

The Inter-American  
Democratic Charter and the  
electoral integrity conditions in  
Latin America: too little, too  
late

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Electoral Integrity Project

**Challenges of  
Electoral Integrity  
Around the Globe**

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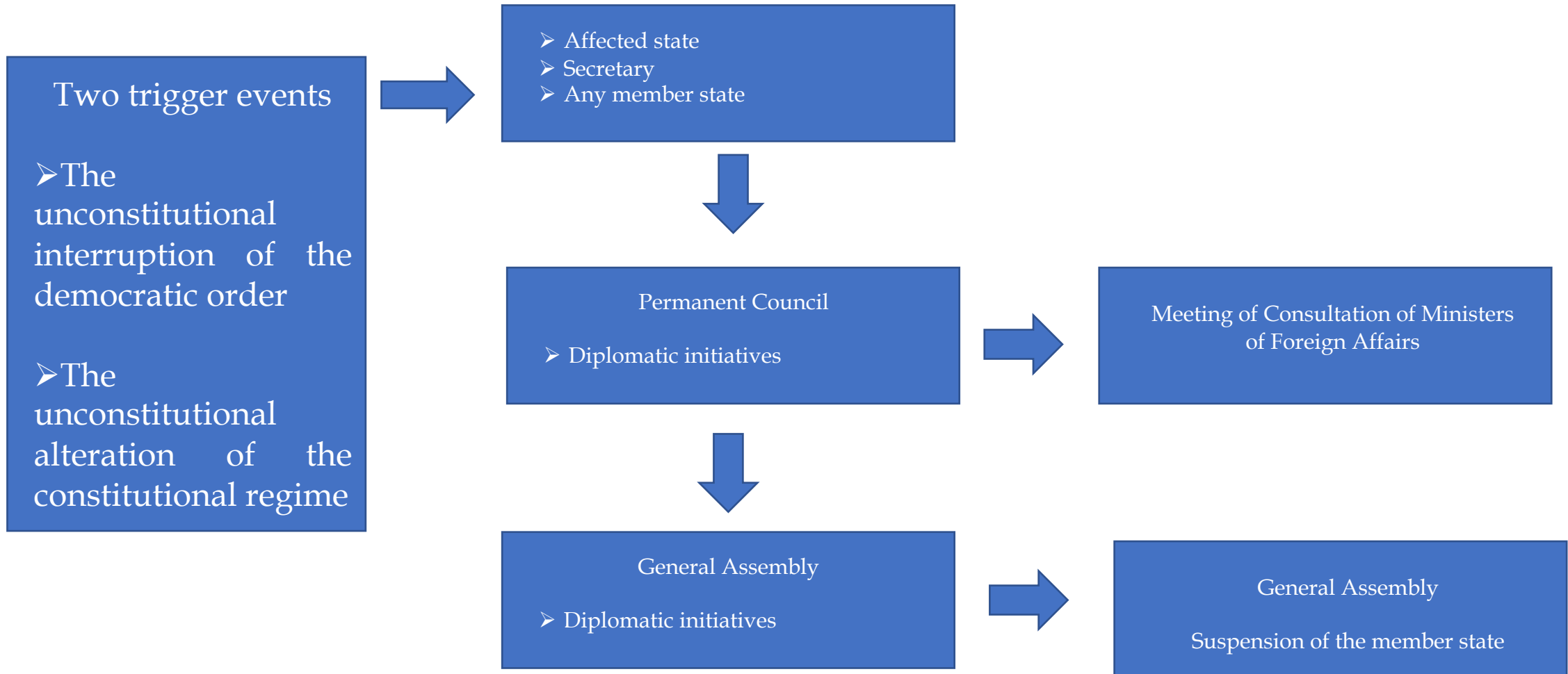
# The long and winding road

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- The American Declaration, the OAS Charter, the *Estrada doctrine*, and the non-intervention principle
- The 1991 Resolution n° 1080
- The 1992 Washington Protocol (OAS Charter)
- The 2001 Quebec Declaration
- The 2001 IADC: a binding resolution or a political commitment?

# A broad framework



# Electoral malpractices

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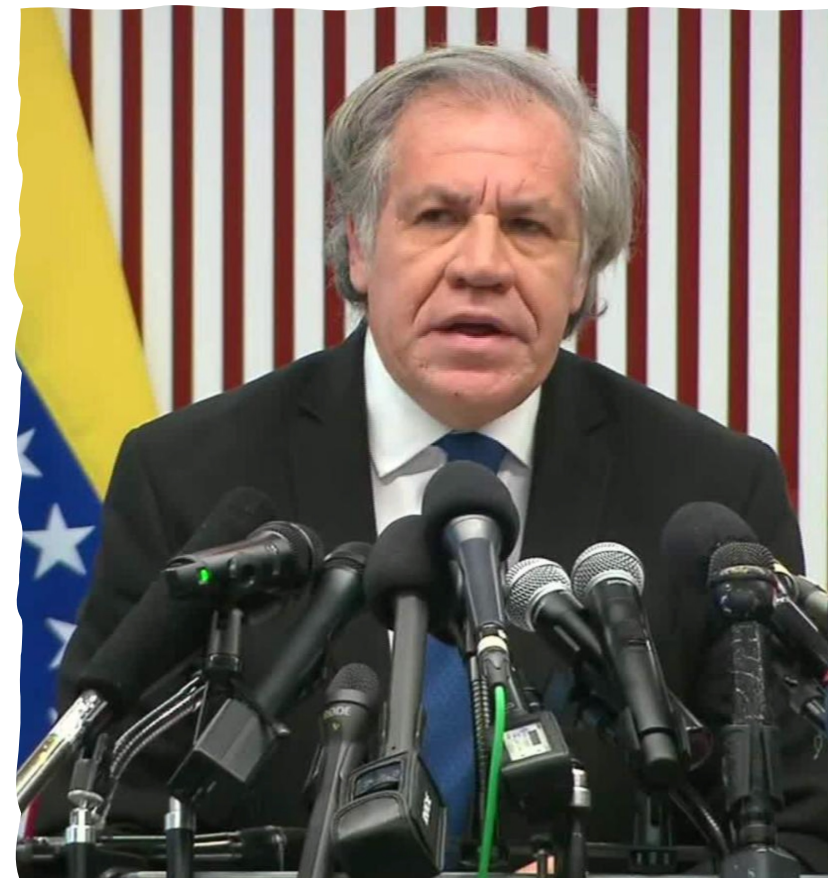


- Art. XX of the Declaration and Art. 23 of the American Convention
- “Periodic, free and fair elections based on secret balloting and universal suffrage as an expression of the sovereignty of the people” (Art. 3, IADC)
- Electoral observation missions (EOMs) and the OAS’ Department of Electoral Cooperation and Observation
- Electoral malpractices can be considered an unconstitutional interruption or alteration of the constitutional regime?

# The Venezuelan crisis and the Almagro doctrine

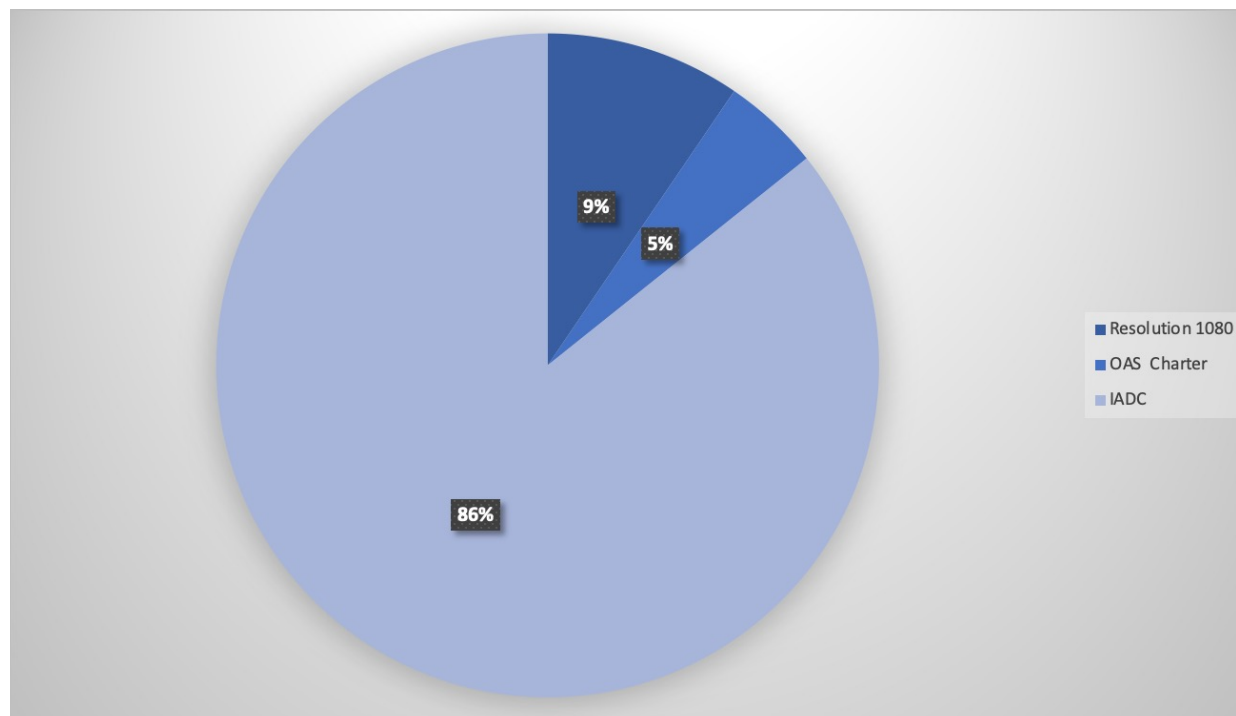
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- After the opposition won the 2015 parliamentary election, Venezuela started an accelerated democratic backslide
- Nicolás Maduro stripped down the competencies of the newly elected National Assembly in 2016 (through the Constitutional Court)
- Secretary Almagro considered that domestic constitutional decisions could be deemed as a violation of the IADC (2016)
- The gross violation of the electoral integrity conditions led to the repudiation of the 2018 presidential election



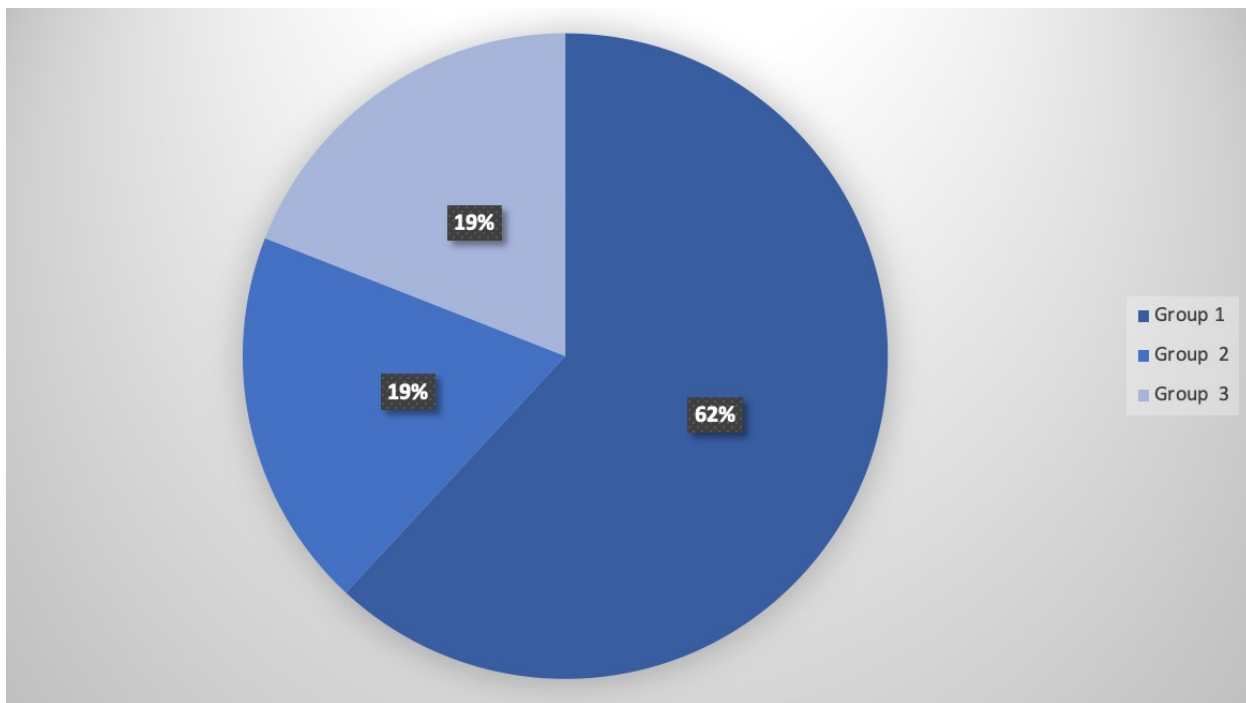
# The statistics of the Inter-American democratic clauses

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Democratic clauses applied since 2002  
Sources: OAS

# The statistics of the Inter-American democratic clauses

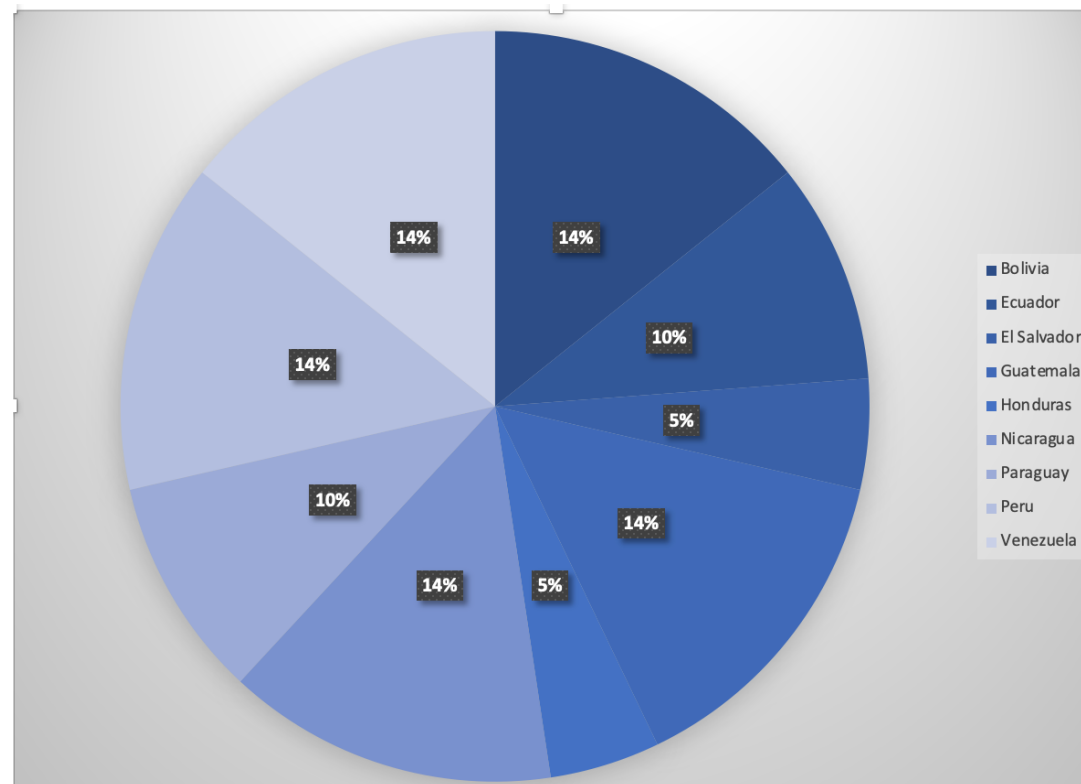


Group 1	Stability of the Presidency
Group 2	Abusive decisions adopted by the Executive
Group 3	Electoral malpractices

Distribution of the group of cases in which the democratic clauses have been applied

# The statistics of the Inter-American democratic clauses

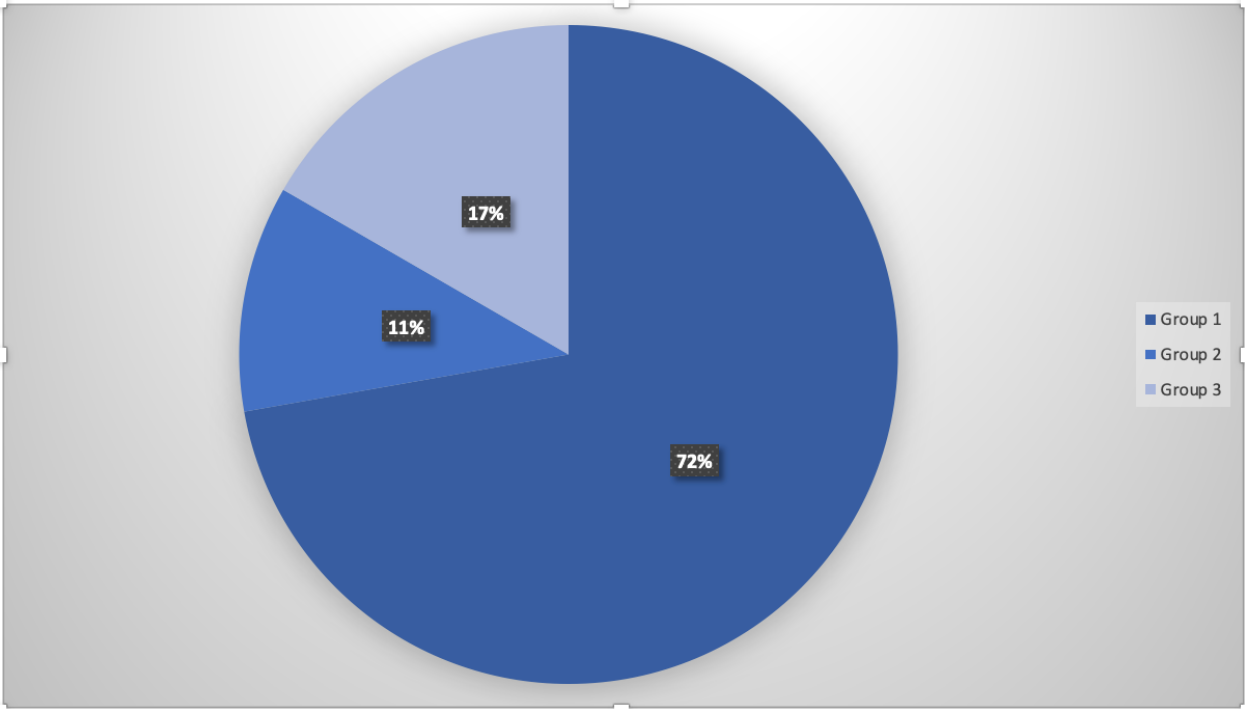
Bolivia, Peru, Nicaragua, and Venezuela are the most affected states, with three episodes in each country. Nicaragua and Venezuela cases are primarily concentrated in 2016-2021.



Affected or targeted states by democratic clauses



# Electoral malpractices and the Democratic Charter



Distribution of the group of cases in which the IADC has been applied

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# Electoral malpractices and the Democratic Charter

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Venezuela, 2018



Bolivia, 2019



Nicaragua, 2021

# Electoral malpractices and the Democratic Charter: lessons

- The electoral malpractices have not been based on EOMs but on general challenges of the electoral integrity conditions related to human rights violations
- Bolivia is the only case in which the implementation of the IADC has been associated with the electoral support of the OAS, through an electoral audit
- From a broader perspective, EOMs have been part of the efforts to protect or restore the democratic order through free and fair elections (Ecuador, 2005; Bolivia, 200, and Paraguay, 2013).
- **Venezuela and Nicaragua demonstrated that the IADC cannot prevent democratic backslide through rigged elections**



# How to improve electoral integrity conditions through the Charter?

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- The IADC should be applied not only in extreme situations related to the alteration of the constitutional order but also as a regular oversight of the current conditions of the democratic standards embedded in the IADC
- Create a follow-up mechanism based on technical and consensual assessments of the democracy quality and, particularly, the electoral integrity conditions
- Promote the interaction between the follow-up mechanisms and the EOMs.
- A new cultural approach toward the non-intervention principle

