González, Laura Grace, Sandra Guzmán, Guido Iñigo, Alex Kerchner, Mario Mitre, Anna Prow, Wendy Ramirez, Dan Reilly and Rob Runyan.

This international election assessment mission was funded by a grant from the United States Agency for International Development.

The mission deployed three teams to Tegucigalpa and its surroundings, and five teams to other locations in the country. These included Comayagua, Danlí, Juticalpa, La Ceiba and San Pedro

Sula. Team members met with local election authorities, observer groups, party representatives and public security officials, and observed the voting and counting process on election day. After the elections, the group reconvened in Tegucigalpa to share their respective findings and prepare this report.

The mission offers the above assessment based on information gathered from a broad range of Hondurans including: presidential, legislative, and municipal candidates across the political spectrum; leaders of the National Resistance Front Against the Coup d'Etat; appointees to the Tegucigalpa/San José Verification Commission; representatives of human rights groups, the religious community, the business sector, labor unions, media and the international community; domestic election monitors; security personnel; election officials at the national, departmental and municipal levels; and academics. The mission was also informed by its direct observation of balloting on election day and through exchanges with NDI's Honduran election observation partner, HD. In witnessing the 2009 Honduran elections, NDI does not presume to supervise or render a final judgment of the election process. The Institute recognizes that the citizens of Honduras will ultimately determine the credibility of the process.

VI.   Contact Information

For further information, please contact: Eduardo Nuñez at enunez@ndi.org in Tegucigalpa or Jim Swigert at jswigert@ndi.org in Washington, DC.

APPENDIX B

FINAL REPORT ON THE ELECTION OBSERVATION AND QUICK COUNT

2009 GENERAL ELECTIONS

DECEMBER 22, 2009

Introduction

The Making Democracy (*Hagamos Democracia*, HD) consortium is an independent platform of Honduran organizations formed by the Federation of Non Governmental Organizations in Honduras (*Federación de Organizaciones no Gubernamentales para el Desarrollo de Honduras*, FOPRIDEH), Caritas in Honduras, the Fraternity of the Evangelical Church (*Confraternidad Evangélica*) and the Metropolitan University of Honduras (*Universidad Metropolitana de Honduras – UMH*). Since 2008, they have worked to develop an active and conscious process of citizen observation for the 2009 general elections to promote higher levels of transparency, credibility and citizen participation in this electoral process.

Caritas and FOPRIDEH worked to organize election observation in the past three elections (2001, 2005 and 2009) as an initiative to strengthen democracy and rule of law, allowing Honduran citizens to observe and assess the actions taken by public authorities during the electoral process.

In 2008, the National Democratic Institute for International Affairs (NDI) secured funding from the United States Agency for International Development (USAID) to provide technical assistance to HD, a consortium of civic groups formed to, for the first time, conduct a quick count of the presidential race in the 2009 elections.[1] The following report summarizes the key features of NDI's technical assistance to HD. The focus is on technical assistance for the quick count for the 2009 elections in Honduras.[2]

The report is organized in six sections. The first is a technical summary of the sample and the strata used for generating the quick count data. The second section describes the volunteer network, and the third explains how data were collected and processed. The fourth and fifth sections present results from information gathered by observers on standardized forms – an evaluation of the process at the level of the polling station, and a summary of the vote count results. Finally, the sixth section discusses the level of turnout in the 2009 general elections.

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[1] Consortium member included: Caritas in Honduras; The Federation of Development Organizations in Honduras (FOPRIDEH); The Fraternity of the Evangelical Church; and The Metropolitan University of Honduras (UMH).

[2] For more information about quick counts see the NDI manual *Quick Counts and Election Observation* by Estok, Nevitte and Cowan, 2001.

I. The Sample

HD selected a statistically random sample of 1,173 polling stations (*Mesas Electorales Receptoras*, MER). The sample was designed to have a margin of error of plus or minus 1% with a 0.99 confidence level. A comparison of the population and sample characteristics is summarized in Table 1. Notice that the sample is divided into five strata: Tegucigalpa (central district); urban (all urban areas as defined by the Honduran census outside of Tegucigalpa); Atlantic Coast (Atlántida, Colón, Gracias a Dios, the Bay Islands, Yoro and the municipalities of Omoa and Puerto Cortés in the Department of Cortés); Rural West (Santa Barbara, Copán, Lempira, Intibucá, La Paz, Ocotepeque); and the rest of the rural areas.

Table 1

Strata	Universe			Sample		
	Voters		**Mer**	**Voters**		**Mer**
Tegucigalpa	691,860	15.1%	2,066	53,032	15.0%	159
Urbano	1,012,967	22.1%	2,989	77,212	21.9%	227
Costa Atlántica	893,712	19.5%	2,953	67,966	19.3%	227
Oeste Rural	787,146	17.1%	2,950	60,002	17.0%	227
Resto Rural	1,207,213	26.3%	4,290	94,578	26.8%	333
Total	**4,592,898**	**100.0%**	**15,248**	**352,790**	**100.0%**	**1,173**

Characteristics of the HD Sample

These strata correspond to historical regional variations in voting patterns and participation rates. The sample was drawn from the final list of polling stations issued by the Supreme Electoral Tribunal (*Tribunal Supremo Electoral*, TSE) on October 12, 2009.

II. The Volunteer Network

A. Organization

The volunteer network included citizens recruited by HD national staff with substantial support from HD member organizations. The network was structured around 18 departmental coordinators and 114 municipal coordinators, who in some cases were responsible for coordinating more than one municipality. This meant that each municipal coordinator supervised an average of 12 local observers.

B. Training

A national training program was held for Departmental Coordinators. Subsequently, HD staff joined Departmental Coordinators to hold regional training programs for Municipal Coordinators. The Municipal Coordinators, in turn, were responsible for recruiting and training observers. Every effort was made to verify the qualifications of coordinators and observers, and to ensure consistency in message.

For the process of identifying and recruiting municipal and departmental coordinators, as well as local observers, HD drafted a list of criteria and requirements that coordinators and observers should meet, with the goal of ensuring competence and political independence of all those involved in the election observation process.

Recruiting and training success was uneven up until one month before the elections, due in part to the uncertain electoral environment. At that time HD reviewed its strategy and developed an emergency recruiting and training plan. The HD volunteer coordination team was reinforced with staff from member organizations, and those member organizations undertook the recruitment and training of other civic groups that were then incorporated into the volunteer network. Local coordinators were identified, approximately one per twelve sample points, to verify and complete the volunteer observer network.

To ensure that the observers had the necessary skills and knowledge, a standardized training manual, substantially based on similar manuals from other observer groups working in Latin America, was developed. The manual covered four major areas:
- Key Components of the Electoral Law
- A Description of Quick Count Methodology
- Instructions for Using Quick Count Observer Reporting Forms 1 and 2[3]
- Protocols for Reporting Quick Count Information

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[3] See Appendix A for F1 (morning form) and F2 (evening form).

C. Accreditation

The TSE established a set of regulations governing the behavior of national and international observers well before the elections. The TSE required all observers to submit applications for credentials that would ensure access to all parts of Election Day procedures, from the opening of the polling stations to the finalization of the vote count.

HD developed a database and software to collect and manage the information required by the TSE to receive credentials. The required information included contact information and identification card numbers for the volunteers. Originally a digital photo was required but the TSE granted some exceptions to this rule as it became onerous and elections drew near. HD submitted applications for observer credentials in chunks as the information became ready. The final packet of credentials was given to HD three days before elections, completing information packets distributed to HD volunteers around the country.

III. Election Day Headquarters

HD set up a central facility to collect and manage information from volunteers distributed around the country. The facility was organized to facilitate the collection and processing of information, and it included the following equipment:

- 40 computers for data entry configured in a network dedicated exclusively to receiving reports from F1 and F2. Software to process data from F1 and F2 was custom designed and installed on these computers.
- A server and a backup server.
- An integrated database that held and integrated observer information, sample information, and reports from F1 and F2.
- 60 telephone lines dedicated to receiving observer reports. Forty of these were installed next to the data entry computers, 10 were held to recover missing information and 10 to communicate with HD coordinators.
- A backup generator.

The information from observer reports was transmitted as follows:

1. Observers at a random sample of polling stations (sample points) made two phone calls.
2. The first phone call was received by volunteers staffing the 40 Data Entry computers. The second call made by observers was to a network of private homes and offices located around the capital city of Tegucigalpa (see #8 below).
3. The information from Data Entry was sent to a central server, which, in turn, relayed the information to (a) a Check-off Chart, (b) the Sample Recovery room, and (c) the Data Analysis room.

4. A wall-sized Check-off Chart was created to track calls received, providing a handy visual representation of received and missing data.
5. The Sample Recovery Room was set up to investigate any information that was rejected by the data entry software, as well as to analyze the locations of missing data.
6. The Analysis Room was set up to monitor F1 and F2 results. Analysts watched for the data to stabilize, interpreted reports from the observers and developed graphic presentations of information for the HD Board of Directors.
7. Missing data were sought through telephones set up in the Data Recovery room. The Data Recovery volunteers were instructed to call local coordinators, or the observers themselves.
8. Observers stationed at the polling stations followed their call to the HD headquarters with a second call to 50 "friends of HD," also known as "Godmothers and Godfathers." This was designed as emergency "bank" of information should the HD headquarters be compromised. These Godmother and Godfather reports were picked up by volunteers on motorcycle and delivered to HD headquarters.
9. A separate Emergency Room was set up for two-way communication between HD headquarters and departmental, municipal and local coordinators.
10. The Board Room was set up for the HD leadership to monitor the work of HD's technical team. As the Board received information on developments in the election, it reviewed and analyzed the quick count results in order to make the necessary decisions and draft press statements to publicize information on the partial results of the observation process and, ultimately, the quick count result.

IV. Quick Count Results

A. Polling Station Setup and Opening

Observers were trained to remain at their assigned polling stations (sample point) during the entire day. Their first report to HD headquarters was scheduled for 6:00am following the opening of the polling station. The results come from F1 (see Appendix A).

The opening of the polling stations proceeded smoothly, with few exceptions. Virtually all (99.5%) of the polling stations opened as planned (Figure 1); and procedures were followed to ensure secrecy of the vote (Figure 2). Complete materials were present in 98.3% of the polling stations (Figure 3), and proper documentation was present in 96.9% of the polling stations (Figure 4). Voting began before 8:00am in 93.8% of the polling stations (Figure 5). The data in Figures 1 through 5 indicates that problems early in the day were very minor indeed.

Figure 1
Polling Stations Opened

No
0.5%

Yes
99.5%
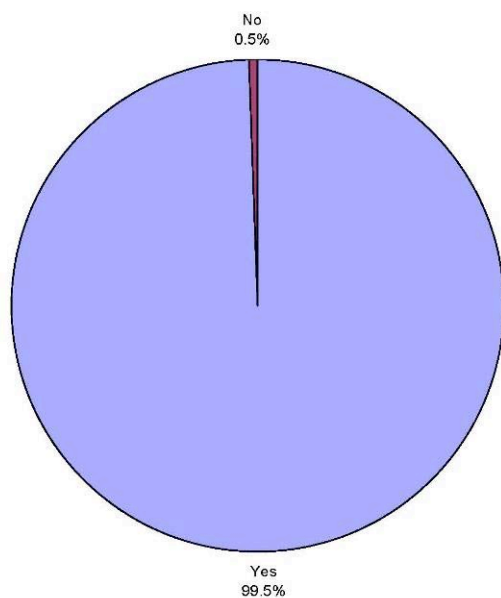
Figure 2
Facilities Adequate and Secrecy of the Vote Ensured

No
2.1%

Yes
97.9%
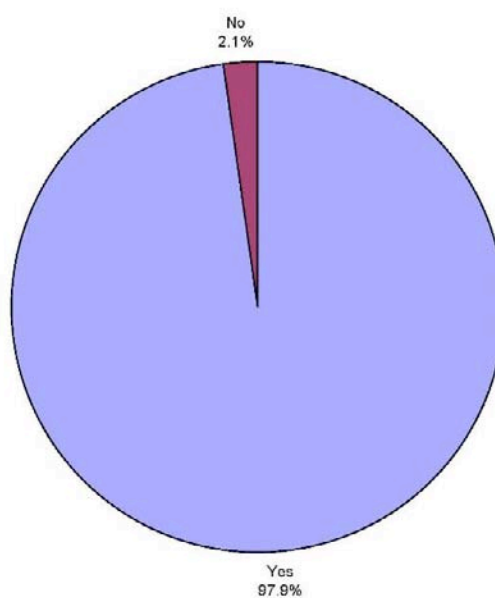
Figure 3
Required Election Materials Present

Incomplete
1.7%

Complete
98.3%
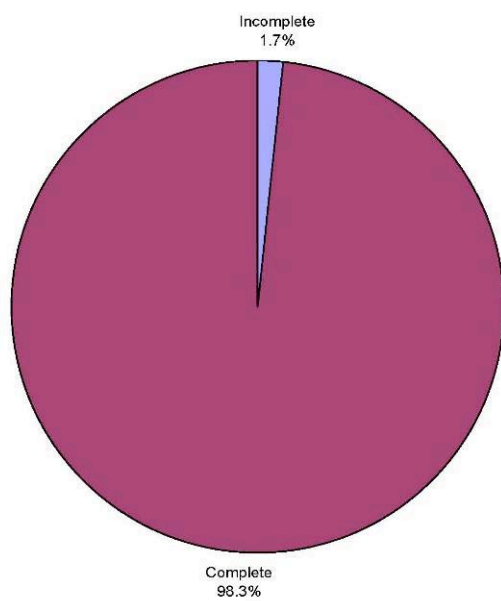
Figure 4
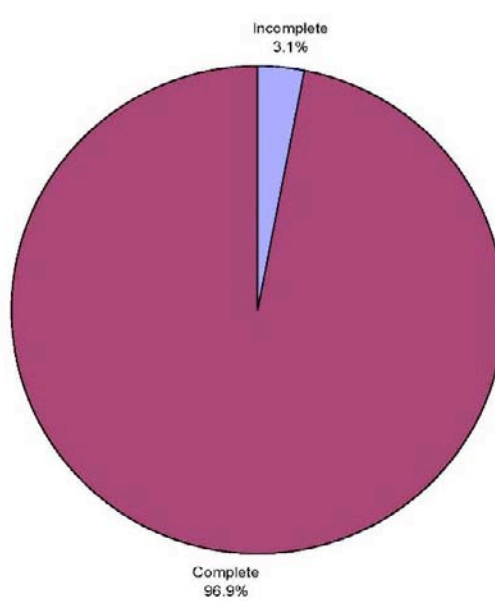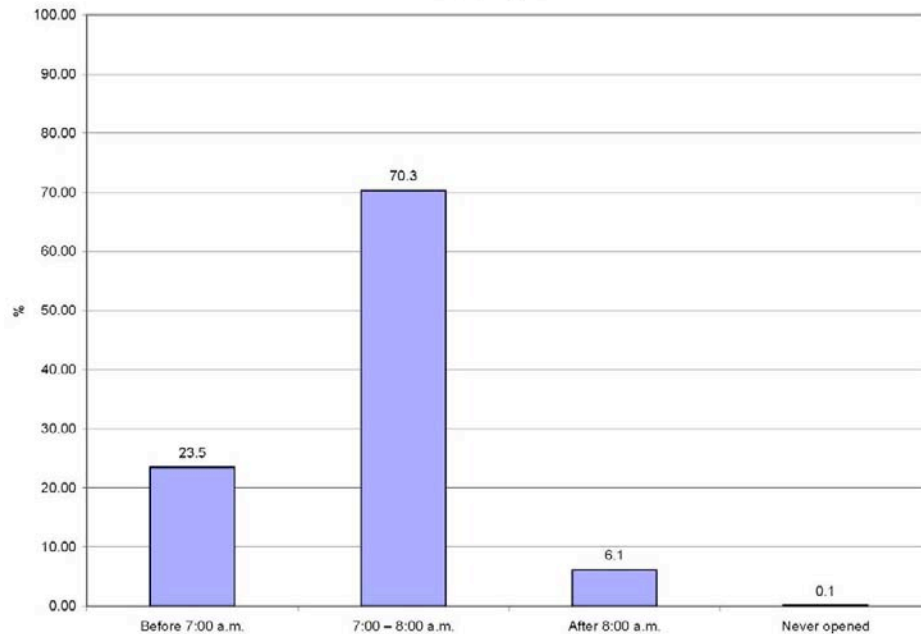**Required Election Documents Present**

Incomplete
3.1%

Complete
96.9%

Figure 5
Time Voting Began

For interpretive purposes it is also helpful to consider the efficiency of the opening of the polling stations in comparative regional context. Consequently we compare the findings from the Honduras 2009 election with comparative data from the Nicaraguan 2006 election (data from Ethics and Transparency – *Ética y Transparencia*, ET) and the El Salvador 2009 elections (data from the University Institute of Public Opinion – *Instituto Universitario de Opinión Pública*, IUDOP). Figures 6 and 7 present these comparative findings. These directly comparable data indicate that the TSE performed relatively well on these dimensions.

Figure 6
Cross-National Comparison of Required Materials Present
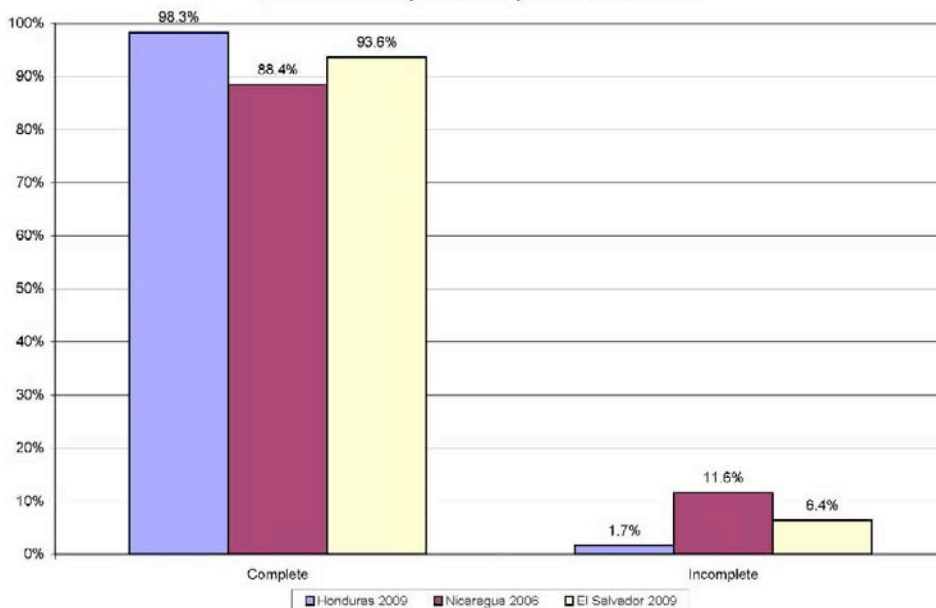
Figure 7
Cross-National Comparison of Time Voting Began
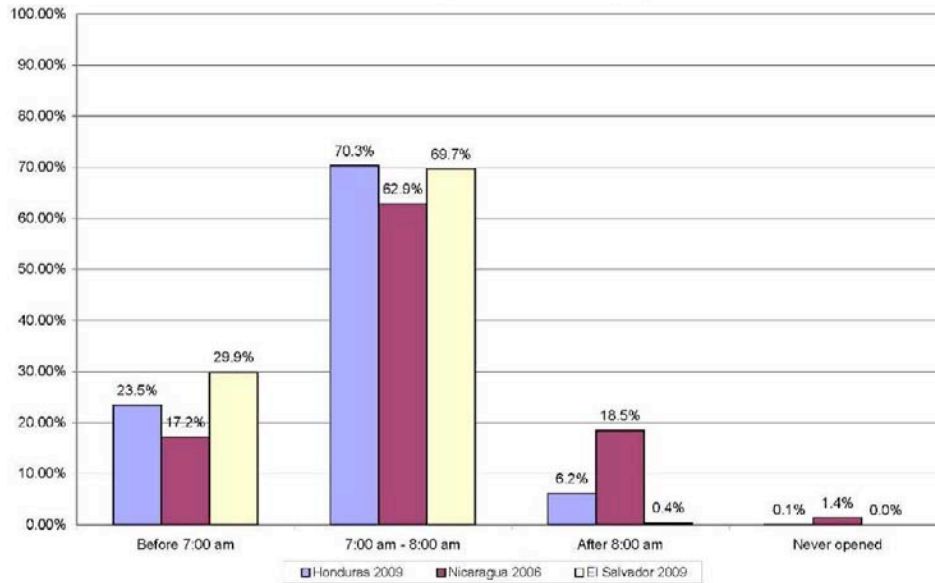
B. The Voting Process

In many respects the beginning of the voting process ran smoothly and problems were minor (see Figure 8). However, there were some exceptions. For example, 15% of the sampled polling stations reported that officials did not explain voting procedures adequately, which suggests poor training of some officials. There was some evidence of partisan activity during the voting process (8.8%).

Figure 8
Evaluation of the Voting Process
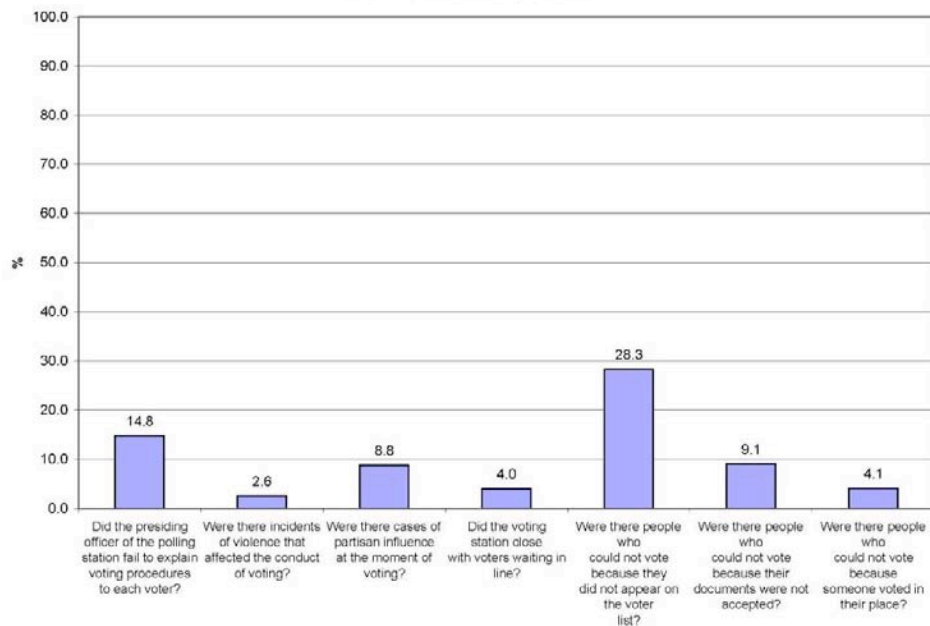
But there was also scattered evidence of some more serious problems. For example, in 4% of polling stations, there were reports of voters left in line at the closing and not permitted to vote. At 28.3% of polling stations voters showed up to vote but discovered that they were not on the voter list. And about 9% of polling stations reported that people showed up with inadequate or unacceptable documents. At 4% of polling stations there was at least one incident of voters unable to vote because somebody else had voted in their place.

To investigate the scope and impact of these more serious latter problems in greater detail, observers were asked to report how many people were affected by these problems. These quantitative findings are evaluated in aggregate and summarized in Table 2. Note that these problems collectively affected a very small percentage of all voters and that collectively, they could not have had a material impact on the outcome of the election. But disenfranchising eligible citizens is serious. An average of 3 people per polling station were disenfranchised because they were left in line after the polling station closed. Twice as many could not vote because their name was not on the list. On average seven people per polling station could not vote because their documents were unacceptable, and three citizens could not vote because somebody had already voted in their place.

Table 2

Average Numbers Of Voters Affected Per Polling Station

People left in line at the closing and not permitted to vote	3
Voters showed up to vote but discovered that they were not on the voter list	6
People showed up with inadequate or unacceptable documents	7
voters unable to vote because somebody else had voted in their place	3

HD data show that the closing of polling stations proceeded smoothly. 98.5% of the polling stations closed before 6:00pm (Figure 9). Proper closing procedures were followed in 98.4% of the polling stations (Figure 10).

Figure 9
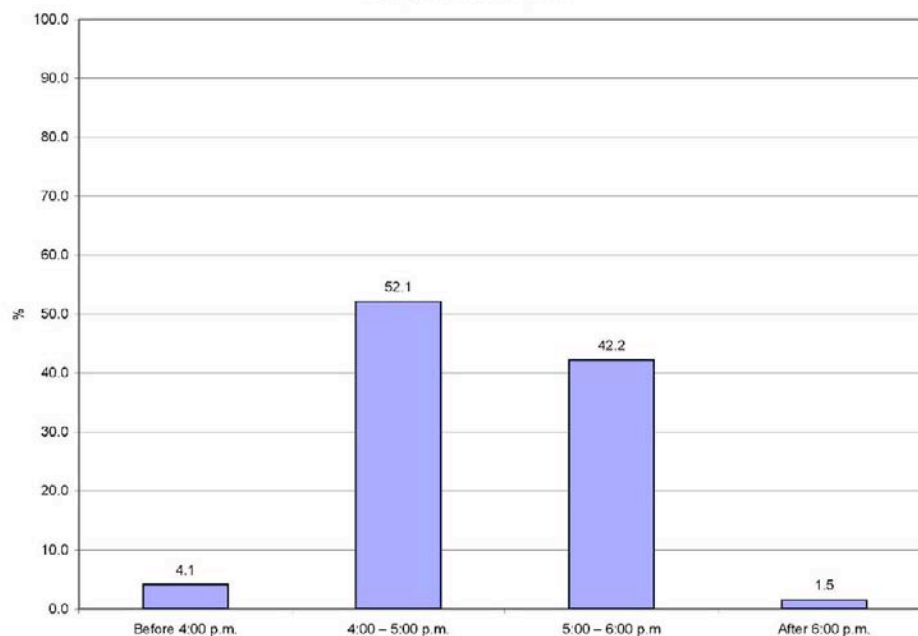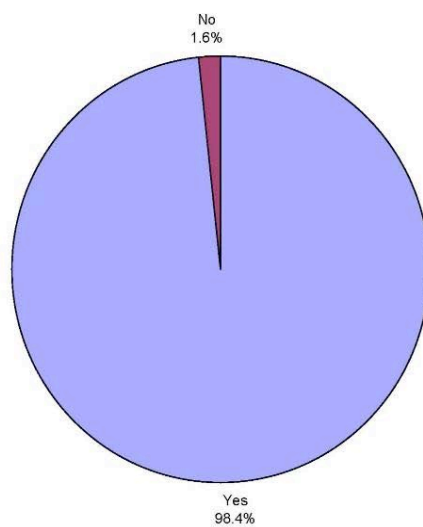**Polling Station Closing Time**

Figure 10
Closing Tally Sheet Signed by Table Officials

Again for interpretive purposes, the HD technical team evaluated information about key elements of the voting process and closing of the polling stations in comparative regional context. Figures 11 and 12 show available comparative data from the Honduras 2009 election (HD), the Nicaraguan 2006 election (ET) and the El Salvador 2009 elections (IUDOP). Figure 11 shows that Honduran officials were somewhat more likely than Nicaraguan or Salvadoran officials to close the polling station with people still in line. And Honduran officials were significantly more likely to allow citizens to vote without proper orientation. These data suggest a need to improve the training of Honduran polling station officials.

Figure 11
Cross-National Comparison Aspects of the Voting Process
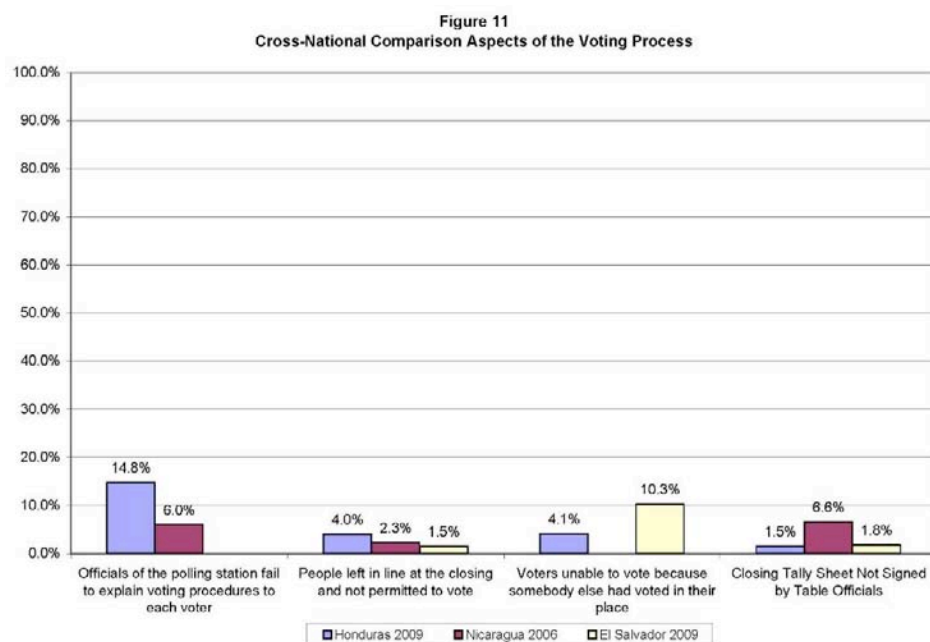
Figure 12 presents comparative information about the timing of the closing of polling stations. A significantly larger percentage (56.2%) of Honduran polling stations compared with Nicaraguan (7%) and Salvadoran (10%) polling stations closed before the legally designated time. Honduran electoral authorities decided to extend voting times by one hour; the data suggested that the authorities were unsuccessful in communicating this change in plans to more than half of the polling stations.

Figure 12
**Cross-National Comparison Polling Station Closing Times**
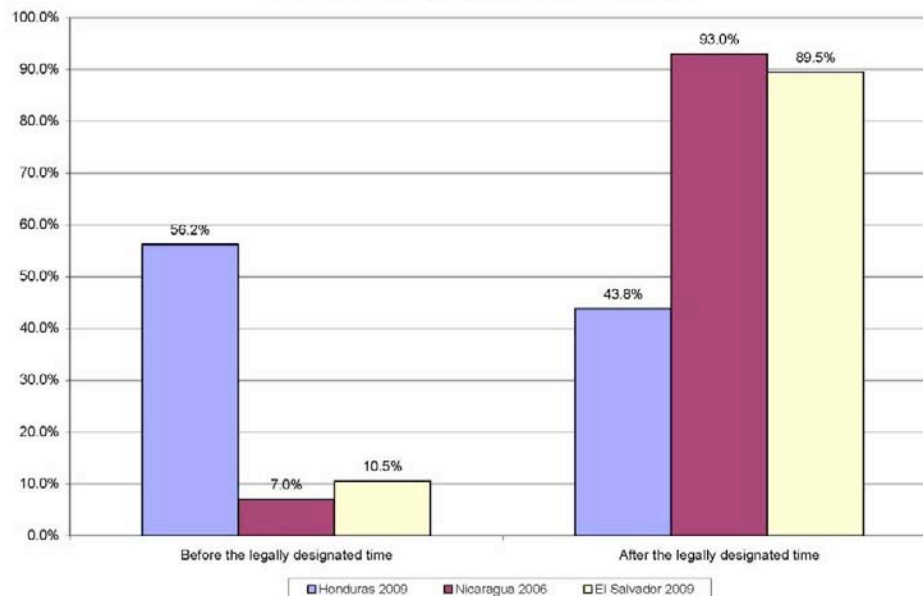
Figure 13 measures the relative presence of political parties inside polling stations during the vote count. HD observers were instructed to read the credentials held by polling station officials to determine party affiliation. The strong showing by the two largest, traditional parties (the National Party, PN, with presence at 96.9% of all polling stations, and the Liberal Party, PL, with presence at 95.7% of polling stations) was expected. The data for the smaller political parties were, however, difficult to trust. Independent candidates had a modest presence, at 14.3% of polling stations. But the rest of the parties had credentialed staff at 71.8%, 78.2% and 82% of the polling stations. These percentages could support multiple interpretations of the manner in which political parties use the credentials and suggest that the practice of distributing blank credentials directly to political parties should be reviewed.

Figure 13
Political Parties Represented During the Vote Count
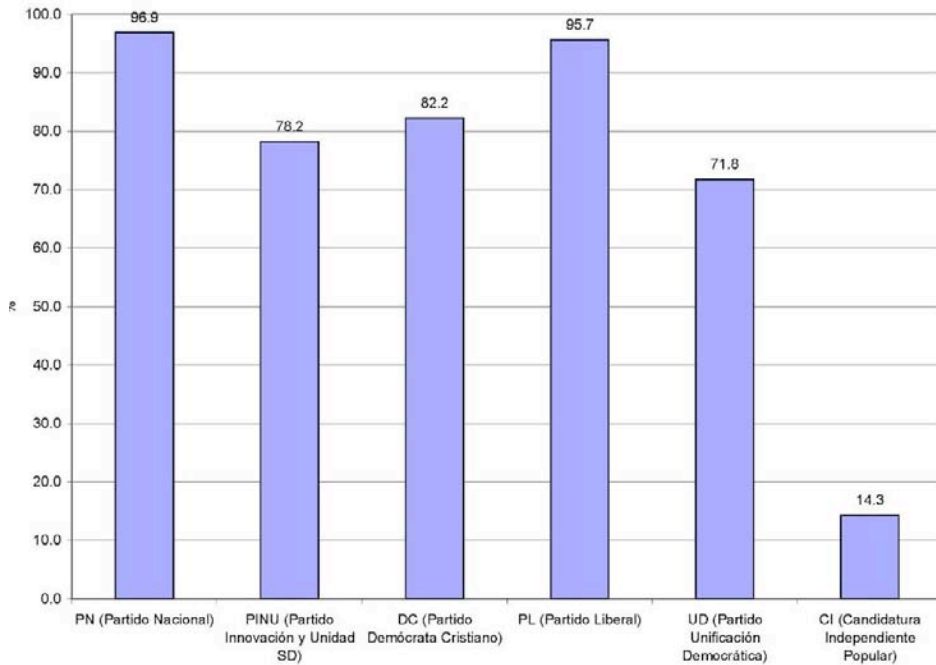
With very few exceptions, HD observers were granted full access to polling stations. Three observers were blocked from entering in the morning and never gained access. Another three observers were asked to leave their assigned polling stations before the vote counting began and were never allowed to reenter. Another 13 observers were ejected either in the morning or before the vote count, but those observers were granted entry after appeals were made to electoral and military authorities to intervene. Appendix B provides details of these cases.

C. Vote Totals

With 88.2% of the total sample counted, HD's quick count results gave the PN presidential candidate, Pepe Lobo, the win with 55.9% of valid ballots cast, and PL candidate Elvin Santos placed second with 38.5% of the vote. The other parties each registered under 2%. Figure 14 reports HD's results for the vote count. The sample was designed with a plus or minus 1.16% margin of error.

Figure 14
Presidential Results
(Unweighted Data)
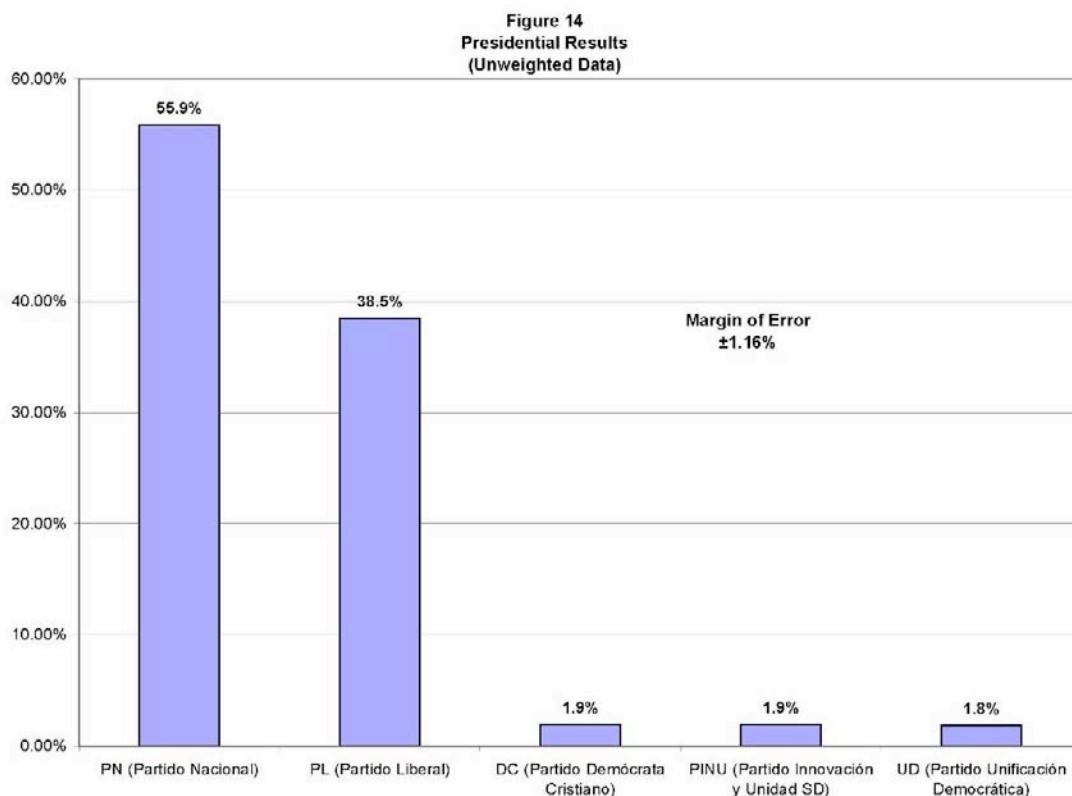
Figure 15 shows the change in distribution of votes for each party during the course of the evening of November 29, 2009. Data were analyzed periodically as they entered HD headquarters. After a significant number of observers reported using the F2 form, analysis began. The first chunk of data, called a "take" (T01), represented 8.6% of the sample. At that moment the distribution of votes between the PN and the PL was 59.7% and 37%, respectively. At the second take (T02), representing 17.3% of the sample, the distribution changed to 58.2% for the PN and 37% for the PL.

Figure 15
Data Takes
(Unweighted Data)
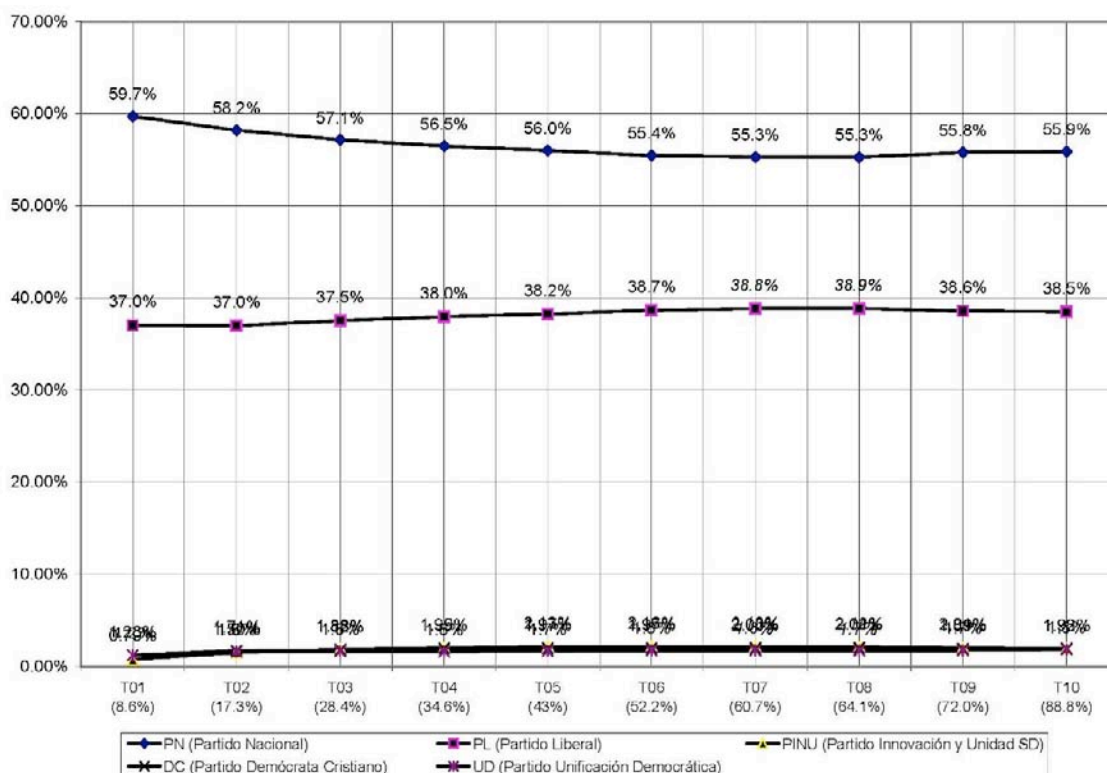
At T09, representing 72% of the sample, HD decided to share its results with the TSE to reassure the Honduran public while the TSE experienced difficulties in completing its Transmission of Preliminary Electoral Results (*Transmisión de Resultados Electorales Preliminares*, TREP).[4] As Figure 15 shows, the PN at that time had 55.8% of the votes and the PL had 38.5%. Quick count results can change slightly as the volume of data increases, but the data were stabilizing, and any change in the quick count vote distribution would not have a material effect on the election results. HD also analyzed the quick count data by strata throughout the evening. Figure 16 presents the quick count results by strata. The real finding here is that the PN was winning every stratum by between four and seven percentage points. In Tegucigalpa, the PN candidate was beating the PL candidate by a much larger margin, more than 30 percentage points.

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[4] HD Board members were in contact with TSE magistrates, political party representatives and international observers throughout the night. HD was aware that the TREP system had technical difficulties and was slower than expected.

Figure 16
HD Quick Count Data for PL and PN by Strata
(Unweighted Data)
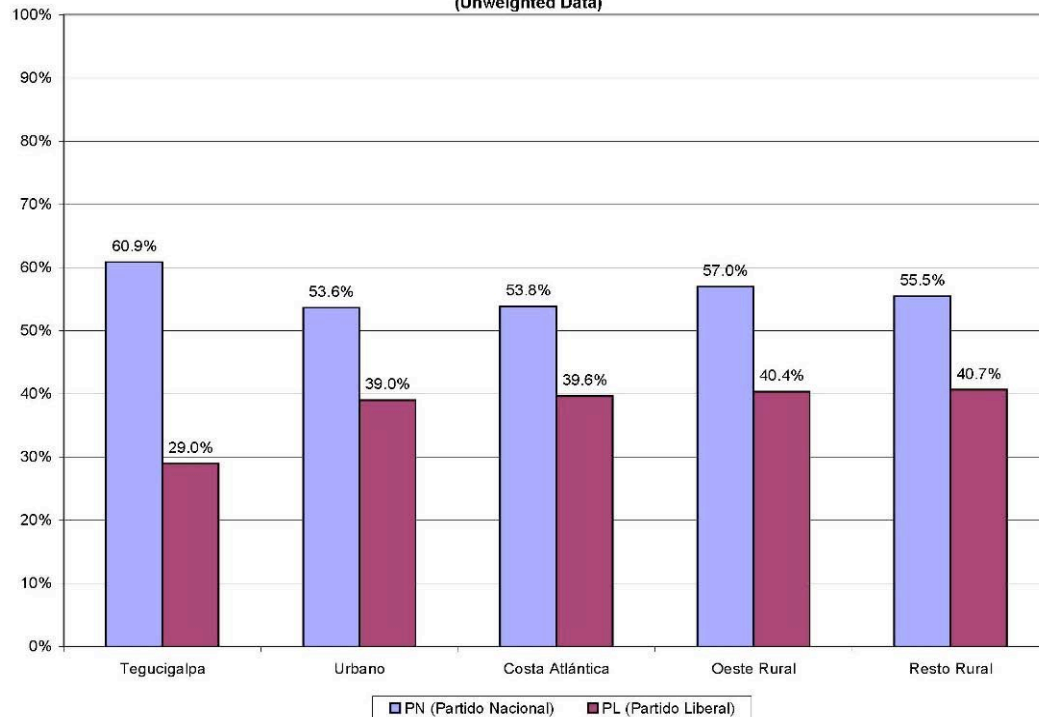
At approximately 8:30pm, the HD leadership decided to present its quick count results to the TSE. HD presented its T09 results to the TSE in a sealed envelope as per prior agreement with the electoral authorities. The quick count projected presidential results were complemented by information about the administration of the voting and counting procedure in the polling station, also reported from Observer Form 2 (F2). The TSE read the HD statement during the press conference, immediately after it released TREP (Rapid Transmission of Election Results) for 60% of the country. The HD presidential results closely matched with the TSE TREP results at that time.

HD observers continued to report data until late on election night. A final take (T10) was analyzed with 88.8% of the sample reporting. At T10, results showed the PN with 55.9% and the PL with 38.5%.

Turnout Rates

HD calculated the rate of voter turnout using the same methodology that delivered reliable information (within 1.16%) about the opening of the polling stations, voting and counting procedures and the presidential election results. HD participation rates were based on number of ballots cast against the number of voters eligible to vote at each polling station. The overall participation rate was 47.6% at T09, when the HD leadership reported results to the TSE, and 48.7% at T10 later that night. Table 3 is another way of presenting the quick count vote

total results at various points in the evening, along with corresponding participation rates. Note that participation rates gradually increased from 42.9% with 8.6% of the sample reporting to 48.7% with 88% of the sample reporting.

**Table 3**
Data Takes (Unweighted Data)

Political Party	T01 (8.6%)	T02 (17.3%)	T03 (28.4%)	T04 (34.6%)	T05 (43%)	T06 (52.2%)	T07 (60.7%)	T08 (64.1%)	T09 (72.0%)	T10 (88.8%)
PN (Partido Nacional)	59.71%	58.19%	57.14%	56.48%	55.99%	55.45%	55.28%	55.27%	55.77%	55.85%
PL (Partido Liberal)	37.04%	37.00%	37.53%	37.95%	38.25%	38.66%	38.83%	38.86%	38.58%	38.47%
DC (Partido Demócrata Cristiano)	1.23%	1.71%	1.82%	1.95%	1.97%	1.97%	2.00%	2.01%	1.89%	1.93%
PINU (Partido Innovación y Unidad SD)	0.79%	1.50%	1.88%	1.99%	2.13%	2.16%	2.13%	2.12%	2.01%	1.92%
UD (Partido Unificación Democrática)	1.22%	1.60%	1.63%	1.63%	1.68%	1.76%	1.75%	1.74%	1.75%	1.83%

	T01	T02	T03	T04	T05	T06	T07	T08	T09	T10
N=	101	203	333	406	504	612	712	752	845	1042
	8.6%	17.3%	28.4%	34.6%	43.0%	52.2%	60.7%	64.1%	72.0%	88.8%
Time =	5:47 p.m.	6:07 p.m.	6:30 p.m.	6:44 p.m.	6:58 p.m.	7:19 p.m.	7:39 p.m.	7:52 p.m.	8:31 p.m.	11:39 p.m.
Date=	29/11/09	29/11/09	29/11/09	29/11/09	29/11/09	29/11/09	29/11/09	29/11/09	29/11/09	30/11/09
Participation rate	42.9%	44.1%	45.3%	45.3%	45.8%	46.4%	46.8%	47.0%	47.6%	48.7%

One final note about voter participation: HD's turnout numbers corresponded to the projections of other analysts prior to election day, based on an historical decline in participation rates. Figure 17 shows that turnout went from 72% in 1997, to 66% in 2001, to 55% in 2005.

Figure 17
Historical Trends Voter Turnout in Honduras
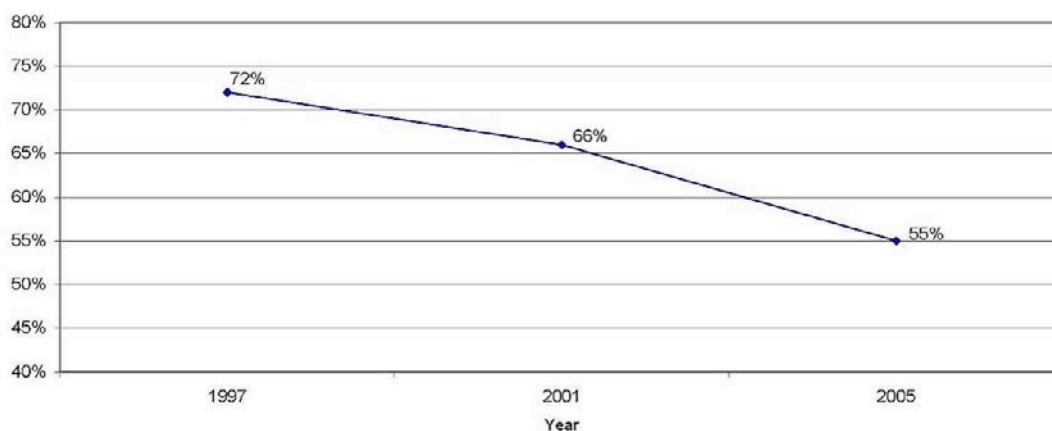
As in other countries, there are various theories that try to explain declines in voter participation rates. Some attribute this to cultural factors or lack of voter interest, others to the existence of institutional barriers linked to the voter registry. However, there is no reliable, verifiable or trustworthy information available to undertake a grounded analysis of these turnout statistics.

Appendix A

Observer Data Collection Forms

Republic of Honduras

Hagamos Democracia

CITIZEN ELECTION OBSERVATION
GENERAL ELECTIONS

NOVEMBER 29, 2009

FORM - F1

CODE

STATION

Installation of the polling station

1. Was the polling station installed?

1 YES → Go to Question 3

2 NO → Go to Question 2

2. Why was the polling station not installed?
(select the main reason)

1 The staff were not present

2 The voting materials did not arrive

3 There were violent incidents at the voting center

4 Other

End your observation and call the Computing Center, Data Backup and Emergencies

3. Place where the polling station was installed

1 In the assigned location

2 A different location

Members of the polling station staff

		PN	PINU	DC	PL	UD	CI
4.	President	1	2	3	4	5	6
5.	Secretary	1	2	3	4	5	6
6.	Counter	1	2	3	4	5	6
7.	Member 1	0 1	2	3	4	5	6
8.	Member 2	0 1	2	3	4	5	6
9.	Member 3	0 1	2	3	4	5	6

10. Indicate the number of women on the staff

Electoral Documents

Indicate the electoral documents that were present

YES NO

11. 1 2 Ballots

12. 1 2 Opening report

13. 1 2 Voter list

14. 1 2 Closing report for presidential election

Electoral Materials

Indicate the electoral materials that were present

YES NO

15. 1 2 Ballot box for presidential election

16. 1 2 Voting privacy shields

17. 1 2 Indelible ink

	SI NO	
18.	1 2	Was the review of the physical layout and secrecy of the vote conducted?
	YES NO	
19.	1 2	Did the armed forces interfere with the conduct of voting at the polling station?

20. Time that voting began

1 Before 7:00 a.m.

2 7:00 – 8:00 a.m.

3 After 8:00 a.m.

4 Did not begin

STATION

Instructions for Observer

Note your observer CODE and then the number of your voting station clearly. When stating your CODE and voting station, do so by stating the digits one by one, left to right, including zeros.

Remember that you need to make two calls:

Order of calls	Main	Alternative
1. Computing Center		
2. Data Backup		

In case of emergency call	

If you are not permitted to observe or are expelled from the polling station, call Emergencies.

- Upon answering, the Operator will say, "Hello, computing center." You will answer "**F1**" and begin to state the information requested by the operator.

- If you have problems connecting to the Computing Center, try three times. If you still cannot connect, proceed to call Data Backup.

- The telephone OPERATOR will ask for your **CODE** and **VOTING STATION**.

- Your response to the telephone OPERATOR should be clear and distinct. In the event your call is interrupted, call again. You should begin reading the form from the beginning.

- If he/she does not have all the information, the OPERATOR will ask you to repeat your responses.

- Once this form has been transmitted, return immediately to your voting station, to continue observing.

THANK YOU FOR YOUR PARTICIPATION!

Republic of Honduras

Hagamos Democracia

**CITIZEN ELECTION OBSERVATION
GENERAL ELECTIONS**

NOVEMBER 29, 2009

FORM - F2

CODE

STATION

Voting process:

	YES	NO	
1.	1	2	Did the presiding officer of the polling station fail to explain voting procedures to each voter?
2.	1	2	Were there incidents of violence that affected the conduct of voting?
3.	1	2	Were there cases of partisan influence at the moment of voting?

	YES	NO		How many?
4.	1	2	Did the voting station close with voters waiting in line?	
5.	1	2	Were there people who could not vote because they did not appear on the voter list?	
6.	1	2	Were there people who could not vote because their documents were not accepted?	
7.	1	2	Were there people who could not vote because someone voted in their place?	

During the counting of votes, the poll workers from the following parties were present:

	YES	NO	
8.	1	2	PN (National Party)
9.	1	2	PINU (Innovation and Unity - SD Party)
10.	1	2	DC (Christian Democratic Party)
11.	1	2	PL (Liberal Party)
12.	1	2	UD (Democratic Unification Party)
13.	1	2	CI (independent popular candidate)

14. Closing time

1	Before 4:00 p.m.
2	4:00 – 5:00 p.m.
3	5:00 – 6:00 p.m
4	After 6:00 p.m.

	YES	NO	
15.	1	2	Were there members of the armed forces at the voting center during the vote count?

16. Did you have access to the results of the vote count?

1	YES → Go to Question 17
2	NO

If the answer is NO, conclude the observation and call the Computer Center, your Data Backup and Emergencies

Results for President

		votes
17. National Party		votes
18. Innovation and Unity Party SD - PINU		votes
19. Christian Democratic Party		votes
20. Liberal Party		votes
21. Democratic Unification Party - UD		votes
22. Independent Popular Candidate		votes
23. VALID VOTES		votes
24. BLANK VOTES		votes
25. NULL VOTES		votes
26. GRAND TOTAL		votes

	YES	NO	
27.	1	2	Was the closing report signed?

VOTING STATION

Instructions for Observer

Note your observer CODE and then the number of your voting station clearly. When stating your CODE and voting station, do so by stating the digits one by one, left to right, including zeros.

Remember that you need to make two calls:

Order of calls	Main	Alternative
1. Computer Center		
2. Data Backup		

In case of emergency, call	

If you are not permitted to observe or are expelled from the polling station, call Emergencies.

- Upon answering, the OPERATOR will say "Hello, computing center."

- If you have problems connecting to the Computing Center, try three times. If you still cannot connect, proceed to call Data Backup.

- If for any reason the **F1** data was not transmitted, begin transmitting **F2** by saying "F2". Immediately afterwards, transmit **F1**.

- The telephone OPERATOR will ask for your **CODE** and **VOTING STATION**.

- Your response to the telephone OPERATOR should be clear and distinct. In the event your call is interrupted, call again. You should begin reading the form from the beginning.

- Upon transmitting each line of the results for the presidential election, you should end the line with the word **votes**, and then continue with the next line, as below:

  A. "0 5 0 votes" (ZERO, FIVE, ZERO, VOTES).

- If he/she does not have all the information, the OPERATOR will ask you to repeat your responses.

- Once this form has been transmitted, turn in forms **F1** and **F2** to the corresponding coordinator as soon as possible.

Appendix B

Report on Volunteers Ejected
from Polling Stations

Expulsados de las MERs

MER	Status	Observó en la mañana F1	Observó en la noche F2	Departamento	Municipio	Problema
10772	Expulsado antes del escrutinio	Si	No	La Paz	Guajiquiro	Ejército
10616	Expulsado antes del escrutinio	Si	No	Islas de la Bahía	Punta Gorda	
515	Expulsado antes del escrutinio	Si	No	Atlántida	San Francisco	TSE
10590	Expulsado definitivamente	No	No	Islas de la Bahía	Guanaja	
1789	Expulsado definitivamente	No	No	Comayagua	Meambar	Ejército
1906	Expulsado definitivamente	No	No	Comayagua	San José Potrero	Ejército
3050	Resuelto en la mañana	Si	Si	Cortés	Choloma	
4324	Resuelto en la mañana	Si	Si	Cortés	Choloma	Ejército
4322	Resuelto en la mañana	Si	Si	Cortés	Choloma	Policía
4389	Resuelto en la mañana	Si	Si	Cortés	Choloma, Río Vijao	TSE
7600	Resuelto en la mañana	Si	Si	Francisco Morazán	Comayagüela	Custodio
7314	Resuelto en la mañana	Si	Si	Francisco Morazán	Distrito Central	Custodio
5351	Resuelto en la mañana	Si	Si	Cortés	La Lima	Ejército
3245	Resuelto en la mañana	Si	Si	Cortés	San Pedro Sula	TSE
14247	Resuelto en la mañana	Si	Si	Yoro	Teguajal, El Arenal	TSE
10626	Resuelto en la mañana	Si	Si	Islas de la Bahía	Utila	
14347	Resuelto en la noche	No	Si	Yoro	Joval	MER
1763	Resuelto en la noche	No	Si	Comayagua	Lejamani	Ejército
13619	Resuelto en la noche	No	Si	Santa Bárbara	Santa Rita	Ejército

Expulsados de MERs	
Status	**Total**
Expulsado antes del escrutinio	3
Expulsado definitivamente	3
Resuelto en la mañana	10
Resuelto en la noche	3
Total general	**19**

Appendix C

Polling Stations Observed

For Appendix C, including the full list of MERs where HD deployed observers, please see HD's final report online at:
http://www.ndi.org/hdfinalreport

APPENDIX C

Bulletin No. 1 / Honduras Elections 2009

Sunday, November 29, 2009. 11:30 am

Making Democracy (*Hagamos Democracia*, HD) addresses the national and international public to provide information on the first phase of its election observation, corresponding to the beginning of the voting process today, Sunday morning.

Making Democracy has election observers present at a random sample of polling stations in the 18 departments of Honduras and in 283 of 298 municipalities, which allows us to present systematic, verifiable and reliable information on the electoral process.

The data that we have received as of now, from more than 900 polling stations throughout the country, indicate the following situation:

1. As of 10:00 a.m., our observers reported that 99.8 percent of polling stations have completed the setup process.
2. At the time of setup, 98.4 percent of polling stations had all the necessary electoral materials; 96.7 percent had all of the documents.
3. 21.9 percent of polling stations opened for voting before 7:00 a.m.; 72.5 percent opened between 7:00 and 8:00 a.m.; and 5.5 percent opened after 8:00 a.m.
4. Our observers did not have a problem accessing 95 percent of the polling stations observed. However, in some cases they were not permitted to enter. The Supreme Electoral Tribunal has been informed, and we are confident that this situation will be resolved as soon as possible to continue the observation process.
5. Until now, we have only received two reports of incidents: one, of abuse of authority in the department of Comayagua; and the other, in the department of Atlántida, of a brief confrontation between citizens and the police. We are investigating both cases.
6. The results previously indicated reflect that the voting process is taking place under conditions that would permit the normal development of the process.
7. We would like to thank all of the members of our volunteer network who are collaborating nationally on this election observation and quick count, and we encourage them to continue for the rest of this important day until the end of the vote count with the same effort and dedication they have displayed until now.
8. After polling stations close, Making Democracy will issue a special report on the process of voting and the vote count.

      Making Democracy is a network of Honduran civil society organizations, consisting of the Social Ministry of the Catholic Church of Honduras (Caritas), the Evangelical Confraternity of Honduras (Confraternidad Evangélica de Honduras, CEH), the Federation of Non-Governmental Organizations of Honduras (Federación de Organizaciones no Gubernamentales para el Desarrollo de Honduras, FOPRIDEH) and the Metropolitan University of Honduras (Universidad Metropolitana de Honduras, UMH).

Bulletin No. 2 / Honduras Elections 2009

Sunday, November 29, 2009. 7:45 pm

The Making Democracy (*Hagamos Democracia*, HD) consortium presents its second report of the day, regarding the voting and vote counting process.

We have had election observers present at a random sample of polling stations in the 18 departments of Honduras and in 283 of 298 municipalities, which allows us to present systematic, verifiable and reliable information on the electoral process.

Based on the data received throughout election day, from more than 1,000 polling stations throughout the country, we present the following information:

1. In general, at the polling stations observed, that there were no significant incidents or violent acts. We received only reports of isolated incidents, which did not appear to have a significant impact on the normal conduct of the voting.
2. At 91.1 percent of polling stations, observers did not record direct partisan influence at the moment of voting. However, the other 8.9 percent is a number that merits attention from the Supreme Electoral Tribunal (TSE) and political parties themselves.
3. At 23.7 percent of polling stations, the security forces were present during the counting of votes, despite the fact that this is not provided for in the Law on Elections and Political Organizations, nor in the TSE's Regulations for Vote Counting.
4. During the vote count, representatives of two or more political parties were present at 97.1 percent of the polling stations observed.
5. During the vote count, each party had representatives at the following percentages of polling stations observed: National Party 96.8 percent; Liberal Party 95.6 percent; Christian Democratic Party 82 percent; Innovation and Unity Party-Social Democrats 77 percent; Democratic Unification Party 69.8 percent.
6. Of the voting stations observed, 3.6 percent closed before 4 p.m.; 52.1 percent closed between 4 and 5 p.m.; and 44.3 percent closed after 5 p.m.
7. 99 percent of voters at polling places did not encounter any problems in voting. However, 0.81 percent of voters could not vote due to a combination of four factors: not appearing in the electoral registry; holding invalid documents; because others had voted in their place; or because the polling stations closed, leaving voters in line.

Bulletin No. 2 / Honduras Elections 2009

Sunday, November 29, 2009. 7:45 pm

8. At 97.1 percent of the polling stations, our observers did not have problems in accessing the results of the vote count; however, at 2.9 percent of the polling stations they were not permitted the access guaranteed by the Electoral Law or were removed by decision of the polling station staff, electoral custodians or military or police personnel.

Making Democracy believes that the manner in which this electoral process was conducted reflects that Honduran society continues to value elections as a method of contributing to the resolution of their political differences in a peaceful manner and recognizes the will of the Honduran people to participate in a civic manner. However, the problems that were in evidence – especially abstention – during the process and election day merit calm and reflective study to identify and implement the reforms that the political and electoral system needs.

Considering the difficult political conditions in which this election has taken place, Making Democracy considers these elections to be a first step in the process of national reconciliation.

Making Democracy is a network of Honduran civil society organizations, consisting of the Social Ministry of the Catholic Church of Honduras (Caritas), the Evangelical Confraternity of Honduras (Confraternidad Evangélica de Honduras, CEH), the Federation of Non-Governmental Organizations of Honduras (Federación de Organizaciones no Gubernamentales para el Desarrollo de Honduras, FOPRIDEH) and the Metropolitan University of Honduras (Universidad Metropolitana de Honduras, UMH).

Bulletin No. 3 / Honduras Elections 2009

Sunday, November 29, 2009. 8:30 pm

The Making Democracy (*Hagamos Democracia*, HD) consortium presents its third report of the day, regarding the voting and vote counting process.

With election observers present at a random sample of polling stations in the 18 departments of Honduras and in 283 of 298 municipalities, we are able to provide systematic, verifiable and reliable information on the electoral process. Making Democracy presents below the data of the quick count of results for the presidential election held today, November 29, 2009.

With a sample of more than 1,000 polling stations, a confidence level of 99 percent and a margin of error of +/- 1.18 percent, the projected results are:

1. National Party: 55.77%
2. Liberal Party: 38.58%
3. Innovation and Unity Party-Social Democrats 2.01%
4. Christian Democratic Party   1.89%
5. Democratic Unification Party   1.75%

Based on the data obtained, the turnout percentage in this election was 47.6 percent of the total number of persons in the electoral registry. This percentage reflects behavior consistent with the trend of falling turnout observed since 1997. Between 1997 and 2001, turnout decreased by six percent; between 2001 and 2005 by 11 percent; and between 2005 and 2009, the decrease would be 7.4 percent.

Making Democracy notes that this data presents a highly reliable projection of the results of the presidential election. The methodology used has been proven in more than 80 electoral processes worldwide, including 30 in Latin America. Details on the methodology and information can be provided at any time that the candidates consider suitable.

Making Democracy is a network of Honduran civil society organizations, consisting of the Social Ministry of the Catholic Church of Honduras (Caritas), the Evangelical Confraternity of Honduras (Confraternidad Evangélica de Honduras, CEH), the Federation of Non-Governmental Organizations of Honduras (Federación de Organizaciones no Gubernamentales para el Desarrollo de Honduras, FOPRIDEH) and the Metropolitan University of Honduras (Universidad Metropolitana de Honduras, UMH).

Bulletin No. 4 / Honduras Elections 2009
Friday, December 4, 2009

The Making Democracy (*Hagamos Democracia*, HD) consortium is an independent organization composed of the Federation of Non-Governmental Organizations for the Development of Honduras (*Federación de Organizaciones no Gubernamentales para el Desarrollo de Honduras*, FOPRIDEH); Caritas (*Cáritas - Pastoral Social de la Iglesia Católica*), the Evangelical Confraternity of Honduras (*Confraternidad Evangélica de Honduras*) and the Metropolitan University of Honduras (*Universidad Metropolitana de Honduras*), created for the purpose of supporting the 2009 electoral process through a participatory citizen observation. HD forms part of a broader group of civic organizations that have conducted election observations in more than 30 Latin American elections and 80 worldwide.

HD's network of citizen observers was present in the country's 18 departments and in 283 of the 298 municipalities, covering a total of 1,173 polling stations selected in a random sample drawn from the list of polling stations released by the Supreme Electoral Tribunal. This network conducted a quick count of the presidential election results and delivered the results to the TSE on election night; the results were presented to the public by the magistrates of the TSE.

The results of the quick count coincided with the TSE's preliminary results regarding the number of votes for each candidate; however, there was a discrepancy in the rates of participation and abstention presented by the TSE and based on the Transmission of Preliminary Election Results (*Transmisión de Resultados Electorales Preliminares*, TREP). This has stimulated a growing debate in Honduran society. The projections offered by HD's data, as received by 8:30 p.m. on election night, indicate that the level of participation was 47.6 percent; the data received at the final cutoff of 11:39 p.m. showed a participation rate of 48.7

Making Democracy is a network of Honduran civil society organizations, consisting of the Social Ministry of the Catholic Church of Honduras (Caritas), the Evangelical Confraternity of Honduras (Confraternidad Evangélica de Honduras, CEH), the Federation of Non   Governmental Organizations of Honduras (Federación de Organizaciones no Gubernamentales para el Desarrollo de Honduras, FOPRIDEH) and the Metropolitan University of Honduras (Universidad Metropolitana de Honduras, UMH).

percent. These percentages were calculated based on the total number of votes cast at the polling stations observed divided by the total number of registered voters, according to the electoral registry.

HD is in the process of drafting a final technical report on the quick count. This report will be presented to the TSE and to the public so that any citizen may review the data and the technical design used by HD for data collection.

Making Democracy would like to clarify that it worked with a sample drawn from the final list of polling stations and with a highly reliable methodology with an estimated margin of error for this quick count of +/- 1.16%. Notwithstanding this fact, the TSE's data is based on the complete set of reports from each polling station, which will permit official results to be known once the tabulation process is finalized. HD invites interested parties to await those official results and then begin the process of analyzing the statistics on electoral participation and abstention.

Making Democracy believes that it is important to evaluate these elections based on all of the variables involved. The domestic observation permitted the identification of other key information that merit equal attention to the participation rate. HD believes that the election, as seen during election day, was conducted within the framework of normality and regularity from the perspective of the organization of the process, the competition of political parties and citizen participation.

Making Democracy invites the electoral authorities, political organizations and organized civil society to commit to an exhaustive evaluation of the elections of November 29 to serve as a basis to establish which topics should be the subject of legal, institutional, organizational, technical and procedural reform and modernization.

APPENDIX D

DECLARATION OF PRINCIPLES
FOR INTERNATIONAL
ELECTION OBSERVATION

and

CODE OF CONDUCT
FOR INTERNATIONAL
ELECTION OBSERVERS

Commemorated October 27, 2005, at the United Nations, New York

DECLARATION
OF PRINCIPLES
FOR INTERNATIONAL
ELECTION OBSERVATION

and

CODE OF CONDUCT
FOR INTERNATIONAL
ELECTION OBSERVERS

Commemorated October 27, 2005,
at the United Nations, New York

Endorsing Organizations as of October 24, 2005:

African Union

Asian Network for Free Elections (ANFREL)

The Carter Center

Center for Electoral Promotion and Assistance (CAPEL)

Commonwealth Secretariat

Council of Europe European Commission for Democracy through Law (Venice Commission)

Council of Europe – Parliamentary Assembly

Electoral Institute of Southern Africa (EISA)

European Commission

European Network of Election Monitoring Organizations (ENEMO)

Electoral Reform International Services (ERIS)

IFES

International IDEA

Inter-Parliamentary Union

International Republican Institute (IRI)

National Democratic Institute (NDI)

Organization of American States (OAS)

Organization for Security and Cooperation in Europe, Office of Democratic Institutions and Human Rights (OSCE/ODIHR)

Pacific Islands, Australia & New Zealand Electoral Administrators' Association (PIANZEA)

Pacific Island Forum

United Nations Secretariat

This Declaration and the accompanying Code of Conduct for International Election Observers remain open for endorsement by other intergovernmental and international nongovernmental organizations. Endorsements should be recorded with the United Nations Electoral Assistance Division.

DECLARATION
OF PRINCIPLES
FOR INTERNATIONAL
ELECTION OBSERVATION

October 27, 2005

Genuine democratic elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine democratic elections are internationally recognized human rights. Genuine democratic elections serve to resolve peacefully the competition for political power within a country and thus are central to the maintenance of peace and stability. Where governments are legitimized through genuine democratic elections, the scope for non-democratic challenges to power is reduced.

Genuine democratic elections are a requisite condition for democratic governance, because they are the vehicle through which the people of a country freely express their will, on a basis established by law, as to who shall have the legitimacy to govern in their name and in their interests. Achieving genuine democratic elections is a part of establishing broader processes and institutions of democratic governance. Therefore, while all election processes should reflect universal principles for genuine democratic elections, no election can be separated from the political, cultural and historical context in which it takes place.

Genuine democratic elections cannot be achieved unless a wide range of other human rights and fundamental freedoms can be exercised on an ongoing basis without discrimination based on race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status, including among others disabilities, and without arbitrary and unreasonable restrictions. They, like other human rights and democracy more broadly, cannot be achieved without the protections of the rule of law. These precepts are recognized by human rights and other international instruments and by the documents of numerous intergovernmental organizations. Achieving genuine democratic elections therefore has become a matter of concern for international organizations, just as it is the concern of national institutions, political competitors, citizens and their civic organizations.

International election observation expresses the interest of the international community in the achievement of democratic elections, as part of democratic development, including respect for human rights and the rule of law. International election observation, which focuses on civil and political rights, is part of international human rights monitoring and must be conducted on the basis of the highest standards for impartiality concerning national political competitors and must be free from any bilateral or multilateral considerations that could conflict with impartiality. It assesses election processes in accordance with international principles for genuine democratic elections and domestic law, while recognizing that it is the people of a country who ultimately determine credibility and legitimacy of an election process.

DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

International election observation has the potential to enhance the integrity of election processes, by deterring and exposing irregularities and fraud and by providing recommendations for improving electoral processes. It can promote public confidence, as warranted, promote electoral participation and mitigate the potential for election-related conflict. It also serves to enhance international understanding through the sharing of experiences and information about democratic development.

International election observation has become widely accepted around the world and plays an important role in providing accurate and impartial assessments about the nature of electoral processes. Accurate and impartial international election observation requires credible methodologies and cooperation with national authorities, the national political competitors (political parties, candidates and supporters of positions on referenda), domestic election monitoring organizations and other credible international election observer organizations, among others.

The intergovernmental and international nongovernmental organizations endorsing this Declaration and the accompanying Code of Conduct for International Election Observers therefore have joined to declare:

1   Genuine democratic elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine democratic elections are internationally recognized human rights. Genuine democratic elections are central for maintaining peace and stability, and they provide the mandate for democratic governance.

2   In accordance with the Universal Declaration of Human Rights, the International Covenant for Civil and Political Rights and other international instruments, everyone has the right and must be provided with the opportunity to participate in the government and public affairs of his or her country, without any discrimination prohibited by international human rights principles and without any unreasonable restrictions. This right can be exercised directly, by participating in referenda, standing for elected office and by other means, or can be exercised through freely chosen representatives.

3   The will of the people of a country is the basis for the authority of government, and that will must be determined through genuine periodic elections, which guarantee the right and opportunity to vote freely and to be elected fairly through universal and equal suffrage by secret balloting or equivalent free voting procedures, the results of which are accurately counted, announced and respected. A significant number of rights and freedoms, processes, laws and institutions are therefore involved in achieving genuine democratic elections.

4   International election observation is: the systematic, comprehensive and accurate gathering of information concerning the laws, processes and institutions related to the conduct of elections and other factors concerning the overall electoral environment; the impartial and professional analysis of such information; and the drawing of conclusions about the character of electoral processes based on the highest standards for accuracy of information and impartiality of analysis. International election observation should, when possible, offer recommendations for improving the integrity and effectiveness of electoral and related processes, while not interfering in and thus hindering such processes. International election observation missions are: organized efforts of intergovernmental and international nongovernmental organizations and associations to conduct international election observation.

5   International election observation evaluates pre-election, election-day and post-election periods through comprehensive, long-term observation, employing a variety of techniques. As part of these efforts, specialized observation missions may examine limited pre-election or post-election issues and specific processes (such as, delimitation of election districts, voter registration, use of electronic technologies and functioning of electoral complaint mechanisms). Stand-alone, specialized observation missions may also be employed, as long as such missions make clear public statements that their activities and conclusions are limited in scope and that they draw no conclusions about the overall election process based on such limited activities. All observer missions must make concerted efforts to place the election day into its context and not to over-emphasize the importance of election day observations. International election observation examines conditions relating to the right to vote and to be elected, including, among other things, discrimination or other obstacles that hinder participation in electoral processes based on political or other opinion, gender, race, colour, ethnicity, language, religion, national or social origin, property, birth or other status, such as physical disabilities. The findings of international election observation missions provide a factual common point of reference for all persons interested in the elections, including the political competitors. This can be particularly valuable in the context of disputed elections, where impartial and accurate findings can help to mitigate the potential for conflicts.

6   International election observation is conducted for the benefit of the people of the country holding the elections and for the benefit of the international community. It is process oriented, not concerned with any particular electoral result, and is concerned with results only to the degree that they are reported honestly and accurately in a transparent and timely manner. No one should be allowed to be a member of an international election observer mission unless that person is free from any political, economic or other conflicts of interest that would interfere with conducting observations accurately and impartially and/or drawing conclusions about the character of the election process accurately and impartially. These criteria must be met effectively over extended periods by long-term observers, as well as during the more limited periods of election day observation, each of which periods present specific challenges for independent and impartial analysis. International election observation missions should not accept funding or infrastructural support from the government whose elections are being observed, as it may raise a significant conflict of interest and undermine confidence in the integrity of the mission's findings. International election observation delegations should be prepared to disclose the sources of their funding upon appropriate and reasonable requests.

7   International election observation missions are expected to issue timely, accurate and impartial statements to the public (including providing copies to electoral authorities and other appropriate national entities), presenting their findings, conclusions and any appropriate recommendations they determine could help improve election related processes. Missions should announce publicly their presence in a country, including the mission's mandate, composition and duration, make periodic reports as warranted and issue a preliminary post-election statement of findings and a final report upon the conclusion of the election process. International election observation missions may also conduct private meetings with those concerned with organizing genuine democratic elections in a country to discuss the mission's findings, conclusions and recommendations. International election observation missions may also report to their respective intergovernmental or international nongovernmental organizations.

DECLARATION OF PRINCIPLES FOR INTERNATIONAL ELECTION OBSERVATION

8 The organizations that endorse this Declaration and the accompanying Code of Conduct for International Election Observers pledge to cooperate with each other in conducting international election observation missions. International election observation can be conducted, for example, by: individual international election observer missions; ad hoc joint international election observation missions; or coordinated international election observation missions. In all circumstances, the endorsing organizations pledge to work together to maximize the contribution of their international election observation missions.

9 International election observation must be conducted with respect for the sovereignty of the country holding elections and with respect for the human rights of the people of the country. International election observation missions must respect the laws of the host country, as well as national authorities, including electoral bodies, and act in a manner that is consistent with respecting and promoting human rights and fundamental freedoms.

10 International election observation missions must actively seek cooperation with host country electoral authorities and must not obstruct the election process.

11 A decision by any organization to organize an international election observation mission or to explore the possibility of organizing an observation mission does not imply that the organization necessarily deems the election process in the country holding the elections to be credible. An organization should not send an international election observation mission to a country under conditions that make it likely that its presence will be interpreted as giving legitimacy to a clearly undemocratic electoral process, and international election observation missions in any such circumstance should make public statements to ensure that their presence does not imply such legitimacy.

12 In order for an international election observation mission to effectively and credibly conduct its work basic conditions must be met. An international election observation mission therefore should not be organized unless the country holding the election takes the following actions:

a Issues an invitation or otherwise indicates its willingness to accept international election observation missions in accordance with each organization's requirements sufficiently in advance of elections to allow analysis of all of the processes that are important to organizing genuine democratic elections;

b Guarantees unimpeded access of the international election observer mission to all stages of the election process and all election technologies, including electronic technologies and the certification processes for electronic voting and other technologies, without requiring election observation missions to enter into confidentiality or other nondisclosure agreements concerning technologies or election processes, and recognizes that international election observation missions may not certify technologies as acceptable;

c Guarantees unimpeded access to all persons concerned with election processes, including:

   i electoral officials at all levels, upon reasonable requests,

   ii members of legislative bodies and government and security officials whose functions are relevant to organizing genuine democratic elections,

   iii all of the political parties, organizations and persons that have sought to compete in

the elections (including those that qualified, those that were disqualified and those that withdrew from participating) and those that abstained from participating,

iv news media personnel, and

v all organizations and persons that are interested in achieving genuine democratic elections in the country;

d Guarantees freedom of movement around the country for all members of the international election observer mission;

e Guarantees the international election observer mission's freedom to issue without interference public statements and reports concerning its findings and recommendations about election related processes and developments;

f Guarantees that no governmental, security or electoral authority will interfere in the selection of individual observers or other members of the international election observation mission or attempt to limit its numbers;

g Guarantees full, country-wide accreditation (that is, the issuing of any identification or document required to conduct election observation) for all persons selected to be observers or other participants by the international election observation mission as long as the mission complies with clearly defined, reasonable and non-discriminatory requirements for accreditation;

h Guarantees that no governmental, security or electoral authority will interfere in the activities of the international election observation mission; and

i Guarantees that no governmental authority will pressure, threaten action against or take any reprisal against any national or foreign citizen who works for, assists or provides information to the international election observation mission in accordance with international principles for election observation.

As a prerequisite to organizing an international election observation mission, intergovernmental and international nongovernmental organizations may require that such guarantees are set forth in a memorandum of understanding or similar document agreed upon by governmental and/or electoral authorities. Election observation is a civilian activity, and its utility is questionable in circumstances that present severe security risks, limit safe deployments of observers or otherwise would negate employing credible election observation methodologies.

13 International election observation missions should seek and may require acceptance of their presence by all major political competitors.

14 Political contestants (parties, candidates and supporters of positions on referenda) have vested interests in the electoral process through their rights to be elected and to participate directly in government. They therefore should be allowed to monitor all processes related to elections and observe procedures, including among other things the functioning of electronic and other electoral technologies inside polling stations, counting centers and other electoral facilities, as well as the transport of ballots and other sensitive materials.

15 International election observation missions should:

a establish communications with all political competitors in the election process, including representatives of political parties and candidates who may have information concerning the integrity of the election process;

b welcome information provided by them concerning the nature of the process;

c independently and impartially evaluate such information; and

d should evaluate as an important aspect of international election observation whether the political contestants are, on a nondiscriminatory basis, afforded access to verify the integrity of all elements and stages of the election process. International election observation missions should in their recommendations, which may be issued in writing or otherwise be presented at various stages of the election process, advocate for removing any undue restrictions or interference against activities by the political competitors to safeguard the integrity of electoral processes.

16 Citizens have an internationally recognized right to associate and a right to participate in governmental and public affairs in their country. These rights may be exercised through nongovernmental organizations monitoring all processes related to elections and observing procedures, including among other things the functioning of electronic and other electoral technologies inside polling stations, counting centers and other electoral facilities, as well as the transport of ballots and other sensitive materials. International election observation missions should evaluate and report on whether domestic nonpartisan election monitoring and observation organizations are able, on a nondiscriminatory basis, to conduct their activities without undue restrictions or interference. International election observation missions should advocate for the right of citizens to conduct domestic nonpartisan election observation without any undue restrictions or interference and should in their recommendations address removing any such undue restrictions or interference.

17 International election observation missions should identify, establish regular communications with and cooperate as appropriate with credible domestic nonpartisan election monitoring organizations. International election observation missions should welcome information provided by such organizations concerning the nature of the election process. Upon independent evaluation of information provided by such organizations, their findings can provide an important complement to the findings of international election observation missions, although international election observation missions must remain independent. International election observation missions therefore should make every reasonable effort to consult with such organizations before issuing any statements.

18 The intergovernmental and international nongovernmental organizations endorsing this Declaration recognize that substantial progress has been made in establishing standards, principles and commitments concerning genuine democratic elections and commit themselves to use a statement of such principles in making observations, judgments and conclusions about the character of election processes and pledge to be transparent about the principles and observation methodologies they employ.

19 The intergovernmental and nongovernmental organizations endorsing this Declaration recognize that there are a variety of credible methodologies for observing election processes and commit to sharing approaches and harmonizing methodologies as appropriate. They also recognize that international election observation missions must be of sufficient size to determine independently and impartially the character of election processes in a country and must be of sufficient duration to determine the character of all of the critical elements of the election process in the pre-election, election-day and post-election periods – unless an observation activity is focused on and therefore only comments on one or a limited number of elements of the election process. They further recognize that it is necessary not to isolate or over-emphasize election day observations, and that such observations must be placed into the context of the overall electoral process.

20 The intergovernmental and international nongovernmental organizations endorsing this Declaration recognize that international election observation missions should include persons of sufficiently diverse political and professional skills, standing and proven integrity to observe and judge processes in light of: expertise in electoral processes and established electoral principles; international human rights; comparative election law and administration practices (including use of computer and other election technology); comparative political processes and country specific considerations. The endorsing organizations also recognize the importance of balanced gender diversity in the composition of participants and leadership of international election observation missions, as well as diversity of citizenship in such missions.

21 The intergovernmental and international nongovernmental organizations endorsing this Declaration commit to:

   a familiarize all participants in their international election observation missions concerning the principles of accuracy of information and political impartiality in making judgments and conclusions;

   b provide a terms of reference or similar document, explaining the purposes of the mission;

   c provide information concerning relevant national laws and regulations, the general political environment and other matters, including those that relate to the security and well being of observers;

   d instruct all participants in the election observation mission concerning the methodologies to be employed; and

   e require all participants in the election observation mission to read and pledge to abide by the Code of Conduct for International Election Observers, which accompanies this Declaration and which may be modified without changing its substance slightly to fit requirements of the organization, or pledge to abide by a pre-existing code of conduct of the organization that is substantially the same as the accompanying Code of Conduct.

22 The intergovernmental and international nongovernmental organizations endorsing this Declaration commit to use every effort to comply with the terms of the Declaration and the accompanying Code of Conduct for International Election Observers. Any time that an endorsing organization deems it necessary to depart from any of terms of the Declaration or the Accompanying Code of Conduct in order to conduct election observation in keeping with

the spirit of the Declaration, the organization will explain in its public statements and will be prepared to answer appropriate questions from other endorsing organizations concerning why it was necessary to do so.

23 The endorsing organizations recognize that governments send observer delegations to elections in other countries and that others also observe elections. The endorsing organizations welcome any such observers agreeing on an ad hoc basis to this declaration and abiding by the accompanying Code of Conduct for International Election Observers.

24 This Declaration and the accompanying Code of Conduct for International Election Observers are intended to be technical documents that do not require action by the political bodies of endorsing organizations (such as assemblies, councils or boards of directors), though such actions are welcome. This Declaration and the accompanying Code of Conduct for International Election Observers remain open for endorsement by other intergovernmental and international nongovernmental organizations. Endorsements should be recorded with the United Nations Electoral Assistance Division.

CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVERS

International election observation is widely accepted around the world. It is conducted by intergovernmental and international nongovernmental organizations and associations in order to provide an impartial and accurate assessment of the nature of election processes for the benefit of the population of the country where the election is held and for the benefit of the international community. Much therefore depends on ensuring the integrity of international election observation, and all who are part of this international election observation mission, including long-term and short-term observers, members of assessment delegations, specialized observation teams and leaders of the mission, must subscribe to and follow this Code of Conduct.

Respect Sovereignty and International Human Rights
Elections are an expression of sovereignty, which belongs to the people of a country, the free expression of whose will provides the basis for the authority and legitimacy of government. The rights of citizens to vote and to be elected at periodic, genuine elections are internationally recognized human rights, and they require the exercise of a number of fundamental rights and freedoms. Election observers must respect the sovereignty of the host country, as well as the human rights and fundamental freedoms of its people.

Respect the Laws of the Country and the Authority of Electoral Bodies
Observers must respect the laws of the host country and the authority of the bodies charged with administering the electoral process. Observers must follow any lawful instruction from the country's governmental, security and electoral authorities. Observers also must maintain a respectful attitude toward electoral officials and other national authorities. Observers must note if laws, regulations or the actions of state and/or electoral officials unduly burden or obstruct the exercise of election-related rights guaranteed by law, constitution or applicable international instruments.

Respect the Integrity of the International Election Observation Mission
Observers must respect and protect the integrity of the international election observation mission. This includes following this Code of Conduct, any written instructions (such as a terms of reference, directives and guidelines) and any verbal instructions from the observation mission's leadership. Observers must: attend all of the observation mission's required briefings, trainings and debriefings; become familiar with the election law, regulations and other relevant laws as directed by the observation mission; and carefully adhere to the methodologies employed by the observation mission. Observers also must report to the leadership of the observation mission any conflicts of interest they may have and any improper behavior they see conducted by other observers that are part of the mission.

Maintain Strict Political Impartiality at All Times

Observers must maintain strict political impartiality at all times, including leisure time in the host country. They must not express or exhibit any bias or preference in relation to national authorities, political parties, candidates, referenda issues or in relation to any contentious issues in the election process. Observers also must not conduct any activity that could be reasonably perceived as favoring or providing partisan gain for any political competitor in the host country, such as wearing or displaying any partisan symbols, colors, banners or accepting anything of value from political competitors.

Do Not Obstruct Election Processes

Observers must not obstruct any element of the election process, including pre-election processes, voting, counting and tabulation of results and processes transpiring after election day. Observers may bring irregularities, fraud or significant problems to the attention of election officials on the spot, unless this is prohibited by law, and must do so in a non-obstructive manner. Observers may ask questions of election officials, political party representatives and other observers inside polling stations and may answer questions about their own activities, as long as observers do not obstruct the election process. In answering questions observers should not seek to direct the election process. Observers may ask and answer questions of voters but may not ask them to tell for whom or what party or referendum position they voted.

Provide Appropriate Identification

Observers must display identification provided by the election observation mission, as well as identification required by national authorities, and must present it to electoral officials and other interested national authorities when requested.

Maintain Accuracy of Observations and Professionalism in Drawing Conclusions

Observers must ensure that all of their observations are accurate. Observations must be comprehensive, noting positive as well as negative factors, distinguishing between significant and insignificant factors and identifying patterns that could have an important impact on the integrity of the election process. Observers' judgments must be based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence. Observers must base all conclusions on factual and verifiable evidence and not draw conclusions prematurely. Observers also must keep a well documented record of where they observed, the observations made and other relevant information as required by the election observation mission and must turn in such documentation to the mission.

Refrain from Making Comments to the Public or the Media before the Mission Speaks

Observers must refrain from making any personal comments about their observations or conclusions to the news media or members of the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership. Observers may explain the nature of the observation mission, its activities and other matters deemed appropriate by the observation mission and should refer the media or other interested persons to the those individuals designated by the observation mission.

Cooperate with Other Election Observers

Observers must be aware of other election observation missions, both international and domestic, and cooperate with them as instructed by the leadership of the election observation mission.

Maintain Proper Personal Behavior

Observers must maintain proper personal behavior and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.

Violations of This Code of Conduct

In a case of concern about the violation of this Code of Conduct, the election observation mission shall conduct an inquiry into the matter. If a serious violation is found to have occurred, the observer concerned may have their observer accreditation withdrawn or be dismissed from the election observation mission. The authority for such determinations rests solely with the leadership of the election observation mission.

Pledge to Follow This Code of Conduct

Every person who participates in this election observation mission must read and understand this Code of Conduct and must sign a pledge to follow it.

PLEDGE TO ACCOMPANY THE CODE OF CONDUCT FOR INTERNATIONAL ELECTION OBSERVER

I have read and understand the Code of Conduct for International Election Observers that was provided to me by the international election observation mission. I hereby pledge that I will follow the Code of Conduct and that all of my activities as an election observer will be conducted completely in accordance with it. I have no conflicts of interest, political, economic nor other, that will interfere with my ability to be an impartial election observer and to follow the Code of Conduct.

I will maintain strict political impartiality at all times. I will make my judgments based on the highest standards for accuracy of information and impartiality of analysis, distinguishing subjective factors from objective evidence, and I will base all of my conclusions on factual and verifiable evidence.

I will not obstruct the election process. I will respect national laws and the authority of election officials and will maintain a respectful attitude toward electoral and other national authorities. I will respect and promote the human rights and fundamental freedoms of the people of the country. I will maintain proper personal behavior and respect others, including exhibiting sensitivity for host-country cultures and customs, exercise sound judgment in personal interactions and observe the highest level of professional conduct at all times, including leisure time.

I will protect the integrity of the international election observation mission and will follow the instructions of the observation mission. I will attend all briefings, trainings and debriefings required by the election observation mission and will cooperate in the production of its statements and reports as requested. I will refrain from making personal comments, observations or conclusions to the news media or the public before the election observation mission makes a statement, unless specifically instructed otherwise by the observation mission's leadership.

Signed _____

Print Name _____

Date _____

ACKNOWLEDGEMENTS

APPENDIX E

National Democratic Institute
Honduras Election Assessment Mission
AGENDA
November 25 – December 1, 2009

Wednesday, November 25

Delegates arrive in Tegucigalpa
Informal Delegation Reception and Welcome

Thursday, November 26

Breakfast and Introduction of Delegation
Discussion of International Election
Assessment Mission and Objectives

Report of NDI Pre Election Mission
Félix Ulloa: Former Magistrate Supreme Election Tribunal
Eduardo Núñez: NDI Representative in Honduras

Panel of Journalists: Political Context
Television Journalist

Meeting with the Innovation and Unity Party
(*Partido Innovación y Unidad*, PINU)
Party President

Overview of Pre-Electoral Period by Honduran
Monitoring Group Election Watch (*Mirador Electoral*)
Board of Directors

Lunch Briefing: Technical Overview of Electoral Process
Former OAS Technical Advisor to TSE

Overview of Election Day Observation
by Honduran Monitoring group Making
Democracy (*Hagamos Democracia*, HD)

Meeting with Technical Team at Making Democracy
Deployment Group

Meeting with National Party (*Partido Nacional*)
Porfirio "Pepe" Lobo: Presidential Candidate
Tegucigalpa Group

Meeting with National Resistance Front
Members of the Coordinating Committee

Meeting with Human Rights Organizations
CIPRODEH and COFADEH

Friday, November 27

Breakfast with the Protestant Fellowship
(*Cofraternidad Evangélica de Honduras*)
Board of Directors

Meeting with Electoral Coordination
Group of International Donors
With International Republican Institute Delegation

Meeting with the Civic Union for Democracy
(*Unión Cívica para la Democracia*)
Coordinating Committee

Meeting with the Christian Democratic Party
(*Partido Demócrata Cristiano de Honduras*)
Felicito Ávila: Presidential Candidate

Delegation Lunch and Debriefing

Meeting with the Supreme Electoral Tribunal

Coffee with U.S. Ambassador Hugo Llorens
With International Republican Institute Delegation

Dinner Meeting: NDI Training for the
Electoral Assessment Teams

Saturday, November 28

San Pedro Sula Team Briefing and Deployment

Breakfast Meeting with the Democratic Unification
Party (*Partido Unificación Democrática*, UD)
César Ham: Presidential Candidate
Marvin Ponce: Congressman

Meeting with Catholic Church Leadership

Comayagua, Danlí and Juticalpa Team
Briefings and Deployments

La Ceiba Team Briefing and Deployment

Meetings in Deployment Sites
Party leaders
Departmental Electoral Council
Local Chapter of Making Democracy

Lunch with Roberto Micheletti´s Representative in the Verification Commission of Tegucigalpa – San José Accord

Meeting with the Liberal Party (*Partido Liberal*)
Elvin Santos: Presidential Candidate
Note: Due to a scheduling conflict, Candidate Santos rescheduled the meeting for December 4

Alternative Activity: Delegation Discussion

Meeting with Manuel Zelaya's Representative in the Verification Commission of the Tegucigalpa - San José Accord

Dinner with OAS Representative in Verification Committee of the Tegucigalpa – San José Accord

Sunday, November 29

Assess Opening of Voting Stations

Assess Voting Process
San Pedro Sula – El Progreso
La Ceiba
Danlí – El Paraíso
Juticalpa (Olancho)
Comayagua
Valle de Ángeles
Tegucigalpa
Comayagüela

Assess Closing of Voting Stations

Visit to the National Center for Counting the Electoral Results - TSE

Monday, November 30

Deployment Teams Return to Tegucigalpa

Lunch and Deployment Team Debriefing

Drafting of Initial Statement

Delegation Dinner and Review of Initial Statement

Tuesday, December 1

Delegates depart from Tegucigalpa

APPENDIX F

**National Democratic Institute for International Affairs
International Assessment Delegation
Honduras Elections
November 29, 2009**

LEADERSHIP GROUP

Horacio Boneo
Former Director
United Nations Electoral
Assistance Division
Argentina

Luis Alberto Cordero
Executive Director
Arias Foundation
Costa Rica

Sam Gejdenson
Former Member and Ranking Member,
House Foreign Affairs Committee,
U.S. Congress
United States

Salvador Romero
Former President-Magistrate
National Electoral Court
Bolivia

Jim Swigert
Regional Director for Latin
America and the Caribbean
National Democratic Institute (NDI)
United States

Felix Ulloa
Former Magistrate
Supreme Election Tribunal
El Salvador

Ken Wollack
NDI President
United States

DELEGATES

Sara Barker
NDI Program Officer
United States

Matt Dippell
NDI Deputy Director for
Latin America and the Caribbean
United States

Keila González
Program Officer, NDI Mexico City
Dominican Republic

Laura Grace
Program Officer for Elections
Processes, NDI
United States

Guido Iñigo
Administrative and Financial
Officer, NDI Guatemala
Argentina

Alex Kerchner
NDI Senior Program Assistant
United States

Michele Manatt
International Relations Consultant
United States

Mario Mitre
Senior Program Officer, NDI Bogotá
Mexico

Eduardo Nuñez Vargas
NDI Representative in Honduras
Costa Rica

Marek Peda
Elections Expert
Poland

Wendy Ramirez
NDI Senior Program Officer
United States

Philip Robbins
Chairman of Board of Directors
National Law Center of
Inter American Trade
United States

Rob Runyan
NDI Public Affairs Assistant
United States

Maureen Taft-Morales
Specialist in Latin American Affairs
Congressional Research Service
United States

NDI SUPPORT STAFF

Sandra Guzmán
Administrative Assistant, NDI Quito
Ecuador

Anna Prow
NDI Deputy Director of Operations
United States

Dan Reilly
NDI Security Manager
United States

APPENDIX G

HD volunteers receive calls from domestic observers on election day.

Mission members Philip Robbins (United States) and NDI Regional Director Jim Swigert (United States) participate in a meeting with the TSE.

Mission members Salvador Romero (Bolivia) and Horacio Boneo (Argentina) participate in a meeting prior to election day.

Delegate Félix Ulloa (El Salvador) participates in a meeting prior to election day.

Xiomara Sierra, General Coordinator of Making Democracy (Hagamos Democracia, HD), gives an overview of the organization to delegates.

Xiomara Sierra explains the deployment of the volunteer network to delegates Marek Peda (Poland) and NDI Regional Deputy Director Matt Dippell (United States).

A poll work takes an oath prior to the opening of a polling center in Tegucigalpa.

HD volunteers on election day.

A voter receives his ballot in Tegucigalpa on election day.

Delegate Michele Manatt (United States) speaks with a poll worker in La Ceiba.

Voters receive their ballots in San Pedro Sula.

Delegation member Maureen Taft-Morales (United States) takes notes inside a polling station on election day.

Poll workers prepare materials on election day in Danlí.

A Honduran votes on election day inside in Tegucigalpa.

Honduran citizens cast ballots for president and municipal officials.

A voter has his finger inked after voting.

Delegation member Luis Alberto Cordero (Costa Rica) speaks with voters outside of a voting center.
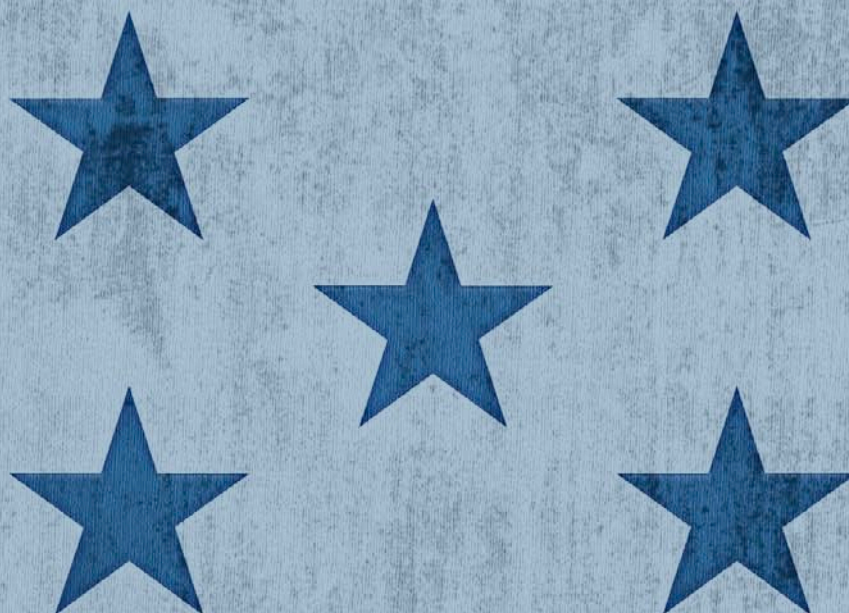

Ballots are counted on election day at a polling station in Tegucigalpa.

An HD volunteer tracks the arrival of returns on election day.

NDI President Ken Wollack and NDI Senior Elections Expert Melissa Estok watch as HD volunteers receive calls from domestic observers.