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House Committee on Foreign Affairs
Upcoming Elections in the Western Hemisphere: Implications for U.S. Policy
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Mr. Chairman,

Thank you for the invitation to join my colleagues from the International Republican Institute (IRI) and the International Foundation for Electoral Systems (IFES) to appear before the Committee in this timely hearing on what the Economist magazine categorized correctly as Latin America's busy and vitally important 2018 election year. In Latin America and globally, IFES, IRI and NDI work in close partnership to support elections, and together lead the Consortium of Electoral and Political Processes (CEPPS), funded by the U.S. Agency for International Development to carry out democracy-strengthening programs around the world. I welcome the opportunity to share NDI's views on challenges related to Latin America's 2018 election season and approaches for strengthening election integrity and democratic governance that can advance the shared interests of citizens throughout the Americas in building a more stable, prosperous, inclusive and democratic hemisphere.

In 2018, nearly two of every three Latin Americans head to the polls. Competitive presidential elections are scheduled in Brazil, Colombia, Costa Rica, Mexico, and Paraguay. El Salvador holds legislative and municipal elections in March, which will set the tone for next year's presidential polls, and will come under additional scrutiny following the serious irregularities in last year's Honduran elections. Presidential elections are also constitutionally required before the end of the year in Venezuela. Under what conditions presidential elections take place—if at all—will determine whether the Venezuelan people are given any voice in overcoming the country's debilitating crisis and autocratic rule. Elsewhere, Cuba's long farewell to the Castro brothers will enter a new phase this spring when Raul Castro hands off the presidency to a successor, while retaining his position as Secretary General of the Communist Party.

This year's elections in Latin America occur against a setting of palpable public anger over abuses of office by elected leaders—the result of multiple high profile corruption scandals that have swept across the region, enveloping current and recent presidents and whole generations of political leaders. Economic slowdown and persistent criminal violence have impacted negatively on the quality of life, as well as made it more difficult for governments to deliver on promises to improve the lives of citizens. Staggering revelations of deep-rooted corruption networks has stoked existing skepticism of politicians. Actions by leaders in several countries to override constitutional limits to extend a president's time in office have reinforced dissatisfaction and fueled political polarization. "Outsider" politics is on the rise. The prestige of traditional political parties has declined throughout the region. Nonetheless, positive signs of democratic renewal exist as well. New figures have emerged and established political leaders have sought to

rebrand themselves or found new independent political movements. Argentina stands out as a bright spot as President Mauricio Macri gradually puts in place transparency and governance improvements.

Voters in the region's three largest countries—Colombia, Mexico and Brazil—face pivotal decisions about their countries' future political direction. Sharp differences among likely candidates make Colombia's presidential election look a lot like a second referendum on the peace process, simultaneous with the stunning shift from the battlefield to politics by demobilized FARC guerrilla leaders set to stand for election to guaranteed legislative seats. In Mexico, where crime and corruption top voter preoccupations, anti-establishment candidate Manuel Lopez Obrador continues to lead the polls but it is still early to predict outcomes. In Brazil, many observers consider the October election the country's most consequential since its return to democracy in the 1980s given the political uncertainty and widespread rejection of established parties and leaders. President Temer's government has the highest disapproval rate ever recorded in his country—85 percent of Brazilians think his administration is “bad” or “terrible.”

Latin America's 2018 election season will be contentious. The legitimacy and integrity of elections in 2017 has repeatedly been questioned in the region, including in Bolivia, Ecuador, Honduras, Nicaragua and Venezuela. Citizen trust in elections also varies widely across the region, according to the 2016/2017 USAID-supported LAPOP (Latin American Public Opinion Project) Americas Barometer public opinion study. While relatively high in Costa Rica (57 percent of the population), trust in elections has fallen to less than a quarter of the population in the other countries who will elect new leaders in 2018—Colombia, Mexico and Brazil.

These elections will certainly impact the United States' interests and its ability to partner and reach agreements on policy priorities such as trade, migration and drug trafficking. They will also influence the hemisphere's response to the deepening crisis in Venezuela. As this process unfolds, both for the interests of the region and those of the United States, it will be important for the United States to support domestic and international efforts to safeguard and strengthen elections. This matters not just for reasons of principle and values, but also to be able to strengthen partnerships on policy issues such as cooperation on drug trafficking and migration issues.

When the electorate makes a free and informed choice among candidates who were given a fair chance to compete for votes, citizens have the opportunity to choose those who they believe will best improve living conditions—to “make democracy deliver.” They also establish public confidence in government, which helps to stabilize political systems and reduce conflict, and establish conditions for greater economic growth and opportunity. Support for democratic elections, therefore is both a matter of respect for the political rights of sovereign people and a matter of regional and international peace and stability. Both are vital to the interests of the American people and everyone around the world.

It is, therefore, important for the United States and the broader international community to promote electoral integrity by building domestic capacities and through international election observation, which complements and can reinforce the efforts of national actors. To ensure that elections can resolve peacefully the competition for office and accurately reflect the will of the people, at least three principles need to be reinforced in all electoral assistance.

- **Inclusiveness:** To be democratic, political systems and electoral processes must guarantee universal and equal suffrage for all citizens. Political systems must move beyond a winner-take-all mindset so the opposition gets a meaningful stake in building effective governance.
- **Transparency:** People have a right to genuine elections. Both citizens and candidates must be allowed to see for themselves that elections are credible. It also requires public access to both electoral processes and data for independent verification, and the political space necessary to publicize the findings of such verifications without fear of persecution.
- **Accountability:** For elections to be legitimate, accountability must be established at all levels—including in the administration of the process, the political playing field and the electoral justice systems so that candidates with grievances will see the advantages of going to the courts rather than sending supporters to the streets.

No electoral or political process can be perfect, but the degree that the principles of inclusiveness, transparency and accountability are present and strengthened reinforces the potential for sustained and positive democratic progress.

While actors who seek to subvert electoral integrity have adopted more advanced tactics in recent years, citizen election observation has proven to be an effective mechanism for promoting electoral integrity, broadening democratic accountability (including by exposing misconduct) and protecting political space for credible citizen-led initiatives. In the Americas and globally, nonpartisan citizen election observers have led an electoral integrity movement which has developed a flexible network for sharing expertise, support and advocacy skills on techniques for securing elections and fostering democratic governance.

Over the last 30 years, as NDI helped it spread from its roots in the Philippines in 1986 and Chile's 1988 plebiscite, national election observation has evolved from individual, ad-hoc mobilizations on election day into a movement of like-minded organizations representing over four million citizen monitors across the globe that employ systematic oversight methodologies which spans the entire electoral cycle. Today, 250 citizen election monitoring organizations and their regional networks belong to the Global Network of Domestic Election Monitors (GNDEM) with its Declaration of Global Principles and Code of Conduct. Latin America's groups along with their association, the Lima Accord (*Acuerdo de Lima*—which NDI helped to found), are central to that effort. These groups both examine and advocate around issues related to achieving inclusiveness (in electoral processes), transparency (needed to know if elections are genuine), and accountability (in the electoral context).

International election observation also has evolved, particularly for the organizations that endorse and collaborate in implementing the Declaration of Principles for International Election Observation, including the UN Secretariat, the Organization of American States (OAS), the European Union (EU), NDI, IRI, the Carter Center and key intergovernmental and international nongovernmental organizations that operate in other regions. With a few notable exceptions—Venezuela, Nicaragua, and of course Cuba—governments and election authorities in the Americas have increasingly come to recognize the important role that independent, impartial election observers can play in strengthening citizen confidence in the integrity of elections. Governments now invite experienced, impartial organizations like the OAS and the EU to observe elections.

Continued United States support for both international election observation efforts and national election observation initiatives in Latin America is critical for sustaining these key instruments for protecting elections. NDI's experience has shown that non-partisan national election monitors complement rather than duplicate international election observation. They provide added value in building additional trust and credibility regarding election processes as well as underscoring local ownership of electoral integrity issues. Five effective lines of action to safeguard elections based on NDI programs are:

- Helping nonpartisan civil society organizations develop sustained efforts to systematically monitor electoral and related political processes. Independent statistically-based monitoring of election-day processes and election results verification—commonly referred to as “parallel vote tabulations, PVTs or Quick Counts”—decrease political volatility and the potential for violence by increasing public confidence in elections.
- Building cohorts of citizen election monitoring experts and networks of monitoring organizations across borders, regions and globally for solidarity and mutual assistance.
- Advancing norms and standards through networks of citizen election monitors, election administrators, and international observers and assistance providers, such as the Open Electoral Data Initiative, begun by NDI, as well as through intergovernmental organizations (including the UN, OAS, regional organizations, and Open Government Partnership).
- Facilitating youth engagement programs, including young women, with political parties, civil society groups, and other entities. These programs bring young people and their leaders into political and electoral processes in order to promote citizen-centered governance and peaceful political competition.
- Developing bridges between election monitors, peace-building groups and women's organizations with election commissions, political parties and public safety sectors. The goal is to improve cooperation and better prevent or mitigate the potential for election-related violence.

Building national capacities and mounting international election observation efforts has worked well to support electoral integrity in diverse settings around the world, even in unstable political conditions. For example, in Guatemala, IFES, IRI and NDI have worked together under a USAID-supported CEPPS program to support the 2015 elections during a tumultuous period of institutional unraveling. The discovery of a

widespread corruption network led to the resignation, indictment and detention of former President Otto Perez Molina and his vice president. It also implicated many in the political establishment. The crisis occurred alongside widespread street demonstrations and severe public questioning of the Congress and other institutions. Some Guatemalan civic leaders had sought postponement of the scheduled—and constitutionally required—general elections until after electoral reforms could be enacted. Others feared such an unconstitutional delay in elections could provoke an even deeper crisis.

As the situation unfolded, the OAS and the EU deployed robust international observation missions. With USAID support, IFES provided technical assistance to the Guatemalan electoral authorities, and NDI and IRI provided coordinated assistance to domestic election observers to monitor the quality of the election, conduct an election-day results verification (Quick Count) and track and deter political violence. The elections took place as planned, without serious irregularities or political violence, and all candidates accepted the official results.

When, on election night, first- round preliminary results pointed to the elimination of the candidate that pre-election polls had shown winning—someone with suspected ties to drug traffickers—Guatemalan electoral authorities credited the Quick Count supported by NDI with additional Swedish and Norwegian government backing, with helping to prevent disruption of the process. This candidate’s party was later legally dissolved, drawing on information from citizen monitors which established gross violations of statutory limits on campaign expenditures. Following the election, in 2016 the Guatemalan Congress enacted a series of needed electoral and political reforms incorporating recommendations from Guatemalan civil society.

Looking ahead, several old and new challenges to electoral integrity in the hemisphere are of particular concern:

- Efforts by political leaders to curtail the independence of electoral authorities and adjust established rules of the game in their favor, including using courts to restrict political participation;
- Infusions of illegal political financing from narco-traffickers and other sources;
- The growing reach of disinformation—false or distorted information—spread through the Internet or other means in order to advance political goals; and
- Hacking for political espionage and even sabotage of electoral systems.

Election observers in cooperation with credible news media and electoral authorities need to continue to develop new techniques to respond more effectively to these challenges as well as improve collaboration.

In Mexico, cyber threats against political activists have become a growing concern. With the support of the National Endowment for Democracy, NDI plans to share international experiences for identifying, tracking and countering disinformation with Mexican civic partners early this spring as Mexico’s campaign heats up. Civic groups from Brazil and Colombia will participate as well. NDI is also working with civic groups to monitor electoral and political violence in Mexico—a problem highlighted by the recent assassination of five politicians.

Conducting regular high quality candidate debates is another useful approach for promoting electoral integrity. By fostering discussions focused on issues rather than personalities, debates reduce risks of political violence even in today's polarized world. Institutionalizing the practice of regular, structured debates more broadly in the hemisphere may also help to address the new wave of "information disorder" challenges by fostering a better informed citizenry, which in turn can better hold elected officials accountable for their campaign promises. In 2017, with support from the Howard G. Buffett Foundation, NDI, together with regional partners from a consortium of debate sponsors from 32-countries, known as Debates International, which the Institute helped found, joined with the Mexican National Electoral Institute (INE, *Instituto Nacional Electoral*) to organize a forum on global best practices for conducting candidate debates. INE is responsible for conducting presidential debates prior to Mexico's July 1 elections.

We often hear that sound elections are an essential but insufficient condition for democracy, which is unquestionably true. The converse is also important; deficient or corrupt political dynamics are precursors of bad elections, which are catalysts for instability. Therefore U.S., international and regional engagement must not end after election day. Support for improved democratic governance following elections is a necessary investment to promote a more stable environment that serves the interests of countries in the region and ultimately U.S. foreign policy goals. Building strong democratic institutions promotes economic growth, foreign investment and a business climate conducive to U.S. exports. It reduces incentives for migration.

No program or policy offers a silver bullet for transforming weak political systems of governance or overcoming entrenched corruption. Three areas of engagement in Latin America that can strengthen core democratic institutions are:

- Legislative Reform Networks. As civil society co-chair with the Government of Chile of the Open Parliament Working Group formed under the auspices of the Open Government Partnership, NDI supports legislative exchanges across the hemisphere to develop transparency reforms. NDI has also provided in-country support for reform initiatives to legislatures in Argentina, Colombia, Ecuador, Mexico and Paraguay. Together with IRI, NDI also assists the House Democracy Partnership's engagement with legislatures in Colombia, Guatemala, Haiti and Peru. In the Northern Triangle countries of Central America, NDI supports tripartite meetings with legislators to discuss legislative priorities on citizen security.
- Cross-Sectoral Communities of Practice on Public Policy Priorities. In Central America's Northern Triangle countries, NDI regularly brings together elected officials and political party and civic leaders to increase expertise on violence prevention and other citizen security issues. In Colombia, NDI has worked with victim's groups and elected leaders to promote greater participation in local development plans.
- Youth Leadership Development. In all its programs, NDI works to incorporate excluded and underrepresented groups into politics—particularly youth and women—to improve the quality of political participation. More than 2,000 Nicaraguans have received skills-training through the Institute's Political

Leadership academy. As a result, they have formed a network of democratic reformers working to bring about improvements in the lives of their communities.

As attention turns to the 2018 elections, it will be important for the United States and other international and regional actors committed to democratic norms not to lose track of unresolved electoral integrity issues from earlier years. Recent past elections underscore the challenges. In Honduras' disputed 2017 presidential election, both EU and OAS observer missions documented extensive irregularities and deficiencies—although they differed over the implications of these problems for the integrity of the final results. After such a seriously flawed election process, questions over political legitimacy will linger in Honduras and could generate new conflict, human rights abuses and serious governance challenges. At a minimum, steps are needed to enact a robust series of electoral and political reforms, as agreed to four and a half years ago by both President Hernandez and Salvador Nasralla, before they first faced off in the 2013 presidential election.

Since Nicaraguan citizen monitors documented fraud in 2008 municipal elections, subsequent Nicaraguan electoral process have been characterized by increased opaqueness and deliberate restriction of genuine political competition. While the presence of a small OAS election mission in Nicaragua during last year's municipal elections was a potentially positive step, it remains to be seen if their recommendations will lead to any meaningful change.

International pressure for improved election conditions for constitutionally-mandated presidential election in Venezuela is essential. Increasing sanctions, particularly those directed at the regime, appears to be the approach that will generate the most support in the hemisphere and in Europe. In pressing for positive change, care needs to be taken to place the responsibility for the country's descent into unconstitutional, non-democratic authoritarianism, hyperinflation and prolonged crisis where it lies—on Maduro and his cronies—and not be distracted by divisions within the beleaguered opposition.

Finally, a word on Cuba. It is well understood that competitive elections are non-existent there. But it is worth noting that the Cuban government has felt obliged to take extra measures to ensure that remains the case as Raul Castro prepares to hand off the presidency this spring. Nonetheless, some independent Cuban civic activists had expressed interest in standing as candidates at personal risk in local municipal elections held last year, the only direct elections that take place in Cuba in which candidates are supposed to be apolitical. Cuban state security undertook a concerted campaign to block individuals from independent civic groups from pursuing candidacies. The United States and other international actors should continue to press the Cuban government to abide by the Universal Declaration for Human Rights and to hold democratic elections. Past grassroots Cuban efforts, such as the Varela Project, which gathered more than 20,000 signatures calling for a referendum on holding free elections and further reforms and the current Cuba Decides (Cuba Decide) Initiative, underscore the demand by Cubans to enjoy the same freedom and democratic rights as others throughout the hemisphere.

In closing, while I have focused on today's challenges, we should not lose sight of the tremendous democratic advances which have made Latin America—according to the

Economist's most recent survey of the state of democracy—the most democratic part of the developing world. In a relatively short span of just a few decades, the hemisphere has evolved from a period in which military rule and military coups were commonplace to the point where governments in the Americas are chosen through genuine elections, with just a handful of exceptions. This underscores the tremendous potential the Western Hemisphere has for further advancing freedom, opportunity and prosperity as well as for deepening productive partnerships with the United States.