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Nicaragua: Aug. 4 Agreement Between Opposition Political Parties & Government

by Deborah Tyroler

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[An unofficial translation of the agreement reached between the Nicaraguan government and 17 opposition political parties on Aug. 4 appears below. The translation was provided by Agendas International (Suite 1301, 820 Second Ave., New York NY 10017). On August 3 and 4, 1989 the President of the Republic of Nicaragua, Commander of the Revolution Daniel Ortega Saavedra, and representatives of legally constituted political parties gathered in the Olof Palme Convention Center in Managua, capital of the Republic, and successfully concluded a National Dialogue carried out in fulfillment of the agreements subscribed by the Central American Presidents on February 14 of this year in Costa del Sol, El Salvador. The National Assembly directorate, the Supreme Court and the Supreme Electoral Council were present throughout the National Dialogue. Observers from the United Nations, the Organization of American States, the Center for Democracy and members of the honorable accredited diplomatic corps also attended. As a result of the National Dialogue, widely covered by the national and international media, the President of the Republic and the representatives of the political parties hereby: AGREE I. To affirm before the Nicaraguan people and international public opinion, the common will to contribute to the success of the peace efforts that will reach a decisive moment at upcoming Central American Presidential Summit to take place in Tela, Honduras. In this context, the Government of Nicaragua and the political parties call upon the Central American Presidents to approve the plan for the demobilization and voluntary relocation or repatriation of the irregular forces located in Honduran territory, in keeping with the Costa del Sol Agreement and in the framework of the Esquipulas II agreements. The Government of Nicaragua commits itself to promulgate a broad and unconditional amnesty law for those persons detained or being sought for having violated the Law for the Maintenance of Order and Public Security and related legislation, which would enter into effect upon completion of the Plan for the Demobilization and Voluntary Relocation or Repatriation. II. The political parties call upon the Governments with interests in the Central American region to abstain from covert activities in the Nicaraguan electoral process. All material support for political parties and alliances that participate in the elections should be undertaken in accordance with Nicaraguan Law. III. The Government of Nicaragua and the political parties commit themselves to consolidate the necessary legal and political conditions for the development of a free and just electoral process, with equal guarantees for all participating parties. The political parties pledge, therefore, to submit lists of citizens for the formation of the Ballot Receiving Boards as stipulated in the Electoral Law. IV. The President of the Republic: 1. Will carry out a recruitment rescheduling for the Patriotic Military Service in such a way as to guarantee that no recruitment will take place in the period between September 1989 to February 1990. 2. Will immediately introduce legislation in the National Assembly to reform the Public Media and Social Communication Law so that in matters pertaining to elections, the application of this Law shall be governed directly by the Supreme Electoral Council. 3. Will immediately introduce legislation in the National Assembly to repeal Decree 10-74 (Law for the Maintenance of Order and Public Security). He will likewise introduce legislation in the National Assembly to reform Article 494 of the Penal Code. 4. Will immediately introduce legislation in the National Assembly to amend the Law

on Jurisdictional Duties of the Sandinista Police, rescinding the parts granting it jurisdiction. 5. In compliance with Numeral 2.1.2 of Article 218 of the Electoral Law, thirty minutes of continuous air time will be allotted, from Monday through Saturday, for informational purposes to all participating parties or alliances on Channel 2 of the Sandinista Television System during the period of August 25 through December 2, 1989. This period of free air-time will be programmed between 6:00 and 9:00 p.m. by the Supreme Electoral Council in consultation with the political parties or alliances, in accordance with Article 109, paragraph 2 of the Electoral Law. 6. Will request the directorate of the National Assembly to immediately initiate the debate and approval of the Civil Service Law. 7. The Government of Nicaragua will immediately release prisoners sentenced for activities in violation of the Law on the Maintenance of Order and Public Safety that are in a poor state of health as certified by the Human Rights and Peace Commission of the National Assembly or under the procedure established in the Penal Code. 8. The Government of Nicaragua will review the release of prisoners on lists submitted by political parties that subscribe the present agreement in which they demonstrate that the said prisoners are members of the corresponding political parties and are all detained for political activities. 9. The Government reaffirms the guarantees for the different types of property, therefore they are not be subject to confiscations, expropriations or interference on account of strictly political factors. V. The President of the Republic and the political parties signatories of this Accord agree that the President and Vice President of the Republic to be elected by popular vote in the February 25, 1990 elections will assume office on April 25 of the same year, following the procedures stipulated in Article 149 of the Constitution. Article 149 of the Constitution establishes the procedure to follow when the both the President and Vice President are indefinitely removed from office. Under the terms established, the President of the National Assembly would temporarily assume the duties of the President and must name within 72 hours someone to fulfill the Office of the Executive. Under the Agreement offered by President Ortega, the incoming President and Vice President would assume office on April 25. In effect, they would hold office for a 7-year period, the 10 months remaining in the current term and the subsequent 6-year term. The Government and political parties subscribing this accord undertake to support the expedited approval of a transitory disposition of the Constitution for the exclusive purpose of facilitating the assuming of Office of the elected representatives to the National Assembly on April 24. VI. The political parties signatories to this Accord, with the support of the President of the Republic, propose to the Supreme Electoral Council, the following: 1. To submit the catalogue with the lists of registered voters to each party or alliance participating in the electoral process no later than 60 days before the elections. 2. To submit copies of opening and closing registration, founding and closing of the vote, vote counting and voting vouchers in each of the Ballot Receiving Boards to each of the poll-watchers of each political party or alliance. 3. To prepare duplicates of the election catalogues, one of which is to stay in the Supreme Electoral Council and the other in the corresponding Regional Electoral Council, starting from the period of voter registration up until three months after the election. 4. Once the vote tally has been concluded, that one or two of the political parties or alliances' poll-watchers in the Ballot Receiving Boards be allowed to travel with the sealed packages of election documents to assure their safety, in order that these be recounted in the Regional Electoral Councils. 5. That the Supreme Electoral Council continue its efforts with foreign governments and international organizations to obtain technical and financial assistance in order to initiate a permanent identification system for Nicaraguan citizens that will be completed before the 1996 elections. 6. To maintain the guarantee that voting places will not be established within military installations and that military personnel register and exercise their right to vote in the nearest corresponding Ballot Receiving Board. 7. To prohibit the use of public

buildings for election campaigning. 8. To make an appeal to all written media not to deny carrying the propaganda of any political party or alliance. 9. That the allotted time in the communications media be distributed equally among parties and alliances. 10. To effectively enforce the prohibition on the use of State property and goods for party campaign purposes. 11. To guarantee the right to campaign wherever citizens with the right to vote may reside. 12. To guarantee the right of poll-watchers to inspect the ballot box before the voting takes place. 13. To submit demarcation of each one of the Ballot Receiving Boards to the political parties or alliances no later than 10 days prior to the initiation of the voter registration. 14. To guarantee that public employees do not conduct political party activities during office hours. No public or private employer may obligate his employees to carry out political campaigning. 15. To establish September 29 as the registration date for candidates to the National Assembly. 16. To establish the rates for air time on the radio and television that shall remain in effect during the election campaign period. 17. To organize a national seminar of multipliers for the poll-watchers of the political parties and alliances. 18. That the Supreme Electoral Council extend the period for the presentation of poll-watchers from the political parties or alliances, and that these be freely designated by the political parties or alliances. The credentials sent by the political parties should be initialed immediately and sealed in the corresponding Regional Electoral Council. 19. To guarantee freedom so that all parties or alliances may conduct opinion polls without any legal restrictions whatsoever with the sole exception being the full publication of the questions and technical details of the poll. 20. To guarantee compliance with Article 206 of the Electoral Law regarding petroleum, lubricants and supplies for election propaganda. 21. To grant election campaign financing no later than 8 days after the registration of candidates for the Presidency and Vice Presidency. 22. To guarantee free access of official observers to the Ballot Receiving Boards, Regional Tally Centers and the National Tally Center as well as to election documents and activity of legally registered parties. 23. When voting, nail polish remover will be applied followed by indelible ink to stain the voter's finger. 24. When in a single Ballot Receiving Board more than 400 citizens register to vote, new booths for secret voting will be installed providing also sufficient identification lists and ballot boxes so that the voting may finish in the foreseen time frame established in the Law. 25. That a secret vote be guaranteed, and that the vote count be done in the presence of Ballot Receiving Board members and their alternates, poll-watchers and observers. 26. To guarantee access to the Regional and National Tally Centers for Presidential and Vice Presidential candidates, and board members of political parties and alliances registered in the election process. 27. That Electoral organism administrative personnel be appointed on a pluralist basis. 28. To ensure stipends and transportation costs for the poll-watchers of the parties in the Ballot Receiving Boards. 29. To carry out voter registration during the first four Sundays of October 1989. 30. The Supreme Electoral Council will establish a Consultative Body made up of seven members chosen on a pluralist basis in accordance with Article 203 of the Electoral Law. The Conservative Democratic Party registers its disagreement with the second paragraph of point V relating to the assuming of office of the elected representatives to the National Assembly. Managua, August 4, 1989 Daniel Ortega Saavedra PRESIDENT OF THE REPUBLIC OF NICARAGUA LEGAL REPRESENTATIVES OF THE PARTIES: Bayardo Arce Castano Commander of the Revolution Sandinista National Liberation Front Lic. Erick Ramirez Social Christian Party Dr. Silviano Matamoros Dr. Duilio Baltodano Ing. Jaime Bonilla Eli Altamirano Lic. Luis Sanchez FOR THE PARTIES: National Conservative Party National Action Party Independent Liberal Party Communist Party of Nicaragua Nicaraguan Socialist Party National Confidence Democratic Party Popular Social Christian Party Conservative Popular Alliance Party Social Democratic Party Neo Liberal Party Nicaraguan Democratic Movement Liberal Constitutionalist Party Dr. Eduardo

Coronado Liberal National Unity Party Lic. Blanca Rojas Central American Unionist Party Jose
Maria Zavala Social Conservatism Party Dr. Clemente Guido Conservative Democratic Party

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