

**STATEMENT OF THE NATIONAL DEMOCRATIC INSTITUTE (NDI)/CARTER
CENTER PRE-ELECTION DELEGATION TO PERU**

Lima, January 26, 2001

This statement is offered by an international pre-election delegation to Peru, organized jointly by the National Democratic Institute for International Affairs (NDI) and The Carter Center delegations to be organized for the 2001 election process. In addition, the National Democratic Institute and The Carter Center have visited Peru on a number of occasions in the last five months and have followed developments leading to the new elections and the recent change of government.

NDI and The Carter Center will maintain a continuous presence in Peru throughout the 2001 election process. This joint effort will coordinate closely with missions of the Organization of American States (OAS), European Union and other international organizations, as well as with efforts of domestic organizations, such as *Transparencia*, the Ombudsman's Office (*Defensoria del Pueblo*) and others to monitor and promote a democratic election process in Peru.

The delegation held intensive meetings with a wide range of Peruvian leaders, including: the President of the Republic Valentin Paniagua; the members of the JNE and the heads of *Transparencia*; the Permanent Secretary of the High Level OAS Mission in Peru Eduardo

- The three justices of the Constitutional Tribunal, who were wrongly removed from office due to their issuing an opinion against a law which authorized then-President Fujimori to seek a third term, have been reinstated to the Tribunal.
- Peru has returned to the jurisdiction of the Inter-American Court of Human Rights.
- News media are operating with new openness and in the absence of political persecution.
- Television Channels 2 and 13 have been returned to their owners, and Radio 1160 expects to reacquire its transmitters soon.
- Registered political parties are to be provided free of charge 10 minutes per day on the broadcast media, during the 60 days prior to the elections; this free time (*franja electoral*) is to be guaranteed by public funds to be provided by the ONPE.
- Government advertisements, with limited exceptions, are to halt for the 60 days prior to the elections.
- Civic, professional and religious organizations are planning to monitor the election process, to educate and to mobilize greater citizen participation.
- The military has demonstrated its professionalism and respect for civilian authority through the transition to the new government. The President, the Minister of Defense and the Commanders of the three branches of the armed forces have ordered political neutrality of military units. The Minister and the Commanders made a public commitment to support democracy and to maintain political neutrality at an unprecedented news conference this week, which was held with the NDI/Carter Center delegation.
- The JNE has been reconstituted, and it is taking steps to ensure the integrity of the election process, such as calling for an examination of the electoral registry (*padron*).
- The ONPE's leadership has been replaced, and the ONPE is reorganizing itself as it works to prepare the elections. A new spirit of openness has been established at all of the electoral authorities, including the initiation of a coordinating group within the ONPE for the political parties (*mesa de coordinacion con los partidos politicos*).
- *Transparencia* examined the electoral registry produced by RENIEC and determined that it is sound. The examination was conducted through an agreement with the JNE.
- Candidates and political parties have been registered for the elections, even though some questions have been raised about the signature collection and verification processes.
- After an intense public discussion, a political agreement was reached to restructure the election system into multiple districts.

CHALLENGES IN THE 2001 ELECTORAL PROCESS

The delegation noted that the 2001 electoral process presents significant challenges, including the following.

- The elections are only 71 days away, which necessitates a tight election calendar (*cronograma electoral*). With great effort and if there are no delays, the ONPE should be able to organize elections properly for April 8. However, if further changes are made to the electoral process that require additional time, it will be extraordinarily difficult for the ONPE to meet the requirements of an April 8 electoral timetable.

- There are 10 certified candidates for the President of the Republic. Only one will win the office, and only two will enter the second round run-off if none obtains 50 percent plus one vote on April 8. Electoral competition for the Presidency therefore may become

contestants, the mass media and citizens themselves therefore will need to find ways to introduce into the election campaign such longer-term issues.

- According to electoral legislation, polling stations (*mesas de votacion*) may have no more than 300 registered voters. In practice, tables rarely have more than 200 voters, resulting in approximately 89,000 polling stations in Peru. This creates a huge burden for recruiting, training and deploying election officials, political party pollwatchers and nonpartisan election monitors. It is common in other countries to have many more voters assigned to each polling station. Increasing the number of voters per polling station by two or even three times, where distances and populations allow an increase, would improve the capacities of electoral authorities, parties and candidates and citizen groups to staff the stations. Although not approved for 2001, this should be considered for elections after this year.

In addition to these challenges to the election process, the delegation noted a concern raised by political parties that did not succeed in qualifying for the ballot. Approximately 360 groups took out petitions for ballot qualification, while 33 returned them, and three new parties were accepted for the ballot. In addition, 18 presidential candidates applied for ballot qualification, while 10 were approved.

Prospective political contestants collected approximately 6.8 million signatures, of which approximately only 1.8 million were ruled valid. Political parties indicated that they must collect

NDI and The Carter Center are independent, nongovernmental organizations that have conducted more than 100 impartial pre-election, election-day and post-election observation delegations around the globe. The delegation was invited by the government of Peru and Peruvian civic and political leaders. The purposes of this delegation were to express the support of the international community for a democratic election process in Peru and to assess the evolving political environment surrounding the upcoming elections, as well as the state of electoral preparations.

The delegation conducted its activities according to international standards for nonpartisan international election observation and Peruvian law. NDI and The Carter Center do not seek to interfere in the election process nor, at this juncture, to make a final assessment about the over all process. Both institutions recognize that, ultimately, it will be the people of Peru who will determine the legitimacy of the elections and of the resulting government.

CONCLUSIONS AND RECOMMENDATIONS

Peru is passing through a period of rapid democratic change. The fraudulent elections of 2000 led the OAS General Assembly to pass a resolution in June on the need for democratic reform in Peru. A dialogue was then established under the auspices of the OAS (*Mesa de Dialogo y Concertacion*)

approaching any further changes that could expand the electoral timetable in significant ways
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dialogue continues in the post-election period to frame lessons learned from these elections and address the continuing need to improve Peru's democratic process.

The delegation was heartened by the positive developments it observed and by the firm expressions of political will it received from governmental, political, military, civic and religious leaders to organize open, democratic elections. NDI and The Carter Center will continue to