



# EUROPEAN PARLIAMENT

## **ELECTION OBSERVATION DELEGATION TO THE REPUBLIC OF HONDURAS,**

**(24 NOVEMBER 2013)**

**REPORT BY PILAR AYUSO  
DELEGATION CHAIR:**

ANNEXES:

LIST OF PARTICIPANTS IN THE MISSION, PROGRAMME AND FINAL DECLARATION  
PRELIMINARY REPORT OF THE EU ELECTION OBSERVATION MISSION

## **1. INTRODUCTION:**

On 24 November 2014, elections were held as scheduled by the constitution in which 5.4 million Honduran citizens voted for their President, Vice-President, members of parliament, mayors and members of the Central American Parliament (PARLACEN).

In response to an invitation extended by the Supreme Electoral Court (TSE) of Honduras, the European Union sent an Election Observation Mission (EOM) to observe the presidential and legislative elections. The EU EOM, which arrived in Honduras on 3 October 2013, was made up of 99 observers from 26 EU countries and Norway. It was chaired by Ulrike Lunacek (MEP, VERT).

The European Parliament's Conference of Presidents authorised a visit to Honduras by a Delegation of seven MEPS from 21-26 November 2013, within the wider framework of the EU EOM. The Delegation was led by Pilar Ayuso (EPP - Spain), with the participation of Agustín Díaz de Mera (EPP – Spain), Carlos Iturgaiz Angulo (EPP – Spain), Boguslaw Sonik (EPP – Poland) and Catherine Grèze (VERT – France).

The European Parliament's Election Observation Delegation observed these elections in accordance with the Declaration of Principles for International Election Observation and the Code of Conduct for International Election Observers, which was endorsed by the European Parliament in 2007.

## **2. BACKGROUND**

These were the second general elections to take place since the political crisis caused by the ousting of President Manuel Zelaya in June 2009. While political life in Honduras has been largely stabilised under the government of outgoing President Porfirio Lobo, whose main objective has been national reconciliation, the long-term consequences of the 2009 political crisis are likely to have a decisive impact, not only on the 24 November elections, but on Honduran politics in the future.

For the first time, political parties other than the Honduran National Party (Partido Nacional de Honduras (PNH)) and the Honduran Liberal Party (Partido Liberal de Honduras (PLH)) – which have dominated Honduran political life for over a century – were able to win a substantial percentage of the vote, effectively ending an almost completely two-party system

There was no clear presidential favourite in the immediate run-up to the elections and it seemed clear that the incoming president would be unable to count on an absolute party majority in the National Congress.

The overthrow of President Manuel Zelaya in June 2009 and the split in the PLH were largely responsible for this political situation. As candidate for the PLH, Zelaya won the November 2005 elections, in which he obtained slightly less than 50 % of the vote, some 4 % ahead of his main rival Porfirio Lobo from the PNH. He was elected on a reform-friendly political

platform emphasising the need to fight poverty and social exclusion. Several of his government's initiatives enjoyed widespread popular support, such as the abolition of fees in public schools, assistance for small and medium-sized enterprises and raising the minimum wage. However, what was perceived as an increasingly populist direction taken by Zelaya's government, particularly the decision to let Honduras join the Bolivarian Alliance for the Peoples of Our America (Alianza Bolivariana para los Pueblos de Nuestra América (ALBA)) — although it was ratified by Congress — and the forging of closer links with Venezuela, helped to alienate Zelaya and this faction of the PLH from the party's mainstream and, in general, from the country's political and economic elites. President Zelaya's proposal to hold a (non-binding) referendum on the possibility of convening a constitutional assembly (after another referendum) to amend the constitution — a move widely believed to be designed to make re-election possible — caused strong political polarisation and generated the crisis which triggered his removal by the military on 28 June 2009.

Zelaya's removal met with broad support from Honduras's political and economic establishment. The Congress ratified his ousting by a huge majority, which included all political parties except one, and it was also welcomed by the main business associations, including the influential Honduran Private Enterprise Council (Consejo Hondureño de la Empresa Privada (COHEP)), and the leading private media. On the other hand, the president's removal was condemned internationally for being unconstitutional. The Honduran Government, led by Roberto Micheletti, rapidly found itself isolated at international level.

Nevertheless, progress was made during Micheletti's interim government towards a negotiated solution to the political crisis. This included provision for elections, to be held on 29 November 2009. Against a background of internal divisions within the governing PLH and Zelaya's calls to his supporters to boycott the polls, the 2009 elections gave a clear victory to the PNH. Its presidential candidate, Porfirio Lobo, obtained 56.6 % of the vote (against 38.1 % for the PLH's Elvin Santos) and the PNH gained an absolute majority of 71 of the 128 seats in the National Congress. However, participation in the elections dropped to slightly under 50 % and many candidates loyal to Zelaya standing for Congress or municipal councils withdrew their candidacies, whether they belonged to the PLH or other parties. No observer missions were sent to these elections by the OAS, the EU or other bodies which traditionally observe elections in Latin America. Nevertheless, despite anti-electoral protests and demonstrations, the electoral process and voting were peaceful.

The measures introduced by the new government to promote reconciliation and restore 'normal' political life enabled it to establish its authority relatively swiftly and emerge from the isolation to which Honduras had been subjected following the overthrow of Zelaya.

President Lobo also promised to implement the measures originally agreed in the San José Agreement. This led to the creation in May 2010 of the Truth and Reconciliation Commission (Comisión de la Verdad y la Reconciliación, CVR), coordinated by the former Vice-President of Guatemala, Eduardo Stein, with the task of clarifying the events surrounding the 28 June 2009 crisis and making recommendations to prevent similar recurrences.

What could be seen as a definitive solution to the political crisis came with the signature by President Lobo and Manuel Zelaya of the Agreement for National Reconciliation and Consolidation of the Democratic System in the Republic of Honduras, on 22 May 2011 in

Cartagena (Colombia), brokered by the Presidents of Colombia and Venezuela. The agreement confirmed the prevalence of political and human rights and specifically recognised the right of Manuel Zelaya and his supporters to return to Honduras and freely and safely pursue their political objectives. This, together with the prior annulment of all remaining criminal charges against Zelaya, paved the way for the former President's definitive return to Honduras on 28 May 2011. The Agreement also led to Honduras' readmission as a full member of the OAS and the Central American Integration System (SICA) and to the renewal of diplomatic relations with those Latin American countries which had severed them.

Although President Lobo's government has addressed the consequences of the 2009 political crisis in a way that has reduced political polarisation and allowed the reintegration of Honduras in the international community, restoring the country's democratic system and public confidence in its institutions. The fragility of the democratic institutions was underlined by the institutional crisis which began in December 2012, when the National Congress voted to remove four of the five judges in the constitutional chamber of the Supreme Court of Justice (CSJ) on grounds of 'unsatisfactory conduct', something which was widely seen as an attempt to gain political control over the Court. More specifically, many saw it as a move by the PNH leadership to prevent any legal challenge to the result of the primary elections in November 2012 and, possibly, the 24 November 2013 general elections. The judges were removed after the Court had ruled a number of laws adopted by the Congress to be unconstitutional, notably a controversial bill to cleanse the police of elements involved in corruption or other criminal activities.

Against that background, combined with the escalating problems of criminal violence, widespread corruption and persistent poverty, most observers believe there has been no significant improvement in trust in democratic institutions since the 2009 political crisis.

### **3. INTERNATIONAL ELECTORAL OBSERVATION**

In addition to the EU mission, the Organisation of American States (OAS) sent a mission led by Enrique Correa. The Carter Centre also confirmed its presence at the 24 November 2013 elections, with a high-level delegation whose participants included former Panamanian president Martín Torrijos and former Bolivian president Carlos Meza.

### **4. WORKING PROGRAMME OF THE EP DELEGATION TO HONDURAS**

The EP Election Observation Delegation remained in Tegucigalpa from 21-26 November 2013. The Delegation's activities took place within the framework of the EU Election Observation Mission. The Delegation wishes to draw attention to the excellent relationship it enjoyed with both the EU EOM and the EU Delegation in Honduras.

In addition to a number of meetings with the head of the EU observation mission and her team, the Delegation was able to hold meetings with the major national political figures, including President Porfirio Lobo, the victorious presidential candidate Juan Orlando Hernández (PNH) and the presidential candidates Mauricio Villeda (PLH) and Juliette Handall (LIBRE). The Delegation also held meetings with the magistrates of the Supreme Electoral Council (TSE), the head of the AOS Election Observation Mission, Enrique Correa, and the Board of Directors of the Honduran Council of Private Enterprise (COHEP). The

Delegation also met with the ambassadors of the EU Member States represented in Tegucigalpa (Germany, Spain, France and Italy) and in the neighbouring states of Guatemala and Mexico (Sweden and Austria, respectively). The Delegation's programme is provided in Annex I.

## 5. ELECTORAL PROCESS

The European Parliament normally observes elections within the framework of a longer-term EU mission, thereby covering the whole electoral cycle, not just the polling day. The EU EOM's preliminary statement presents the results of this lengthier observation and is annexed to this document

### The presidential candidates and their parties

Article 46 of the Honduran Constitution states that the country 'shall adopt a system of proportional or majority representation in those cases determined by the law in order to decide the election to office of candidates elected by popular vote. The presidential elections therefore consist of a single round of voting, even if no single candidate achieves an absolute majority.

The purpose of the 24 November general election was to elect the President of the Republic, the three presidential nominees for the post of Vice-President and 20 members of the Central American Parliament (Parlacen). Legislative elections were held at the same time, for the 128 full members of the National Congress and their respective alternates, as well as for the country's 298 town councils, accounting 3 000 elected posts in all. Perhaps the most striking new feature of these elections was that nine parties participated, with eight presidential candidates, the largest number in Honduras' electoral history. The following is a brief outline of the parties and their presidential candidates.

The **Liberal Party** (Partido Liberal – PLH) is the oldest political party in Honduras. It has numerous internal factions, representing a range of social sectors from the urban bourgeoisie to rural landowners. The PLH underwent a serious split in 2009, when the President of Congress, Roberto Micheletti, a Liberal, headed the de facto government formed after the ousting of President Manuel Zelaya, from the same party. Some of the PLH parliamentarians who had been elected in 2009 left the party in 2011 to join the LIBRE party. **Mauricio Villeda** was the PLH's presidential candidate.

The **National Party** (Partido Nacional - PNH) is Honduras' other traditional party. Between them, the Nationalists and the Liberals have accounted for every elected government in the history of Honduras. The PNH was in government at the time of the elections, with outgoing president Porfirio Lobo, and held an absolute majority in the Congress. The party's presidential candidate, **Juan Orlando Hernández**, was member of parliament for Lempira from 1994 onward and was also President of the National Congress.

There is no clear ideological difference between the two main parties; while neither has a clearly-defined ideological stance or programme, they both occupy the centre-right political ground.

The **Liberty and Refoundation Party** (Libertad y Refundación – LIBRE) was set up by Manuel Zelaya, the PLH president elected in 2005 and ousted in 2009. The party takes its strength from the forces assembled around the National Resistance Front, which opposed Zelaya's overthrow in 2009. It has a clearly left-wing identity. The party's main political proposal is that a Constitutive Assembly be convened to reform the constitution and allow the rebirth of the political system. **Xiomara Castro de Zelaya** stood as the presidential candidate for LIBRE.

The **Anti-corruption Party** (Partido Anticorrupción – PAC) was set up in 2011 by its presidential candidate, **Salvador Nasralla**, a popular Honduran television presenter. The party has an essentially populist discourse, which focuses on combating corruption in the political system.

The **Christian Democratic Party of Honduras** (Partido Demócrata-Cristiano de Honduras – PDCH) had its origin in the Democratic Movement of Honduras, which was formed by lay Catholics. The party has a centrist outlook. Its presidential candidate was **Orle Solís**, the member of parliament for Olancho.

The **Innovation and Unity Party** (Partido de Innovación y Unidad – PINU) is a social-democratic party which was founded in 1970 as an alternative to the Liberal and Nationalist parties. It is a middle-class, centre-left party. Its presidential candidate, **Jorge Aguilar**, was a member of the National Congress and also of Parlacen.

The Democratic Unification Party (Partido de la Unificación Democrática – UD) was Honduras' first left-wing party and was founded as a result of the Central American Peace Agreements, which led to the return of the left-wing leaders who had gone into exile before 1980. The **Political-Electoral Broad Front in Resistance** (Frente Amplio Político Electoral en Resistencia – FAPER) is the party with which UD formed a partial alliance to contest the presidential elections. Its presidential candidate, **Andrés Pavón**, is chair of the Committee for the Defence of Human Rights (CODEH) and was a prominent supporter of Zelaya during the 2009 crisis.

The **Honduran Patriotic Alliance** (Alianza Patriótica Hondureña – APH) was created in 2011 by its presidential candidate, **Romeo Vásquez**, the former head of the Joint Chiefs of Staff of the Honduran armed forces.

## 6. POLLING DAY

In order to cover the polling day on 24 November 2013, the Delegation split into three groups, which fanned out through the city of Tegucigalpa and surrounding area. The MEPs observed the opening, voting process and closure of polling stations in socioeconomically diverse locations, and also witnessed the vote counting.

On Monday 25 November, the Delegation met with the head of the EU EOM, Ulrike Lunacek, and was able to note that its observations were in line with those of EU OEM as a whole.

## 7. PRESS CONFERENCE

The EU Election Observation Mission held a press conference on 26 November 2013. The head of the EOM, Ulrike Lunacek, presented the Mission's preliminary declaration, accompanied by Boguslaw Sonik, representing the EP Delegation. Parliament's Electoral Observation Delegation fully supported the EOM's preliminary declaration, which is annexed to this report.

Addressing the press on behalf of the Delegation, Mr Sonik highlighted the calm atmosphere on polling day and congratulated the Honduran people on their civically mature and democratic behaviour. He emphasised the following points:

- We reiterate our total support and adherence to the conclusions and recommendations contained in the preliminary declaration and final report presented by the EU's Election Observation Mission and, in particular, its references to the transparency of electoral campaign funding by the political parties;
- We recognise as an achievement the transparency which was shown and encouraged by the Supreme Electoral Court (TSE) and which undoubtedly contributed to the success and smooth running of the polling day on Sunday 24 November.
- We hope and wish that any claims and complaints which may have arisen on polling day can be swiftly and adequately justified, as provided for under the electoral rules.
- We believe and hope that all candidates and political parties accept the official results published by the TSE;
- We deplore the haste with which some candidates and political parties declared themselves victorious on the evening of polling day itself, without so much as waiting for the announcement and declaration of the official results by the only body authorised to do so, the Supreme Electoral Court.

## 8. ELECTION RESULTS

On 11 December 2013, the Supreme Electoral Court officially declared the results of the presidential election as follows: the candidate Juan Orlando Hernández won by a margin of 253 000 votes over the candidate Xiomara de Castro.

CANDIDATES	VOTES	PERCENTAGE
Juan O. Hernandez	1 149 302	36.89%
Xiomara Castro	896 498	28.78%
Mauricio Villeda	632 320	20.30%

Salvador Nasralla	418 443	13.43%
Romeo Vasquéz	6 105	0.20%
Orle Solís	5 194	0.17%
Jorge Aguilar	4 468	0.14%
Andrés Pavón	3 118	0.10%

On 13 December 2013, the Supreme Electoral Council officially declared the results of the elections to the Central American Parliament (Parlacen), the National Congress and municipal councils.

The National Congress is made up of 128 elected Members, distributed as follows: National Party, 48; LIBRE Party, 37; Liberal Party, 27; Anti-corruption Party, 13, Christian Democrats, PINU-SD and Democratic Unification, one each. The composition of the Congress is of key importance to ensure the country's post-electoral political stability.

The 20 Honduran members elected to Parlacen were distributed as follows: National Party, six seats; LIBRE, four seats; Liberal Party, three seats; Anti-Corruption Party (PAC), two seats. The small parties – Christian Democrat Party, Democratic Unification, Broad Front, Patriotic Alliance and Innovation and Unity (PINU-SD) – are each represented by one member.

The 298 mayors and deputy mayors were distributed as follows: National Party, 183; Liberal Party, 83; LIBRE Party 31 and Christian Democrat Party one.

The Anti-corruption Party and the LIBRE Party filed objections and requests to annul the elections, which were rejected by the TSE.

The 2013 General Election enjoyed the highest electoral turnout in the country's history, with approximately 60% of registered voters participating.

## 9. CONCLUSIONS

The 24 November 2013 elections were atypical, with eight presidential candidates and nine parties vying for votes. These elections marked the end of over 100 years of party political life in Honduras, with the traditional two-party system giving way to a plurality of parties, four of which gained over 10% of the vote each.

The European Parliament, through its Delegation for relations with the countries of Central America and the Euro-Latin American Parliamentary Assembly (EuroLat), is firmly committed to building a closer relationship with Honduras.



The European Parliament's Election Observation Delegation, within the framework of the long-term EU mission, is an important instrument for assessing the political situation in Honduras and this Delegation recommends to the Democracy Support and Election Coordination Group, the Committee on Development, the Committee on Foreign Affairs, the Delegation for relations with the countries of Central America and the Euro-Latin American Parliamentary Assembly (EuroLat), together with the Central American Integration System (SICA), that they closely follow the conclusions and recommendations of the final report of the EU Election Observation Mission.



*Delegación de Observación Electoral a Honduras*

**Elecciones Generales**

**Honduras, 24 de noviembre de 2013**

**Lista de Participantes**

**Diputados (7)**

**Dña. Pilar AYUSO (Presidenta de la Delegación)**

**D. Agustín DÍAZ DE MERA**

**D. Carlos José ITURGAIZ ANGULO**

**D. Bogusław SONIK**

**PPE España**

**PPE España**

**PPE España**

**PPE Polonia**

**S&D**

**ALDE**

**Verdes/ALE Francia**

**Dña. Catherine GRÈZE**

**Secretaría de la Delegación (3)**

Emilia GALLEGO PERONA, Administradora

Pedro NEVES, Administrador

Montse GABÁS, Asistente administrativa

**Grupos políticos (2)**

Juan SALAFRANCA (PPE)

Gaby KÜPPERS (Verdes/ALE)

**Intérpretes (2)**

Renata KUGACZEWSKA

Grzegorz PRZYBYSZEWSKI

**Siglas :**

PPE

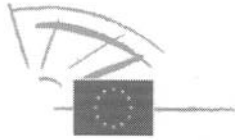
Grupo del Partido Popular Europeo (Demócrata-Cristianos)

S&D

Grupo de la Alianza Progresista de los Socialistas y Demócratas

Verdes / ALE

Verdes / Alianza Libre Europea



# PARLAMENTO EUROPEO

## DELEGACIÓN DE OBSERVACIÓN ELECTORAL A HONDURAS

22-26 Noviembre 2013

### PROGRAMA

#### Miembros

**Dña. Pilar AYUSO, PPE, España** (*Presidenta de la delegación*)

**D. Agustín DIAZ DE MERA, PPE, España**

**D. Carlos ITURGAIZ ANGULO, PPE, España**

**D. Boguslaw SONIK, PPE, Polonia**

**Dña. Catherine GREZE, Verdes/ALE, Francia**

#### Secretaría

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#### Grupos políticos

Juan SALAFRANCA, PPE Consejero

Gaby KÜPPERS, Verdes/ALE Consejera

#### Intérpretes

Renata KUGACZEWSKA

Grzegorz PRZYBYSZEWSKI

**Viernes, 22 de noviembre de 2013**

- 8.00 Desayuno de trabajo con la Jefa de la Misión, Sra. Ulrike Lunacek  
*Lugar: Hotel Real InterContinental, Planta Baja, Salón Roble*
- 9.15 Salida del hotel
- 9.30 Presidente de Honduras, Sr. D. Porfirio Lobo y Vice-cancilleres Lic. María Antonieta Guillén y Lic. Diana Valladares  
*Lugar: Casa Presidencial*
- 11.00 Reunión con la Delegación de la UE, Embajadores de Francia, España, Italia, Alemania, Suecia y Encargado de Negocios de Austria  
*Lugar: Hotel Real InterContinental, Salón Roble*
- 12.00-13.30 *Almuerzo libre*
- 13.30 Salida del hotel
- 14.00-16.00 Visita al Centro de Cómputo con el pleno de los Magistrados del Tribunal Supremo Electoral  
*Lugar: Hotel Plaza Juan Carlos*
- 16.00 Regreso al Hotel Real InterContinental
- 17.40 Salida del hotel hacia la Residencia del Jefe de la Delegación de la UE en Honduras
- 18.00 Recepción ofrecida por el Jefe de la Delegación de la UE en Honduras, Embajador Ketil Karlsen en su residencia

**Sábado, 23 de noviembre de 2013**

- 9.00 Reunión con el candidato presidencial del Partido Liberal (PL), Sr. Mauricio Villeda  
*Lugar: Hotel Real InterContinental, Salón Roble*
- 9.45 Salida del hotel
- 10.00 Reunión con el candidato presidencial del Partido Nacional (PN), Sr. Juan Orlando Hernández  
*Lugar: Residencia del Candidato*
- 12.00 Reunión con la designada presidencial del Partido Libertad y Refundación (LIBRE), Dra. Juliette Handall  
*Lugar: Hotel Real InterContinental, Salón Roble*
- Almuerzo libre*

- 15.00 Reunión con la Junta Directiva del Consejo Hondureño de la Empresa Privada (COHEP)  
*Lugar: Hotel Real InterContinental, Salón Roble*
- 16.30 Reunión con la Misión de Observación de la OEA  
*Lugar: Hotel Real InterContinental, Salón Roble*
- 17.30 Reunión con el Equipo Central de la EU EOM  
*Lugar: Hotel Real InterContinental, Salón Roble*

**Domingo, 24 de noviembre de 2013**

**Jornada electoral - Despliegue**

Horarios de apertura de los colegios electorales: 7.00 -17.00.  
(Por decisión del Tribunal Supremo Electoral el mismo día de las elecciones, el cierre de los colegios electorales se pospuso de las 16.00 a las 17.00 horas).

- 6.20 Salida del hotel
- 6.30-17.00 Observación electoral  
Equipo 1 : Sra Ayuso y Sr Díaz de Mera  
Distrito central (Tegucigalpa)
- Equipo 2: Sr Sonik  
Distrito central (Tegucigalpa), Tatumbula, San Antonio
- Equipo 3: Sr Iturgáiz y Sra Greze  
Distrito central (Tegucigalpa)
- 17.00-20.00 Cierre y recuento de votos en tres colegios electorales de la capital

**Lunes, 25 de noviembre de 2013**

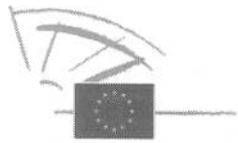
- 9.00 Reunión interna de la Delegación del PE  
*Lugar: Hotel Real InterContinental, Salón Real III*
- 10.00 Reunión con el Equipo Central de la MOE UE HONDURAS 2013  
*Lugar: Hotel Real InterContinental, Salón Real III*

**Martes, 26 de noviembre de 2013**

- 9.15- 10.30 Conferencia de prensa. Presentación del Informe Preliminar
- Declaración de la Delegación de Observación Electoral del Parlamento Europeo, presentada por el Sr. Sonik, en representación de la Presidenta, Sra. Ayuso.  
*Lugar: Hotel Real InterContinental, Salón Real*

Fin de la Misión

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# PARLAMENTO EUROPEO

DELEGACIÓN DE OBSERVACIÓN ELECTORAL A HONDURAS

22-26 Noviembre 2013

Señoras y Señores

Antes de nada agradecerles su presencia hoy aquí.

Mi nombre es Boguslaw Sonik. Soy Diputado del Parlamento europeo por Polonia.

Tengo el honor de dirigirme a Ustedes en nombre de la Delegación del Parlamento Europeo que ha observado las elecciones presidenciales, legislativas y municipales hondureñas del 24 de noviembre. Dicha Delegación estaba formada por los Señores diputados: Doña Pilar Ayuso, Presidenta, Don Agustín Díaz de Mera, Don Carlos Iturgaiz, Dona Catherine Greze y por mí mismo.

Quisiera en primer lugar felicitar al pueblo hondureño por el ejemplo de madurez cívica y comportamiento democrático que tuvo lugar el pasado domingo día 24, una jornada electoral caracterizada por la absoluta tranquilidad y la normalidad con la que se desarrolló. Esta prueba de ejemplo cívico y madurez democrática del pueblo hondureño viene a reforzar la institucionalidad y los valores de la democracia y del respeto de los derechos humanos. De hecho, estas elecciones suponen un

reconocimiento de la pluralidad democrática de la sociedad hondureña que seguramente se verá confirmada y refrendada por la entrada de nuevas fuerzas políticas en el Congreso de la República.

Todos los miembros de esta delegación respaldan el informe preliminar de la Misión de Observación Electoral de la UE que la Jefa de los Observadores de la Unión Europea, la Diputada Sra. Ulrike Lunacek acaba de presentar.

Sin repetir lo que ya ha manifestado por la Señora Ulrike Lunacek, la delegación del Parlamento Europeo sí que quisiera incidir en los siguientes puntos:

1. Reafirmamos nuestro total apoyo y adhesión a las conclusiones y recomendaciones de la declaración preliminar y al informe final que presenten la Misión de Observación Electoral de la UE y en particular, a las cuestiones relativas a la transparencia sobre la financiación de las campañas electorales de los partidos políticos.
2. Reconocemos como logro la transparencia demostrada y facilitada por parte del Tribunal Supremo Electoral, transparencia que sin duda contribuyó al éxito y al buen desarrollo de la jornada electoral del domingo.

3. Esperamos y deseamos que los litigios y quejas surgidos durante la jornada electoral puedan ser sustanciados rápida y adecuadamente con arreglo a lo que dicta la normativa electoral.
4. Manifestamos nuestro deseo y convencimiento de que todos los candidatos y partidos políticos acepten los resultados oficiales publicados por el Tribunal Supremo Electoral.
5. Lamentamos la precipitación mostrada por algunos candidatos y partidos políticos en declararse vencedores la misma noche electoral, sin tan siquiera esperar al anuncio y proclamación de los resultados oficiales por parte del único órgano habilitado a tal efecto, el Tribunal Supremo Electoral.
6. Reiteramos la importancia que el Parlamento Europeo concede a la promoción del diálogo político y la cooperación y la ayuda al desarrollo, y en este sentido hacemos votos por una rápida entrada en vigor de los pilares sobre diálogo político y cooperación del Acuerdo de Asociación Unión Europea - Centroamérica que permitirá el estrechamiento de las relaciones entre la UE y Honduras, y cuyo capítulo comercial está plenamente vigente.

Señoras y Señores, muchas gracias por su atención y mis mejores deseos de un futuro mejor para este querido pueblo hondureño.





**European Union Election Observation Mission  
HONDURAS**

General Elections – 24 November 2013

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**PRELIMINARY STATEMENT**

**Transparent voting and counting after an unequal and opaque campaign**

**Tegucigalpa, 26 November 2013**

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**Summary**

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- Election day took place in a peaceful atmosphere. Despite serious indications of a trade in accreditations and some other irregularities, it was clear that there was genuine diversity in the party political composition of polling station staff, which was reflected in a very positive evaluation of both the transparency of voting processes and respect of the will of the voters during the counting process. The system for transmission of results forms provided political parties with a reliable tool to verify the results published by the Tribunal Supremo Electoral (TSE, Supreme Electoral Tribunal).
- Candidates from all political parties exercised their rights to freedom of assembly, expression and movement throughout the campaign, albeit within a context of the country's poor security conditions. The lack of reporting and investigation of crimes has limited the extent to which it is possible to attribute a political nature to the cases of violence or intimidation of candidates reported to the European Union Election Observation Mission (EU EOM).
- The campaign period is long, expensive and unequal, and its financing lacks transparency. The EU EOM recommends that political parties launch reforms to reduce the cost of campaigning, fixing limits on spending and shortening its duration, as well as establishing mechanisms for auditing and sanctioning.
- The TSE was conscious that its need to be transparent was greater than ever in the context of a new political landscape. Its willingness to enable transparency was evident in its expansion of the role of the Consejo Consultivo (Consultative Council) of political parties; in its ensuring that party representatives could be present at all locations and activities relevant to election preparations, and in the access provided to Honduran and international election observers.
- The TSE did not consistently establish clear timeframes and at times delayed important decisions, leading to implementation challenges. In addition, it was slow to establish good coordination with the Tribunales Departamentales and Municipales (Departmental and Municipal Election Tribunals, TEDs and TEMs), missing the opportunity to engage with these politically-composed bodies, which could have both increased efficiency and enabled a greater sense of institutional cohesiveness.

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- The Voter Register is not accurate and reliable, constituting a weakness in the electoral framework. However, the programme by the Registro Nacional de Personas (Civil Registry, RNP) to end political parties' involvement in the processes for accessing identity cards was a significant step towards ensuring that citizens have direct access to the institution.
  - The 2013 elections have been the most observed in Honduran history, with the TSE accrediting some 700 international observers, as well as 20 national observation missions which deployed some 15,000 Honduran election observers. Honduran civil society has shown itself to be vibrant, diverse and committed to engaging with the electoral process.
  - While the Honduran legal framework enables the holding of democratic elections, the Election Law lacks procedural detail and a number of areas are inadequately provided-for. This is the case, for example, with respect to party and campaign funding, as well as the resolution of electoral complaints and appeals.
  - The increase of the quota for women's participation from 30% to 40% for the primary elections in 2012 and the general elections of 2013 (as well as a further increase to 50% for future processes) constitutes an improvement in the framework for gender equity. However, the use of open lists in primary elections limits the ability to ensure that the minimum quota is reflected in the final candidate lists, or in the number of women ultimately elected.
  - The media provided wide coverage of the election campaign and all candidates were able to present their campaign platforms. However, EU EOM media monitoring revealed a clear imbalance in the visibility granted to different parties in the media, both with respect to news coverage and, most particularly, paid advertising. The National Party disposed of the greatest resources by far, and enjoyed a significantly greater amount of coverage, which was also more positive in tone than that granted to other parties. As the party of government, the National Party also benefitted from heavy broadcasting of institutional advertising on television and radio and in newspapers.

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### **Preliminary conclusions**

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#### **Background**

The 2013 general elections took place at a crossroads in the political history of Honduras. Following the June 2009 coup d'état and the failure to implement the San José-Tegucigalpa Accords which sought a solution to the constitutional crisis, some countries did not recognise the government which emerged from the 2009 elections. After the establishment of the Truth and Reconciliation Commission and intensive negotiations, in 2011 José Manuel Zelaya and Porfirio Lobo signed a new agreement which paved the way for the return of the OAS to Honduras. Both Honduran political actors and the international community have hoped that the 2013 elections might bring a definitive end to the crisis sparked in 2009.

On 24 November 2013, Honduran citizens elected not only a president but also 128 members of the National Congress, mayors for the country's 298 municipalities and 20 members of the Central American Parliament. Nine political parties as well as independent candidates competed in these elections, and unlike in 2009, these represented the full spectrum of Honduran politics.

### **Legal framework**

The Honduran legal framework for elections is primarily established by the 1982 Constitution, the 2004 Law on Elections and Political Organisations (hereinafter Election Law), and the 2005 Law on the Civil Registry, and it enables the holding of democratic elections. However, the Election Law suffers from gaps and lack of detail in a number of areas, most notably with regard to party and campaign funding. Relying on its power to publish regulations, the TSE issued regulations on the registration of candidates; campaign propaganda; changes of residence; national and international observation and the transmission of results. Nonetheless, procedural gaps remain, not least with respect to the system for electoral complaints.

### **Election Administration**

Appointed by the National Congress in May 2009, before constitutional crisis and the subsequent birth of several new political parties, the Tribunal Supremo Electoral had to overcome perceptions that it represented the old two-party system. The TSE's approach was to prioritise the transparency of its activities. The TSE's commitment to transparency was demonstrated in many instances: in the way it enabled political party representatives to have access to all relevant processes, locations and information; in the manner in which it accredited a wide range of observers and then granted these the necessary access to information and processes, and certainly in the way it expanded the role played by the Consejo Consultivo, the body of all political parties which hitherto had had the right to be consulted and informed, and came in practice to approve many elements of the technical preparations for the elections. However, at times, the TSE's failure to establish clear timeframes and take decisions accordingly led to delays which made implementation of plans more challenging.

The TSE's emphasis on neutral administration also led it to distance itself from its politically-composed representations at departmental and municipal level, leaving these without institutional leadership and insufficient information. The TSE allowed very late composition of TEMs and had limited and late communications with both Municipal and Departmental Election Tribunals (TEMs and TEDs). In addition, the TSE opted not to directly train all polling station staff, which in some cases limited their efficiency. It may have been more constructive to engage more wholeheartedly with the TEDs and TEMS, for the sake of smoother administration and towards emphasising a spirit of public service. At times the lack of resources and communication granted to TEMs in particular limited these bodies' ability to provide the necessary support to election preparations.

While the TSE's high levels of transparency provided evidence of its ability to administer the elections impartially, it did not, on the other hand, fulfil its tasks as an arbiter of complaints, instead opting to delay, dismiss or refer complaints to other bodies.

The delay in determining which results transmission system to use impacted upon its implementation and although technical and software challenges were met, logistical problems persisted and the recruitment and training of sufficient Custodios Electorales (scanning operators) was initially insufficient. However, the emergency measures taken after the simulations of the transmission system were reflected in a high rate of success, to the extent that both speed and transparency requirements were met.

The TSE produced high quality training materials and developed programmes not only for electoral staff but also the police, the armed forces and investigators of electoral offences, as well as civil society organisations and voter education staff. However this well-established plan struggled under the pressure of the extra tasks brought about by preparations for the results transmission system, resulting in last-minute changes to training which at times limited its effectiveness for lack of time and attendance.

### **Voter Registration**

The right to vote in Honduran legislation complies with the principles of universal suffrage, with the exception of the suspension of voting rights for citizens charged but not yet tried for felonies. In any case, there is no provision to enable voting for those detainees who retain the right to vote.

Based on the Civil Register and jointly managed by the Registro Nacional de Personas (Civil Registry, RNP) and the TSE, the Voter Register is significantly flawed, constituting a weakness in the electoral framework. No systematic attempt has been made to clean the register and it is widely acknowledged that some 30% of entries relate to people who have emigrated or died, while in other cases small numbers of living citizens have found themselves removed as 'deceased', or on another occasions have discovered that they have been subject to an unrequested change of residence. While these instances are clearly due to administrative flaws, allegations of fraudulent change of registered residence persisted throughout the electoral period and EU EOM observers recorded credible accusations, invariably involving the National Party and the Liberal Party. The TSE's regulation stipulating documentary requirements for changing residence had limited impact, given that these could be provided by the same municipal authorities most likely benefit from changes of voters' residence. Public perception of the unreliability of the civil register and provision of identity cards has engendered practices such as multiple applications, which, when undetected by administrative systems, further damage the register's credibility.

This year, the Registro Nacional de Personas (RNP, Civil Registry) has sought to depoliticise its processes for applications for and distribution of national identity cards. In this respect the mobile brigades which received applications for identity cards and later distributed them constitute a significant improvement, although EU EOM observers rarely witnessed significant numbers of deliveries, noting that better publicity and longer distribution hours at voting centres would have been useful. Although it is unlikely that political parties were entirely removed from the distribution process, the brigades established a clear step in the right direction.

### **Campaign environment**

The EU EOM found that candidates from all parties exercised their rights to freedom of assembly, expression and movement throughout the campaign, without any greater security problems than those experienced by citizens in day-to-day life. Nevertheless, the EU EOM recorded cases of intimidation or violence against candidates in 12 departments. In nine cases the reported subject of threats or violence were candidates for Libre; six cases concerned the Anti-Corruption Party (PAC), three concerned Faper, and two cases affected the Patriotic Alliance (APH), National Party (PNH) and Liberal Party (PL), and one case each affected Democratic Unification (UD), the Christian Democracy (DC), and PINU. However, since the victims of these incidents did not report them and the authorities did not carry out timely investigations, it has not been possible to determine if the attacks were carried out for political reasons.

The election campaign lasts 90 days, and entails costs which are excessive in a country with the pressing needs of Honduras. The fact that the law does not establish a ceiling on spending creates a tendency not only towards excess but also generates inequality between the resources available to political parties. The EU EOM obtained random samples of campaign materials in the streets throughout the country which illustrate this imbalance. On 2 November, 64% of posters belonged to the PN, 15% to Libre, 9% to UD, 5% to PL, and 4% to each of DC and PAC, while other parties had an almost insignificant presence. Two weeks later on 16 November, the imbalance was reduced but was still clear: PN, 47%; PL, 20%; Libre, 11%; UD and DC, 8% each, while the remaining parties did not have more than 2% of the presence.

The use of public resources by parties in power - prohibited by article 142 of the Election Law – exacerbated the imbalance. The EU EOM observed this practice in 14 departments, in all cases to the benefit of the National Party, except for those cases in Choluteca and Cortés, where the Liberal Party also benefitted.

### **Campaign funding**

According to the last report issued by the Institute for Access to Public Information (IAIP) before the elections, none of the parties fully complied with their obligation to submit information on their campaign funding, as required by the Election Law as well as the Law on Transparency and Access to Public Information. The laws stipulate sanctions but neither the TSE nor the IAIP had imposed any before the elections, with the result that imbalances went unchecked during the campaign period.

The opacity of political parties' accounts not only highlighted a climate of disregard for the law and damaging the credibility of both institutions and political parties, but in addition fuelled public's view that drugs traffickers and organised criminals are able to put candidates forward and shape their decisions once elected – a perception which even representatives of State institutions have expressed in public.

The EU EOM suggests to political parties that, for future elections, they promote legal reforms to enable limiting campaign spending, both by limiting the duration of campaign periods and by imposing a ceiling on spending, and to establish mechanisms to audit spending and sanction those who breach the rules.

## Media

The media gave ample coverage to the election campaign and all candidates were able to present their programmes and opinions across a variety of formats. However, the results of EU EOM media monitoring between 17 October and 17 November revealed that the National Party and Liberal Party obtained much greater visibility than other parties in the monitored media. This finding was particularly clear with regard to paid advertising, of which 46% was for the National Party on television and radio, and 42% in the written press, followed at some distance by the Liberal Party which had 17% and 36% respectively in these media, and Libre which had 26% and 9%. In addition, constant State advertising across all monitored media, often touching upon campaign themes, could have indirectly benefitted the party of the outgoing president.

Public media granted free airtime for electoral propaganda to all parties and some private media followed suit, contributing to the space for pluralism. However, the distribution of this airtime reflected the political affiliations or economic interests of the media owners, whose political links were already reflected in their companies' editorial lines. In some cases, journalists and media owners were also candidates and benefitted from further advantage. For as much as these practices are common-place in Honduras, they raise serious conflicts of interests.

With regard to the respect of campaign regulations, the TSE considered only very few of the complaints submitted by political parties, contributing to a climate of mistrust in the independence of the electoral authority. There were also a number of violations rules of the period of campaign silence.

In 2012, Honduras registered the highest incidence of homicides in the world and many media workers are among the victims of violence. The high rates of attacks and death threats against journalists and social commentators and the serious pressures these professionals work under is a cause of concern. Nonetheless, it is rarely possible to determine the cause of attacks on journalists, given the systematic lack of investigation and resulting impunity, which explains why even the most credible human rights organisations often carry different figures for attacks on journalists.

The EU EOM noted an absence of critical and investigative journalism, and also noted that self-censorship is common practice. Many communicators opt for anonymity: the vast majority of articles on political subjects are signed only with initials, or not at all.

The widespread practice of 'machaca' (bribery) exacerbates the insecurity of Honduran journalists, turning them into hostages of whomever has paid. It is common for journalists themselves to demand payment for covering or ignoring news stories or to turn to extortion to increase their income. A code of ethics with higher standards would increase respect for the profession and help reduce journalists' vulnerability. Equally, the pursuit of those who attack journalists would improve the conditions in which they work and help re-establish a climate of trust between professionals in the sector.

### **Women's participation**

Honduras has ratified the Convention for the Elimination of all Forms of Discrimination Against Women, and its national law prohibits discrimination on the grounds of gender. The Election Law was reformed in 2012 to increase the minimum quota of women in directly-elected positions from 30% to 40% for the 2013 elections, and then to 50% for future elections. The quota applies as much to political parties which hold primary elections as it does to those who do not have to, since they have only one internal current. However, the outcome of primary elections, which use open lists, may easily result in a final candidate list which does not include at least 40% women. In these elections, women made up 40.4 % of candidates for National Congress, and just 20.8% of all candidates for mayoralties. Women's presence in candidate lists varied between parties: PINU put forward the greatest number of women for National Congress (47%) and as mayors (32%), while of Libre's candidates for National Congress, just 30% were women and of the Liberal Party's candidates for mayor, women made up just 7.4%.

### **Indigenous and Afro-Honduran ethnic groups**

Honduras has ratified Convention 169 concerning Indigenous and Tribal Peoples in independent countries, and the Constitution reflects the international principles of self-determination of peoples, recognising the rights of indigenous and Afro-Honduran communities.

For these elections, the TSE did not carry out any voter education campaigns or publish election documents in native languages, despite the fact that some groups such as the Misquitos, the Tawahkas and Afro-Hondurans have maintained their own languages. Although it is not possible to register political parties which are only present at regional or local level, the Election Law does provide for independent candidates in general elections. However, no indigenous or Afro-Honduran candidate relied on this provision, instead participating within existing party structures.

### **Election Observation**

The TSE's commitment to transparency was illustrated in its approach to election observation: the regulation issued on this element of the process fully complies with international declarations of principles for national and international observation, granting all accredited bodies with full access to the relevant activities and locations, while committing observers to impartiality and non-interference. The regulation's introduction of the category of international 'acompañantes' further expanded the range of groups able to observe, since it provided a clear mechanism for accreditation of groups invited by Honduran organisations and political parties. All categories of observers have the same rights and responsibilities.

Honduran civil society has shown itself to vibrant, diverse and committed to engaging with the electoral process. The TSE accredited over 20 Honduran election observation missions, many of which were consortia of numerous civil society organisations. The 2013 elections are the most observed in Honduran history, with some 15,000 Hondurans observing the process.

### **Complaints and appeals**

The Election Law provides for the annulment of elections and the declaration of results but does not give any procedural detail on how to submit a complaint on election day. The TSE took a passive approach both to complaints it received during the campaign period -some of which were submitted in September and have still not been resolved - as well as in its power to sanction infractions on its own initiative. Taking a positive measure, the Public Prosecutor's Office opened the Unidad de Delitos Electorales (Electoral Offences Unit, UDE), for a four-month period. The UDE received 33 complaints for alleged threats, fraudulent changes of residence and falsification of public documents. All of these are under investigation.

### **Polling, counting and transmission of results**

Election Day unfolded in a calm and well-ordered atmosphere: despite logistical concerns at various stages of preparations, it was clear throughout the day that overall, the TSE had succeeded in preparing the materials, locations and systems for a smooth voting process.

Both at opening and throughout the course of the day, polling stations were staffed by a wide representation of political parties. The National Party, Libre and Liberal Party were present in almost all polling stations observed (99%, 99.5% and 97% respectively), followed by the Christian Democracy Party (78%), UD (70%), PAC (66%), PINU (62%), Faper (61%) and finally the Patriotic Alliance (55%). EU EOM observers reported a large number of cases in which it appeared that accreditations had been traded, as polling staff purportedly representing UD, DC and Faper in particular did not know the name of their party, their candidates, or alternatively they simply stated they were representing the National Party or had been trained by them. However, both because of the balancing presence of other parties and in view of the general respect of procedures and principles, these trends did not have any impact on voting or counting processes in the polling stations observed by the EU EOM.

Honduran election observers were present in 42% of the polling stations visited by the EUEOM, with the most strongly-represented missions being from the CONADEH, followed by Hagamos Democracia, CARITAS and CESPAD.

During the course of Election Day, EUEOM observers evaluated the overall conduct and transparency of voting processes as good or very good in 92% of polling stations where they observed. Custodios were present in 92% of the voting centres attended and EUEOM observers considered that Custodios carried out their role well or very well in 75% of cases (and badly in just 5% of cases).

Although space did not always allow for members of the public to be inside the polling station during counting, the public nature of the process was respected, with people able to watch through open doors and windows. Having observed the counting processes, including attribution of votes to candidates and completion of results forms, EU EOM considered the recorded results always reflected the will of the voters in the polling stations they attended.

The rate of invalid votes in the presidential election was 1.91% on average in the polling stations observed by the EU EOM, and 4.8% in the elections for National Congress, highlighting the



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greater difficulty voters experienced with the open list ballots and indicating that better voter information would have been useful.

Results forms were successfully scanned and transmitted in accordance with the SIEDE system in almost all polling stations attended by the EU EOM: presidential and National Congress results were transmitted in 89% and 81% of cases respectively. Where transmission did not succeed, it was for technical reasons of hardware, network coverage and a log-in difficulties. In 90% of cases, results forms were printed and given to all political parties present, with the exceptions being due to lack of ink or paper.

On election night, the TSE communicated clearly to the public and political parties alike, announcing presidential results as they arrived and publishing them online. When some 20% of results forms did not comply with the minimum standards previously agreed with political parties, the TSE convened a meeting with the Consejo Consultivo to explain, discuss and seek political parties' opinions on how to proceed.

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*The European Union Election Observation Mission (EU EOM) has been present in Honduras since 3 October 2013, following an invitation from the Government of the Republic of Honduras. The Mission is led by Chief Observer, Ulrike Lunacek, Member of the European Parliament, from Austria. In total, the EU EOM deployed 99 observers from 26 EU Member States and Norway across the country to assess the whole electoral process in accordance with international and regional commitments for elections, as well as the laws of Honduras. A delegation of members of the European Parliament, headed by Pilar Ayuso MEP, also joined the mission and fully endorses this Statement. The EU EOM is independent in its findings and conclusions and adheres to the Declaration of Principles for International Election Observation signed at the United Nations in October 2005. On Election day, observers visited 449 polling stations in all 18 departments of Honduras to observe voting and counting. The EU EOM will remain in-country to observe post-election developments and the tabulation of results and will publish a final report, containing detailed recommendations, within two months of the conclusion of the electoral process. The EU EOM wishes to express its appreciation to the citizens of Honduras, to the Government of the Republic, to the Tribunal Supremo Electoral, to the political parties and civil society organisations for their cooperation and assistance in the course of the observation. The EU EOM is also grateful to the Delegation of the European Union to Honduras and the European Union member states' diplomatic missions resident in the country for their support throughout.*

An electronic version of this Preliminary Statement is available on the Mission website [www.eueom-honduras.eu](http://www.eueom-honduras.eu) and at [www.facebook.com/MOEUE.Honduras.2013](https://www.facebook.com/MOEUE.Honduras.2013)

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