

THE COUNCIL OF
FREELY ELECTED
HEADS OF
GOVERNMENT

and

NATIONAL
DEMOCRATIC
INSTITUTE FOR
INTERNATIONAL
AFFAIRS

*1990 Elections in the Dominican Republic:
Report of an Observer Delegation*

Foreword by Jimmy Carter



*National Democratic Institute for International Affairs
and
The Carter Center of Emory University
Special Report #2*

1990 Elections in the Dominican Republic

Report of an Observer Delegation

Co-sponsored by

*The Council of Freely
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Delegation to Observe the Elections in the Dominican Republic

May 16, 1990

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Foreword

As democracy sweeps across Latin America and the Caribbean, all of the citizens of the Americas have cause to rejoice. Free and fair elections have been held in almost every country in the region in the last three years. Such elections are essential prerequisites for a democratic transition, but a consolidated democracy requires that all the political parties and candidates in a country fully trust the democratic process.

The Dominican Republic has had seven regularly scheduled elections since 1966, but few of those elections enjoyed the trust and confidence of all of the eligible parties. On May 16, 1990, the Dominican people voted for president, congress, and local leaders, but several important parties feared that the final results would not reflect the will of the people.

As chairman of the Council of Freely-Elected Heads of Government, which is composed of eighteen former or current heads of government from throughout the hemisphere, I received an invitation to observe those elections from the President of the Central Electoral Board of the Dominican Republic. The National Democratic Institute for International Affairs (NDI), which has vast experience in monitoring and observing elections throughout the world, agreed to co-sponsor the international delegation.

Though the invitation arrived just a few days before the elections, we chose to go because we thought we might be able to facilitate the democratic consolidation that the people of the Dominican Republic so justly deserve. I was fortunate to have been joined on this mission by Prime Minister George Price of Belize, who is also vice chairman of the council. We have worked together to observe previous elections in Panama, Nicaragua, and Haiti.

I also owe thanks to the other members of the delegation, who traveled to the Dominican Republic on short notice. Their contribution added significantly to our delegation. They are Genaro Arriagada from Chile, and Curtis Cutter and Casimir Yost from the United States.

Brian Atwood, president of NDI, and Kenneth Wollack, NDI's executive vice president, helped to organize the delegation. I am indebted to Dr. Robert Pastor, the director of the Carter Center's Latin American Program, for his advice and assistance during the visit, to his associate director, Dr. Jennie Lincoln, for helping to prepare for the mission, and to Mark Feierstein, NDI program officer, and Santiago Canton, NDI consultant, for their excellent staff work. We also wish to thank the U.S. Agency for International Development (AID) for a grant to NDI that made this mission possible.

The report was drafted by Mark Feierstein and edited by Robert Pastor. Important contributions were made by Brian Atwood, Kenneth Wollack, and NDI Senior Consultant Larry Garber. Jonathan Hartlyn, professor of

political science at the University of North Carolina in Chapel Hill, offered useful comments.

The Dominican experience represented a unique challenge for international observers. The race was so close, and the opposition's suspicions of an unfair process were so deep, that fears were rife that the election would be stolen. We hope that our presence and involvement served to dampen such fears, and we hope that the lessons drawn from this election will help Dominicans to consolidate the democracy that they have been working so hard during the last thirty years to build.



Jimmy Carter

I. Introduction

The May 16 presidential election in the Dominican Republic was the closest and among the most disputed in the country's history. According to official results, President Joaquin Balaguer, the incumbent, defeated his principal challenger, former President Juan Bosch, by 1.2 percent of the total votes. Bosch charged fraud, and threatened to bring his supporters into the streets to prevent a premature announcement by the Electoral Board of his defeat. A delay of two months between the election and the proclamation of Balaguer as the winner raised questions about the electoral process and the results.

The Central Electoral Board (JCE) of the Dominican Republic invited former President Jimmy Carter, chairman of the Council of Freely-Elected Heads of Government, to observe the elections. Carter then asked the National Democratic Institute for International Affairs (NDI) to help organize and co-sponsor a delegation with the Council, whose headquarters is at The Carter Center of Emory University. This is the report of the delegation.

Based on its observations of the balloting, counting, and tabulation of the votes and a review of the irregularities presented by the political parties, the delegation concluded that the allegations of fraud were not substantiated. Four weeks after the election, after a meeting with several leaders of opposition parties, and with their knowledge, President Carter sent a letter to the president of the Central Electoral

Board in which he wrote: "I have not yet seen fraud, by which I mean a pattern of irregularities that favors a particular candidate or party." No additional evidence of fraud was provided to President Carter since he sent that letter.

President Carter and the delegation were complimented by the JCE, political leaders and the press for their successful efforts to encourage the parties to use legal channels to resolve electoral disputes in the days following the elections and avoid street demonstrations that could have led to violence. President Carter was also instrumental in establishing procedures to enable the parties and electoral council to verify the final results.

"Your contribution has been fundamentally important in assuring the veracity of the electoral process in the Dominican Republic," the electoral board president wrote Carter in a letter, dated June 5, 1990. "The electoral board and the Dominican people we serve are deeply grateful for your effort and for your continued interest in our country."

The delegation members were former President Jimmy Carter; Prime Minister George Price of Belize, vice chairman of the Council; former First Lady Rosalynn Carter; Genaro Ariagada, vice president of the Chilean Christian Democratic Party; Robert Pastor, director of the Latin American and Caribbean Program at the Carter

Center; Curtis Cutter, president of Interworld Consultants and a senior consultant to NDI; Casimir Yost, executive director of the World Affairs Council of Northern California and former Republican professional staff member of the Senate Foreign Relations Committee; Jonathan Hartlyn, associate professor of political science at the University of North Carolina; Mark Feinstein, NDI program officer; and Santiago Canton, an NDI consultant.

During a visit to the United States in October 1989, Bosch met with NDI officials and requested they send a delegation, if possible to be led by President Carter, to observe the Dominican Republic's presidential, legislative and municipal elections on May 16, 1990. Bosch phoned President Carter in late April 1990 and asked him personally if he would observe the elections. Carter responded that he would consider doing so, but only if the other political parties or the elec-

During a visit to the United States in October 1989, Bosch met with NDI officials and requested they send a delegation, if possible to be led by President Carter, to observe the Dominican Republic's presidential, legislative, and municipal elections on May 16, 1990

toral board would also extend an invitation. In a letter dated May 4, 1990, but received on the

afternoon of May 8, eight days before the elections, Carter received an invitation from the electoral board. Carter accepted "with the understanding that this invitation extends to us [the delegation] total access to the electoral process, including to the polling sites and permission for our presence during the vote count." [see Appendix 1 for the invitation and response.]

Because of the delegation's arrival on May 14, just two days before the elections, it was unable to evaluate accusations of pre-election day irregularities, such as tampering with voter registration lists. During meetings with leaders of the four largest political parties, none presented documented evidence of pre-election fraud. All candidates indicated they would accept the results of a fair election.

Dominican history is replete with election controversies. The elections in 1966 were supervised by an Organization of American States (OAS) peace-keeping force, but were protested by Bosch, who had been overthrown in a civil-military uprising three years earlier. The major opposition parties declined to participate in the 1970 and 1974 elections, in which Balaguer was reelected with wide margins. In 1978, Antonio Guzman, candidate of the opposition Dominican Revolutionary Party, was declared the winner, but only after the Carter Administration protested in strong terms the suspension of the vote count. In 1986, challenges of the results and accusations against members of the electoral tribunal delayed the announcement of Balaguer's victory until nearly two months after election day.

Former President Bosch and other opposition leaders encouraged NDI and President Carter to observe the elections because they viewed the electoral board as biased in favor of the incumbent; others questioned the board members' competence. In his meeting with President Carter on May 15, Bosch said that what Carter did in 1978 "gives you moral authority in this election." Bosch said he expected problems in the election, "but because you are here, there will be no fraud. Your presence will prevent that."

The delegation hoped that its presence at the 1990 elections would promote participation and confidence in the process. As in elections elsewhere, the delegation considered such issues as the ability of parties to monitor the voting and counting; safeguards to prevent double voting; security of the ballot box and sheets; and opportunities and procedures for parties to challenge decisions by election officials.

The delegation met with the major candidates, electoral officials, party leaders, and civic leaders. Given the small size of the delegation, it was necessary to focus almost exclusively on the presidential election. The delegation evaluated evidence presented to it; it also coordinated its activities with other observers from the OAS and the San Jose-based Center for Electoral Promotion and Training, known by its Spanish acronym, CAPEL.

II. Framework for the Elections

A. Candidates, Alliances

More than 1,600 elective offices at the national and local levels were at stake in the May 1990 elections. Sixteen parties met the legal requirements to participate. There were nine presidential candidates. The four leading candidates were: President Joaquin Balaguer of the Social Christian Reformist Party who occupied numerous government posts under the dictatorship of Rafael Trujillo (1930-1961) and was president from 1966-1978 and was elected again in 1986; Jose Francisco Peña Gomez of the Dominican Revolutionary Party (PRD), a former mayor of Santo Domingo and current vice president for Latin America in the Socialist International; Juan Bosch of the Dominican Liberation Party (PLD), who was elected president in 1962 as a candidate of the PRD and overthrown eight months later by the military; and former President Jacobo Majluta of the Independent Revolutionary Party (PRI). Balaguer was supported by four other parties in addition to his own, and Peña Gomez received the backing from two other small parties. Bosch's PLD also allied itself with another small party. [See Appendix 2 for list of parties and candidates.]

B. Electoral Boards

Dominican elections are or-

ganized and managed by the Central Electoral Board (JCE), an independent, ostensibly nonpartisan body with national jurisdiction. The JCE consists of a president, two members, and their respective substitutes. They are chosen by the Senate for a four-year period concurrent with the presidential term. The president during the 1990 electoral process was Froilan Tavares, a former law school dean.

There is a municipal electoral board (JME) for each of the 103 municipalities, including the capital, Santo Domingo. The JMEs are composed of a president and two members plus three substitutes appointed by the JCE. Given the large number of voters in the capital area (26 percent of the electorate), the JME in Santo

There were 6,663 mesas, or voting precincts, for 3,275,570 registered voters, an average of 492 voters per mesa.

Domingo has a president and four members.

The JCE distributes the electoral cards required to vote and shares responsibility with the executive branch for the management of the offices that provide the personal identification cards that voters also need.

C. Voting Procedures

There were 6,663 *mesas*, or voting precincts, for 3,275,570 registered voters, an average of 492 voters per *mesa*. *Mesas* were located in schools or other public facilities. Each *mesa* consisted of four members—a president, secretary and two *vocales* appointed by the municipal electoral board with jurisdiction over that *mesa*. The board also appointed a substitute for the secretary. Most *mesa* officials were public employees, but an effort was ostensibly made to ensure political balance. The registered political parties were each permitted to have a pollwatcher at every *mesa*. The Dominican Association of Women Voters, a civic group, also had the right to station an observer at every *mesa*.

The polls opened at 6 a.m. on May 16 and closed at 6 p.m. To vote, a citizen presented his registration and personal identity cards to the *mesa* officials. After verifying that the voter's name appeared on the registration list, the *mesa* officials gave the voter a ballot, which was stamped with a number unique to each *mesa*. The number was selected that morning by each of four officials proposing a single number. This was done to prevent "chain voting" i.e. voting with pre-marked ballots carried secretly to the polls. After marking the ballot behind a curtain, the voter deposited the ballot into a box. The voter's name was checked off the registration list and his or her registration card stamped. The voter then dipped his or her right index finger into indelible ink to protect against duplicate voting.

If a voter's name was not on a registration list, but he/she

wanted to vote at a particular *mesa*, the ballot and two types of personal identification—electoral card and personal identification card—would be placed in a special envelope entitled *votos observados*. These envelopes would then be brought to the national vote counting center at the end of

The JCE introduced a new ballot for the 1990 elections...that allowed the electorate to vote for candidates of different parties at the municipal, legislative, and presidential levels.

election day. In a meeting with the delegation on May 15, the day before the elections, the president of the JCE told the delegation that the JCE still had not decided whether and, if so, how to count the *votos observados*. This was a major issue raised by the opposition candidates, who feared that the outcome of a close election could be affected by these voters.

The JCE introduced a new ballot for the 1990 elections. Before 1986, there were separate ballots for municipal, legislative and presidential elections. In 1986, a single ballot was introduced, but voters were restricted to voting for a single party slate. In 1990, a single ballot was used that allowed the electorate to vote for candidates of different parties at the municipal, legislative, and presidential level.

The ballot for the 1990 elections consisted of one piece of paper with rectangular boxes arrayed in vertical rows representing the national parties and local political groups participating in

the elections. [See a sample ballot at Appendix 3.] There were three separate boxes for each party: one each for the presidential ticket, the congressional candidates, and the municipal candidates. Each box contained the name and symbol of the party, with a background of the party colors. A photograph and name of the party's presidential candidate appeared in the presidential boxes. The ballot was also a source of concern to some of the candidates. They feared it would confuse voters, who would mark the ballot incorrectly. The officials in each *mesa* could then invalidate such ballots.

Because Balaguer, Bosch and Peña Gomez established electoral alliances with other parties, their names appeared under more than one party. A vote for them under any of these parties counted toward their overall totals.

D. Counting Procedures

The ballots were counted by the *mesa* officials in the presence of the political party representatives, who were called *fiscales* or pollwatchers. At each *mesa*, a booklet (*libro de acta*) was filled out by the *mesa* officials and signed by the officials and the party pollwatchers. The *libro de acta* contained a detailed record of the day's events at the *mesa*. The last two pages contained the number of votes that each party received. That information was transferred onto a tally sheet called a *formulario numero 6* (form 6). [see Appendix 4.] The *libro de acta*, the ballots, and the form

6 were taken to the JME where, in most cases, the form 6 was faxed to the computer center in the JCE headquarters in Santo Domingo. Party pollwatchers also received copies of the form 6. At the JCE computer center, the data was entered into a computer to be tabulated. The electoral board then issued periodic bulletins announcing the results.

E. Procedures to Challenge the Results

The Dominican electoral law allows parties to challenge election results at the municipal level by filing complaints with the appropriate JME. If a party is not satisfied with the decision taken by the JME, it can appeal that decision before the JCE. Decisions by the JCE are final.

III. Election Day Observations

the end of the day and found that all of the people who were waiting in line at 6 p.m. voted.

The delegation separated into three groups on election day. One group observed balloting in Santo Domingo and San Pedro de Macoris, a town 40 miles east of the capital. One group went to Santiago, 80 miles north of Santo Domingo, and visited polling sites in four towns between that city and the capital. A third group observed the balloting on the outskirts of Santo Domingo and in Boca Chica, a town between the capital and San Pedro de Macoris.

The delegation collectively visited nearly 100 polling sites. The balloting and counting at the *mesas* occurred in an orderly fashion, although many *mesas* opened late. Pollwatchers of the four major parties were represented in virtually every *mesa*. Few complaints were expressed by voters or party pollwatchers. Among the delegation's observations:

- The quality of the electoral materials was poor. For example, the ink used to stamp form 6s with a JCE seal was dry and unusable at many *mesas*. This became significant later as form 6s arrived at the JCE's computer center without the seal and its corresponding *mesa* number. The number of the stamp was also difficult to read.

- Some electoral officials designated by the local electoral boards did not appear at their designated *mesas*. In most cases, however, they were replaced by alternates or volunteers from among the voters at the particular

mesa.

- Not all *mesa* officials were knowledgeable about the electoral law. The presidents of the *mesas* had substantial authority to interpret the law, covering such issues as where pollwatchers were to sit and whether people whose names did not appear on the registration list could vote. The decisions taken varied among *mesas*.

- At some *mesas*, disputes arose concerning whether voters who had received their electoral registration cards after January 16, the last day to register for the 1990 elections, would be permitted to vote even if their names appeared on the electoral registry at the *mesa*. In a few cases, the delegation spoke to *mesa* officials, who decided to permit such people to vote. By and large, the requirement that individuals leave two valuable forms of identification in order to have their votes placed in a *voto observado* envelope proved to be a significant disincentive to voting.

- In San Pedro, many voters thought that the president of one *mesa* was delaying the vote to prevent a large opposition vote. The president insisted that if people were not inside the *mesa* by 6 p.m., they could not vote.

The electoral law, however, states that anyone waiting in line by 6 p.m. is eligible to vote. Some of the officials in the JME promised to correct this *mesa* president's misinterpretation of the law. One of the delegation members returned to the *mesa* at

IV. Election Results

A. Early Reports

The first "bulletin" released by the JCE on election night contained results from 324 *mesas*, about 5 percent of the total. Bosch led Balaguer by 2,938 votes (37.7 percent to 33.2 percent). As the returns came in, Bosch's lead narrowed until the sixth bulletin was released Thursday morning, May 17. With about one-third of the *mesas* counted, Balaguer led by less than 3,000 votes, or 0.4 percent. PLD officials began complaining about irregularities in the counting and tabulation of the votes. The party's own count, they claimed, showed Bosch ahead.

Balaguer's lead increased in subsequent bulletins, but many form 6s still had not been transmitted to the JCE. The PLD also discovered irregularities in some of the form 6s. Bosch called for a demonstration to protest what he called a "colossal fraud," and his remarks raised the specter of a violent confrontation. "Personally," Bosch said in a press conference that Thursday, "in my case I already have a life made, a career made as a writer, another career made as a politician, so that what remains for me in life will not be of any use if I accept this colossal fraud against the people, me and the Dominican Republic."

Because the results were so close and many form 6s had not been faxed to Santo Domingo, it was impossible to determine who had won the elections. The count had also been slowed

because the form 6s for the capital area were incorrectly distributed. The *mesa* number that appeared on the form 6 did not necessarily correspond to the *mesa* where the voting had taken place. The *mesa* officials, therefore, had to rewrite the *mesa* number on the form 6. In some cases, the number on the JCE seal that was stamped at the *mesa* did not match the number on the form 6. The electoral board judged that as many as 80 percent of the form 6s might have the wrong number. This led to a significant delay in the tabulation of votes at the national computer center.

The opposition parties were aware of the delay and of problems in identifying the form 6s, and they suspected fraud. The JCE briefed Carter and the delegation about the problem, and then Tavares personally asked President Carter if he would join him on television to explain to the Dominican public that an unintentional problem was being corrected. Carter agreed to the request provided that he could explain the issue in his own words. Tavares agreed to the Carter statement, which read:

The election has been conducted in an honest and proper manner. The results are being tabulated and reported accurately. However, there is a problem in the national district that is causing some delay. Some *actas* were assigned incorrect code

numbers that are used in the computers. These numbers are being corrected so that the computers can tabulate the results. This problem will not affect the accuracy of the final results but will cause a delay of approximately three hours in obtaining the final count from the national district. I will remain at the computer center so that the officials of the computer center and I can observe the accuracy of the count.

Carter then read the statement in Spanish on national television in the presence of Tavares, who also tried to assure voters that the technical mistake would not alter the results. Both statements helped restore some confidence among the public about the counting.

B. Carter's Suggestions to Verify Results

Although the delegation was satisfied that the delays were not deliberate, President Carter urged the JCE to do whatever necessary, including deploying the military, to retrieve all of the form 6s that had not arrived at the computer center. Further delays would have reduced confidence in the JCE and increased the possibility that opposition parties would abandon legal means to address their grievances.

Concerned that PLD demonstrations could lead to violence, or that the Reformist Party might try to manipulate the results, Peña Gomez tried to mediate, and then asked President Carter to

play a more active role to assure that the counting would be fair. Carter spoke to Tavares, who then invited the observers and representatives of the candidates to discuss new procedures to verify the results. After the meeting, the delegation developed a draft of procedures, and on May 18, Carter gained the agreement of the JCE and the main candidates. In addition, the PLD canceled its planned demonstration, announcing that the decision followed a request from the foreign observers led by President Carter.

Carter's recommendations were contained in a 10-point document that he read at a press conference with Tavares at the JCE. [see Appendix 5.] The document urged the electoral board, electoral police and political parties to obtain the form 6s as soon as possible, given the importance of each one in determining the election winner. The count would continue, and the electoral board would provide the political parties a list of the *mesas* that were included in each bulletin. After counting all the form 6s, the board's computer center would give the political parties a complete list of the forms.

The parties would then have 48 hours to compare the JCE's form 6s with their copies and report any discrepancies to the JCE. The disputed form 6s would be evaluated by the principal political parties and the international observers in a verification process called a *cotejo*. The final decision on any disputed form 6s would be made by the JCE. The international observers would then evaluate those decisions, and the JCE would announce the final results.

The *cotejo* was an *ad hoc* verification measure designed to determine accurately and quickly who had won the presidential election and avert extralegal actions by dissatisfied political parties. Although the electoral law provides for parties to file challenges at the municipal level, that process could take weeks.

After making the announcement in the afternoon of May 18 at the JCE, Carter and most of the delegation members left the Dominican Republic. Carter said that he would return toward the end of the *cotejo*. Mark Feierstein and Santiago Canton of NDI and five observers representing the OAS and CAPEL remained to work with the JCE and monitor compliance with the procedures set forth in the Carter document.

C. Fraud Charges

The PRD and PLD denounced a number of irregularities that they alleged were the result of administrative mistakes and efforts to commit fraud.

The question was whether a pattern of irregularities favored a particular candidate or party and whether these irregularities were of a magnitude sufficient to change the results.

According to the PLD, the irregularities were enough to prevent Bosch from winning. The PRD did not make such an assertion; and its party count for the presidential race was consistent with the results being issued

by the JCE.

Among the charges made by the PLD were the following:

- in some PLD strongholds, ballots arrived late and balloting did not begin until after noon;
- form 6s did not arrive at some *mesas* so it was necessary to improvise with blank sheets of paper;
- some form 6s were not signed by the *mesa* officials and/or party pollwatchers;
- the mistake in numbering of the form 6s for Santo Domingo created problems in the JCE computer center because the JCE processed the results based on the *mesa* where the form 6 was supposed to be used rather than where it was used;
- there was more than one form 6 with different results for some *mesas*;
- in some form 6s, the total number of votes cast was added incorrectly;
- the number of votes credited to Bosch on the JCE's form 6s did not always correspond to the number of votes on the PLD's copy;

- in some *mesas*, votes for Jacobo Majluta of the Independent Revolutionary Party (PRI) were credited to the Institutional Democratic Party (PDI), a very small party that backed Balaguer;

- thousands of military personnel, who are prohibited from voting, cast ballots; and
- the names of deceased citizens appeared on the registration lists, allowing Balaguer supporters to cast false ballots.

PLD officials offered convincing evidence for a few of these charges, such as the PDI's receiving the PRI's votes. On this matter, discrepancies between the PLD's form 6s and the JCE's,

according to the documents presented to the delegation, demonstrated a systematic bias against the PLD. But these totaled fewer than 1,000 votes and were corrected by the JCE. However, for the major charges, such as voting by military personnel and the casting of false ballots, the PLD did not possess evidence. The question was whether a pattern of irregularities favored a particular candidate or party and whether these irregularities were of a magnitude sufficient to change the results. The PLD was unable to determine there was a pattern and could not quantify the irregularities.

The PRD also denounced many irregularities but acknowledged that its count showed Balaguer winning. Many of the PRD's complaints involved congressional and municipal races and the numbering of the form 6s in Santo Domingo. The party also complained that the government replaced actual ballots with pre-marked ones, and that the JME's were made up largely of members of the ruling Social Christian Reformist Party. The PRD did not offer estimates of the number of votes that had shifted from one candidate to another as a result of these alleged practices.

Tavares acknowledged that irregularities had occurred but denied that they would alter the results. Before the elections, he had publicly confirmed a PLD complaint that thousands of ballots had been found that should have been in the possession of the JCE. During the *cotejo*, he said that about 1,700 votes for Majluta were incorrectly credited to the PDI, a party supporting Balaguer. The presi-

dent of Santo Domingo's electoral board said publicly that counting the ballots was difficult due to the mistakes in distributing the form 6s and the poor quality of the ink used to stamp the forms.

D. Carter Urges that Count Continue, but Announcement of Results be Suspended

Hours after Carter left the Dominican Republic, the JCE issued its 17th bulletin, which showed Balaguer leading Bosch with just under 15,000 votes, or 1 percent. The PLD advocated that the electoral board suspend the bulletins until the *cotejo* was completed. The party expressed concern that if additional results were announced, Balaguer would be perceived as the winner even though the results were not official. Conducting the *cotejo* under these conditions, PLD officials argued, would be futile. They maintained that Bosch was ahead in their vote count and that a series of irregularities combined to give Balaguer the edge in the JCE's tabulations.

The 18th bulletin, released on Saturday, May 19, showed that Balaguer's lead had increased to just over a percentage point with 457 *mesas* not yet tabulated. On May 20, President Carter addressed a letter to the JCE and the Dominican people [Appendix 6], suggesting that the counting be expedited, but that no official results be promulgated until his return to the Dominican Republic, tentatively scheduled in a few

days. Tavares accepted Carter's recommendations and read the letter on live television in the presence of the foreign observers. Revising the original procedures, he suggested that parties could have three days, rather than two, to compare the electoral council's form 6s with their own.

On Sunday, May 20, Juan Bosch spoke to thousands of supporters at the headquarters of the PLD to denounce the fraud that he alleged had been carried out by the JCE and President Balaguer. He emphasized that he would challenge the results legally, but did not rule out other options. "The PLD," he said, "does not accept a government that has not been elected. That is why at this moment we start the battle against the fraud. We start this battle in the legal field, and we will carry it wherever is necessary." He urged the current government to leave the national palace before the people revolt.

E. JCE Releases Final Bulletins

On Monday, May 21, the day after he had approved and read Carter's letter indicating that the final results would be announced only after the completion of the counting and the *cotejo*, Tavares announced more results, releasing the 19th bulletin. With just 18 *mesas* to be counted, Balaguer's lead increased slightly to 1.2 percent. In the resolution accompanying the bulletin, the JCE justified the release of the results by saying that some political organizations had adopted a "belligerent, obnoxious and offensive attitude toward the electoral

council.” [see Appendix 7.] Tavares was referring to the PLD.

Tavares told the observers that other members of the JCE, private sector representatives and the Church were recommending that he release the results to end the uncertainty regarding the outcome of the elections. He also said he found Bosch’s speech offensive. Regarding the *cotejo*, he said he would give the JCE’s form 6s to the parties only in exchange for the parties’ form 6s. Otherwise, he said, the parties would have an advantage over the JCE and would utilize the documents to discredit the electoral board. The resolution also said the parties would have until the next day to deliver copies of their form 6s to the JCE.

The PLD asserted that the resolution mocked President

On Thursday, May 24, the JCE issued the 20th bulletin, containing results from all 6,663 mesas. Balaguer had 669,073 votes (35 percent) to Bosch’s 647,369 (33.9 percent).

Carter by defying his suggestion that no more results be released. The PLD insisted on maintaining the procedures contained in Carter’s document, which did not require that the parties give copies of their form 6s to the JCE. At a press conference hours after the 19th bulletin, the PLD announced that its final count had Bosch ahead by 6,403 votes, 648,718 to 655,121. PLD representatives threatened to call a

general strike if the JCE did not recognize Bosch’s victory.

The PLD claim that Bosch won by more than 6,000 votes was contradicted by Victor Grimaldi, the director of the PLD’s computer system, who resigned charging that senior party officials were interfering with the work of the PLD computer center. Grimaldi, a prominent journalist and long-time Bosch supporter, said that with 225 mesas to be tallied, Bosch trailed Balaguer by 3,905 votes. [see Appendix 8.] Publicly, the PLD said that Balaguer never led Bosch, according to their count. The PLD refuted Grimaldi’s statements, noting that his figures contained inconsistencies.

Responding to the resolution, Carter wrote Balaguer expressing concern over the JCE’s decision to provide the form 6s to the parties only in exchange for the parties’ tally sheets.

“Withholding this information from the candidates—for any reason—casts doubt on the openness and integrity of the process,” Carter wrote. “I urge you respectfully, as President and as a major candidate, to assure that the previous commitments are fulfilled without further delay, so that we international observers can complete our duties and attest that commitments have been honored and that the election process has been conducted properly and accurately.” [see Appendix 9.]

Balaguer responded in a letter to Carter the following day that his party had exchanged form 6s with the JCE. [see Appendix 10.] Also that day, the PLD and PRD exchanged form 6s with the JCE.

On Thursday, May 24, the JCE issued the 20th bulletin, containing results from all 6,663 mesas. Balaguer had 669,073 votes (35 percent) to Bosch’s 647,369 (33.9 percent).

V. Cotejo

Carter had planned to return to the Dominican Republic on May 25 to review the *cotejo* process. But since the start of the *cotejo* was delayed due to debate on how it would be done, and was expected to last at least one week, Carter postponed his trip. Feierstein and Canton of NDI departed the Dominican Republic on May 26.

The *cotejo* finally began on May 28. The PRSC, PLD, PRD, and the PDI participated, as did two smaller parties. The foreign observers had left, but the JCE designated as observers a former president of the Supreme Court, a former president of the JCE, and representatives from the Catholic Church, the Dominican Association of University Rectors, the Dominican Association of Women Voters, and four civic groups.

On June 2, the JCE issued a resolution terminating the *cotejo* asserting that after having compared 1,875 form 6s with the original *libros de acta* from the *mesas*, few errors were detected. [see Appendix 11.] The JCE also stated that the *cotejo* would only duplicate the work being done by the JMEs to resolve challenges filed at the municipal level. The PRD requested that the *cotejo* continue, but the PLD stated that it would not participate further unless it were given copies of the *libro de actas*. The PRD said it would be satisfied with reviewing the *actas* at the JCE.

A report on the *cotejo* issued by representatives of four of the Dominican observer groups said

that Tavares had argued that the JCE could not provide the documentation the PLD requested because he feared the party would utilize the information to discredit the electoral board. Tavares also pointed to administrative difficulties in transporting the *libros de acta* from the interior of the country and insisted that the JMEs needed these documents to resolve the challenges filed at the local level.

On June 2, one week after the last members of the observer groups left the Dominican Republic, Tavares published an announcement in leading newspapers accusing Carter of intervening in Dominican affairs. [see Appendix 12.] Tavares was angered by the letter that Carter had sent to President Balaguer. Tavares said it should have been sent to him because it contained suggestions for the electoral process. Tavares also alleged that Feierstein and Canton were partial to Bosch and had left the country with internal electoral documents. The JCE president asserted that both were *persona non grata*.

A few days later, on June 5, 1990, however, Tavares retracted his earlier charges. In a letter to President Carter, he wrote: "I wish to assure you that no declaration by the National Electoral Board has been intended to denigrate the work of you and the group you headed to observe the national elections. Your contribution has been fundamentally important assuring the veracity of

the electoral process in the Dominican Republic. The National Electoral Council and the people we serve are deeply grateful for your effort and for your continued interest in our country." [see Appendix 13.] In a telephone conversation with Feierstein, Tavares said his criticism resulted from misunderstandings.

After the JCE ended the *cotejo*, the PLD focused its denunciations on other areas that could not be detected by a verification of *actas*. Appealing for new elections in Santo Domingo, they alleged such pre-election day fraud as the destruction and buying of registration cards and duplication of about 47,000 personal identification card numbers. [see Appendix 14.]

On June 11, two PLD representatives and a PRD congressman traveled to Washington, D.C. to meet with U.S. government officials and Congressional staff and to hold a press conference on the election. On June 13, they flew to Atlanta to meet with Carter and Pastor. Emphasizing alleged pre-election day fraud, they urged that new elections be held in the capital area. They presented a list of about 47,000 duplicate identification card numbers, i.e., two or more people sharing the same card number. However, the impact of the duplicate cards on the elections was unclear.

In response to questions, they acknowledged that they did not detect a pattern of irregularities in favor of Balaguer. Also, they were no longer interested in a resumption of the *cotejo*. Carter said that since they had not presented evidence of fraud, he could not endorse their plan for

new elections in Santo Domingo. They asked Carter to write a letter to the board insisting on the importance of a fair process. Carter agreed, indicating that he would also write that he had "not yet seen evidence of fraud, by which I mean, a pattern of irregularities that favors a particular candidate or party." The letter emphasized Carter's hope "that the democratic process will continue to a final conclusion, and that all parties will be included in every stage of that process to assure that they have had an adequate opportunity to convey their concerns. That is the best way to ensure that all sides fully accept the results."
[see Appendix 15.]

VI. Final Results

On July 13, nearly two months after the election, the JCE announced the final results. Balaguer garnered 678,065 votes, or 35 percent, and Bosch received 653,595, or 33.8 percent. [See Table 1 below.]

At the congressional level,

Balaguer's party, the PRSC, won 16 seats in the Senate; the PLD, 12; and the PRD, 2. The PLD claimed it had really won 17 and the PRD said that it had won three seats. In the Chamber of Deputies, the PRSC won 42 seats, the PLD, 44, and the PRD, 32.

[See Table 2 next page.]

The PLD called for a two-day "civic mourning" for July 16 and 17, requesting that people stay home to protest the alleged fraud. Dozens of people were injured as a result of clashes between demonstrators and police. According to press reports, most of the incidents occurred in the interior of the country, especially in the north, where hundreds of demonstrators stoned policemen, businesses were closed, and transportation was virtually paralyzed. In Santo Domingo, work was not disrupted.

On July 17, the Dominican Congress officially proclaimed Balaguer the winner. The PLD and PRD said its congressmen would attend the inauguration on August 16 to be sworn in, but would walk out when the president took his oath of office. That became unnecessary, however, since the deputies and senators missed most of the inauguration while they were still electing the presidents of each chamber.

Table 1
RESULTS OF PRESIDENTIAL ELECTION*

CANDIDATE AND PARTY	VOTES	PERCENT
<u>Joaquin Balaguer</u>	678,065	35.06
Social Christian Reformist Party (PRSC)	647,626	33.48
La Estructura Party (LE)	3,339	0.17
Democratic Quisqueyano Party (PQD)	23,730	1.22
National Veterans and Civilians (PNVC)	2,952	0.15
Institutional Democratic Party (PDI)	418	0.02
<u>Juan Bosch</u>	653,595	33.80
Dominican Liberation Party (PLD)	653,278	33.77
Party of Democratic Unity (UD)	317	0.02
<u>Jose Francisco Peña Gomez</u>	449,399	23.24
Dominican Revolutionary Party (PRD)	444,086	22.96
Socialist Bloc Party (BS)	2,794	00.14
Dominican Workers Party (PTD)	2,519	00.13
<u>Jacobo Majluta</u>		
Independent Revolutionary Party (PRI)	135,649	7.01
Total Votes:	1,910,233	
"Observed Votes"	14,442**	
Null or Invalidated Votes	48,356**	

*Announced by Central Electoral Board on July 13, 1990

**This data is in "Bulletin No. 20," May 24, 1990.

Table 2
RESULTS OF CONGRESSIONAL ELECTION*

PARTY	SENATE (seats)	CHAMBER OF DEPUTIES (seats)
-------	-------------------	--------------------------------

Social Christian Reformist Party	16	42
Dominican Liberation Party	12	44
Dominican Revolutionary Party	2	32
Independent Revolutionary Party	<u>0</u>	<u>2</u>
Total	30	120

*Announced by Central Electoral Board on July 13, 1990.

VII. Conclusions

There is no doubt that aspects of the May 16 elections were flawed. All parties, as well as the JCE, acknowledged irregularities in the process. At the same time, despite the close outcome, the delegation was not presented with evidence that indicated sufficient irregularities in the balloting and counting processes to invalidate President Balaguer's victory. The irregularities that were documented did not appear to favor one candidate or party to a significant degree. That is not to say with certainty that there was no fraud, but it has yet to be

The delegation is hopeful that, given the consensus in the Dominican Republic regarding the importance of electoral reform, the government will enact legislation to improve confidence in the process for the 1994 elections.

detected and documented. It should also be recalled that in his meeting with Carter on the eve of the election, Bosch had discounted the importance of pre-election irregularities. He was prepared to accept the results provided that the counting would be fair. As the *cotejo* moved toward a conclusion, however, the PLD began to refocus its complaints on pre-election problems.

In most election systems, the

burden of proof is on the party or parties challenging the results to demonstrate that the irregularities affected the outcome. Absent such proof, the challenges cannot be sustained. At the same time, to promote confidence in the electoral process and more generally in the rule of law, government authorities should investigate all allegations of irregularities and, where warranted by the evidence, prosecute those responsible for the abuses.

The Dominican Republic's transition from authoritarian to democratic rule has continued for the last 30 years, but the country is still struggling to consolidate and strengthen its democratic institutions. One weakness of the system is the lack of trust in the JCE by the political parties. The perception of an electoral board answering to the presidency undermines confidence in the process, thereby threatening political stability.

Despite the official proclamation of Balaguer as the winner of the elections, some Dominicans believe Bosch would have won if the government had not committed fraud. Since the elections, a number of proposals have been made to strengthen the JCE and avoid the delays in announcing election results.

The consolidation of democracy requires that the institution that manages the electoral process be independent, competent, and perceived as completely fair by all the candidates and parties participating in the process. All members of the JCE should be

people whose nonpartisanship and commitment to the democratic process are unquestioned. The independence of electoral board members can be enhanced if its members are appointed for an extended period of time so they are in office longer than the president or congress that appoints them. Timely preparation of the registration rolls would permit systematic reviews by the parties and thus greater confidence in the process.

The delegation is hopeful that, given the consensus in the Dominican Republic regarding the importance of electoral reform, the government will enact legislation to improve confidence in the process for the 1994 elections. Such action would avoid many of the uncertainties that have characterized past elections and would represent an important step toward institutionalizing the country's democratic political system.

The Council of Freely Elected Heads of Government

The Council of Freely-Elected Heads of Government is an informal group of eighteen former and current heads of government from throughout the Western Hemisphere. Established in November 1986 at a meeting chaired by former U.S. Presidents Carter and Ford on "Reinforcing Democracy in the Americas" at the Carter Center of Emory University, the Council's goal is to reinforce democracy and promote the peaceful resolution of conflict. Members of the Council co-chaired a subsequent Consultation on the Hemispheric Agenda at the Carter Center in March 1989 that brought together government and business leaders of Latin America with U.S. government officials, including Secretary of State James A. Baker. An Executive Committee of Jimmy Carter (Chairman), Prime Minister George Price of Belize (Vice-Chairman), former President of Venezuela Rafael Caldera, and former President of Costa Rica Daniel Oduber have coordinated the Council's activities. The headquarters of the Council is at The Carter Center's Latin American and Caribbean program. Since its founding, the Council has undertaken activities to support democratic activities in Haiti (1987), Argentina (1987), Chile (1988), Panama (1989), Nicaragua (1989-90), the Dominican Republic (1990), and again in Haiti (1990).

The National Democratic Institute for International Affairs

The National Democratic Institute for International Affairs (NDI) was established in 1983 to conduct nonpartisan political development programs overseas. The Institute is chaired by former Vice President Walter F. Mondale and is headquartered in Washington, D.C. By working with political parties and other institutions, NDI seeks to promote, maintain, and strengthen democratic institutions in new and emerging democracies.

NDI has conducted democratic development programs in more than 30 countries. Programs focus on three major areas: party building, governance, and electoral systems.

At NDI party building seminars, political parties learn the rudimentary skills of organization, communications, and constituent contact. NDI has conducted such training in Latin America, Central and Eastern Europe, and Asia.

NDI programs in the area of governance are designed to improve the machinery of governmental systems by sharing the critical tools that help make democratic systems function effectively. Governance programs have included civilian-military relations and legislative and constitutional reform.

Finally, NDI has developed expertise in reviewing electoral systems and in monitoring elections. NDI has organized international observer missions to elections in Bulgaria, Chile, Czechoslovakia, Haiti, Hungary, Namibia, Pakistan, Panama, Paraguay, the Philippines, Romania, and Taiwan.

Appendices



REPUBLICA DOMINICANA
JUNTA CENTRAL ELECTORAL

SANTO DOMINGO, D. N.
4 de Mayo de 1990.-

Recd- 8 May 1990

Excelencia:

Tengo a honra dirigirme a Vuestra Excelencia en ocasión de llevar a su conocimiento que esta Junta - Central Electoral, acogiendo la sugerencia de los líderes políticos y candidatos presidenciales, Profesor Juan Bosch y Dr. José Francisco Peña Gómez, se complace en extenderle una cordial invitación para que asista en calidad de Observador a las Elecciones Ordinarias que se celebrarán en nuestro país el próximo 16 de mayo del año en curso.

Por otra parte, cumpla en informarle que los gastos de transporte aéreo y de estadía deberán correr por cuenta de la Organización que Vuestra Excelencia represente.

Hago provecho de la presente oportunidad para expresar a Vuestra Excelencia las seguridades de mi más alta consideración.

Dr. FROILAN J. R. TAVARES,
Presidente de la Junta Central Electoral.

Excmo. Señor
JIMMY CARTER
Ex-Presidente de los EEUU de América.

THE
CARTER CENTER
OF EMORY UNIVERSITY



May 9, 1990

To Dr. Froilan J. R. Tavares

Thank you for your kind invitation, which I understand is sent with the approval of all the presidential candidates and political parties, to observe the elections in the Dominican Republic on May 16. I accept with the understanding that this invitation extends to us total access to the electoral process, including to the polling sites and permission for our presence during the vote count.

My wife, Rosalynn, and I will arrive with our personal staff late in the afternoon of Monday, May 14. Mark Feierstein, of the National Democratic Institute, will arrive the afternoon of Friday, May 10 to arrange our schedule. He will call you as soon as possible to arrange various meetings for us. We expect to have at least eight people in our party, not including security. All travel and accommodations are being handled by my staff.

We look forward to meeting with all the candidates participating in the election as well as with you and the members of the Central Electoral Committee. Again, I appreciate your cordial invitation and look forward to visiting the Dominican Republic.

Sincerely,

Dr. Froilan J.R. Tavares,
President of the Central Electoral Committee
Dominican Republic

Appendix 2: List of Parties and Presidential Candidates

REGISTERED POLITICAL PARTIES

The following 16 parties have met the legal requirements for participating in the May 16, 1990 national elections and are recognized by the Central Electoral Board (JCE) (note: two parties originally assigned numbers on the ballot by the JCE will not be participating):

1. Social Christian Reformist Party (PRSC)
2. Dominican Revolutionary Party (PRD)
3. Dominican Liberation Party (PLD)
4. The Structure Liberal Party (La Estructura or PLE)
5. Democratic Quisqueyano Party (PQD)
6. Democratic Union Party (UD)
7. National Progressive Force (FNP)
8. Constitutional Action Party (PAC)
9. Popular Christian Party (PPC)
10. (not participating)
11. National Veterans and Civilians Party (PNVC)
12. Communist Party of the Dominican Republic (PACOREDO)
13. Institutional Democratic Party (PDI)
14. Independent Revolutionary Party (PRI)
15. (not participating)
16. Socialist Bloc (BS)
17. Dominican Peoples' Party (PPD)
18. Dominican Workers' Party (PTD)

In addition to the 16 political parties that will compete at the national level, nearly two dozen provincial and municipal political groups will be appearing on the ballot in their respective localities.

ALLIANCES AND CANDIDATES

Social Christian Reformist Party (PRSC)

Candidate: Joaquin Balaguer

- Democratic Quisqueyano Party (PQD)
- The Structure Liberal Party (La Estructura or PLE)
- National Veterans and Civilians Party (PNVC)
- Institutional Democratic Party (PDI)

Dominican Revolutionary Party (PRD)

Candidate: José Francisco Peña Gómez

- Socialist Bloc (BS)
- Dominican Workers' Party (PTD)

Dominican Liberation Party (PLD)

Candidate: Juan Bosch

- Democratic Union Party (UD)

National Progressive Force (FNP)

Candidate: Marino Vinicio Castillo

Constitutional Action Party (PAC)

Candidate: José Rafael Abinader

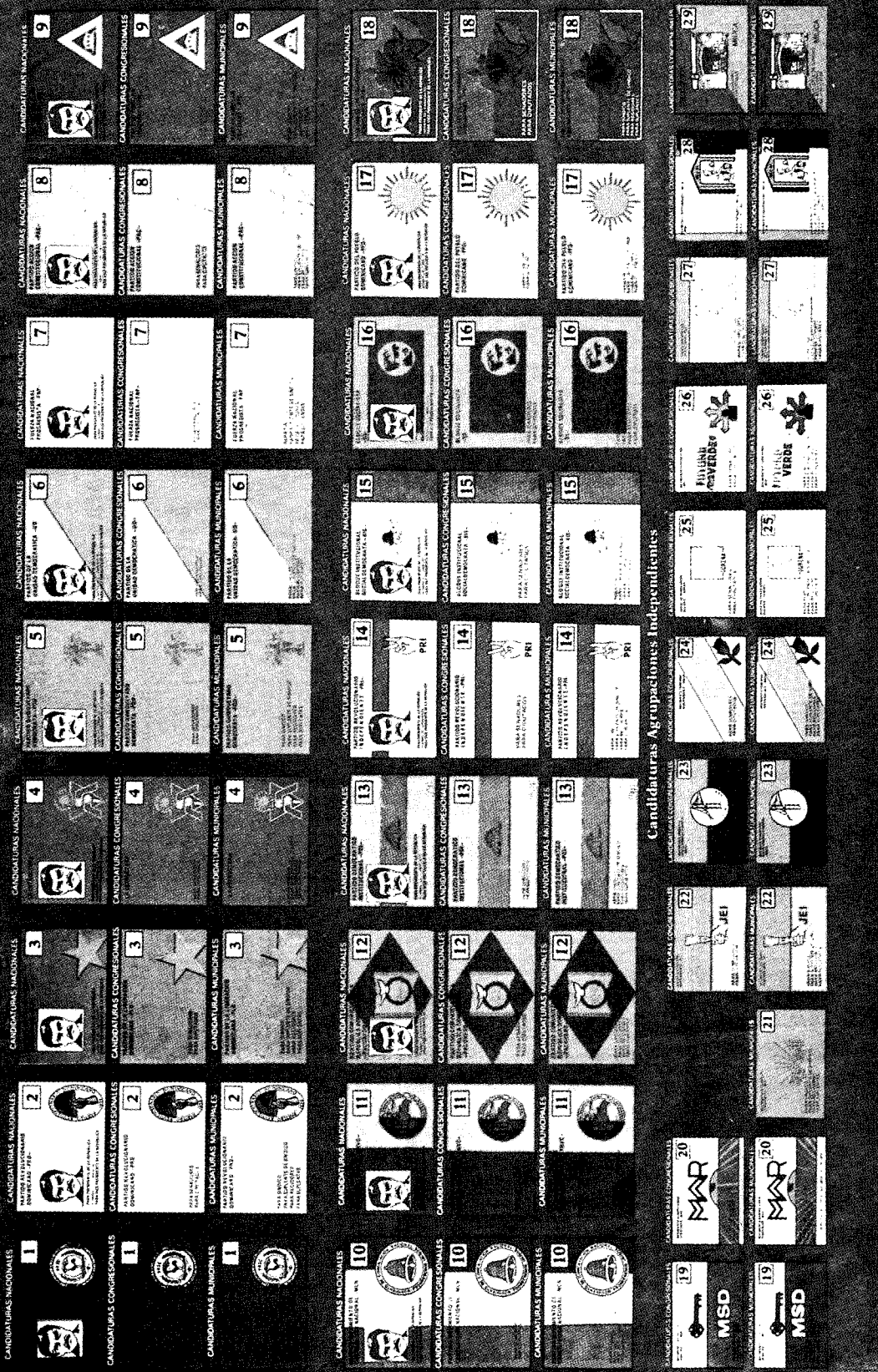
Popular Christian Party (PPC)
Candidate: Roberto Saladín

Communist Party of the Dominican Republic (PACOREDO)
Candidate: Luis Pin Montas

Independent Revolutionary Party (PRI)
Candidate: Jacobo Majluta

Dominican Peoples' Party (PPD)
Candidate: Domingo Valle

República Dominicana
JUNTA CENTRAL ELECTORAL
Elecciones generales del 16 de mayo de 1990
Candidaturas Partidos Políticos



FORM. NO. 6		REPUBLICA DOMINICANA				JUNTA CENTRAL ELECTORAL				TOTAL GENERAL VOTOS VALIDOS				TOTAL VOTOS NULOS		TOTAL VOTOS	
PROV. No.	NOMBRE PROVINCIA	JUNTA MUNICIPAL ELECTORAL	MUN. No.	MESA No.	TOTAL INSCRITOS	LUGAR		PRESID.		CONGR.		MUNIC.		PRESID.		CONGR.	
DIRECCION		SECTOR		PARTIDOS POLITICOS		PRESIDENCIAL VOTOS VALIDOS		CONGRESIONAL VOTOS VALIDOS		MUNICIPAL VOTOS VALIDOS		AGROP. SIGLAS		CONGRESIONAL VOTOS VALIDOS		MUNICIPAL VOTOS VALIDOS	
1-	PARTIDO REFORMISTA SOCIAL CRISTIANO	PRSC											1-	MOVIMIENTO SOCIALISTA DEMOCRATICO	MSD		
2-	PARTIDO REVOLUCIONARIO DOMINICANO	PRD											2-	MOVIMIENTO AGROPECUARIO RENOVADOR	MAR		
3-	PARTIDO DE LA LIBERACION DOMINICANA	PLD											3-	MOVIMIENTO INTEGRACION DEMOCRATICA	MID		
4-	PARTIDO LA ESTRUCTURA	LE											4-	JUVENTUD ELECTORAL INDEPENDIENTE	JEI		
5-	PARTIDO QUISQUEYANO DEMOCRATA	POD											5-	MOVIMIENTO MUNICIPAL SANTO DOMINGO ORIENTAL	MSDO		
6-	PARTIDO DE LA UNIDAD DEMOCRATICA	UD											6-	MOVIMIENTO FEMENINO INDEPENDIENTE	MOFEI		
7-	FUERZA NACIONAL PROGRESISTA	FNP											7-	JUVENTUD RENOVADORA NACIONAL	JURENA		
8-	PARTIDO ACCION CONSTITUCIONAL	PAC											8-	FRENTE AMPLIO ELECTORAL - FUTURO VERDE -			
9-	PARTIDO POPULAR CRISTIANO	PPC											9-	MOVIMIENTO FRENTE DEMOCRATICO DE ELECTORES	FDE		
10-	MOVIMIENTO DE CONCILIACION NACIONAL	MCN											10-	MOVIMIENTO INDEPENDIENTE UNIDAD CAPITALENA	MIUCA		
11-	PARTIDO NACIONAL DE VETERANOS CIVILES	PNVC											11-	MOVIMIENTO INDEPENDIENTE - META -	MIM		
12-	PARTIDO COMUNISTA DE LA REPUBLICA DOMINICANA	PACOREDO											12-	MOVIMIENTO SANTIAGO MUNICIPAL	MSM		
13-	PARTIDO DEMOCRATICO INSTITUCIONAL	PDI											13-	MOVIMIENTO ACCION INDEPENDIENTE DE SANTIAGO	MAIS		
14-	PARTIDO REVOLUCIONARIO INDEPENDIENTE	PRI											14-	MOVIMIENTO MUNICIPAL SOLIDARIDAD			
15-	BLOQUE INSTITUCIONAL SOCIALDEMOCRATA	BIS											15-	MOVIMIENTO ACCION UNITARIA	MAU		
16-	PARTIDO BLOQUE SOCIALISTA	BS											16-	MOVIMIENTO INDEPENDIENTE MONSEÑOR DE MERINO	MIM		
17-	PARTIDO DEL PUEBLO DOMINICANO	PPD											17-	MOVIMIENTO MUNICIPAL ARRIBA SAN JUAN	MASJ		
18-	PARTIDO DE LOS TRABAJADORES DOMINICANOS	PTD											18-	MOVIMIENTO INDEPENDIENTE SANJUANERO	MIS		
SUB - TOTAL																	
SELLO DE MESA		ELECCIONES ORDINARIAS 16 DE MAYO DE 1990															
		CERTIFICAMOS QUE ES UN EXTRACTO DEL ACTA DE LA MESA															
		PRESIDENTE _____ SECRETARIO _____															
		FIRMAS DE DELEGADOS POLITICOS :															
		24- MOVIMIENTO REINVIDICATIVO PROV. MACORISANO MOREPMA															
		SUB - TOTAL:															

May 18, 1990

PROCEDURES TO CONCLUDE THE DOMINICAN REPUBLIC ELECTIONS

1. It is obvious that this election will be decided by a very narrow margin. Therefore, every acta is important and extreme accuracy is necessary.
2. Existing laws of the Dominican Republic must be followed.
The facilities and procedures at the Computer Center are adequate.
3. All actas must be received and processed in the Computer Center without further delay, either by FAX or by delivery of original copies. Full support of the electoral police will be necessary. Political parties must assist the JCE in obtaining missing actas.
4. In the meantime, the vote count must continue, with periodic bulletins being transmitted to the public. With each bulletin, the major political parties will be given a list of the mesas whose votes are included in the tabulation.
5. "Observed votes" [votos observados] should be counted immediately in the presence of party observers and the results transmitted to the Computer Center. Registration and identification cards will be returned to voters. All "observed votes" should then be delivered to the JCE Center for later verification.
6. With the final tabulation, a complete list of all actas with vote tabulations should be printed by computer and furnished to the major parties. These should be checked for accuracy, and any discrepancies should be reported with 48 hours to the JCE and international observers.
7. If a verification or review is necessary, the challenged actas should first be assessed by all major parties and then approved in the presence of party observers and international observers. Any changes in the totals will be made.
8. Final decisions on any disputes will be made by the JCE. The international observers will evaluate this decision.
9. Throughout this process, all major candidates will, through their statements and actions, strive to promote harmony, cooperation, and the peaceful settlement of differences.
10. Final proclaimed results will be accepted by all candidates.

Appendix 6: Letter from President Carter to Electoral Board

May 20, 1990

From President Jimmy Carter
To Junta Central Electoral and People of Dominican Republic:

The national elections have proceeded in an orderly, peaceful, and honest manner. However, because of the closeness of the contest, it will be impossible to determine the results until all the votes have been counted. A number of concerns have been expressed by the major candidates that must be addressed.

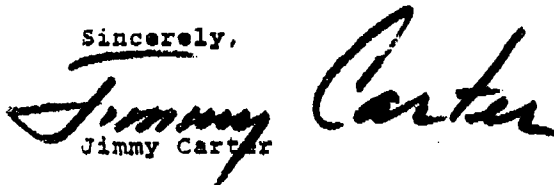
In order to comply with the election laws of the country and to assure an orderly and accurate determination of the final results, I suggest the following:

- 1) No more public bulletins should be issued after no. 18.
- 2) Challenges of accuracy and procedure at the local and national level should be made by the political parties, and assessed by election officials in accordance with existing laws of the country. This process should continue expeditiously.
- 3) The central computer count should continue, but the results should be shared only with the JCE and international observers.
- 4) When the computer tabulation is completed, one list of all actas with vote tabulations should be delivered to the major party candidates. Three days will be given to compare these data with the actas held by the parties and to report any differences to the JCE and international observers.
- 5) Discrepancies will be resolved by the JCE and international observers, and corrected data entered into the central computers.

I suggest that no official results be promulgated until I return to the Dominican Republic on Friday, May 25, to consult with the major candidates and to assist personally in the final stages of this process.

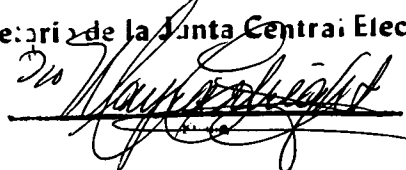
In the meantime, it is very important that all political party leaders urge their supporters to remain calm and support the conclusion of a successful election, confident that the results will accurately represent the expressed will of the free and sovereign people of the Dominican Republic.

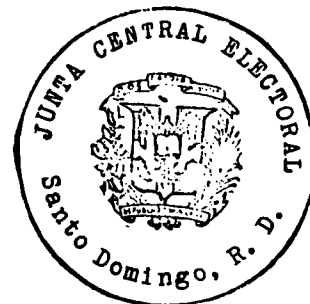
Sincerely,


Jimmy Carter

Recibido el día 20 del mes
de Mayo del año 1990
a las 9:30 PM.

Sec. e.ri. de la Junta Central Electoral





R E S O L U C I O N

Núm. 51/90

POR CUANTO: La Junta Central Electoral propuso a los Partidos Políticos un plan procedimental para realizar un recuento y depuración de los votos emitidos en el recién evento electoral, a base del examen de los formularios No.6 de cada mesa con el cotejo de las copias de los mismos, que estuvieran en manos de los Partidos Políticos y Organizaciones Independientes, como medio de demostrar que este Organismo tenía la absoluta seguridad de que los resultados ofrecidos en los distintos boletines emitidos, se apegaban a la voluntad popular;

POR CUANTO: A requerimiento de esos partidos y como una demostración de nuestra buena fé y la seguridad de los resultados que poseemos, emanados de nuestro Centro de Cómputos, admitimos no emitir públicamente los últimos boletines, que en este momento ya se encuentran en estado de ser puestos en conocimiento del público a causa de que nunca se detuvo el procedimiento de conteo computarizado en este Organismo;

POR CUANTO: Las actitudes de algunas organizaciones políticas, pese a que la Junta Central Electoral admitió mantener sin publicar los últimos boletines, han proseguido una posición beligerante, nociva y ofensiva al normal desenvolvimiento de las labores de esta Junta Central Electoral y al mantenimiento de la tranquilidad pública en este momento crucial, la obligan a continuar cumpliendo su facultad legal, de informar a la ciudadanía los resultados de las elecciones;

POR TALES MOTIVOS, la JUNTA CENTRAL ELECTORAL, en uso de sus facultades legales,

R E S U E L V E

PRIMERO: D E C I D I R. realizar a partir de la publicación de esta Resolución las siguientes actuaciones y procedimientos:

A) Habiendo completado todo el proceso de conteo, tabulación y verificación de los formularios 6 emitidos por las mesas electorales de todo el país a través de las Juntas Municipales Electorales respectivas y obtenidos directamente por este Organismo, emitir pública y oficialmente los resultados que la ley denomina provisionales, en el Boletín No.19;

B) Mantener su compromiso, pese a que no hubo acuerdo con las organizaciones políticas participantes en las elecciones, en la reunión del día 19 de mayo en curso, de que acepta la realización de un recuento y verificación de los formularios 6, con el auxilio si fuere necesario, de las actas originales de las mesas y el suministro de las listas de dichos formularios de todas las mesas electorales, entendiéndose que esa entrega se hará simultáneamente con el suministro de los documentos similares que hayan recibido los partidos políticos de las mesas electorales, todo con la finalidad de que la Junta Central Electoral posea el mismo derecho de ir cotejando los dos grupos de documentos, como se le ha concedido a las organizaciones políticas correspondientes;

C) Se concede un plazo hasta las 6:00 P.M. del día 22 de mayo que cursa, para el depósito de los formularios No.6 en



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JUNTA CENTRAL ELECTORAL



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poder de las Organizaciones Políticas en la Secretaría de la -
Junta Central Electoral, para intercambiar de inmediato con -
los formularios No.6 en poder de este Organismo, por las aludi-
das organizaciones interesadas en participar en el procedimien-
to acordado. Vencido dicho plazo, sin producirse la aludida -
entrega y el intercambio, se reputará que no tienen interés en
participar en el procedimiento de recuento y cotejo;

D) En ejecución del método previsto en -
la letra B) una copia computarizada de esas listas será entre-
gada por la Junta Central Electoral vía Secretaría a los par-
tidos políticos Reformista Social Cristiano (PRSC); de la Libe-
ración Dominicana (PLD); Revolucionario Dominicano (PRD); y Re-
volucionario Independiente (PRI), que mantienen los primeros -
lugares en las candidaturas a la Presidencia y Vicepresidencia
de la República; dos (2) copias estarán a disposición de las -
demás organizaciones políticas, que lo soliciten, para ser ana-
lizadas y estudiadas en la Junta Central Electoral mediante -
los turnos que ellos mismos organicen;

E) La Junta deja constancia de que ha efectuado en su
Centro de Cómputos su propia revisión y depuración de los resul-
tados contenidos en los boletines emitidos, por lo cual ha ajus-
tado todos los aspectos que en una forma u otra produjeron con-
fusión en los documentos que llegaron inicialmente al Centro de
Cómputos y fueron entregados a las organizaciones políticas;

F) El procedimiento que se ha aceptado para el recon-
teo de votos en la depuración de las listas en poder de la Jun-
ta y en poder de las organizaciones políticas estará presidido
por la regla de que sólo se examinarán los formularios 6, que -



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JUNTA CENTRAL ELECTORAL

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fueren objetados por cualesquiera de las organizaciones políticas, de conformidad con las fórmulas siguientes:

1) Analizado el cotejo del documento de la Junta y de la pieza del partido objetante, si no hubiere acuerdo entre los partidos y el delegado de la Junta acerca de la decisión en torno al caso, se hará constar y la Junta Central Electoral se abstendrá de tomar una decisión y remitirá al partido reclamante a recurrir a los procedimientos establecidos en los artículos 156 y siguientes de la Ley Electoral, referentes a las impugnaciones.

2) Los formularios 6 presentados por la Junta Central Electoral y los partidos políticos que no hayan sido objeto de reparos, se considerarán aprobados por todos los partidos, de pleno derecho, sin que se restrinja la facultad de todos los partidos de recurrir posteriormente al aludido procedimiento de impugnación;

SEGUNDO: Cualquier interpretación de este procedimiento o adición de normas suplementarias, será atribución exclusiva de la Junta Central Electoral;

TERCERO: ORDENAR que la presente Resolución sea publicada en la forma prevista por la Ley.

DADA en Santo Domingo, Distrito Nacional, REPUBLICA -



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DOMINICANA, a los veintiun (21) días del mes de mayo del año - mil novecientos noventa (1990). (Firmados) Dr. Froilán J.R. Tavares, Presidente; Dr. Rubens Suro, Miembro; Dr. Guillermo Sánchez Gil, Suplente de Miembro; Dr. José Henríquez Almanzar, Suplente de Miembro; Dr. Hugo Alvarez Valencia, Suplente del Presidente; y Amable Díaz Castillo, Secretario."

FJRT
ADC/al.

VICTOR GRIMALDI

20 de mayo de 1990

Juan Bosch
Presidente
PARTIDO DE LA LIBERACION DOMINICANA

Querido Amigo:

IGNORANCIA, según el diccionario de la Real Academia de la Lengua es, "La que procede de negligencia en aprender o inquirir lo que puede y debe hacerse".

Comienzo esta carta así, para referirme a dos situaciones en que está implicado este concepto de la IGNORANCIA con relación al PARTIDO DE LA LIBERACION DOMINICANA, algunos de sus máximos dirigentes y el proceso electoral que concluye.

Hace un año, específicamente el 22 de mayo de 1989, le dirigí a usted una carta para regularizar una petición que me hizo el COMITE POLITICO a través del compañero Vicente Bengoa para que me integrara a desempeñar funciones técnicas en la campaña electoral que se avecinaba.

Entonces yo le manifesté a usted mi preocupación por la aplicación de los métodos de trabajo del Partido, que aprendí a practicar desde el momento que en el año 1977 ingresé a un Círculo de Estudios en el COMITE INTERMEDIO PEDRO ALBIZU CAMPOS.

Esta introducción vale para alertarle sobre la IGNORANCIA de altos dirigentes del Partido en la aplicación de los métodos de trabajo

VICTOR GRIMALDI

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cuando han estado interfiriendo desde la noche del 16 de mayo hasta hoy con el EQUIPO DE TRABAJO DE INFORMATICA Y COMUNICACIONES creado para coleccionar, transmitir y procesar las informaciones relativas al proceso electoral recién transcurrido.

Órdenes y direcciones contrapuestas, y la presencia no autorizada de esos máximos dirigentes en el Centro de Cómputos, han creado un ambiente de calumnias e intrigas impropio de lo que ha sido el espíritu con que se forman los militantes de base del PLD.

En segundo lugar, la IGNORANCIA de un problema técnico ha creado rumores falsos sobre el papel desempeñado por el sistema nacional de información del PLD. Se está llegando a la difamación y se le quiere atribuir al Centro de Cómputos la culpabilidad del resultado de las elecciones.

Personalmente creo que para poder enfrentar las truchimanerías que afectaron el caudal de votos del PLD, había sido necesario:

- 1- Desarrollar una política correcta de alianzas, lo que había advertido en el mes de febrero.
- 2- Seleccionar en todos los casos los candidatos de mayor credibilidad y que representaran las esencias de la formación de base peledeísta.
- 3- Evitar errores en la fase final de la campaña.

Además del daño que causaron las malas artes de las fuerzas rivales, la derrota se origina en causas de tipo político.

Es por eso que estimo que no debe buscarse ahora un chivo expiatorio en el Equipo de miembros, simpatizantes y colaboradores que puso todo su empeño trabajando para ayudar al Partido a conseguir la victoria.

En mi caso particular, y de muchas otras personas, he estado en esta campaña a su lado tanto por apego a los principios como por el afecto que le tengo.

No podemos nosotros cargar con los errores de otros.

Mi deber es alertarle sobre estas situaciones, pensando que hay todavía tiempo para realizar en el PLD un proceso de transparencia y reestructuración con miras al próximo Congreso que preserve la más importante obra política de Juan Bosch: el Partido.

Sobre el Centro de Cómputos y mis responsabilidades, desde este momento pongo mis funciones a su disposición, no puedo seguir trabajando con tantas violaciones a los métodos de trabajo del partido, y le informo que hoy domingo por la mañana, faltando 225 mesas, los resultados son:

**PARTIDO DE LA LIBERACION DOMINICANA
SISTEMA DE CONTROL ELECTORAL
RESULTADOS GENERALES ACTUAL CON ALIANZAS
PRESIDENCIALES**

PARTIDO REFORMISTA SOCIAL CRISTIANO Y ALIADOS	638,248
PARTIDO REVOLUCIONARIO DOMINICANO	432,039
PARTIDO DE LA LIBERACION DOMINICANA	634,343
FUERZA NACIONAL PROGRESISTA	4,687
PARTIDO ACCION CONSTITUCIONAL	3,848
PARTIDO POPULAR CRISTIANO	3,224
PARTIDO COMUNISTA REP. DOM.	1,511
PARTIDO REVOLUCIONARIO INDEPENDIENTE	123,228

Appendix 9: Letter from Jimmy Carter to President Joaquin Balaguer

May 22, 1990

To President Joaquin Balaguer

As you know, I was invited by the Junta Central Electoral to participate as an international observer in the Dominican Republic election. Prime Minister George Price, representatives of the Organization of American States and CAPEL, and I have worked closely with the Junta officials and the major political party leaders to insure that the announced results would be accurate and accepted as such by all the people of your country.

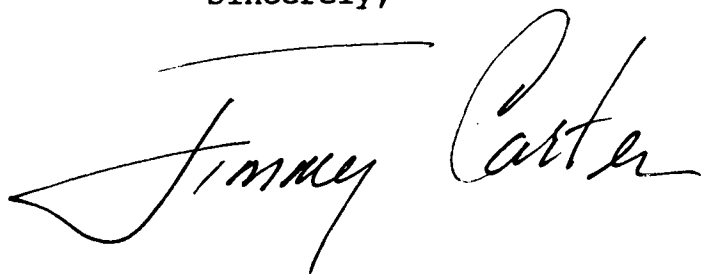
With the full approval and participation of JCE President Tavares, we assured all major candidates personally and through a press conference that they would be provided a list of all actas received in the Computer Center, along with the vote tabulations. This is necessary so that the parties can compare their own results with those included in the election bulletins and report any apparent discrepancies for assessment. Only when this is done can a final and acceptable announcement be made of the election results.

If the latest tabulation is accurate, it appears that you are the leading candidate at this time. It is crucial that, when made, the final announcement of the voters' decision will be accepted. However, I understand that the JCE announced yesterday afternoon that political parties would not be given a list of actas which might be checked for accuracy. Withholding this information from the candidates -- for any reason -- casts doubt on the openness and integrity of the process.

I urge you respectfully, as President and as a major candidate, to assure that the previous commitments are fulfilled without further delay, so that we international observers can complete our duties and attest that commitments have been honored and that the election process has been conducted properly and accurately.

As you will remember, I announced last Friday that I would return to Santo Domingo on May 25th to carry out my international observer role as previously requested by the JCE. I look forward to seeing you on my return visit.

Sincerely,

A handwritten signature in cursive script that reads "Jimmy Carter". The signature is written in dark ink and is positioned below the word "Sincerely,".

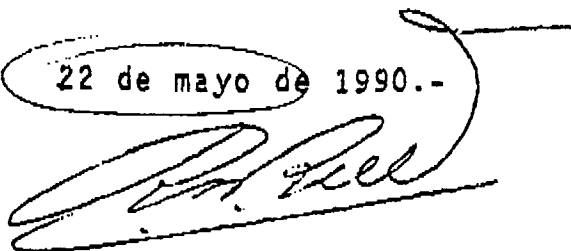
Joaquin Balaguer
Presidente de la República

SEÑOR
JIMMY CARTER
GEORGIA, ATLANTA, E.U.
FAX (404) 331-0283

RELACION SU CARTA ESTA FECHA INFORMOLE JUNTA CENTRAL ELECTORAL ENTREGO ANOCHE COPIAS DE LAS ACTAS Y FORMULARIOS NUM. 6 A PARTIDOS POLITICOS PARA FINES VERIFICACION. PARTIDO REFORMISTA SOCIAL CRISTIANO RECIBIO CONFORME ESTAS DOCUMENTACIONES Y A SU VEZ DEPOSITO EN LA JUNTA CENTRAL ELECTORAL COPIAS DE LAS ACTAS RECIBIDAS EN CADA MESA ELECTORAL POR NUESTROS DELEGADOS. HEMOS CONVERSADO Y TRANSMITIDO ESTAS INFORMACIONES A OBSERVADORES DR. EDUARDO COSTA REIS, DE LA DEA, Y DR. JORGE OTAÑO Y JULIO DOS REIS, DE CAPEL. MUY ATENTAMENTE.

PRESIDENTE BALAGUER

22 de mayo de 1990.-





REPÚBLICA DOMINICANA

JUNTA CENTRAL ELECTORAL

RESOLUCION

NUM. 55/90

POR CUANTO: el procedimiento contenido de la Resolución No. 53/90 de fecha 25 de mayo de 1990, para el cotejo de los formularios 6 emitidos por las mesas electorales, con los resultados del escrutinio de los votos, en manos de las organizaciones políticas, con los que recibió el Departamento de Cómputos de la Junta Central Electoral, por la vía del Fax y directamente, fue una manera de dar oportunidad a esas organizaciones políticas, de hacer sus reparos en torno a cualquier diferencia que pudiera comprobarse entre ambos documentos y de esclarecer al mismo tiempo las causas de esas diferencias;

POR CUANTO: una vez cotejados más de 983 formularios 6 de las 1428 mesas electorales, con las actas originales de las Mesas del Distrito Nacional y 447 de las aproximadamente 2,900 mesas de provincias del interior de la República, no se han detectado errores de bulto, que pudieran variar sustancialmente las cifras contenidas en el Boletín No. 20 emitido por la Junta Central Electoral, con los cómputos generales provisionales de las pasadas elecciones;

POR CUANTO: el tiempo transcurrido en el procedimiento de cotejo, ha demostrado, no sólo la disposición de buena fe de la Junta Central Electoral de proporcionar la oportunidad a las organizaciones políticas de participar libre y contradictoriamente en dicho procedimiento, y que los errores, como ya se ha dicho, son mínimos, sino también, su carácter frustratorio en este momento, debido a que las Juntas Municipales Electorales y del Distrito Nacional, en una buena parte, ya han tomado decisión acerca de las sumatorias oficiales de los resultados electorales y han recibido impugnaciones de algunas organizaciones políticas;

POR CUANTO: esa situación, de proseguirse, podría producir un doble empleo de procedimientos, de examen, cotejo y depuración, que eventualmente podría ofrecer resultados contradictorios y competitivos, además de conturbar a la ciudadanía, con las dilatorias ya comprobadas;

POR CUANTO: en el día de hoy, de las cinco (5) organizaciones políticas que participan en el procedimiento de cotejo en las comisiones que conocen los casos de las mesas electorales correspondientes al interior del país, tres (3) han solicitado la suspensión de los trabajos, argumentando que les sean suministradas las actas originales correspondientes a los formularios 6 de las mesas cotejadas;

POR CUANTO: esos hechos palpables han demostrado también la efectividad de los trabajos del Centro de Cómputos, en este proceso electoral;

POR CUANTO: la no inclusión del arrastre; derivado de convenios o pactos entre organizaciones políticas, que no se incluyó en los resultados ofrecidos por las mesas electorales que les correspondían, no podía ser tomado en cuenta en la emisión de los boletines de este Organismo, ya que es atribución en primer término tanto de dichas mesas como de las Juntas Municipales Electorales y del Distrito Nacional;

POR CUANTO: este Organismo ha rechazado esa petición, porque entiende que; además de constituir una imposibilidad material trasladar toda esa documentación al local de este Organismo, colidiría con el derecho y la necesidad de las Juntas Municipales Electorales y del Distrito Nacional de proseguir y terminar sus labores que les corresponden legalmente, tanto en lo que respecta a su misión de establecer los cómputos provisionales como de conocer las impugnaciones presentadas; se hizo excepción con los documentos similares del Distrito Nacional por la cercanía de su ubicación con la Junta Central Electoral;

POR CUANTO: el Secretario del Partido de la Liberación Dominicana (PLD) LIDIO CADET, uno de los principales partidos en solicitar y participar en el procedimiento aludido, ha dicho públicamente que "ni los boletines ni el cotejo de las actas de las elecciones tienen validez", por lo cual denota dicha organización la falta de interés en ese procedimiento administrativo;

POR TALES MOTIVOS, la JUNTA CENTRAL ELECTORAL en uso de sus atribuciones legales,

RESUELVE

PRIMERO: DAR POR TERMINADO el procedimiento administrativo de cotejo de los formularios 6 en poder de la Junta Central Electoral y de las organizaciones políticas, que se conformó por vía reglamentaria, por las razones expuestas;

SEGUNDO: DEJAR expresa constancia de que en lo sucesivo corresponde a las Juntas Municipales Electorales y del Distrito Nacional, efectuar los procedimientos legales establecidos por los artículos 144 y siguientes de la Ley Electoral, incluyendo el cotejo o confrontación de los aludidos formularios 6 con los originales de sus respectivas actas;

TERCERO: DAR MANDATO al Presidente de este Organismo, a que personalmente, con el auxilio de los funcionarios que escoja, agilice la actuación de las Juntas Municipales acerca de sus respectivas funciones legales a fin de que, dentro de plazos breves, finalicen todos los aspectos y asuntos pendientes;

CUARTO: ORDENAR que la presente Resolución sea notificada a los partidos y agrupaciones políticas que participaron en las elecciones del 16 de mayo de 1990, y publicada de conformidad con la ley.

DADA en la ciudad de Santo Domingo, Distrito Nacional, Capital de la REPUBLICA DOMINICANA, a los dos (2) días del mes de junio del año mil novecientos noventa (1990). (Firmados) Dr. Frollán J. R. Tavares, Presidente; Dr. Rubens Suro, Miembro; Dr. Guillermo Sánchez Gil, Suplente de Miembro; Dr. José Henríquez Almánzar, Suplente de Miembro; Dr. Hugo Álvarez Valencia, Suplente del Presidente, y Amable Díaz Castillo, Secretario.



REPUBLICA DOMINICANA

JUNTA CENTRAL ELECTORAL

AL PAIS

Durante casi una semana, los Miembros de la Junta Central Electoral, hemos meditado esta declaración y la Decisión que menciona.

Respecto al caso Carter, la circunstancia de que el Director del Diario EL SIGLO, el distinguido periodista Bienvenido Alvarez Vega, llamara al Presidente de este Organismo y le refiriera datos incompletos y errados en su poder, nos precipitó a hacer público el caso. Nuestro agradecimiento por su discreción.

He recibido mandato de la Junta Central Electoral, de emitir este documento.

Como guía e inspiración de la postura que presentamos al país, evocamos la extraordinaria figura nacionalista de Don Angel Liz. Personalmente puedo decir, que durante muchos años gravitó en mi vida de persona apartidista, con profunda y permanente influencia. Sus consejos y energía peculiar, quedaron grabados en mi mente.

Cuando en 1966, como Presidente de este Organismo, organizaba las elecciones, recibí una comunicación de la OEA, que contenía la designación de representantes de ese Organismo, que vendrían al país como Observadores, al evento que se acercaba. Empero, en su comunicación de rigor, ese Organismo le recordaba que, de acuerdo con el Acta Institucional, carta magna que virtualmente nos impusieron, ellos actuarían como parte activa y en hecho como interventores en el proceso ya referido. Don Angel, con su indomito espíritu y carácter enérgico, les respondió, con una carta que es historia viva y representación de un acto netamente patriótico, expresándoles que no toleraría semejante actuación aún cuando el Acta Institucional lo propiciara, reservándoles su pura y simple condición de Observadores. Así ocurrió.

No tenemos que referir la penosa historia de la Junta Central Electoral hasta hoy, en que, en casi todos los últimos procesos comiciales, extraños y propios, sin derecho, mancillaron la esencia institucional y autónoma de este cieniente poder primigenio.

Los viajes a Centro y Suramérica y las experiencias consiguientes, de varios Miembros de este Organismo, felizmente ajustaron nuestra preparación en materia electoral, lo cual nos ha permitido resistir y resolver con relativo éxito, los muchos problemas, algunos increíbles, que hemos tenido que afrontar en el ejercicio de nuestros cargos.

De esas experiencias, aprendimos la utilidad extraordinaria que se deriva de la presencia de Observadores Internacionales, sobre todo cuando éstos son de tal calibre técnico, que garantizan imparcialidad y asesoría, que en muchos casos resultan incalculables. Por eso, quizás como nunca, el proceso recién transcurrido, contó con brillantes y sesudos especialistas, que, ciertamente, alumbraron el camino bien difícil del evento. Así estuvieron aquí representantes de muchas organizaciones internacionales, entre los cuales decollaron los integrantes de los equipos de la OEA y de CAPEL.

Cuando los líderes, candidatos a la Presidencia, Dr. José Francisco Peña Gómez y Prof. Juan Bosch, me dirigieron sendas cartas sugiriéndome que invitara al Sr. Jimmy Carter, ex Presidente de los Estados Unidos, no tuvimos dudas de que su presencia como Observador Internacional, sería valiosa y conveniente para el devenir y el desarrollo del próximo proceso electoral. Fue invitado por la Junta Central Electoral, y su labor, que no necesita ser comentada, le proporcionó al Pueblo Dominicano, a todos los políticos y a este Organismo, la oportunidad de conocer y tratar a un hombre sencillo, que tenía deseos ciertos de ayudar a que las cosas se desarrollaren en la mejor forma civilizada.

El Sr. Carter vino acompañado del Primer Ministro de Belice, Sr. George Price, y otras personalidades y al ausentarse del país, el día 18 del mes pasado, dejó como sus representantes a los señores Mark Feierstein y Alejandro Cantón, quienes desde esa fecha, aunque se mantuvieron en contacto con la Junta Central Electoral, virtualmente no participaron en las Sesiones de coordinación del equipo de Observadores Internacionales, que se formó para estar en continuo contacto con este Organismo, integrado por los representantes de la OEA y de CAPEL, señores Edgardo Costa Reis, Eduardo Ferrero Costa, Dr. Jorge Otaño y Julio Dos Reis y se dedicaron mayormente a visitar y recibir información de un solo partido de oposición, según informes fidedignos que poseemos, convirtiéndose en virtuales parciales en su labor de observación.

Consecuencia de esa forma peculiar de actuar, fue la de que, los informes que suministraban al Sr. Carter, fueron incompletos y en evidente interés de una sola Organización Política de las que participaron en las elecciones.

Mal informado, el señor Carter no se percató de que la modificación del plan de recuento en método de cotejo y el intercambio de documentos entre la Junta Central Electoral y las Organizaciones Políticas y la limitación de dicho cotejo a las actas objetadas, fue consecuencia del desacuerdo entre los Partidos y este Organismo, en fecha 19 de mayo; que, todas dichas Organizaciones se acogieron a ese plan concretado y formalizado, mediante la Resolución No.53/90, de fecha 25 de mayo de 1990.

Siempre en esa condición de persona mal informada por sus Inexpertos representantes, se dirigió al Presidente de la República, y no a la Junta Central Electoral, sugiriéndole e instándole a que nos urgiera a cumplir lo que él creía era un pacto inmutable y a garantizar que los supuestos compromisos fueren cumplidos sin ulterior demora, ignorando no sólo la autonomía de este Organismo, sino que se estaban cumpliendo dichos compromisos y convirtiéndose, quizás sin quererlo, en un virtual interventor en los asuntos internos de nuestro país, de la competencia de la Junta Central Electoral.

Comprendiendo los Integrantes de este Organismo que su equivoco y error tuvo como causa el consejo que no podemos calificar, de los aludidos ayudantes, me otorgaron mandato para que le contestara aclarándole tales errores, lo cual hice, mediante comunicación de fecha 23 de mayo próximo pasado, en la cual denoté enérgicamente su actitud de dirigirse al Presidente de la República y no al Presidente de la Junta Central Electoral, y le insté a que si lo creyera convenien-

te y útil, como era su deseo, volviera al país a presenciar el final del cotejo como había sido su intención original. El señor Carter en una breve misiva que le honra, en fecha 25 de mayo de 1990, en contestación a lo expuesto, expresó lo siguiente:

"Al Dr. Froilán J.R. Tavares, Presidente Junta Central Electoral. Como anuncié previamente, continué dispuesto para realizar mis funciones de Observador Internacional de las elecciones nacionales de la República Dominicana, llevadas a cabo el 16 de mayo, como fuera solicitado por la Junta Central Electoral. He sido informado, que el análisis de las discrepancias presentadas, no comenzará hasta mañana, y que este proceso durará varios días. Por lo tanto, demoraré mi regreso a Santo Domingo, previamente estipulado para el domingo 27 de mayo, hasta una fecha posterior, en la cual mi presencia puede ser necesitada. Mientras tanto, le he solicitado a mi grupo de observadores, liderado por Mark Feierstein, que me mantenga informado sobre los desarrollos, para asistir a la Junta Central Electoral según lo solicitado, y de notificar a los líderes de los partidos mayoritarios sobre este cambio de planes. Ud. tiene mis más sinceros respeto y apreciación por su cooperación y guía. Atentamente, Jimmy Carter".

El Presidente de la República, en fecha 22 de mayo de 1990, por su parte, contestó al señor Carter en la forma siguiente:

"Señor Jimmy Carter, Georgia, Atlanta, E.U. Fax (404) 331-0283. Relación su carta esta fecha infórmele Junta Central Electoral entregó anoche copias de las actas y formularios Núm.6 a partidos políticos para fines verificación. Partido Reformista Social Cristiano recibió conforme estas documentaciones y a su vez depositó en la Junta Central Electoral copias de las actas recibidas en cada mesa electoral por nuestros delegados. Hemos conversado y transmitido estas informaciones a observadores Dr. Eduardo Costa Reis, de la OEA, y Dr. Jorge Otaño y Julio Dos Reis, de CAPEL. Muy atentamente, Presidente Balaguer".

La actitud decididamente parcializada hacia un partido político, de los señores Mark Feierstein y Alejandro Cantón, se demostró en los días subsiguientes, no sólo porque no visitaron más que a líderes políticos de un solo partido, sino porque documentos internos del proceso electoral, en vías de depurarse o de ajustarse, que contenían datos provisionales, se los llevaron para su país, con intenciones inconfesables. En el viaje al Aeropuerto, en presencia del personal dominicano, se dieron a la tarea de detractar insolentemente al Presidente de la República y a los dominicanos en sus costumbres, en forma burlona e hiriente.

Es obvio, que estos señores ostentando cualquier clase de representación, se han convertido en personas no gratas para el país y la Junta Central Electoral.

Al ausentarse todos los observadores internacionales en razón de sus anteriores ocupaciones, con honra y satisfacción, la Junta Central Electoral decidió incorporar a las sesiones de las Comisiones, a título de observadores nacionales, a una selecta representación de las fuerzas vivas del país, representadas por la Iglesia Católica, Asociación Dominicana de Rectores Universitarios (ADRU), Asociación

Dominicana de Mujeres Votantes (ADOMUVI), Comité de Defensa de la Institucionalidad Democrática, Acción Pro-Patria, Fundación Testimonio y Fundación 30 de Mayo, quienes en la loable labor, crearon un ambiente de equilibrio en dichas sesiones y asesoraron a la Junta Central Electoral en forma técnicamente idónea, en los diversos aspectos en que fue necesario su concurso, con tareas de mediación de fructífero efecto.

Un mensaje especial y respetuoso para el Arzobispo Metropolitano, Monseñor Nicolás de Jesús López Rodríguez, en ocasión de sus últimas declaraciones a la prensa, a las cuales damos credibilidad.

La Decisión que se ha dictado y todas nuestras actividades anteriores no han obedecido a las declaraciones justificadamente impacientes del digno amigo. Ya desde hace días, los Miembros de la Junta Central Electoral, sabíamos que el cotejo iba a terminar debido a la propia iniciativa y actitudes de sus beneficiarios y promotores. Pese a ello hemos sido pacientes como Dios manda.

Le recordamos al eminente y respetado prelado, que nuestra honestidad y responsabilidad no ha estado nunca en entredicho y las mantendremos a todo trance hasta el final de nuestras funciones; que, además, como él no ignora, los resultados definitivos de los cómputos de las comisiones, así como "decir quien ganó y quien perdió", no puede hacerse hasta tanto se determinen las actuaciones de las Juntas Municipales Electorales y del Distrito Nacional y se conozcan las impugnaciones que se han presentado.

Al Ilustre Prelado lo invitamos a leer con detenimiento nuestra última Decisión, porque sabemos que su contenido le convencerá de que en esta Junta Central Electoral hay hombres y mujeres que piensan en la ciudadanía y sus angustias, pero que a la vez tienen la obligación de no festinar su trabajo.

Esa labor, si se compara con otras realizadas en elecciones anteriores, aún lleva ventaja de casi mes y medio, para proceder a la decisión final. Pretendemos terminar todo este complejo proceso, si Dios nos ayuda, en un tiempo que satisfaga a todos los sectores, incluso a la solidaria, valiente y activa Iglesia Católica.

Aunque no hemos dado crédito a un rumor muy difundido, alertamos a todos las fuerzas vivas del país, acerca de la versión de que, grupos retrógrados en Santo Domingo y en el extranjero están concitando la opinión pública internacional para propiciar un consenso a fin de que se intente desde diversos sectores internacionales lograr, que las elecciones celebradas sean anuladas debido a lo que se considera erróneamente como un fraude generalizado, que no ha podido probarse, pese a los múltiples esfuerzos de diversos sectores.

En otro orden de ideas, debo informar a la Ciudadanía que la Junta Central Electoral, mediante su Resolución No.55/90, de esta fecha, ha decidido dar por terminado el cotejo, por las razones que se indican en la misma.

SANCO DOMINGO, D.N.
2 de junio, 1990

DR. FROILAN J.R. TAVARES,
Presidente de la Junta Central Electoral



REPUBLICA DOMINICANA
JUNTA CENTRAL ELECTORAL

Santo Domingo, D. R.
June 5, 1990

Mr. Jimmy Carter
Ex-President of the United
State of America.

Dear President Carter:

I wish to assure you that no declaration by the Junta Central Electoral has been intended to denigrate the work of you and the group you headed to observe the national elections. Your contribution has been fundamentally important assuring the veracity of the electoral process in the Dominican Republic. The Junta Central Electoral and the Dominican people we serve are deeply grateful for your effort and for your continue interest in our country.

All that I had exposed in this letter represent the spirit of what I have been showing with respect to you and your valuable roll on the crucial time that you have been among us. I wish to have an exchange of the impressions with you, by which I will call you tomorrow.

Sincerely yours,

DR. FROILAN J. R. TAVARES
President of the Junta Central Electoral

FJRT/rh

EL PLD PROPONE ELECCIONES EN EL DISTRITO NACIONAL

El Partido de la Liberación Dominicana, tras analizar de manera detallada, en dos reuniones de su Comité Central y cuatro de su Comité Político, los informes relativos a las elecciones generales celebradas el 16 del pasado mes de mayo, ratifica las publicaciones que ha hecho en varias ocasiones en los diarios **Hoy**, **El Siglo** y **Listín Diario** en todas las cuales ha presentado pruebas irrefutables de que esos comicios fueron adulterados mediante la comisión de fraudes de distintos tipos.

Esa convicción es compartida por todos los miembros y simpatizantes del P.L.D. y por muchos miembros y simpatizantes de otros partidos como lo demuestra la destrucción de millares y millares de carnets electorales llevada a cabo por hombres y mujeres que han decidido no participar en elecciones generales que se celebren en el país.

La dirección del Partido de la Liberación Dominicana lamenta esa reacción de ciudadanos que se consideran burlados por las autoridades que tienen a su cargo la muy alta responsabilidad de dirigir el proceso electoral, pero se la explica porque tenemos pruebas de que las elecciones fueron amañadas para servir planes de los numerosos burladores de esos comicios, pruebas que hemos presentado a la opinión pública como se ha dicho en el primer párrafo de este mensaje.

El engaño de que ha sido víctima una mayoría de los dominicanos es evidente a los ojos de todo el mundo, y si no ha provocado acciones de repulsa de tipo violento se ha debido a que la Dirección del P.L.D., el partido más perjudicado por el fraude electoral, decidió enfrentar la situación de escandalosa ilegalidad en que se han colocado las autoridades electorales con actitudes y decisiones que conduzcan a medidas rectificadoras por parte de la Junta Central Electoral y las autoridades públicas que se benefician de las consecuencias del fraude.

El fraude fue ejecutado desde antes de las elecciones, en una diversidad de formas que incluyen la compra y el alquiler de carnets electorales, como lo reveló monseñor Mamerto Rivas, entre otros testigos idóneos; la falsificación de documentos imprescindibles para el ejercicio del sufragio (Registro y Cédula) hasta el punto de que han sido detectados más de 47 mil casos de cédulas duplicadas que involucran a más de 94 mil personas; el desplazamiento en la información de votantes inscritos (número de mesas, nombres, etc.) y la alteración en la codificación de las mesas del Distrito Nacional; la rehabilitación de inscritos cancelados por fallecimiento o ingreso en las Fuerzas Armadas, en violación de los artículos 14, 15 y 88 de la Constitución de la República, permitiendo votar a personas que no podían hacerlo.

La ejecución del fraude en la fase del escrutinio se evidenció en los numerosos casos de no coincidencia de cifras entre las actas originales (**Libro Amarillo**), el Formulario 6 original transmitido por Fax, el Formulario 6 de los delegados de los partidos y el Formulario 6 procesado y registrado en la memoria central de la computadora de la Junta Central Electoral; en la manipulación de los votos observados y nulos; en la transferencia indebida de los votos de un partido a otro, como lo admitió el propio Dr. Froilán Tavares al declarar que 1.700 votos del PRI se le habían asignado al PDI, aliado al P.R.S.C., pero que se realizó en muchos otros casos que suman miles de votos restados al P.L.D. y otros miles sumados irregularmente al P.R.S.C. y sus aliados. Asimismo, aún no se ha podido cuantificar el fraude electrónico debido a que la Junta Central Electoral se ha negado sistemáticamente a suministrar la lista computarizada de las mesas electorales que alimentaron cada boletín que se ha hecho público.

Otras evidencias del fraude que hemos estado denunciando son la gran cantidad de personas que iban a votar y se encontraban con que ya habían votado por ellas; la pérdida de boletas electorales que, según lo denunció el propio presidente de la Junta Central Electoral, unas 27.000 fueron llevadas, dos días antes de las elecciones, a "un puesto militar o estatal"; la falta de boletas en localidades donde precisamente ganó el P.L.D. y donde se comenzó a votar tarde, lo que ocasionó una alta abstención de votantes; 23,000 en San Francisco de Macorís; 20,000 en Santiago y 2,000 en Vicente Noble, y la falta de Formularios 6 en Azua.

El fraude cometido en el Distrito Nacional alcanza dimensiones verdaderamente impresionantes. A las alteraciones del tipo anteriormente descritas, que en el Distrito Nacional llegaron a proporciones mucho más altas que en el resto del país, se suman las siguientes:

a) La suspensión del conteo a las 2 de la madrugada del 17 de mayo, por orden del presidente en funciones de la Junta Electoral del Distrito Nacional, la señora Jacqueline Malagón, en violación del Art. 145 de la Ley Electoral;

b) La orden de la misma funcionaria, impartida a las 3 de la madrugada de ese día, según la cual todos los delegados de los partidos tenían que salir de la oficina del secretario de la Junta Electoral del Distrito Nacional;

c) El hecho de que cuando se produjeron esas órdenes, la Junta Central había solicitado que se le enviaran por vía Telefax los Formularios 6;

d) Que cuando sucedió todo eso ya se habían computado 225 mesas y el P.L.D. figuraba en ellas como ganador.

e) Esos hechos generaron protestas justificadas a las cuales no se les hizo el menor caso;

f) El desorden es evidente en la Junta Electoral del Distrito Nacional, donde los votos nulos y observados aparecen mezclados profusamente;

g) Más de 40 mesas fueron reubicadas en el Distrito Nacional y la reubicación se anunció con 24 horas de anticipación al inicio de las elecciones cuando de acuerdo a la Ley Electoral esa medida debió tomarse con una semana de anticipación a los Comicios. En esas mesas, establecidas en los barrios Villa Consuelo, San Carlos y Villa Juana, nunca había ganado el Partido Reformista Social Cristiano.

Ante tantas evidencias del fraude, el P.L.D. ha estado tratando de hacer valer sus derechos, pero la Junta Central Electoral nos lo impide en actitud sospechosa, como se puso de manifiesto cuando se interrumpió el procedimiento de cotejo que habían aceptado los partidos, así como en la negativa de entregarnos una serie de elementos que le habíamos solicitado a la Junta que nos permitirían probar de manera fehaciente la comisión de diversos tipos de fraude, tal como lo hemos denunciado por la prensa.

A pesar de ese fraude colosal las elecciones han tenido un final apretado y han desembocado en una grave crisis política, y cualquiera que sea el sentido de la proclamación de la Junta Central Electoral el resultado será un gobierno puesto en entredicho y con una legitimidad contestable.

La posición de las grandes masas del país que se sienten burladas por el fraude es que deben celebrarse nuevas elecciones, a pesar de que el PLD ganó las del 16 de mayo; pero en vista de que unas elecciones nacionales requerirían un tiempo que podría sobrepasar el 16 de agosto, día señalado para la toma de posesión de la Presidencia de la República, para ser organizadas de manera que no se repitiera lo que ha sucedido con las que acaban de celebrarse, la dirección del PLD, en interés de contribuir a una solución pacífica e institucional de la crisis actual, somete a la consideración de todos los pelédeístas y de toda la ciudadanía la siguiente propuesta:

Que se convoquen elecciones en el ámbito del Distrito Nacional en todos los niveles de candidaturas: presidencial, congresionales y municipales, con los mismos candidatos que figuraron en las elecciones del 16 de mayo, tal como lo prevé la Ley Electoral para los casos como el que se ha dado en esta ocasión, y que la fecha de las elecciones que proponemos dé el tiempo necesario para que las personas que destruyeron sus carnets del Registro Electoral obtengan sus duplicados; que en la medida de lo posible antes de las nuevas elecciones se proceda a una revisión de las cédulas y los registros duplicados de personas residentes en el Distrito Nacional, que ascienden a 27,189 casos.

(PLD Calls for New Elections continued)

El Partido de la Liberación Dominicana llama a todos los dominicanos de sentimientos patrióticos partidarios de la democracia, a respaldar esta propuesta, que es la única que puede conducir a una salida honrosa en la dramática y peligrosa coyuntura en que se encuentra la patria de Duarte, Sánchez y Mella.

Santo Domingo, Distrito Nacional,
8 de junio de 1990

Comité Central del Partido de la Liberación Dominicana

Juan Bosch
Lidio Cadet
Vicente Bengoa
José J. Bidó Medina
Juan de la Cruz Buret
Mildred Guzmán
Félix Jiménez
Nélsida Marmolejos
Max Puig
Franklin Almeyda
Tomás Beltré
Andrés Blanco Fernández
Norge Botello
Juan Ceballos

Fernando de la Rosa
Juan Ducoudray
Rafael Espinal
Ramón Fadul
Carlos Tomás Fernández
Leonel Fernández
Luis Fernández

Daniel Guerrero
Wilton Guerrero
Euclides Gutiérrez
Gladys Gutiérrez
Hamlet Hermann
Luis Incháustegui
Rafael Kasse Acta

Conrado Matías
Danilo Medina
Ligia Amada Melo de Cardona
Temístocles Montás
Héctor Otero
Onofre Rojas
Juan Sosa

Julio Sterling
Quirico Valdez
Manuel Ramón Ventura Camejo
Abelardo Vicioso

THE
CARTER CENTER
OF EMORY UNIVERSITY



June 13, 1990

To President Froilan J. R. Tavares

Thank you for your letter of June 5th and your generous comments about my role in assuring the veracity of the electoral process. You asked for my views on the election, and I am writing to you in response to that request.

I have met today with several leaders of opposition parties, and they described the steps that will be taken to conclude the electoral process, including the challenges. As you know, I was much impressed by the technical organization of the election. Although I have since seen evidence of irregularities, it is hard to judge their significance, and I have not yet seen evidence of fraud, by which I mean, a pattern of irregularities that favors a particular candidate or party.

I trust that the democratic process will continue to a final conclusion, and that all parties will be included in every stage of that process to assure that they have had an adequate opportunity to convey their concerns. That is the best way to ensure that all sides fully accept the results. I have been impressed how the people and leaders of the Dominican Republic respect democracy and the positive effect that such respect has on society. It is my continued hope that the electoral process of 1990 will be completed in a peaceful manner, and that all sides will celebrate the democracy that is your country's most valuable possession in a united and respectful way.

Sincerely,

Dr. Froilan J. R. Tavares
President of the Junta Central Electoral
Santo Domingo
Republica Dominicana

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