



## FINAL REPORT

December 2015

# EUROPEAN UNION ELECTION FOLLOW-UP MISSION TO HONDURAS

*This report was produced by the European Union Election Follow-up Mission to Honduras and presents the Mission's findings during the period of 22 November to 17 December 2015.*

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## ANNEXES

## ACRONYMS

AFIS	Automated Fingerprint Identification System
CAE	<i>Comisión de Asuntos Electorales</i> - Electoral Affairs Commission (National Congress)
CCE	<i>Consejo Consultivo Electoral</i> - Electoral Advisory Council
CICR	<i>Centro Integral Civil de Registro</i> -Comprehensive Center of the Civil Registry
CNA	<i>Consejo Nacional Anti-Corrupción</i> - National Anti-Corruption Council
CNE	<i>Censo Nacional Electoral</i> - National Electoral Census or Electoral Register
CONADEH	<i>Comisionado Nacional de los Derechos Humanos</i> - National Human Rights Commission
DC	<i>Partido Demócrata Cristiano</i> - Christian Democratic Party
EEAS	European External Action Service
e-Voting	Electronic Voting
EU	European Union
EU EOM	European Union Election Observation Mission European Union Election Follow-Up Mission
EU EFM	Gender Equity Commission
GEC	<i>Instituto Nacional de la Mujer</i> - National Institute for Women Inter-American Development
INAM	Bank National Identity Cards
IDB	<i>Instituto Nacional de Estadística</i> - National Statistics of Statistics Lesbian, Gay, Bi-sexual,
ID card	Transgender and Intersexual <i>Partido Libertad y Refundación</i> - Freedom and Re-foundation
INE	Party <i>Partido Liberal de Honduras</i> -Liberal Party of Honduras National Congress
LGBTI	National Census of Population and Housing
LIBRE	National Democratic Institute
LPH	Non-Governmental Organization
NC	Netherlands Institute for Multiparty Democracy
NCPH	<i>Partido Nacional de Honduras</i> - National Party of Honduras
NDI	Organization of American States
NGO	<i>Partido Anti-Corrupción</i> - Anti-Corruption Party
NIMD	<i>Participación Ciudadana y Democracia en Honduras</i> - Citizen Participation and
NPH	Democracy in Honduras
OAS	<i>Partido Innovación y Unidad</i> - Innovation and Unity Party Polling Station Person with
PAC	Disability
PACIDEMH	<i>Registro Nacional de las Personas</i> - National Registry of Persons
PINU	<i>Sistema Integrado de Escrutinio y Divulgación Electoral</i> - Integrated System of Scrutiny
PS	and Election Information or Integrated Counting and Publication of Results System <i>Partido</i>
PWD	<i>Unificación Democrática</i> - Democratic Union Party United Nations
RNP	United Nations Development Program Voters' List
SIEDE	<i>Tribunales Electorales Departamentales</i> - Departmental Electoral Tribunals <i>Tribunales</i>
UD	<i>Electtorales Municipales</i> - Municipal Electoral Tribunals <i>Tribunal Nacional de Elecciones</i> -
UN	National Electoral Tribunal <i>Tribunal Supremo Electoral</i> - Supreme Electoral Tribunal
UNDP	
VL	
TED	
TEM	
TNE	
TSE	

## 1. Executive Summary

- The European Union (EU) deployed an Election Follow-up Mission (EFM) to Honduras from 22 November 2015 to 17 December 2015, headed by Ulrike Lunacek, Member of European Parliament (MEP) and former Chief Observer of the EU Election Observation Mission (EOM) 2013, and composed of three experts deployed to Honduras on 23 November 2015, joined by European External Action Service (EEAS) staff from EU headquarters and EU Delegation. The EU EFM organized a roundtable in Tegucigalpa on 4 December 2015 to share its preliminary findings and recommendations with key national and international stakeholders.
- The Mission had the overall objective to contribute to the consolidation of democracy and to support institution building and transparency in Honduras in the context of the implementation of the 2013 EU Election Observation Mission (EOM) recommendations. Also, the EFM had as specific objectives the assessment on the progress made in electoral reforms since the delivery of the Final Report of the 2013 EU EOM and, in view of future elections, to advise on potential EU actions regarding the implementation of the recommendations and the overall improvement of the electoral framework.
- Overall, the Mission found that the progress in terms of follow up to the EU EOM recommendations was very limited. Different initiatives and ongoing debate had not sufficiently translated into real implementation in key areas such as reform of the Supreme Electoral Tribunal (TSE) and the National Registry of Persons (RNP) and increased transparency in funding of political parties and campaigns. Such lack of advancement is in contradiction with the expectations raised in the country since 2013 by the new multi-party environment in Congress. Progress on promoting further gender equality and improved rights for certain vulnerable groups was however encouraging, but would need political backing to be implemented.
- Although this overall inaction might have been the result of a lack of political will and/or of experience to enter the political game with conducive proposals able to gather consensus, most probably it was the consequence of a deadlock in the dialogue among political parties deriving from the government initiative to bring the presidential reelection issue back to the table.
- However, despite the overall inaction during these last two years, the EFM considers that there are spaces, and time, to explore and advance with new regulations and reforms, possibly even those demanding new legislation or constitutional reforms.
- The presence of the Mission in the country, its public emphasis on the areas where consensus is possible or already exists and its call for swift actions was consistent with the significant efforts of the EU Delegation to support and promote reforms. Such endeavor seemed to have revived the political debate and increased hopes that changes can be achieved during the two years leading to a new electoral process.
- There are several areas where consensus seems to exist and reforms are possible in time for the 2017 general elections. These include 1) initiatives to make more transparent the financing of political parties and electoral campaign, including new regulations and legislation as well as voluntary steps by political parties to publish funding sources and control mechanisms; 2) the depoliticization (*ciudadanización*) of the polling station staff; 3) improved gender parity and strengthened political rights and opportunities for certain vulnerable groups, and 4) the purge of the electoral and civil registers, while advancing separated from the electoral cycle with a wider reform of the National Registry of Persons, including the issuing of a new identity card.
- However, recent scandals of corruption involving the main political parties, the new political composition of Congress in which no party has a qualified majority, the seeming reluctance of most political parties to engage in serious negotiations and/or in a “give-and-take” approach on changes

to the electoral process, and the absence of clear rules on the sensitive issue of the presidential reelection, makes the political climate in the country far from ideal for the promotion of changes and, ultimately, might hamper the current efforts to advance with electoral reforms.

- The Electoral Affairs Commission of Congress is examining new bills introduced by the government and one Democratic Union Party (UD) congressman to improve the regulations and controls on financing of political parties and electoral campaigns. The issue was also the subject of proposals presented by the Anti-corruption Party (PAC) and the Freedom and Re-foundation Party (LIBRE). The TSE is working on an accompanying regulatory initiative on political activities financing, electoral campaign and advertising. The need for a new law is supported by all political parties and has good chances of approval before the 2017 general elections. It is indispensable, however, that its implementation and enforcement of sanctions be audited and followed by independent civil society organs and/or international organizations.
- The 2013 EU EOM recommended the depoliticization of the Supreme Electoral Tribunal, which is composed of three magistrates and one alternate. The magistrates' political representation does not reflect the new seven-party structure of Congress, and two of the four most voted parties have no representation in the TSE. The depoliticization or enlargement of the TSE's political representation would require legislative reform with qualified majority, unlikely in the near future. A voluntary mechanism to involve the unrepresented political parties in the activities of the TSE, through its Advisory Council, among other instruments or rotation methods, would bring more trust and inclusiveness to the electoral administration and correct the current political disproportion and incongruity.
- The replacement of political parties' representatives with selected citizens as staff at the polling station level -known as "*ciudadanización*" in Spanish, or citizen- management of electoral polling stations- has appealed to the TSE and most political parties. The possible implementation of this reform in the next general elections might be a first step towards what might become a gradual and vertical depoliticization of the election management body in the long run.
- Since the National Registry of Persons (RNP) established the current identification system in 1996, based on a centralised biometric civil register, 5,979,012 persons over 18 years of age requested an identity card. During the same period, the RNP produced 11,771,912 cards, the difference of 5,792,900 representing the issuing of duplicates. The 10-year validity of the cards has been extended every year since 2006. For over a decade, an estimated 650,000 citizens emigrated without being recorded by the authorities.
- The RNP data is sent to and used by the TSE to generate the voters' list, also known as National Electoral Census (CNE). The flaws in the RNP database are reflected in the voters' list and even heightened due to technical reasons. Currently, the CNE recognizes 147,184 deaths against 427,860 registered by the RNP. Consequently, three main categories of eligible voters remain incorrect in the CNE database, namely the unregistered migrants, the unreported deceased, and the deceased known by the RNP but technically not detected by the CNE.
- There is an ongoing debate, including within the RNP itself, regarding the project to issue new identity cards to Hondurans. While its director is publicly against a fully- fledged modernization project and in favor of a purge only, claiming it is an unnecessary cost for a country that fights high levels of extreme poverty, others consider an urgent priority to develop a new database, issue new identity cards and acquire new presses to avoid a shut-down of the system. The modernization of the RNP, however, should not be linked to the electoral process. Delays in the new identity card project or purging the RNP database should not be a reason to deter CNE efforts to have a cleaner and debugged voters' list ready for the 2017 general elections.
- A gender equality horizontal group of women in Congress and the National Institute for Women

(INAM) have jointly contributed intensively to advance regulations that will establish, for the first time since the ratification of the law on gender equality in 2012, a parity and alternation system. The TSE is to release these regulations in the first two months of 2016. Although the desired ultimate objective remains the use of closed-lists at the general elections, the regulations proposed, when implemented, would represent a significant step forward towards gender equality. However, unless an agreement on the use of closed-lists during the general elections can be achieved, the process will neither guarantee full parity of gender for those political parties that also participated in the primaries, nor full parity in the results of the elected posts.

- Responding to the recommendations of the 2013 EU EOM, the TSE is preparing innovative measures to enfranchise persons with disabilities as well as those in hospitals and in prison still enjoying their civil rights, aiming at a more inclusive participation in the electoral process. Additionally, the electoral body contemplates the production of electoral materials reflecting the language diversity of Honduras, taking into account the Indigenous and Afro-Descendants Communities. Nonetheless, there has been almost no progress towards a greater inclusion of the LGBTI community in the electoral process. The community faces social stigma and strong opposition, especially from religious groups, and is still seen by the political parties more as a “vote reservoir” during election time rather than as a community demanding its legitimate rights.
- The implementation of the electronic vote and counting technology emerged as a priority for some political parties during conversations with the EU EFM, although it was not a recommendation made by the 2013 EU EOM or other observation missions. The persistent lack of trust vis-à-vis and among political parties in the voting and counting processes and transmission of the preliminary results seemed to have been the motivation to propose this technology. The TSE is examining the implications of introducing such system and will probably consider a pilot-project for the next general elections. While the EFM supports the idea of piloting, it warns however that technical solutions *per se* are no guarantee for creating more trust.
- A 2013 law allows the exchange of taxes arrears or any other payments and financial amounts due to the State by media outlets in return for government advertising. In this context, the government stands to benefit from a more favorable position in terms of advertising in the media, as compared to other political actors. The EFM calls on Congress to revise this law and establish a more leveled playing field, in line with freedom of press, freedom of expression and right to pluralist information.
- The EU EFM had wide access to information both from all main stakeholders, including the National Congress, the executive, political parties, TSE and the RNP as well as civil society representatives.

## **Main Recommendations and Priority Areas for Immediate action**

The EFM considers that the recommendations made by the 2013 EU EOM are still valid. After its meetings and roundtable with the main stakeholders, the Mission identified several priority areas where actions could be taken immediately and are singled out below. A full list of recommendations can be found at the end of this report under section *Recommendations*:

1. The TSE, the RNP and the political parties should explore mechanisms to guarantee the equal and balanced presence of all political parties represented in Congress in the electoral management bodies on a permanent or rotation basis, starting with arrangements not requiring legislative modifications until conditions exist to carry out a fully-fledged legislative or Constitutional reform.
2. Pursue efforts towards the “*ciudadanización*” of the polling station staff. Further dialogue among

political parties and stakeholders should be encouraged to offer a gradual replacement of the current system, under monitoring of the political parties, to allow their adaptation to a new system along with initiatives to bolster confidence in the electoral management bodies. The way “*ciudadanización*” has been implemented and is working in the Dominican Republic, among several other countries, provides a good example; the Dominican experience has been witnessed locally by representatives of almost all Honduran political parties.<sup>1</sup>

3. Starting with voluntary actions by political parties to promote financial transparency (e.g. publication of their sources of financing and financial accounting on their websites), expedite work on new regulations for the financing of political parties and electoral campaigns. The EFM considers that an initial step could be sharing of the common elements (see in detail table in section 4.1) among all proposals formulated by the executive, members of Congress, political parties and the TSE, through the facilitation of the EU Delegation, together with other international actors, of a meeting with all stakeholders to follow-up the round table held at the end of the EFM. Involve the international community and civil society organizations in developing permanent capacities and mechanism of indexing and auditing the financing of political parties and campaigns.
4. Draft and adopt as soon as possible the regulations of the law on gender equality to ensure an effective parity and alternation system and in order for the political parties to review, if necessary, their internal policy on gender.
5. Guarantee a more inclusive election process for vulnerable and special groups like citizens with disabilities, persons hospitalized and in prison, afro-descendants, indigenous people and LGBTI community members.
6. Conduct an early audit of the National Electoral Census (CNE) and RNP databases.
7. Through consensual administrative work and with the necessary guarantees of monitoring and transparency, the CNE and the RNP should:
  - a) Purge the deceased still in the CNE voters’ list;
  - b) Update the voters’ list by re-registering those eligible voters that did not exercise their franchise (passive census) in previous elections, and
  - c) Establish legal procedures and operational requirements to process the issuing of residence certificates and acceptance of address changes.

## 2. Introduction

### 2.1 Background

The European Union (EU) deployed an Election Observation Mission (EOM) to observe the general elections held in November 2013 in Honduras. The EU EOM stressed in its final report that the Honduran legislation generally allowed for the holding of democratic elections but that the Law on Elections and Political Organizations required an expansion of its procedural matters since it did not properly regulated important elements such as party financing or sources, and limits on campaign funding. The EU EOM also made several recommendations to reform some aspects of the electoral law in order to improve the election administration, including its depoliticization. It also recommended a modernization of the National Registry of Persons (RNP) and more inclusiveness to benefit persons with disabilities and other minorities.

The European Union and its Member States are the main donors in Honduras. PACIDEMH (Support Measures for Institutional Development and Public Management), one of the EU cooperation programs being developed,

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<sup>1</sup> LIBRE was the only party that did not participated in the visit to the Dominican Republic organized by UNDP.

supports citizen participation and democracy in the country targeting the RNP, the TSE, civil society organizations and political parties.

## 2.2 Mission Objectives

The Mission had the overall objective to contribute to the consolidation of democracy and to support institution building and transparency in Honduras in the context of the implementation of the 2013 EU EOM recommendations. Moreover, the EFM had as specific objectives the assessment of the progress made in electoral reforms since the delivery of the Final Report of the 2013 EOM and, in view of future elections, to advise on potential EU actions regarding the implementation of the recommendations and the overall improvement of the electoral framework.

## 3. Political Context

Hondurans went to the polls in 2013 to elect a new president, the 128 members of Congress and municipal authorities, in addition to 20 members of the Central American Parliament. For the first time, the composition of Congress<sup>2</sup> showed a multi-party distribution of forces that seemed to end the two-party system prevailing in Honduran political history. However, the current overall executive, judicial and electoral-administrative structure of the country still reflects the two-party system with most officials belonging or inclined to the National and Liberal parties.

There were no concrete actions in the last two years to change TSE regulations or reform the Electoral and Political Parties Law or the Constitution to respond to the recommendations made by the EU EOM or by other election observation missions. Initiatives to strengthen the controls over financing of political parties and electoral campaigns did not advance in Congress; the recommended depoliticization of the electoral administration contracted to a discussion on the replacement of political parties' representatives by citizens (*ciudadanización*) at its lowest level of polling stations; the RNP is on the verge of a shutdown, operating with old technology and worn-out machines, and the efforts to modernize it or, at least, to cleanse and updating it (which would mean a cleaner and more trustable electoral register) are still facing the distrust of the political parties and internal conflicts of opinion.

Although this overall inaction might have been the result of a lack of political will and/or of experience to enter the political game with conducive proposals able to gather a consensus, most probably it was the consequence of a deadlock in the dialogue among political parties deriving from the government initiative to bring the presidential reelection issue back to the table. Despite the inaction since the 2013 elections, there are spaces, and time, to explore and go forward with new regulations and reforms, even those demanding new legislation or constitutional reforms. The presence of the Mission in the country helped to revive the political debate and hopes for electoral reforms before 2017. This was due to the emphasis the EFM laid on the areas where consensus is possible or already exists (for example, there seems to be wide agreement among political parties and other stakeholders on the need for a new law regulating the financing of political parties and electoral campaigns) and action needed in time before the 2017 elections.

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<sup>2</sup> National Party (PN), 48 members; Freedom and Re-foundation Party (LIBRE), 37 (6 members left the party afterwards); Liberal Party (PL) 27; Anti-Corruption Party (PAC), 13; and 1 seat each for the Christian Democratic Party (UDC), Democratic Union (UD) and the Social-Democrat Innovation Party (PINU).



#### **4. Legal Framework**

The existing legislation offers an adequate basis for holding democratic elections although the electoral law itself is weak in detailing procedures in general and lacks enforceable regulations on subjects like financing of political parties and electoral campaigns and the decision-making process at departmental, municipal and polling station levels. Elections are regulated by the 1982 Constitution, the Law on Elections and Political Organizations, passed in 2004, and the Law on the Civil Registry. The Supreme Electoral Tribunal (TSE) was created in 2004 replacing the National Electoral Tribunal (TNE). The TSE is empowered by law to issue regulations, instructions and resolutions, sign agreements and rule on acts that constitute violations of the electoral law.

The electoral law was designed and implemented under a two-party system dominated by two traditional parties. Despite the new distribution of political forces, the same two parties continue to have predominance in the administration of elections. These political parties are in fact the

electoral institution of the State and are represented at all levels of decision-making of the electoral structure, including the TSE and the RNP. They are also responsible for establishing and changing most of the election’s rules. Therefore, despite being independent organs, the two bodies of election administration are limited, in their attempts to change the rules, to the party orientation of each of its magistrates or directors. In 2012, the TSE submitted a draft Law on Political and Electoral Participation reflecting many contributions and suggestions from several sectors of the civil society and international organizations to reform and introduce new regulations to the electoral process, the electoral administration and the financing of political parties and campaigns. Congress, however, did not take action on the proposal.

#### 4.1 Financing of Political Parties and Electoral Campaign

After meeting all major stakeholders involved directly or indirectly in the reforms of the electoral process, it became clear to the EU EFM that among the few areas where a consensus existed was on the need to enhance regulations on the financing of political parties and electoral campaigns. All political parties seem to be in agreement on imposing limits to their financing, public or private, on the identification of financial sources and on the introduction of mechanisms of auditing and clear accounting rules and sanctions. Currently, five proposals submitted by the executive, one member of Congress<sup>3</sup>, two political parties and the TSE<sup>4</sup> reflect such consensus and even go beyond in their scope to include equal access to the media for all political parties and the creation of offices of financial control.

Financial assets of the political parties are structured according to State public contributions, and the so-called “*deuda política*” or public contributions proportional to votes obtained, besides endowments, subsidies, donations, inheritances and other legal income. The proposals all share the same concept and objective of strengthening the controls over such sources of income and to establish limits on the expenses during electoral process to achieve a more leveled playing field. The differences among the proposals are basically on the procedures to achieve such objectives; they coincide on the creation of special monitoring and control offices but contemplate different structures in their composition and membership. The table below highlights the similarities among the main points of the proposals:

KEY POINTS ON FINANCING OF POLITICAL PARTIES AND ELECTORAL CAMPAIGNS				
EXECUTIVE (Bill on Transparency and Control of Financing and Political-Electoral Assets)	LIBRE (Constitutional Reform and Decree)	PAC (Electoral Proposal)	TSE (Proposal on Regulation for Transparency and Accounting of Political Parties and Other Political Organizations))	UD (Bill on Financing of Political Parties and Electoral Processes)

<sup>3</sup> Edwin Pavón, Democratic Union Party (UD).

<sup>4</sup> The proposal on Political Activities, Campaign and Electoral Publicity is being developed with the support of PNUD.

- Establishment of Office of Financial Control (OFC), directed by High Commissioner appointed by the National Anti-Corruption Council.
- Transparency website (TSE): balances and auditing.
- Transparency on balances and democratization of the electoral financing.
- Public financing to all political parties legally constituted.
- Recalculation of the "deuda politica."
- Reform limits and controls on private financing free from external economic influence.
- Limits on financial contributions;
- Sanctions.
- Fund for Political and electoral Training; gender parity and inclusion of youth.
- Contributions over 25 minimum wages informed to OFC within 15 days.
- Accounting system for an efficient control of financial transactions, delivered to TSE and audited; publication on the TSE website.
- Prohibition of funds from any illegal activity or from NGOs operating international funds; proscription of benefits to electoral campaign as consequence of public works.
- Candidates must inform Party authorities on donations and contributions received.
- Publicity and add contracts through the TSE only, including campaign materials and infrastructure.
- Transparency website for businesses and individuals involved in advertising through the TSE.
- Sanctions to media owners who violate the electoral law regarding advertising; no institutional advertising during the primaries and general elections.
- Establishment of a Surveillance Group for Electoral Processes (GSPE) composed by political parties with more than 10 percent of votes and one representative for all other parties.
- Responsibilities of the GSPE: request sanctions against irregular financing and abuses in publicity of campaigns.
- All financial contributions to political parties and movements, and candidates must be reported to GSPE for public knowledge through electronic means. Sanction unreported contributions with suspension of candidacy.
- Equal access to State media. Media and advertising agencies must notify GSPE of any transactions for sake of transparency of each candidate's advertising resources.
- Establishment of a Department of Election Follow-up, the National Financial and Assets Control within the electoral administration to guarantee an effective and transparent financial activity by the political parties, movements, alliances and candidacies.
- Obligation of financial reports by the political parties and other organization and candidates involved in the electoral process.
- Sanctions on false information on reports.
- No mention of publication of reports on the TSE website.
- Establishment of a - Electoral Campaign and Advertising Monitoring and Follow-up Commission named by the TSE magistrates, non-permanent; report 20 days after the elections.
- Joint oversight by the TSE, the National Audit Office (EFM) Honduras, December 2015
- Tribunal de Cuentas Nacional
- CIHOR Society; political parties send financial report to TSE within three months of elections or financial calendar.
- Detailed report to TSE every six months on contributions, donations and other income.
- Publication of financial and contributions reports on the web site of each political institution; appeals by any person within 15 days of the publication.
- Parties name representative to TSE responsible for enforcement of legal requirements; financial resources for campaigns and electoral processes deposited on specific and single bank account;
- Creation of Party Fund for Democracy to finance political activities; 30 percent for training of women and inclusion of youth.
- Equal access to State media.

Source: Proposals presented by the Executive, LIBRE, PAC, TSE and UD

The proposals set requirements in line with best international practices. These practices also involve civil society organizations and the international community in the monitoring of relevant activities through the establishment of indexes of transparency and auditing. The Honduran political parties should not wait, however, for the passing of such reforms or laws to start providing such financial information to the public on a voluntary basis.

## 5. Election Administration

### 5.1 Election Administration at National Level

The two bodies most important to the electoral process, the Supreme Electoral Tribunal (*Tribunal Supremo Electoral* -TSE) and the National Registry of Persons (*Registro Nacional de las Personas* -RNP) were established by the 1982 Constitution.<sup>5</sup> The Constitution prescribes an autonomous and independent TSE with legal personality, composed of three magistrates and one alternate and elected by a two-thirds vote of the members of the National Congress. It prohibits the participation of magistrates, directly or indirectly, in any partisan activities. The Constitution also forbids the appointment to the TSE of popularly elected officials or political party officials.

In May 2009, Congress appointed the four magistrates from the ranks of political parties: two of the appointees were congressmen forced to resign on the day of their nomination (National Party and PINU) and the other two were members of the Liberal and Christian Democrats (DC)

<sup>5</sup> Articles 51-54.

parties. Considering these appointments, the 2013 EU EOM recommended that the “TSE would benefit from being depoliticised with appointments made according to legally established criteria of neutrality and technical expertise.” The same recommendation was made by of observers of the Organization of American States (OAS).

Immediately after the 2013 elections, though, and before the newly elected National Congress was sworn-in, the new TSE magistrates were elected, two of them re-elected. The election should have been held in May 2014 in the new Congress following consolidated practice of past similar *ad-hoc* processes. Therefore, the political structure of the TSE remained the same despite the changes among political forces represented in the Congress. The second and fourth main political parties in the 2014-2018 Congress, the Freedom and Re-foundation Party (LIBRE) and the Anti-Corruption Party (PAC), remain to date excluded<sup>6</sup> of TSE activities run by the National Party (PN), Liberal Party (PL), Christian Democracy (DC) and the Union for Democracy (UD). The Innovation and Unity Party (PINU) was also excluded from the TSE administration. In early 2015, Congress rejected a petition from LIBRE to extend representation in the electoral institutions to all political parties.<sup>7</sup>

The same TSE political structure is replicated in the RNP, where LIBRE and PAC have no representation despite being among the most voted parties. In November 2015, the RNP Secretary General was named Secretary General of the National Party while maintaining his position in the RNP administration.<sup>8</sup> The politicized character of the RNP spreads over its divisions and departments which are controlled by the National and Liberal parties.

Recent surveys showed a significant lack of trust in the electoral institutions of Honduras. Less than one-fourth of the population considers that the TSE is a credible institution.<sup>9</sup> According to another study, political parties are the institutions with the highest level of distrust (60.5 percent) followed by the TSE (56.9 percent) and the electoral process (54.5 percent).<sup>10</sup>

Notwithstanding the consultative role played by Electoral Advisory Council, or *Consejo Consultivo Electoral* (CCE), a TSE organ composed of representatives of all political parties and meeting only during an electoral process, most of the political parties and civil society organizations support changes in the composition of the electoral management body to reflect the new political composition of Congress.<sup>11</sup> The roundtable event organized by the EU EFM on 4 December 2015 highlighted the general support of stakeholders for a more inclusive TSE. However, any changes in the number of TSE magistrates need a constitutional reform, and to be effective for the 2017 elections such action should take place prior to 24 January 2016. According to the Constitution (Article 373), Congress can endorse constitutional reforms in ordinary sessions with a two-third of the vote. However, the amended Article(s) has to be ratified

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by the following legislature according to the same qualified majority procedures.

## 5.2 Election Administration at Departmental and Municipal Levels

The TSE is represented at the departmental and municipal levels by non-permanent organs, respectively the 18

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<sup>6</sup> <http://www.elheraldo.hn/alfrente/566424-209/eligen-magistrados-del-tse-y-directores-del-rnp>

<sup>7</sup> [www.laprensa.hn/honduras/796851-410/tribunal-supremo-electoral-v-rnp-mantiene-número-de-miembros-aprueba-el-cn](http://www.laprensa.hn/honduras/796851-410/tribunal-supremo-electoral-v-rnp-mantiene-número-de-miembros-aprueba-el-cn)

<sup>8</sup> <http://partidonacional.hn/fernando-anduray-es-nombrado-secretario-ejecutivo-de-la-comision-politica-del-pnh/>

<sup>9</sup> Report on confidence in Latin America, *La confianza en América Latina, 1995-2015* :

[www.lanacion.cl/noticias/site/artic/20151112/asocfile/20151112212434/la\\_confianza\\_1995\\_2015.pdf](http://www.lanacion.cl/noticias/site/artic/20151112/asocfile/20151112212434/la_confianza_1995_2015.pdf)

<sup>10</sup> September 2015, public opinion survey on citizen perceptions on democracy and governance (CESPAD) - *Encuesta de opinión pública Septiembre 2015 “Percepción Ciudadana sobre Democracia y Gobernabilidad”*: <http://cespad.org/sites/default/files/Encuesta%20presentacion%20version%20final.pdf>

<sup>11</sup> See the EU EFM Synopsis on stakeholders’ stand vis-à-vis the main electoral reforms.

Departmental Electoral Tribunals, or *Tribunales Electorales Departamentales* (TEDs) and 298 Municipal Electoral Tribunals, or *Tribunales Electorales Municipales* (TEMs). These decentralized organs operate only during the general election periods; TEDs operate two months before and 15 days after election day and TEMs 45 days before and 15 days after the election day.

Seeking to improve the functioning of the electoral administration, the TSE is working on new regulations, reportedly to be published in January or February 2016,<sup>12 13</sup> establishing mechanisms to select the members of the non-permanent electoral bodies at the departmental and municipal levels. The new mechanisms include an exam under the supervision of the TSE prior to the nomination and confirmation of candidates submitted by political parties.

### 5.3 “Ciudadanización ” of the Polling Stations’ Staff

Although the depoliticization process suggested by the EU EOM at the TSE level did not find echo among all political parties, a more receptive response greeted the proposal to depoliticize the staff of the polling stations. Some political parties, however, conditioned their acceptance of the “*ciudadanización*” of the polling stations to their representation at the highest level of the TSE, but in general expressed agreement with the management by citizens, not political representatives, of polling stations. The EU EOM did not include the “*ciudadanización*” of polling stations as part of its recommendations but the OAS discussed the issue when it suggested “considering a mechanism to field non political-affiliated polling station staff recruited under the supervision of the TSE.”

The TSE is pondering what sectors of society would be managing the polling stations and, tentatively, they might include university students, teachers, and church and civil society representatives. However, none of the current draft regulations being examined in coordination with the United Nations Development Program (UNDP) seems to address the replacement of the current system by a citizen management. It would first require an amendment of a series of Articles before the introduction of specific regulations.<sup>14</sup>

## 6. Voter Registration

The EU EOM suggested that a “modernized and permanently updated civil register would provide an essential foundation not only for electoral purposes, but also for the design and implementation of a wide range of public policies.” The OAS recommended the conduction of “an audit of the National Electoral Census (CNE) to identify precisely the aspects to be improved in order to take proper actions leading to the establishment of a clean voter list.”

Since the 2017 elections, there has been a wide consensus among the political parties and civil society organizations in Honduras concerning the shortcomings in the CNE, or the voters’ list, and the lack of measures taken by the RNP and the TSE to offer effective remedies. As a result, the recommendations formulated by the 2013 EU EOM on this matter remain a key priority on the agenda of the electoral reforms prior to the 2017 elections.

### 6.1 Institutional Background

With a history that started in 1880, the civil registry in Honduras entered its modern phase in 1984.<sup>15</sup> The new process relied on a centralized database under the responsibility of a centralized organ rather than spread over the municipalities as in the past.<sup>16</sup> The RNP was first dependent on the old National Electoral Tribunal (*Tribunal*

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<sup>12</sup> Legislatures in Honduras follow calendar years.

<sup>13</sup> *Propuesta de reglamento del funcionamiento de los organismos electorales no permanentes.*

<sup>14</sup> Articles 24-30 of the electoral law.

<sup>15</sup> Decree N°131-1982 of 11 January 1982 to amend the Constitution in order to include Article 54 creating the RNP.

<sup>16</sup> National Registry of Persons Law N°150-1982 of 17 November 1982 (*Ley del Registro Nacional de las Personas*):

*Nacional de Elecciones* -TNEj.<sup>17</sup> Under this coordination mechanism between the two entities, their activities became highly politicized in addition to suffering financial and structural constraints. These conditions paved the way for their separation in 2004 under a new legal framework and with the TNE becoming the TSE.<sup>18</sup>

The RNP is the government organ in charge of maintaining the civil register, providing national identity cards (IDs) to citizens turning 18 years of age and sending the information to the TSE which, in turn, produces the electoral register and the voters' list. By law, every Honduran citizen is required to carry an identity card, and is to be included in the voters' list when turning 18 years of age. Until the 2009 elections, the distribution of the ID cards was handled by the political parties, which led to an inefficient and untrustworthy system. In 2013, following an agreement among the parties, the RNP became the sole distributor of ID cards. The RNP is responsible for maintaining two databases, one for civil registration, the other for identification records, albeit limited to the population over 18 years old. The TSE is responsible for the database of eligible voters.

The TSE is also responsible for purging the electoral register of deceased persons, multiple entries, migrants, members of armed forces, State security officials and individuals who lost their civil rights. For this, the TSE depends on information provided by other branches of government, including the RNP. By law, the TSE prepares the national electoral census, which is based on the version used in the previous elections and updated with the information given by the RNP and other State institutions.<sup>19</sup> The lack of coordination between the institutions involved in the purge of the electoral census makes the cleaning of the voters' list a compelling challenge.

The 60-day display period of the voters' lists within six to four months prior to the elections allows citizens to complain and to request corrections. The TSE prints the provisional voters' lists and shares them with the RNP. The RNP, through its offices and mobile teams, becomes then responsible for the display period at municipal level. Once the process is completed, the RNP sends the information to the TSE. During the past elections, the framework for conducting this exercise revealed a significant flaw since citizens still requested changes of address after the end of the display period.

## 6.2 *Changes of Address*

Citizens are allowed to change their address status up to three and a half months before the primaries and general elections, assuming it is done in person. The EU EFM noted that eligible voters can change their residence address, possibly also the department where to vote, even when the display period is over, an action that goes against international best practices. Such actions affected negatively the credibility of the elections and, therefore, the representation in Congress. The Electoral Law ignores two main criteria that commonly regulate the change of address of an eligible voter: the establishment of a minimum period of residence to register, and the administrative requirements to prove the new address.

There seems to be additional malpractices and/or negligence in the implementation of the address changing procedures when a request to change address turns out to be a proxy act, which is against the law. To monitor the process regulating the change of addresses within the existing legal framework, the TSE plans to introduce a new regulation foreseeing the creation of a TSE- RNP inter-institutional commission, with the participation of the

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responsible for registering civil acts such as births, deaths, marriages, naturalizations, and adoptions.

<sup>17</sup> Currently, there are 298 RNP municipal offices with 291 using a computerized system and 74 with online connections to deal with 80 percent of the population, besides 13 auxiliary offices located in more remote places. An additional 20 offices are installed in a least each of the 18 departments of the country.

<sup>18</sup> National Registry of Persons Law N°62-2004 of 15 May 2004 followed the ratification decree N°154-2003 amending Article 54 of the Constitution to its current version with the RNP being *inter-alia* an autonomous institution.

<sup>19</sup> Article 48 of the Electoral Law.

National Human Rights Commission (CONADEH). This inter-institutional commission would monitor complaints arising from the update of voters' addresses. According to the RNP, an estimated 124,000 cases of address changes were carried out over the last four years.

### 6.3 *Passive Census*

Following the last three general elections (2005, 2009 and 2013), the TSE was able to record the names of those in the voters' list who did not exercise their franchise. This information was stored in the TSE database offering an *ad-hoc* passive and active electoral register, or national electoral census. In 2005 and 2013, 1,786,152 and 2,079,766 eligible voters, respectively, did not vote.<sup>20</sup> The current electoral law does not regulate the usage of this specific information stored in the electoral register. The significant number of Hondurans that emigrated in the last decade combined with the estimated 16 percent of deaths not recorded by the RNP could motivate the introduction of an amendment to the Electoral Law to make use of the passive census in benefit of updating or purging the electoral register.

### 6.4 *Identity Cards Background*

The current system of ID cards issuance started to be implemented in 1996. The process introduced the capture of biometric features (digital fingerprints, picture and signature), a highend technology at the time. The system is supported by an Automated Fingerprint Identification System (AFIS) to detect duplication of registries based on the cross-checking of fingerprints.<sup>21</sup> Until 2004, the system relied on the capture of two fingerprints only (a scan of the marks left on paper by inked fingerprints). From 2005 onward, the system started to use fingerprint pad devices to digitalize the applicants' ten fingerprints.<sup>22</sup> The scan system updated its procedures to also record ten fingerprints.

Since 1996, the RNP produced nearly 12,000,000 ID cards for an estimated 6,000,000 individuals. During the same period, the overall production of duplicates was estimated at 5,800,000. Duplicates are free of charge if requested prior to elections, which explains the peak in the issuing of ID cards in 2013. The number of ID cards issued by the RNP during the last four years was: 2011 (118,557), 2012 (123,308), 2013 (1,073,307) and 2014 (119,347) spread over equally between women and men.<sup>23</sup> Among ID cards' holders, 3,938,303 had their cards issued more than 10 years ago and 2,040,709 less than 10 years, which in general makes it difficult the photo recognition of their IDs. The ID cards indicate neither the holder's address nor the location where to vote and are valid for 10 years although there is no expiration date on the card. Since 2006, Congress has extended on a yearly basis the validity of the cards. A new extension was passed at the end of 2015. The TSE receives only election-related information from the RNP to prepare the electoral register, including the ID card number and picture of each eligible voter.

*6.5 Shortcomings in the Voters' Lists and Identity Cards* The emigration of a significant portion of the Honduran population, particularly to the United States, and the obstacles to systematically and efficiently recording the information of deceased persons represent two of the major factors influencing negatively the credibility of the RNP and CNE databases. Two additional shortcomings in the process reside, first, in the role of political parties in the distribution of ID cards until 2009 due to its impact on the issuing of duplicates and, second, in the misuse of the provision for eligible voters to change address.

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<sup>20</sup> Data for 2009 was not made available to the EFM.

<sup>21</sup> To date the AFIS license-software remains the property of the vendor preventing the RNP to have the ownership of the system. The RNP does not have records on the duplicates identified by the AFIS.

<sup>22</sup> The process of capturing 10 fingerprints rather than two is to prevent the malpractice of changing fingers and not be detectable by the AFIS.

<sup>23</sup> The numbers of ID cards for the 17 and 18 years of age groups are: 2011 (165,404), 2012 (342,331), 2013 (242,818) and 2014 (148,130).

Various sources refer to over a million of Hondurans living illegally abroad since before the 2013 elections. Some polls conducted in 2014 mentioned an estimated 550,000 immigrants born in Honduras and living in the United States. Assuming they were mostly adults with the possibility of holding a Honduran ID card prior to their emigration, one could consider that an estimated 650,000 individuals over 18 years of age have left the country since they were registered in the civil register.<sup>24</sup>

From a more technical point of view, the RNP and CNE suffer from substantial data inconsistencies. There are discrepancies in names' spelling, dates of birth and gender records.<sup>25</sup> An estimated 1,276,885 cases have been identified but not corrected. This figure includes migrants and deceased persons. Such discrepancies, however, do not prevent an eligible voter to vote. A second problem comes up when the death of a person has been duly reported to the RNP without reference to the identification number of the deceased person (absence or incorrect ID number).<sup>26</sup> In this situation, the CNE database does not accept the information. Such cases total 317,243 compared to an estimated 427,860 persons over 18 years of age deceased since 1996. Based on the 2013 National Census of Population and Housing, an estimated 16 percent of the deceased were made known to the RNP. In 2015, the RNP agreed with the Public Ministry to establish offices (*Centro Integral Civil de Registro - CICR*) in the morgues of Tegucigalpa and San Pedro Sula in order to facilitate the control of deaths and deal with cases of non-identified deceased persons.

According to a 2012 survey, the estimated 8.4 percent of the population not included in the voters' list represents a generational discrepancy rather than a geographical one.<sup>27</sup> The population over 65 was perceived as having less chances of being included in the voters' list. The estimated Institute of National Statistics (*Instituto Nacional de Estadística -INE*) figures from the 2013 National Census of Population and Housing (NCPH) indicated that 7.4 percent of the population without an ID card seemed to follow the same trend relatively uniform in all the departments, except in *Gracias a Dios*, where almost a fourth of the population reported not to own an ID card.<sup>28</sup>

The RNP and the TSE keep copies of their databases on hard drives at the Central Bank to serve as a backup. The RNP receives regular technical support from the UNDP. In 2015, a program was started with the aim of maintaining and upgrading RNP hardware and software, and to providing extra security measures to the systems. The project involves the establishment of an online connection with the electoral register's server located in the TSE before March 2016. It will end the current process whereby on a monthly basis the RNP sends updates to the TSE on a CD. The current equipment that produces the ID cards is still from the original project in 1996. It is thus technologically outdated and suffers from the disappearance of the companies that provided the equipment. Currently, just one of the two printing machines is in operation, thanks to local ingenuity in the production of spare parts and cannibalization, with a production of about 500 ID cards per hour.

#### 6.6 Groups of Populations in the RNP and CNE

The groups of populations included in the CNE, or the electoral register, is listed in the table below:

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<sup>24</sup> <http://iies-unah.org/woee/wp-content/uploads/noticias/migracion honduras.pdf>

<sup>25</sup> The issuing of a new ID cards does not require registrants to use the same spelling of their name.

<sup>26</sup> Since 2010, when a family declares the death of a relative, the RNP requests the identification number. However, the new procedures have not stopped the flaws in the process.



Civil Register (RNP)				
	Designation	Date	Total	Source
1	ID Card Requests (including duplicates)	1996-2015	11,771,912	RNP
2	ID Cards Issued	1996-2015	5,970,012	RNP
3	ID Cards Issued	1996-2005	3,938,303	RNP
4	ID Cards Issued	2006-2015	2,040,709	RNP
5	Declared Deceased Persons <sup>29</sup>	1996-2015	427,860	RNP
6	Civil Register	98,71% 2013	8,196,959 <sup>30</sup>	INE
7	Not in the Civil Register	1,29% 2013	106,812	INE
8	Civil Register Over 18 years	57,24% 2013	4,753,014	INE
9	People with ID Cards	92,59% 2013	4,400,812	INE
10	People without ID Cards	7,41% 2013	352,202	INE

<sup>27</sup> <https://www.ndi.org/files/Honduras-voter-registry-2013-SPA.pdf>

<sup>28</sup> <http://www.ine.gob.hn>

<sup>29</sup> An average of 25,000 per year: 2011(25,324), 2012 (25,503), 2013 (25,776), 2014 (25,281).

<sup>30</sup> The INE projection for 2015 is of 8,576,532 inhabitants.

11	People with ID Cards	November 2015	4,363,685	RNP
12	Data Inconsistency <sup>27</sup>	November 2015	1,276,885	RNP
13	Deceased Status Inconsistency <sup>28</sup>	November 2015	317,243	RNP
12	Address Changes	2011-2015	123,997	RNP
13	Abroad (still included in the RNP)	November 2015	650,000	Survey

Sources: RNP, INE and Survey

The table below shows a break-down by groups of persons in different categories:

Electoral Register (TSE)			
#	Designation	Estimation	Comments
1	Persons with ID cards and aware of polling station location	4,350,000	Based on RNP estimate
2	Illegally abroad	650,000	To update with passive census
3	Legally abroad ( RNP visits to Embassies)	46,000	2013 RNP electoral-related visits
4	Deceased Cat.#1 (Neither known by RNP nor by CNE)	16 percent of 428,000	To update with passive census
5	Deceased Cat.#2 Known by RNP but not by CNE	280,000-320,000 <sup>29</sup>	Special measures to be used by RNP. To be Purged.
6	Deceased Cat.#3 Known by CNE	111,000	
7	Address change required	125,000	Processed by RNP from 2011 to date and transmitted to TSE
8	Security forces and citizens deprived of civil rights	37,974	Informed by respective government agencies
9	Multiple inscriptions by one person	Marginal	Not detected by AFIS (use of two fingers prior to the introduction of the 10 fingerprints capture system).
10	Multiple identifications through theft of identity	Marginal	To be sanctioned by law

## 6.7 EU EFM Estimates

<sup>27</sup> Between the two databases: Civil Register versus Identification.

<sup>28</sup> Id.

<sup>29</sup> Two different figures given to the EFM.

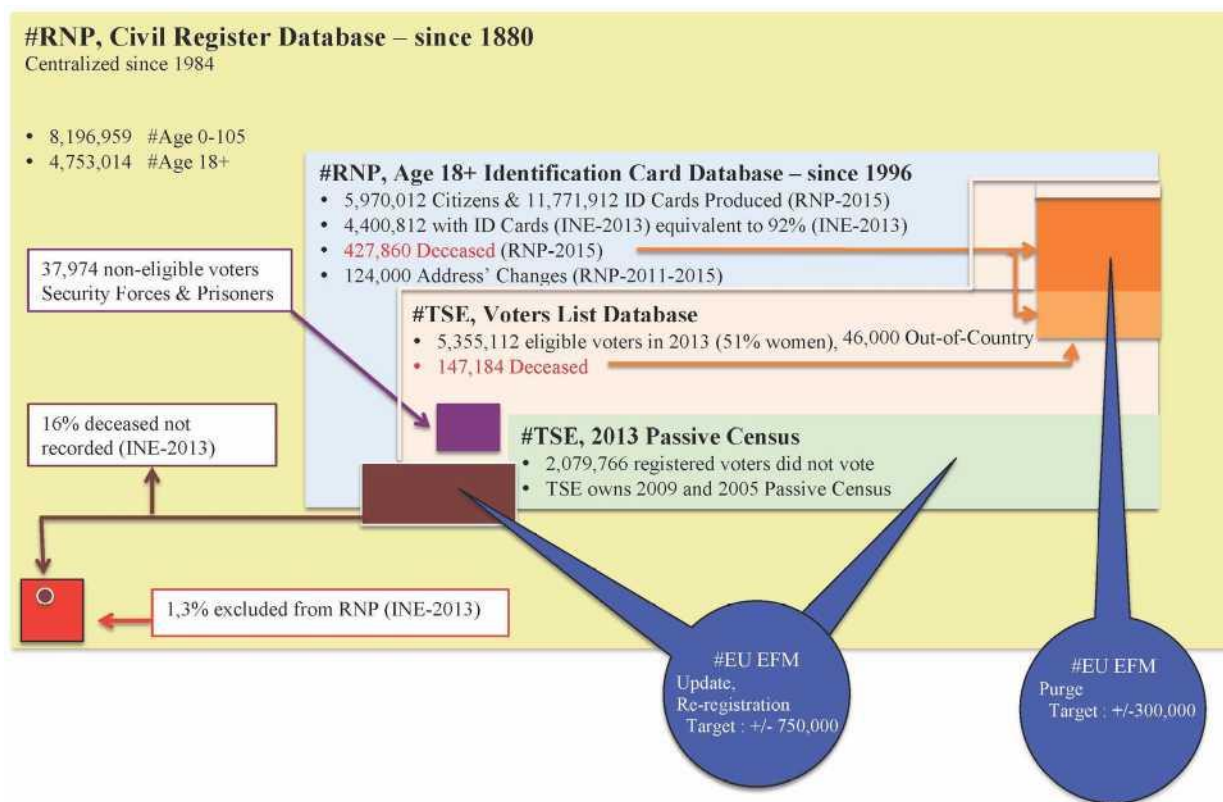
Considering the deceased persons not purged and the emigrants that left Honduras but whose names are still in the CNE database, the voters' list shows the following eligible voters, also broken down by gender:

Voter Registration List			
#	Designation	Figure	Date
1	Eligible Voters	5,355,112	Nov 2013
2	Eligible Voters	5,509,726	Jul 2015
3	Eligible Women (51%)	2,802,734	Jul 2015
4	Eligible Men (49%)	2,706,992	Jul 2015
5	Deceased Persons	147,184	Jul 2015
6	Non Eligible Voters - Prisoners	11,407	Jul 2015

7	Non Eligible Voters - Military Forces	12,486	Jul 2015
8	Non Eligible Voters - Police Forces	14,081	Jul 2015
9	Non Eligible Voters - All	37,974	Jul 2015
<b>Passive Census</b>			
	Abstention (No. of Voters identified)	Votes Cast	Date
10	1,786,1521	2,190,398	2005
11	Not reported to the EFM	2,146,012	2009
12	2,029,766	3,275,346	2013

Source: TSE

The chart below sums up the different groups of population in the Civil Register, the identification cards and voters' list databases. The two main EU EFM recommendations are also illustrated below:



### 6.8 Current Registration Context

In 2013, the presidential candidates, the TSE and the RNP endorsed what was called a “Commitment on Minimum Guarantees for Ethics and Electoral Transparency.” Among other initiatives, the document called for the modernization of the RNP with the issuing of new ID cards using the latest technology and based on a first RNP project proposal formulated in 2011.<sup>30</sup> The project revived in 2015 is built on three major components: a) the registration of the entire population of Honduras with the deployment of mobile teams in the country, b) an upgrade of

necessary IT equipment, and c) the production of a secured ID cards through a new centralized card production system.

In December 2015, while the RNP director publicly expressed his opposition to the project of a new ID card, under the current tight financial conditions and priorities of the country, and proposed instead a purge of the RNP database, other RNP advocated instead an entire new registration process as an alternative to the RNP project should the funds not be sufficient.

Several scenarios can be proposed using either the existing system or the RNP project proposal for a modernization and issuing of new ID cards:

#### Existing System:

- Maintenance of the *status quo* using the same electoral register. Besides the risks of increasing the shortcomings already detected in 2013, this option would ignore the electoral reforms' proposal agreed by all the stakeholders in their commitment of minimum guarantees and would represent a step back in existing efforts to promote electoral reforms.
- Implementation of major changes and update of the electoral register by first conducting a purge in the RNP. The purge would target the deceased not yet identified by the electoral registry. There would be no impact on the population that emigrated if this purge process is not accompanied by a strategy -in a consensual manner among stakeholders- to use the passive census.
- With additional amendments to the Electoral Law, the distribution of *ad-hoc* voter cards at low cost - laminated cards with the holder's picture- can be an option to consider for in lieu of the two options above by offering an opportunity to voters, during the 60-day display period before both the primaries and the general election, to apply for a voter's card. This new voter's card, together with the ID card, would become the documentation required to vote.

#### Modernization of the civil register with a new ID cards:

- To implement any one of the RNP projects, the current ID cards would be used for the primary elections and new cards (either produced with the support of a new system or existing technology) would follow a registration process for the general elections. However, the political context and the technical and financial challenges involving these options conflict with the election calendar and lower considerably the probabilities of their implementation.
- Implementation of the modernization of the RNP with the introduction of new ID cards and high-end technology independently from the electoral cycle. The process includes an international tender and the consideration of viable technical options for cost-effectiveness purposes, followed by the registration of the population, the upgrade of the AFIS system and the production and distribution of the new ID cards.

*6.9 2016-2017 Voter Registration and Election Calendar* The primary elections will take place on a new date; instead of 12 months before the general elections, they will now be held on the second Sunday of March of the same year of the general elections. The calendar for the years 2016 and 2017 below highlights the main aspects related to the voter registration process with its timeline challenges.

2016	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Primaries									l 60d display		*	
Registration TSE									-180		<20 -105	-90 -75

**E-182 Call for the 12 March 2016 Primary Elections (Art. 115)**

E-180: Start of the display period for the preliminary voter list (PVL) (Art. 4 E-

120: End of the display period for the PVL (Art. 49)

E- 8  
E-120

2017	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
E-105: * End of the period to request for a address changes (Art. 60) <												
E-90: Official hand over to the political parties of the final voter list (F VL) in electronic version (Art.49)												
E-75: Official hand over to the political parties of the F VL in printing version (Art.49)												

Jul Aug Sep Oct Nov Dec

Primaries  
Election Day

Generals	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Registration TSE									l 60d display		*	k
TED												
TEM												
Election Day												26/11

**E-182: -> Call for the 26 November 2016 General Elections (Art. 115)**

E-180: Start of the display period for the PVL (Art. 49)												
E-120: End of the display period for the PVL (Art. 49)												
E-105: * End of the authorization to request for a address changes (Art. 60)												
E-75: Official hand over to the political parties of the F VL in electronic version (Art.49)												
E-60: Official hand over to the political parties of the F VL in printing version (Art.49)												

**7. Electoral Process**

*7.1 Distribution of Polling Stations*

The TSE is currently reviewing the distribution of polling stations to better accommodate solutions for reducing distances between voters and voting centers.<sup>31</sup> By law, the TSE can assign up to 500 voters per polling station (PS).<sup>32</sup> However, based on simulations, the TSE decided earlier to limit to the number of voters to 350. In the context of the 2013 elections and considering a 61 percent turnout, an average of 200 voters attended the polling stations. As a result, observers witnessed in a majority of polling stations a low presence of voters mainly in the last hours of the vote. It appears that the distribution of polling stations within a polling center, which accommodates more than one polling station, can be rationalised in terms of cost effectiveness. The allocation of more than required polling stations within a polling center impacts negatively the electoral economy. It requires additional human and material resources and increases the electoral output, namely ballots to be counted and voting acts to be processed and transmitted.

<sup>31</sup> There were 16,904 polling stations distributed within 5,439 polling centers in 2013 for a voters' list of an estimated 5,300,000 eligible voters, with a 61 percent turnout or about 3,750,000 voters, equivalent to an average of 220 voters per polling stations.

<sup>32</sup> Article 26 of the Electoral Law.

The table below illustrates, for example, the impact on the number of polling stations to be allocated when attributing 500 voters per polling station, instead of the current 350 voters. In this case, the number of polling stations can be sharply reduced from 92 to 67, and even with a turnout of 80 percent, the majority of the polling stations will be used by between 350 and 400 voters. This reallocation, combined with a realistic list of eligible voters purged from deceased persons and updated to not include emigrants, can have a significant positive impact on the electoral economy.

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EU EFM: Polling Station Distribution Alternative

Atlanta Department, La Ceiba Municipality								
Schools	CNE eligible voters	TSE (2013)			EU EFM Theoretic Proposal (based on existing voters list)			
		average PS voters per PS	number of eligible voters with 61% turn out		average PS voters per PS	number of eligible voters with 61% turn out	number of voters with 80% turn out	
ESC. CLAUDIO BARRERA	8 029	22	365	223	16	502	306	401
ESC. POLICARPO PAZ GARCIA	4 599	13	354	216	9	511	312	409
ESC. JOSE TRINIDAD REYES	5 038	14	360	220	10	504	307	403
ESC. FERNANDO S. HENRIQUEZ	805	3	268	164	2	403	246	322
ESC. JESUS AGUILAR PAZ	730	2	365	223	2	365	223	292
ESC. RAFAEL BARDALES BUESO	1006	3	335	205	2	503	307	402
ESC. JUANA REYES DE MARESMA	1 401	4	350	214	3	467	285	374
ESC. ENRIQUE ORTEZ PINEL	1323	4	331	202	3	441	269	353
ESC. JOSE ARTURO SANTOS	514	2	257	157	1	514	314	411
ESC. JOSE VENANCIO VASQUEZ	4 916	14	351	214	10	492	300	393
ESC. MANUEL BARAHONA	1 794	5	359	219	4	449	274	359
ESC. MARCIO RENE ESPINAL	2 353	6	392	239	5	471	287	376
<b>Total/Average</b>	<b>32 508</b>	<b>92</b>	<b>341</b>	<b>208</b>	<b>67</b>	<b>468</b>	<b>286</b>	<b>375</b>



## 7.2 Transmission of Results

The challenges and the lack of trust in the process of transmission of polling stations' results continue to exist among political parties. In 2009, the results were transmitted via cellular phones, and entered into the computerized system designed by the TSE in Tegucigalpa. To improve the credibility of the transmission process, the TSE instituted in 2013 a new mechanism known as Integrated System of Scrutiny and Electoral Information or Integrated Counting and Publication of Results System (*Sistema Integrado de Escrutinio y Divulgación Electoral - SIEDE*).<sup>33 34</sup>

The 2013 EU EOM report referred to the inclusiveness and the transparency gained with the implementation of the SIEDE regardless of the delays and lessons to be learnt from its implementation. Some of the system shortcomings related to the technology (performance of the software and the use of the devices in the field), and the implementation of the system's procedures by the polling staff, which revealed a need for a more timely and effective training.

It emerged from the EU EFM findings and during the roundtable held by the Mission, that for some political parties the SIEDE should be replaced by some alternative system. One of the solutions to overcome the lack of credibility in the transmission of the results would be the introduction of electronic voting. (See Annexes: EU

<sup>33</sup> The 12 polling stations are not a statistical representation of the entire list of polling stations.

<sup>34</sup> For the primary elections, the use of cell phones seem to be accepted by the parties engaged in these elections. The phones will likely be used again on the primaries of 12 March 2017 using another system known as TREP (*Transmisión de Resultados Electorales Preliminares*) under specific regulations.

EFM Synopsis on Electoral Reforms and Stakeholders Stand).

### 7.3 *Electronic Voting*

The TSE engaged in some formal discussion on the introduction of electronic voting prior to the 2013 general elections without further follow-up. In addition to the interest demonstrated by some political parties, the TSE is planning to conduct during the first semester of 2016 some preliminary assessments on electronic voting. In Honduras, electronic voting (e-voting) should be understood as the use electronic devices to vote in the polling stations rather than using the Internet to vote through personal computers or mobile devices as some countries have experienced in recent years. The system to be considered is e-voting in a controlled environment. It would offer e-voting and counting technology and some technical remedies to the issue of transparency through the development of various forms of auditing mechanisms. While some countries experiences in developing countries suggest that e-voting in a controlled environment with touch-screen machines producing Voter Verified Audit Trails could offer reliable and transparent solutions, they are expensive and not necessarily contributing *per se* to an increase in public trust and confidence vis-à-vis the establishment. On this basis, the EFM supports the idea of a limited piloting exercise targeting a small specific group of voters before the 2017 general elections, as currently considered by the TSE.

## 8. Women and Gender Equality

The 2013 EU EOM recommendations addressed two aspects to enhance women's participation in the electoral process: the introduction of *effective mechanisms ensuring women's access to elected posts* and of *measures guaranteeing greater representation of women in the higher echelons of the election administration*. Considering the current challenge over the inclusiveness of the election administration combined with the current lack of a mechanism to engage the TSE in a gender balanced strategy, the EFM focused its efforts on encouraging stakeholders to get involved in initiatives towards a greater representation of women in elected positions. Following the 2013 electoral process, the OAS made a similar recommendation.<sup>35</sup>

Over the past three electoral cycles, Honduras endorsed different systems of quotas to encourage women's political participation, ranging from 30 percent in 2005 to 40 percent in 2013. However, the latest 40 percent minimum quota of women in the candidates' lists of the primaries elections -applicable to three parties only- did not guarantee gender equity in elected positions with the current open list system in the general elections. A review of the 2012 primaries and 2013 general elections shows that there were 45 percent of female pre-candidates in the primaries, and 42 percent of women candidates in the general elections. However, the final results showed that only 27 percent, or 35 women, were among the 128 members of Congress, far from the 40 percent quota.<sup>36</sup>

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<sup>35</sup> The OAS EOM Preliminary Report issued on 19 December 2013 recommends "to review the existing mechanisms to guarantee that the implementation of the Law on Quotas becomes effective, including the consideration for the use of closed lists in the general elections." (*translated from Spanish*).

<sup>40</sup> [https://www.ndi.org/files/Appendix%207 CEDOH%20Final%20Report%20Honduras%202013%20Mujeres%20y%20Elecciones.pdf](https://www.ndi.org/files/Appendix%207%20CEDOH%20Final%20Report%20Honduras%202013%20Mujeres%20y%20Elecciones.pdf)



Political Parties	Primary Elections		General Elections		Results - Elected Positions	
	Women	Men	Women	Men	Women	Men
NP	400 (47%)	457 (53%)	46 (36%)	82 (64%)	10 (21%)	38 (79%)
LIBRE	223 (45%)	274 (55%)	41 (32%)	87 (68%)	12 (32%)	25 (68%)
LP	168 (44%)	214 (55%)	44 (34%)	84 (66%)	6 (22%)	21 (78%)
PAC			60 (47%)	68 (53%)	6 (46%)	7 (54%)
AP			52 (43%)	69 (57%)	0	0
UD			54 (46%)	64 (54%)	0 (0%)	1 (100%)
FABER			57 (50%)	57 (50%)	0	0
UD/FABER			4 (40%)	6 (60%)	0	0
CD			60 (47%)	68 (53%)	0 (0%)	1 (100%)
PINU			57 (48%)	62 (52%)	1 (100%)	0 (0%)
Total	791 (45%)	945 (55%)	475 (42%)	647 (58%)	35 (27%)	93 (73%)

Source: Honduras 2013 Women and Elections - National Democratic Institute (NDI)

The introduction of a quota system at first facilitated an increase in the number of elected women both at the National Congress and at the local level.<sup>37</sup> However, the process proved to be inadequate to pursue wider and more balanced women participation.

Periods	Women Participation (percentage)				
	National Congress <sup>38</sup>		Municipalities		
	Deputies	Alternates	Mayors	Vice-Mayors	Council Members
2002-05 (no quota)	7.0	26.8	9.1	12.1	16.6
2006-09 (30% quota)	24.2	32.9	8.1	16.8	17.5
2010-13 (30% quota)	19.5	37.8	5.7	26.5	22.4
2014-18 (40% quota)	25.8	29.7	6.4	33.5	25.8

Source: National Congress, November 2015<sup>7</sup>

For the 2017 general elections, the implementation of Article 105-A of a 2012 decree introducing parity and alternation between women and men both for political parties' structures and elected positions<sup>39</sup> will be considered, for the first time, as well. The ruling National Party already endorsed in its internal regulations a parity system based on gender and youth to guarantee that 50 percent of its representatives are women and another 50 percent are below the age of 35.<sup>40</sup> However, the parity component in the primaries is not necessarily reflected in the general elections. In addition, the implementation of the 2012 decree will ensure that 10 percent of the national budget allocation to the political parties will be exclusively used for the training and promotion of women in politics.

The TSE has yet to publish the regulation on gender parity and alternation, still on draft.<sup>41</sup> The TSE calendar for the primaries elections scheduled for 12 March 2017 establishes 11 March 2016 as deadline for the political parties to submit their statutes on gender equality. In Congress, a gender equity group of women, encompassing all political parties, worked with INAM on the regulations,<sup>42</sup> a process that also benefited from the establishment of the "Women Academy," created in 2014.<sup>43</sup> NDI, NIMD and the UN supported the implementation of this new

<sup>37</sup> Source: Gender Equity Commission, National Congress.

<sup>38</sup> There are currently 33 women among the 128 deputies in the National Congress compared to 35 as recorded in the 2014 NDI report.

<sup>39</sup> N°54-2012 of 15 May 2012.

<sup>40</sup> Meeting of the Mission with the Minister Coordinator at the Presidential Palace on 4 December 2015.

<sup>41</sup> Propuesta de Reglamento de Igualdad de Oportunidad.

<sup>42</sup> National Institute for the Woman (Instituto Nacional de la Mujer -INAM).

<sup>43</sup> <http://www.elheraldo.hn/nais/733301-214/crean-academia-de-muieres-dinutadas>



quota offering training for female candidates.<sup>44</sup> In October 2015, a proposal from INAM regulating parity and alternation was finally submitted to the TSE, which is considering with the support of the UNDP.

Six months before the call for elections, by 11 March 2016, political parties must submit a report on the internal implementation of gender equity. Therefore, new TSE regulations on gender parity and alternation for both elections should be released well before this date in order for political parties to review their internal policy on gender if necessary. The 2013 Voter List (VL) showed 5,335,112 registered citizens, of which 3,275,346 participated in the general elections with an estimated 53 percent of women. To date, the TSE estimates that the VL is composed of 51 percent of women (2,802,734) and 49 percent of men (2,706,992).<sup>45</sup>

## 9. Vulnerable and Special Groups

The EU EOM recommendations suggested “a more inclusive election process through the provision of voting facilities for Persons with Disabilities (PWD), as well as those who are hospitalized, citizens on remand and officers in military and police academies.” They further stressed that “the TSE should produce its public information material in the minority languages, recognizing the multicultural and multi-linguistic character of Honduras.” No actions have been taken so far about these issues; the EU EFM re-emphasized the need to address these demands. The TSE is working on new regulations targeting specifically such minorities.

### *9.1 Persons with Disabilities*

The electoral framework under which the 2013 general elections were held did not offer special provisions to persons with disabilities, although the country recognizes an estimated 15 percent of its population living with disabilities.<sup>46</sup> Moreover, the electoral law calls for these persons to publicly express their vote in a clear violation of its secrecy.<sup>47</sup> The 2011 TSE electoral reform proposal addressed these issues with the introduction of a series of measures such as the use of sign language within the TSE communication strategy, the establishment of better access to polling centers, the publication of electoral materials for blind people or people with low vision, and the option to receive personal assistance when marking the ballot paper. The new regulations being drafted by the TSE seem to propose similar mechanisms to deal with minorities. A specific division within the TSE was created to assess the needs of minorities and especially the disabled.

*9.2 Indigenous and Afro-Descendants Communities* According to the 2013 national census, indigenous and afro-descendants communities represent an estimated 7.25 and 0.74 percent of the population of Honduras, respectively.<sup>48</sup> TSE draft regulations also foresee a requirement for the production of electoral documents for indigenous and Afro-Descendants communities.<sup>49</sup> The proposals also aim at promoting, for the first time in Honduran electoral history, the disclosure of political parties’ electoral campaign materials in their languages.

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<sup>44</sup> <http://www.hondudiario.com/?q=node/20539> - CEO, INDAM, ONU, NDI.

<sup>45</sup> TSE Monthly Electoral Bulletin - July 2015.

<sup>46</sup> <http://conadeh.hn/?p=1367>

<sup>47</sup> Article 171.

<sup>48</sup> Based on self- identification during the NCPH’s interviews.

<sup>49</sup> An autonomous census estimated more than 1.5 million people belonging to various ethnic groups in the country, 60 percent of whom were indigenous and 40 percent of African descent.

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=14221&LangID=E#sthash.CptaB4Na.dpuf>

#	Ethnic Groups	Total	%
1	Mestizos	6,886,470	82,93
2	Whites	653,637	7,87
3	Indigenous	601,824	7,25
4	Afro-Descendants	61,617	0,74
5	Blacks	54,178	0,65
6	Others	46,046	0,55
	<b>Total</b>	<b>8,303,772</b>	<b>100,00</b>

INE - 2013

### 9.3 LGBTI Community

The 2012 primaries marked the first participation of representatives from the Lesbian, Gay, Bisexual, Transgender and Intersexual (LGBTI) community when four of its members were candidates. As reported by the National Human Rights Commission (CONADEH) in a meeting with the EU EFM, the LGBTI community continues to suffer from all kinds of discrimination including acts of violence and murders. In terms of access to the electoral process as voters, transgender face additional obstacles that prevent them to fully participate. Many have adopted new names and a changed physical appearance that often creates conflicts with their identity cards and obstacles when exercising their franchise.<sup>50</sup>

### 9.4 Prisons, Hospitals and Security and Armed Forces

In coordination with the authorities in the areas of human rights, justice, governance and decentralization, the TSE envisions new mechanisms to offer the right to vote for persons in prisons when still awaiting trial. Similar measures are likely to be taken by the TSE and health institutions to facilitate for the first time the vote of persons in hospitals. The 2013 EU EOM recommended a discussion to modify the constitutional prohibition on voting for the armed and security forces. Based on the information offered by these institutions, the TSE estimates security forces amount to around 34,000 men and women.<sup>51</sup> However, the subject has never been addressed and it seems there are currently no conditions or political will to change this constitutional provision.

## 10. Media

Freedom of expression is guaranteed by the Constitution and the 1958 Law on Freedom of Expression (*Ley de Libre Emisión del Pensamiento*). However, this freedom is limited in practice, as a result of a wide range of pressing conditions in which the media operate. During the last few years, the Honduran media landscape showed few changes. One of the four national dailies, *Tiempo*, belonging to *Grupo Continental*, controlled by the Rosenthal family, closed down its print edition in October 2015 after 45 years in business. This followed the emergence of corruption allegations and US authorities' action against three Rosenthal family members. The newspaper remains available online. *Canal 11* and *Canal 12* (TV channels controlled by the same group) are still on the air.

Dailies *El Heraldo* and *La Prensa* (published in Tegucigalpa and San Pedro Sula), belonging to Jorge Canahuati's family, could expand their print readership as a result of the discontinuation of *El Tiempo's* print edition. One of the main shareholders of another daily newspaper, *La Tribuna*, is the former President of Honduras, Carlos Flores, who leads one stream of PLH. Overall, publishers in Honduras continue to influence the political orientation and coverage of local media.

In 2013, the EU EOM detected “a notable absence of investigative journalism, partly explained by the pressure

<sup>50</sup> <http://conadeh.hn/?p=1285>

<sup>51</sup> Mapping and Census Department.

that is brought to bear on journalists who do try to carry out in-depth analysis. Other reasons can be found in the lack of investment media organs place in investigative work, limiting the prospect of completing structured projects, and the fact that low salaries are not commensurate with the personal risks entailed”.<sup>52</sup> The situation is still the same; although most TVs, radios and newspapers outlets denounced major cases of corruption during 2015, some involving former government officials. Self-censorship is still common among journalists especially when reporting on news involving organized crime, drug trafficking and politicians connected to either one or both. According to NGO PEN International, 54 journalists have been killed in Honduras since 2003 (nine from January to July 2015). Convictions have been obtained in only four of the cases, with an impunity rate of 93 per cent.<sup>53</sup>

In June 2013, Congress passed the decree “86-2013” known as *Ley del Programa Voluntariado de Rescate, Promoción y Fomento del Sector de las Comunicaciones*. Through it, any medium has the possibility to exchange their taxes and public services due to the State for government advertising. The government, thus, benefits from a comparatively favorable position in terms of advertising in the media.

## 11. Recommendations

The EU EFM considers that the recommendations made by the 2013 EU EOM are still valid. However, the lack of action undertaken to implement them demand now strong collective political will and creativity to offset the time lost and head for the 2017 general elections. The EU EFM considers that, in the same spirit of the recommendations already made, other actions might be taken to assist the TSE in its institutional strengthening and technical capacity development to discharge its responsibilities in an efficient and transparent way. Thus, the EU EFM presents the following recommendations:

### *Election Administration*

1. The TSE, the RNP and the political parties should explore mechanisms to guarantee the presence of all political parties represented in Congress in electoral management bodies on a permanent or rotation basis, starting with arrangements not requiring legislative modifications until conditions exist to carry out a fully-fledged legislative or constitutional reform.
2. Pursue efforts towards the “*ciudadanización*” of polling station staff. Further dialogue among political parties and stakeholders should be encouraged to offer a gradual replacement of the current system, under monitoring of political parties, to allow their adaptation to a new system along with initiatives to bolster confidence in electoral management bodies.

### *Voter Registration*

3. Conduct an audit by independent experts of the electoral database, including access to the RNP database and the ID cards production process. All results should be posted on the RNP and TSE websites and key figures kept updated on a regular basis.
4. Through consensual administrative work and with the necessary guarantees of monitoring and transparency, the CNE and the RNP should:

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<sup>52</sup> European Union Election Observation Mission Honduras 2013, *Final Report on the General Elections*, p.17.

<sup>53</sup> “Six journalists have been murdered since the Honduran government’s appearance at the United Nations in Geneva in early May 2015 to defend its human rights record, where it repeated pledges first made in 2010 to protect journalists from targeted attacks and curb impunity for such crimes. This brings the total number of journalists killed in the country this year alone to nine -more than in all 2014, which registered seven murders. A total of 54 journalists have been killed in Honduras since 2003, according to PEN’s information. Convictions have been obtained in only four of these cases -an impunity rate of 93 per cent. Even in cases with convictions, justice is only partial and none of the masterminds have been prosecuted.” <http://www.pen-international.org/newsitems/honduras-six-more-journalists-killed-since-governments-un-pledge-to-provide-protection/> (retrieved on 14 December 2015).

- a) Purge the deceased still in the CNE voters' list;
  - b) Update the voters' list by re-registering those eligible voters that did not exercise their franchise (passive census) in previous elections, and;
  - c) Establish legal procedures and operational requirements to process the issuing of residence certificates and acceptance of address changes.
5. Review the legal framework regulating the voters' requests for change of address to avoid changes before the display period starts, require a minimum period of time for having lived in the place where the new address is requested, and establish administrative requirements to effectively provide an address certificate to RNP offices when requesting an address change.
  6. In a scenario independent of the electoral cycle where an agreement is reached among stakeholders for the modernization of the RNP, a new registration of the population and a new ID card system, the EU EFM suggests the creation of an inclusive technical working group representing all political parties, electoral institutions and civil society organizations. The tender process should be open to international vendors. The working group task should include the consideration of a pilot project and options for combinations of project' duration and equipment and human resources' requirements, including outsourced material, looking for cost-effectiveness solutions.

#### *Electoral Process*

7. Consider the use of closed lists to guarantee an adequate level of gender parity for candidates in the general elections. Absolute parity cannot be achieved in Congress except if it includes the alternates. Closed lists would also remove inconsistencies in the system since the gender parity in the lists of candidates to the general elections can only be achieved by those parties that did not participate in the primaries.
8. The TSE should consider technical options to rationalize the number of polling stations, without modifying the number of polling centers. A more efficient distribution of polling stations would make the system more efficient and cost-effective with less human, material and transmission costs.
9. Civil society organizations should seek mechanisms of coordination and financial support to empower their capacity to work with the TSE and RNP in the development of electoral and voter education programs. This process should include a monitoring component.

#### *Legal framework*

10. Starting with voluntary actions by the political parties to promote and show financial transparency (e.g. publication of their sources of financing and financial accounting on their websites), speed up work on new regulations for the financing of political parties and electoral campaigns. The EFM considers that an initial step could be the sharing of common elements among all proposals formulated by the executive, members of Congress, political parties and the TSE (see details in section 4.1), through the facilitation of the EU Delegation, together with other international actors, of a meeting or workshop gathering all stakeholders. Involve the international community and civil society organizations in developing permanent capacities and mechanism of indexing and auditing the financing of political parties and campaigns.

#### *Women and Gender Equality*

11. Draft and adopt as soon as possible the regulations of the law on gender equality to ensure an effective parity and alternation system and in order for the political parties to review, if necessary, their internal policy on gender.
12. The TSE should publish the statutes of the political parties on gender parity and alternation and ensure that sanctions are imposed if they fail to apply the regulations.
13. Civil society organizations might consider monitoring the implementation of the "10 percent policy" allocated to women empowerment.

14. Congress should consider the participation of men in its Gender Equity Commission for a more global approach on the gender policy.

*Vulnerable and Special Groups*

15. Guarantee a more inclusive election process for vulnerable and special groups like citizens with disabilities, hospitalized persons, afro-descendants, indigenous people and LGBTI community members.
16. Establish mechanisms to allow additional *ad-hoc* identification for transgender to facilitate their participation in the electoral process as a voter. Train and capacitate minorities on political and electoral activities to allow for a more inclusive and wide representation of minorities in all levels of the electoral process and political parties' structures.

*Persons with Disabilities*

17. When addressing voting procedures, the TSE should ensure that the electoral law guarantees the secret of the vote for persons with disabilities who currently have to vote publicly.

*Media*

18. A 2013 law allows the exchange of taxes arrears or any other payments and financial amounts due to the State by media outlets in return for government advertising. In this context, the government stands to benefit from a more favorable position in terms of advertising in the media, as compared to other political actors. The EFM calls on Congress to revise this law and establish a more leveled playing field, in line with freedom of press, freedom of expression and right to pluralist information.

*Electronic Vote*

19. In coordination with all stakeholders, including the international community, the TSE should set up an electronic voting and counting technology working group to advise on a realistic path towards the use of electronic voting and transmission machines.

EU EOM Recommendations	EU EFM Recommendations	Stakeholders	Timeline	Comments
<b>Election Administration</b>				
<p>The TSE would benefit from being depoliticized, with appointments made according to legally established criteria of neutrality and technical experience. Widest consensus would be achieved by a mechanism of a civil society Nomination Commission, followed by approval by a qualified majority of the National Congress. Decentralized bodies of the TSE could then be nominated by the TSE itself, in accordance with the same criteria.</p>	<p><b>R1: The TSE, the RNP and the political parties should explore mechanisms to guarantee the presence of all political parties represented in Congress in the electoral management bodies on a permanent or rotation basis, starting with arrangements not requiring legislative modifications until conditions exist to carry out a fully-fledged legislative or Constitutional reform.</b></p>	<ul style="list-style-type: none"> <li>- Electoral Affairs Commission of Congress.</li> <li>- Political Parties</li> <li>- RNP</li> <li>- TSE</li> </ul>	<ul style="list-style-type: none"> <li>- The process should have started before 24 January 2016 for the <i>ad-hoc</i> reform to be effective for the next primaries.</li> <li>- Should another mechanism be chosen, the process should start as soon as possible to enhance confidence among political parties.</li> </ul>	<p>The EU EFM roundtable, organized on 4 December 2015, allowed an open discussion on this subject considered as a major criterion to facilitate progress on other electoral reforms. (See Final Report Annex: Recommendations and Political Parties' Stand).</p>
	<p><b>R2: Pursue efforts towards the "ciudadanización" of the polling station staff. Further dialogue among political parties and stakeholders should be encouraged to offer a gradual replacement of the current system, under monitoring of the political parties, to allow their adaptation to a new system along with initiatives to bolster confidence in the electoral management bodies.</b></p>	<ul style="list-style-type: none"> <li>- TSE</li> <li>- Civil Society Organizations</li> </ul>	<p>Second semester of 2016, assuming the concept will be implemented for the primary elections scheduled for March 2017.</p>	<p>The process should capitalize from the study tour to the Dominican Republic organized in July 2015 for TSE officials and political parties representatives. Rationalization of the number of polling stations will impact positively on the number of polling stations' staff to be recruited.</p>

Voter Registration				
The RNP's proposals to renew registration and modernize the identity card system would enable an essential foundation for elections as well for a range of public policies.	<b>R3: Conduct an audit by independent experts of the electoral database, including access to the RNP database and the ID cards production process. All results should be posted on the RNP and TSE websites and key figures kept updated on a regular basis.</b>	- Independent team of experts. - TSE - RNP - Political Parties - CSOs	During the first quarter of 2016, the terms of reference and selection of experts for the audit should be agreed.	It should include access to RNP, Identification, CNE, and Passive Census databases and to ID Cards production process. All results should be posted on RNP and TSE websites and key figures kept updated on a
				regularly basis by the respective institutions. All electoral stakeholders have to endorse the terms of reference and monitor the developments and findings of the audit.
	<b>R4: Through consensual administrative work and with the necessary guarantees of monitoring and transparency, the CNE and the RNP should: a) Purge the deceased still in the</b>	- RNP - TSE - Political Parties - CSOs	To process should end prior to the call for primary elections, at the start of the display period related to the primary elections (12 September 2016).	Some options might require amendments in the law and the introduction of specific regulations since the existing legal framework, for instance, doesn't cover the concept of passive census.
	<b>R5: Review the legal framework regulating the voters' requests for change of address to avoid changes before the display period starts, to require a minimum period of time for having lived in the place where the new</b>	- Electoral affairs - Commission of Congress. - RNP - TSE - CSO	To process should end prior to the call for primary elections, at the start of the display period related to the primary elections (12 September 2016).	The regulations can accompany the purge and update of the voters' list and improve the voter registration process relying on existing ID Cards with a full fledged civil registration exercise conducted after the 2017 elections.
	<b>R6: In a scenario independent of the electoral cycle where an agreement is</b>	- Government - RNP	Tender process in 2016 and 2017 followed by	The tender process should be open to international vendors. The working

	reached among stakeholders for the modernization of the RNP, a new registration of the population and a new ID card system, the EU EFM suggests the creation of an inclusive technical working group representing all political parties, electoral institutions and civil society organizations.	- TSE - Political Parties - CSOs	procurement, planning, training and implementation processes separated from the 2017 elections.	group task should include the consideration of a pilot project and options for combination of project duration and equipment and human resources' requirements, including outsourced material, looking for cost- effectiveness solutions.
<b>Electoral Process</b>				
Not covered by EU EOM	<b>R7: The TSE should consider technical options to rationalize the number of polling stations, without modifying the number of polling centers. A more efficient distribution of polling stations would make the system more efficient and cost- effective with less human, material and transmission costs.</b>	- TSE	As from the end of purge and update of the voters' list and availability of new eligible voters' figures. However, a simulation can be conducted within the first quarter of 2016.	The implementation of this recommendation will have a positive impact on the reduction of resources (human, logistical and financial). The number of polling station tallying sheets will also be reduced speeding up their transmission and announcement of results.
Not covered by EU EOM	<b>R8: Consider the use of closed lists to guarantee an adequate level of gender parity for candidates in the general elections. Absolute parity cannot be achieved in Congress except if it includes the alternates. Closed lists would also remove inconsistencies in the system since the gender parity in the lists of candidates to the general elections can only be achieved by those parties that did not participate in the primaries.</b>	- Electoral Affairs - Commission of Congress; - Gender Commission. - TSE - Political Parties	As soon as possible to allow political parties to update their statutes by 12 March 2016, as determined by law.	
<b>Legal Framework</b>				



<p>Reduce the duration of the election campaign, stipulate a spending limit, require parties to declare the sources of their campaign funding and sanction those who do not comply with any of these regulations.</p>	<p><b>R11. Starting with voluntary actions by the political parties to promote and show financial transparency (e.g. publication of their sources of financing and financial accounting on their websites), speed up work on new regulations for the financing of political parties and electoral campaigns. The EFM considers that an initial step could be the sharing of common elements among all proposals formulated by the executive, members of Congress, political parties and the TSE (see details in section 4.1), through the facilitation by the EU Delegation of a meeting or workshop gathering all stakeholders. Involve the international community and civil society organizations in developing permanent capacities and mechanism of indexing and auditing the financing of political parties and campaigns.</b></p>	<ul style="list-style-type: none"> <li>- Electoral Affairs Commission of Congress.</li> <li>- TSE</li> <li>- Political Parties</li> <li>- IAIP</li> <li>- CSOs</li> </ul>		
<b>Women &amp; Gender Equality</b>				
<p>It would be useful to consider more effective mechanisms for ensuring women's access to elected posts. Debate measures to ensure greater representation of the women in the higher echelons of the election administration. In addition, it would be useful to strengthen voter education programmed aimed at women, especially rural, young, and indigenous</p>	<p><b>R12: Draft and adopt as soon as possible the regulations of the law on gender equality to ensure an effective parity and alternation system and in order for the political parties to review, their internal policy on gender.</b></p>	<ul style="list-style-type: none"> <li>- Electoral Affairs Commission of Congress; Gender Commission.</li> <li>- TSE</li> <li>- Political Parties</li> <li>- INAM</li> </ul>	<p>As soon as possible to allow political parties to update their statutes by 12 March 2016, as determined by law.</p>	
<p>and Afro-Honduran</p>	<p><b>R13: The TSE should publish the</b></p>	<ul style="list-style-type: none"> <li>- TSE</li> </ul>	<p>According to dates for</p>	<p>The outcome should be made available</p>

women.	<b>statutes of the political parties on gender parity and alternation and ensure that sanctions are imposed if they fail to apply the law regulations.</b>		calls of elections, (six months prior to election days).	on the Internet and publicized.
	<b>R14: Civil society organizations might consider monitoring the implementation of the “10 percent policy” allocated to women empowerment.</b>	- CSO - Political Parties - IAIP	On a regularly basis, and prior and after the elections.	The outcome should be made available on the Internet and publicized.
	<b>R15: Congress should consider the participation of men in its Gender Equity Commission for a more global approach on the gender policy.</b>	National Congress	To be achieved before the 2017 November general elections.	
<b>Vulnerable and Special Groups</b>				
	<b>R16: Guarantee a more inclusive election process for vulnerable and special groups like citizens with disabilities, persons hospitalized, Afro-Hondurans, indigenous population and LGBTI.</b>	- Government of Honduras - National Congress - TSE - CSO - LGBTI communities	First initiatives should be in place within the months preceding the primaries scheduled in March 2017.	The lessons learnt from the primaries will contribute to improve programs for the general elections.
It should be useful for the TSE to translate relevant election documents into the languages of minority communities	<b>R17: Establish mechanisms to allow additional <i>ad-hoc</i> identification for transgender to facilitate their participation in the electoral process as a voter. Train and capacitate minorities on political and electoral activities to allow for a more inclusive and wide representation of minorities in all levels of the electoral process and political parties' structures.</b>	- Government of Honduras - National Congress - CONADEH - Political Parties - LGBTI communities	Process should become effective before the call for the primaries (September 2016).	
<b>Persons with Disabilities</b>				
Take the necessary measures to ensure voting for disabled citizens, those in hospitals and those detained on remand, as well as	<b>R18: When addressing voting procedures, the TSE should ensure that the electoral law will guarantee the secret of the vote for persons with</b>	- Electoral Affairs - Commission of Congress. - TSE	Process should become effective before the call for the primaries (September 2016).	An amendment of article 171 of the electoral law is required in addition to a revision of TSE regulations.

<p>cadets in military and police academies. Open a debate on the possibility of extending voting rights to active members of the military.</p>	<p><b>disability who currently have to voted publicly.</b></p>	<p>- Civil Society Organizations</p>		
<p><b>Media</b></p>				
<p>Prohibition of the sale and broadcasting of institutional propaganda during election campaigns, to prevent the ruling party from indirectly benefitting from the extra visibility, paid for by public resources.  Introduction of a clear legal framework for official publicity, to establish norms and avoid the exploitation of State communications to put pressure on media organs and workers. Said regulations should establish the different stages of production, contracting, distribution and disbursement of public funds, prioritising the principles of public interest, transparency and appropriate use of state resources.  To limit channel government broadcasting to cases of national emergency.</p>	<p><b>R19:</b> A 2013 law allows the exchange of taxes arrears or any other payments and financial amounts due to the State by media outlets in return for government advertising. In this context, the government stands to benefit from a more favorable position in terms of advertising in the media, as compared to other political actors. The EFM calls on Congress to revise this law and establish a more leveled playing field, in line with freedom of press, freedom of expression and right to pluralist information.</p>	<p>- National Congress.</p>		
<p><b>Electronic Vote</b></p>				

<p>Not covered by EU EOM</p>	<p><b>R20. In coordination with all stakeholders, including the international community, the TSE should set up an electronic voting and counting technology working group to advise on a realistic path towards the use of electronic voting and transmission machines.</b></p>	<ul style="list-style-type: none"> <li>- TSE</li> <li>- Political Parties</li> <li>- CSOs</li> <li>- International Community</li> </ul>	<p>Ideally, the concept should be discussed during 2016 to avoid last minute decisions.</p>	<p>Wide exchange on electronic voting experiences with other electoral management bodies, support from international technical expertise, and lessons learnt from vendors should be encouraged and a pilot project carried on during the 2017 elections.</p>
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RECOMMENDATIONS AND POLITICAL PARTIES' STAND i\*)<sup>54</sup>

Current Political Parties Seats	1. Composition TSE-RNP	2. Political Parties and Campaign Financing	3. New Identification Card	4. Citizen management of polling stations	5. Gender	6. Electronic Vote	7. Second Round	8. Re-election	9. Media Access
<b>NP 48 (+6)</b>	No	Yes in principle *	Yes	Yes *	Yes	No	No	Yes	?
<b>LIBRE<sup>55</sup> 37 (-6)</b>	Yes *		Yes, with representation at TSE-RNP	No (until they have representation at TSE-RNP)	Yes	Yes	Yes	To be decided by the people	Yes *
<b>LP 27</b>	No		Division within the party	?	Yes	?	Si *	Division within the party	Yes *
<b>PAC 13</b>	Yes *		Yes	No	Yes	Yes *	Yes	No	Yes
<b>PINU 1</b>	Yes * to be independent		Yes	Yes	Yes	Yes *	Yes *	No	Yes
<b>UD 1</b>	No		Yes	Yes	Yes	No	No	To be decided in the National Congress	Yes *
<b>DC 1</b>	No		Yes *	Yes *	Yes	?	?	?	Yes
<b>Movimiento Oposición Indignada NA</b>	Yes		Yes	Yes	Yes	Yes	Yes	No	Yes

<sup>54</sup>This EU EFM synopsis refers specifically to the new identity card and not the purge of the data bases.

(\*) indicates one of the five priorities of the party.

<sup>55</sup>LIBRE has been the only political party to express its will to introduce a new electoral management body, an electoral tribunal to address electoral offenses.

