

ELECTORAL OVERVIEW CONSORTIUM (*CONSORCIO DE PANORAMA ELECTORAL*)

SECOND ELECTORAL OBSERVATION REPORT

I- INTRODUCTION

The Electoral Overview Consortium, with the purpose of systematically informing the Nicaraguan public on the development of the 2016 electoral process, presents its second observational report, carried out qualitatively between August and September, in 152 of the country's municipalities with an equal amount of observers. We gathered information in two stages, making use of forms designed to compile information specifically related to activities concerning the electoral process.

II- FINDINGS

Composition of electoral bodies. Information was obtained about the composition of Departmental Electoral Boards (*Consejos Electorales Departamentales*, CEDs), Municipal Electoral Boards (*Consejos Electorales Municipales*, CEMs) and Regional Electoral Boards (*Consejos Electorales Regionales*, CERs) in 13 departments, 149 municipalities and two autonomous regions, exposing imbalance and significant partisan bias in the integration of its members.

In 10 of 13 CEDs (equal to 67%), the FSLN has a majority of two of three members or absolute control. In 79 of 149 CEMs (53%), the FSLN has either a majority or a totality of members.

We were unable to compare this data to official figures, given the lack of any state-sanctioned publication, thus violating our right to public information access under national law.

The composition of the electoral bodies violates representational standards mandated by Article 16 of the Electoral Law (*Ley Electoral*) and the spirit of the Inter-American Democratic Charter (*Carta Democrática Interamericana*), which outlines the effective practice of representative democracy. In addition to the monopoly of the governing party over these bodies, in place from the last two electoral processes (2011 and 2012), the figure of a political administrator from the FSLN party looms over these boards, with final decision-making power and greater control than the members of the electoral boards themselves.

There exists a gender bias in the composition of CEDs and CERs, with men occupying 89% of positions. In the CEMs, men occupy 63% of positions, it being notorious that women serving on these boards typically occupy secondary or junior positions with less decision-making power.

Campaign Analysis

During the period addressed by this report, observers confirmed the development of a low-intensity campaign cycle in comparison with other election years, given the lack of real competition among participating political parties.

Our observers confirmed that the FSLN carried out activities during this period in 91% of the country's municipalities, the PLI in 16%, and the remaining four parties in 23% of the country's municipalities. The campaign of the governing party was overwhelmingly superior, a result achieved through the control public spaces and the prolific use of propaganda posters. State funds were utilized by all parties, though mainly by the FSLN.

Observers also confirmed the presence of gender inequality in campaign activities. In 35.3% of municipalities, female candidates of the FSLN had no presence. Women were absent from 84% of the activities of the PLI and from 78% of the campaign activities of the remaining four parties. Another observed aspect of gender inequality was the use of women as sexual objects in campaign activities. This occurred in 54.17% of the activities of the PLI, 39.13% of activities of the FSLN and 45.71% of activities carried out by the remaining four parties. If the participation of women is a fundamental element in the promotion of a culture of democracy, it is clear they are not exercising their full political rights.

Observers confirmed all campaign activities were carried out peacefully.

Principal findings:

- 1- Preeminence and control by the governing party in electoral bodies.
- 2- Inequality in the participation of women in the electoral process and in campaign activities.
- 3- Development of an atypical campaign cycle.
- 4- A marked use of the female figure in a sexually charged manner in many campaign activities.

III- Conclusions

The first observational report by the Electoral Overview Consortium, published last August, indicated concern around the actions that subsequently took place in later months, which have since significantly weakened Nicaragua's democratic framework and the country's commitment to civil and political rights, especially electoral rights.

This second report should be reviewed in light of the events and transgressions that have led to the present situation, as well as in conjunction with the final reports of prestigious national and international civil observation organizations that participated and validated the last four electoral processes in Nicaragua, all of which have found as a common denominator: the categorical indication that the electoral system and processes in Nicaragua represent dangerous

regressions for democracy and the wellbeing of the State of Nicaragua in terms of transparency and respect for the will of the people.

Therefore, the ELECTION OVERVIEW CONSORTIUM calls on the State of Nicaragua to respect Article 3 of the Inter-American Democratic Charter, endorsed by the State of Nicaragua, which states:

“Essential elements of representative democracy include, *inter alia*, respect for human rights and fundamental freedoms, access to and the exercise of power in accordance with the rule of law, the holding of periodic, free, and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation of powers and independence of the branches of government.”

Given in the city of Managua on the 28th day of September, 2016