



**UNITED BUILDING
CONSENSUS ON ELECTORAL
REFORMS**



THE REFORMS ARE NECESSARY TO:

1

Re-establish independence, transparency and trust in the Electoral System for the holding of timely, free, fair, transparent and observed elections.

2

*Facilitate a democratic, constitutional and peaceful **negotiated solution to the socio-political crisis** through **broad and inclusive consensus**.*

3

*Enable a transition toward **democracy for the re-establishment of the rule of law and democratic institutional**ity.*

4

*Promote **active citizens' participation** in electoral processes.*



THE REFORMS ARE NECESSARY TO:

5 *Enable the recovery of citizens' voting power.*

6 *Facilitate the country's economic and social recovery process.*

7 *Strengthen support from the international community.*

8 *Channel the Nicaraguan population's demands.*

POLITICAL CONDITIONS FOR THE ELECTORAL REFORMS



The re-establishment of citizens' rights and guarantees and the release of all political prisoners (compliance with the agreements of 27.03.19 related to the “definitive release of political prisoners” and of 29.03.19 related to “strengthening citizens' rights and guarantees”).



International electoral monitoring and observation.

CONSTITUTIONAL REFORMS

 **CSE**
Consejo Supremo Electoral
Fidelidad a la Democracia



CONSTITUTIONAL REFORMS

- **Naming of the new CSE electoral magistrates.**
 - Nomination of candidates by civil society.
 - Establishment of the principle of legal reserve in Nicaragua's Political Constitution and Electoral Law.
 - Procedure for guaranteeing the suitability of the proposed candidates that will be analyzed by the National Assembly Legislative Commission.
- **Re-establish candidacies through popular subscription or independent candidacies for municipal- and regional-level elections.**
- **Eliminate from Nicaragua's Political Constitution the application of the legal standard prohibiting defection from one political party to another.**



CONSTITUTIONAL REFORMS

- **Guarantee the right of released political prisoners and exiles to run as candidates for elected office.**
 - Repeal the requirement of having to have lived in the country for 4 years to run for President or Vice President; for 2 years to run as a National Assembly or PARLACEN legislator; and for 4 years to run for mayor/deputy mayor and the Caribbean Coast regional councils.
 - Establish a temporary article to stop people linked to events during and after April 2018 being prohibited from running for elected office.
- **Establish NON-REELECTION for the posts of President and Vice President.**



CONSTITUTIONAL REFORMS

- **Prohibit the spouse of an outgoing President from running for that post.**
- **Re-establish the 50% + 1 threshold for presidential election and a second round if that threshold is not reached.**
- **Repeal the requirement for political parties to obtain 4% of the vote to retain their legal status.**
- **Elimination of unelected legislative seats:**
 - Eliminate from Nicaragua's Political Constitution the two unelected seats, one for the outgoing President and one for the second-placed presidential candidate.
- **Punish fraud and manipulation in electoral processes through life-time disqualification and the punishments contemplated in the Penal Code.**



CONSTITUTIONAL REFORMS

- **Jurisdictional oversight of CSE decisions:**
 - Eliminate the provision stipulating that there is no appeal against CSE decisions or rulings.
 - Create a Specialized Electoral Justice Tribunal to administratively resolve appeals against CSE rulings.
 - The autonomous tribunal and its members must be named under the same mechanism and requirements proposed for electoral magistrates.
- **Establish the possibility of calling mid-term recall referendums for the posts of President and Vice President.**

ELECTORAL PRIORITIES

SIX ELECTORAL PRIORITY AREAS FOR NICARAGUA TO ELECT WITH CONFIDENCE, INDEPENDENCE AND TRANSPARENCY

(ELECTORAL REFORM)

1. Re-establishing trust in the electoral system.
2. Re-establishing electoral transparency and guarantees.
3. Opening up broad, comprehensive, plural and equitable electoral competition.
4. Mechanisms for citizens' participation.
5. Electoral and normative reform of the electoral branch.
6. New legal configuration of elected posts.



PRIORITY 1

RE-ESTABLISHING TRUST IN THE ELECTORAL SYSTEM

- **Naming of CSE magistrates:**
 - Civil society can present candidates.
 - Establishment of a procedure to guarantee the suitability of the candidates.
- **Eliminating party influence over the electoral and administrative structures.**
 - Naming of the CEDs, CERs and CEMs: **Open call for candidates** with criteria established in the Electoral Law.
 - Proposed candidates filtered based on the requirements established in the regulations, with the naming done using the random method.



PRIORITY 1

RE-ESTABLISHING TRUST IN THE ELECTORAL SYSTEM

- **Naming of the vote reception boards (JRVs) and electoral police:**
 - Random selection mechanism using the corresponding district's electoral roll.
- **Other electoral authorities:**
 - Naming of the electoral prosecutor and electoral ombudsperson using the same criteria as for the electoral magistrates.

PRIORITY 2

RE-ESTABLISHING TRANSPARENCY AND ELECTORAL GUARANTEES

- **Electoral Observation:**
 - **Obligatory** national and international observation without exclusion of any type established in the Electoral Law.
- **Dissemination of Results:**
 - National-level dissemination of results on the CSE website **detailed by JRV.**
 - Dissemination of partial provisional results within **24 hours.**
 - **Publication of all tally sheets** on the CSE website.
 - Transmission of results **from each JRV to the National Computing Center.**



PRIORITY 2

RE-ESTABLISHING TRANSPARENCY AND ELECTORAL GUARANTEES

- **Ballot papers:**
 - Separate ballot papers for each type of election (*President, departmental representatives, PARLACEN representatives, mayors and councilmen/women*).
- **Results protocols:**
 - Replace the copy with a “**duplicate**,” published on the CSE website.
- **Monitoring by the political parties:**
 - **Establish times and periods** for accrediting monitors in each electoral process.
 - **Guarantee accreditation** in the JRVs and include a list of accredited monitors in the electoral packet.

PRIORITY 2

RE-ESTABLISHING TRANSPARENCY AND ELECTORAL GUARANTEES

- **Appeals:**
 - Include an ENTIRE ORDERED HEADING on the subject of appeals in the Electoral Law.
- **Electoral Roll:**
 - Eliminate the “passive” roll, keeping the “active” one.
 - Cleanse, update and audit the electoral roll.
 - Reincorporate into the Electoral Law the possibility for citizens that do not appear on their JRV’s electoral roll to vote as long as they can demonstrate that they live in the corresponding electoral district.



PRIORITY 2

RE-ESTABLISHING TRANSPARENCY AND ELECTORAL GUARANTEES

- **Electoral Calendar:**

- **Detail** the activities of the electoral process.
- **Strengthen** the consultation and observation of the political parties.
- The consultation will be binding when the political parties/ popular subscription associations unanimously agree on a proposal.



PRIORITY 3

OPENING UP BROAD, COMPREHENSIVE, PLURAL AND EQUITABLE ELECTORAL COMPETITION

- **Relaxing the requirements for new political forces:**
 - Eliminate the concept of territoriality for the establishment of political parties.
- **Requirements for presenting candidates:**
 - Just by **obtaining and still having a valid** legal status.
 - **Re-establish** the legal status of suspended parties and those whose status was unjustly cancelled.
- **Creation of the Electoral Consultative Council:**
 - The **Electoral Consultative Council** as a permanent body for consultation between the CSE and the political parties and alliances.
 - Must include a representative of the political parties and of the political alliances.



PRIORITY 3

OPENING UP BROAD,
COMPREHENSIVE,
PLURAL AND EQUITABLE
ELECTORAL
COMPETITION

- **Implementation of voting abroad:**
 - **Obligatory** implementation and application in the next elections.
- **Relaxing the rules for Electoral Alliances:**
 - They can choose which position to occupy on the ballot paper and select their name, flag and legal representative.

A person is shown from the chest up, looking down at a document. The document has the logo of the Consejo Supremo Electoral (CSE) on it. The background is dark and blue.

PRIORITY 3

OTHER POINTS IN THIS
PRIORITY AREA
MENTIONED IN THE
CONSTITUTIONAL
REFORMS

- **Prohibition of defection:**
 - Eliminate from the Political Constitution.
- **Other forms of election:**
 - Re-establish popular subscription at the municipal and Caribbean Coast region level.
- **Re-election:**
 - NON-REELECTION for the posts of President and Vice President.

A person is looking down at a document. The document has the logo of the Consejo Supremo Electoral (CSE) and the text 'Consejo Supremo Electoral' and 'Fundación de Democracia'.

PRIORITY 3

OTHER POINTS IN THIS
PRIORITY AREA
MENTIONED IN THE
CONSTITUTIONAL
REFORMS

- **Inhibition of candidacies:**
 - Prohibit the spouse of the outgoing President from standing for that post.
 - Guarantee the right of released political prisoners and people exiled since the crisis of 2018 to stand for elected office.
- **Establish the % for winning the presidency:**
 - **50% + 1** and re-establish the **second round**.
- **Eliminate the legislative seats** for the outgoing President and the second-placed presidential candidate.



PRIORITY 4

CITIZENS' PARTICIPATION MECHANISMS

- **Popular Consultation Mechanism:**
 - Regulate the procedure for plebiscites and referendums.
 - Reincorporate the process of **massive citizens' verification OBLIGATORILY**.
 - Implement **voter education, promotion and information** processes.
- **Process for issuing voter ID cards:**
 - Remove party influence from the voter identification card issuing process and establish punishments in the PENAL CODE for public officials, individuals and members of political parties that commit irregularities in that process.



PRIORITY 5

STRUCTURAL AND NORMATIVE REFORM OF THE ELECTORAL LAW

- **Jurisdictional oversight of CSE decisions (developed in the Constitutional Reforms)**
 - Eliminate the provision stipulating that there is no appeal against CSE decisions or rulings.
 - Creation of a Specialized Electoral Justice Tribunal to hear and administratively resolve appeals against CSE decisions. The Tribunal's members will be proposed and named following the same criteria defined for electoral magistrates.



PRIORITY 5

STRUCTURAL AND NORMATIVE REFORM OF THE ELECTORAL LAW

- **Establish the Civil Registry as an autonomous entity responsible for issuing voter ID cards.**
 - Directly responsible for issuing voter identification cards in coordination with the country's mayor's offices.
 - Separate the issuing of voter ID cards from electoral administration.



PRIORITY 6

NEW MECHANISMS FOR THE LEGAL CONFIGURATION OF ELECTED POSTS

- **Distribution of electoral remainders for elected posts (National Assembly representatives, municipal and regional council members).**
 - The distribution of **electoral remainders** must be done from largest to smallest among those political parties that have not obtained seats by means of the electoral quotient.



PRIORITY 6

NEW MECHANISMS FOR
THE LEGAL
CONFIGURATION OF
ELECTED POSTS

- Incorporate the idea of mid-term recall referendums for the posts of President and Vice President. (Mentioned in the Constitutional Reforms.)
- Produce a Political Parties Law.



ALIANZA CÍVICA
POR LA JUSTICIA Y LA DEMOCRACIA

UNIDAD
NACIONAL