

**PRELIMINARY STATEMENT OF THE NDI
INTERNATIONAL ELECTION OBSERVER DELEGATION
TO THE JANUARY 9, 2005
PALESTINIAN PRESIDENTIAL ELECTION**

Jerusalem, January 10, 2005

election demonstrates the potential for the start of a new era in Palestinian politics and the development of representative and accountable governance.

Having successfully conducted this presidential election, there are now opportunities to advance positive developments in a broader context necessary for peace and esnes

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the political competitors and to the Palestinian people's desire to respect political pluralism. While Hamas and Palestinian Islamic Jihad called for a boycott of the election, there was little evidence of their use of intimidation, which points to the powerful demand of average Palestinians that political processes should be conducted freely. That candidates were able to campaign without fear of violence or retribution from those in government or on the political extremes was a major accomplishment.

Limitations on Freedom of Movement. The continuing violence in Gaza and some parts of the West Bank, hundreds of checkpoints, the barrier wall, temporary closures and other security controls hampered the work of election officials, limited the ability of candidates and their supporters to campaign and had an inhibiting effect on some voters. While the violence and security measures related to the continuing conflict and its consequences rather than the election, their adverse impact on electoral processes was regrettable. However, there was no indication that they had a material effect on the electoral outcome or the successful organization of the election process.

The Palestinian Authority and the Israeli government reached agreements on a number of issues related to the election process. Israeli officials committed to facilitating the process, and they relaxed some security measures in the 72-hours surrounding the election. However, freedom of movement over the entire electoral period would have been necessary for candidates, voters and election authorities to participate fully in the election process. The delegation raised with Israeli officials several issues related to limitations on freedom of movement, and steps were taken by them to address these issues.

Campaigning took place in most areas other than East Jerusalem and Gaza without major obstacles, and there was no indication that Israeli authorities intervened in the election process in order to affect the outcome. Nonetheless, most candidates reported that they faced routine difficulties.

had been issued. In some cases, the permits issued to candidates granted permission only for a private visit, so that any campaign activity might be construed as a violation.

It was impossible to determine to what extent Palestinian citizens were prevented or discouraged from attending campaign events because of restrictions on their movement. Undoubtedly, there was some effect. It appears, however, that average Palestinians were able to obtain information about the candidates from a variety of sources, and it was likely that most voters would have been able to make an informed choice at the ballot box.

In addition to these matters, the Palestinian Authority as well as several of the candidates, complained that many Palestinians, numbering in the thousands, had been prevented from returning from Egypt to the Gaza Strip through the Rafah checkpoint, which was closed in response to a series of attacks. It was regrettable that a workable solution to this problem was not reached in time for them to vote in the election.

Role of the Mass Media. The Palestinian mass communications media are free of official censorship and gave widespread coverage of the presidential election campaign. Palestinians also have access to regional and international media in addition to Palestinian news sources.

Media monitoring by international experts working with the European Union Election Observation Mission and other respected sources indicate that news coverage by publicly owned broadcast media demonstrated heavy bias toward the Fatah candidate. Free time was provided to all candidates by the public broadcasters, however, allowing them to air political messages, and paid political advertisements were allowed in the private media. Two of the presidential candidates own or control private media outlets, and media analysts found that those outlets provided biased coverage favoring their electoral interests. Overall, there was considerable media coverage of the main candidates and of the election process more generally. Also, media analysts found that candidates did not use inflammatory rhetoric to attack each other.

The media played a generally positive role in allowing candidates to reach voters and allowing voters to gain information about them. However, news bias in publicly owned media violates the public's trust. Public media must operate impartially towards all candidates and political parties, presenting accurate and balanced information so that citizens can make informed electoral choices and have a sound basis for demanding governmental accountability. In addition, the lack of any regulation of paid political advertising creates the possibility of lopsided campaigning and prevents the transparency needed to establish and maintain public confidence in the media and the election process.

Use of Public Resources and Campaign Financing. There were significant differences among the candidates concerning their access to campaign resources. One complaint raised by several presidential candidates and others was the apparent use of resources of the Palestinian Authority (PA) by government officials for the benefit of the Fatah candidate. The CEC criticized some PA officials for campaigning for Mr. Abbas while on the public payroll, and uniformed Palestinian security forces appeared as supporters at some of Mr. Abbas' political events.

Public resources, including government funds, vehicles, communications equipment, materials a.lt Tc (t) Tj-0.20 Tc (ai) Tj-0.12 Tc (gnv) Tj1.26 Tc () Tj-0.15624 Tcor Tc (t) Tj-0.2kj1.02 Tc () Tj-0.3

Authority and Israeli government agreed to return to the terms of the agreement they entered for the 1996 Palestinian elections.

In 1996, Palestinians cast ballots in five post offices in Jerusalem. This time the number was expanded to six. The Israeli government considered this a form of absentee voting; the Palestinian authorities considered it voting in polling stations that happened to be post offices. Under the agreement between the (t) Tj-0.12 Tc (h) Tj0 Tc (e) Tj0.54 Tc () Tj0 Tc (P)416 Tc

around the world. Both organizations recognize that elections cannot be separated from the broader political process of which they are a part. NDI's and The Carter Center's methodologies for assessing elections are based on the premise that all aspects of the election process must be considered to accurately understand the nature of an election. Considerable weight must be assigned to the pre-election periods, as well as to the resolution of complaints and disputes following elections.

The delegation held meetings with: representatives of presidential candidates; the Chairman and representatives of the Central Election Commission (CEC); representatives of the news media; civic leaders; the heads of the European Union's Election Observation Mission; other representatives of the international community who are concerned with supporting a democratic Palestinian election process; and senior Israeli government officials, including the President, Prime Minister and Foreign Minister. The delegation worked in cooperation with Palestinian nonpartisan election monitoring organizations and with the international election observer mission organized by the European Union.

Delegates divided into teams and were deployed to all 16 election districts of the Palestinian territories for meetings with governmental, electoral, political and civic leaders in their respective localities. On election day, the teams observed the voting, counting and tabulation processes in over 200 polling stations selected on the basis of a scientific statistical sample and at District Election Commissions. Delegates then reconvened in Jerusalem to debrief and develop this statement. The delegation expresses its gratitude to all with whom it met.