



Interview ▶ The lawyer Emili Campos explains the reasons that make her think that the c



## Emili Campos

Lawyer

«A sealed ballot box in front of a notary would have given me guarantees of my right to vote»

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Last Wednesday, the lawyer Emili Campos presented a lawsuit to the Headquarters of Justice to challenge and annul the results of the general elections of last April 2nd because she considers that the chain of custody of the judicial vote was broken.

**-Two days ago you filed a lawsuit denouncing irregularities in the judicial vote. Why did you do it?**

- It is a process of reflection. One does not file a lawsuit by getting up one morning and saying I will file a lawsuit. Reading the country's media, I began to reflect on what is happening at the level of the judicial vote. I mean the guard and custody of the vote. From there I began to hear comments that led me to consider the possibility that the

re was something wrong with the judicial vote and that possibly the suffrage of all those who voted during the 15 days prior to the elections, there is no possibility that the inviolability of the judicial vote is being violated.

We were talking with a number of colleagues, we were analyzing the issue at a legal level and I raised the possibility of filing a lawsuit. Because I think that the right to vote is an individual right that each of the voters has and it is up to each of us to exercise suffrage, therefore, it is up to each of us to assess the possibility of filing a lawsuit.

The idea we had at first was to file a collective lawsuit, but no, because it is not a collective right and for this reason I decided and everyone agreed that I would file the lawsuit as an individual, regardless there are citizens who take what I have done as an example

and do the same. That was a bit of the thought process that led to the filing of the lawsuit.

**-Do you have evidence of these possible irregularities?**

- We are talking about possibilities, because we do not know and we must have respect for the work of the people who are in the tribunal, but this does not prevent there being reasonable suspicions that the process of guarding, and custody of this suffrage has brought all these days in which they were deposited at the seat of justice.

**-What is the process that sets the law that must be followed in an election?**

-I haven't been able to find it, I'm not saying it isn't there, but there are no big references in the law, it doesn't go into so many details and with so many specifications,

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«First of all, the judge had to be present. I never saw any judge and I know them well»

what I can tell you is, in a situation like this, sanity and common sense and constitutional neatness are lacking.

As I understand it, the judicial vote is prior to the day on which the elections are scheduled, in this case April 2nd, therefore, it must meet all the criteria of protection and security and care that any member of a polling station held on April 2nd. Which I think is what we should have done, first of all the judge is present. The judge could not leave from there.

When I voted, I did not see that there was any judge and I know them well. I didn't see it the day I voted, and other times I've voted for justice, I've never seen it at the polls. Second, you can't give both votes and put them in an envelope no matter how well sealed it is and have them sign it. All should go to a closed and sealed ballot box

# Chain of custody of the judicial vote has been broken

in front of a notary. At the end of the voting days, this urn had to move guarded inside the seat of justice by the police.

This ballot box should have been placed in a completely safe place, in a locked room or in a locked and sealed safe.

From the moment votes are taken, they are put in cardboard boxes, it is not known how these boxes moved from the ground floor to the floor where they were deposited, we do not know if there were cameras or not. We do not know if it was guarded by the police, we do not know if a notarial act was drawn up. All this generates doubts, these doubts generate worries and these worries must lead to demands. The question is, if all the judicial votes were transferred by the police, they were really the votes that were cast or not, and it is not a matter of proof that corresponds to being provided by the citizens, it must be the tribunal that without any doubt must prove that this has been done in this way. I doubt very much that they can prove it, it's another thing for them to say that they did. Then all judicial votes are in doubt.

**-What would be the consequences if the lawsuit were true?**

- This would correspond to the prosecutor's office, on the one hand proceedings should be opened to investigate and clear responsibilities with those responsible. But this is too far, I think that first if there is this doubt the elections should be repeated, the voting day should be repeated, at least the people who went to vote at the seat of justice.

Then we would see what result would come out, if it is the same result or very close to the one that came out on April 2nd, then fantastic, welcome, we will all be much calmer. What cannot be is the suspicion of doubt in a situation like this. The consequences of all this should be seen, but it is not about whether 50 votes are cast in favor of a political party or not, we are talking about much more important vote percentages. If this is not done, they are compromising the legitimacy of the people who will represent us these next four years, with which the smart thing is to repeat it again and not only with the judicial vote, but with everyone.



►► Image provided by Emili Campos.

**-You have mentioned international bodies of a legal nature. How far do you plan to take the demand?**

- They will be sent to different in-

ternational organizations. International parliaments, the Council of Europe, the European Parliament and possibly some international or-

ganization.

**-Finally, you made use of the judicial vote. How was your experience?**



«We don't know if it was guarded by the Police, we don't know if a notarial act was drawn up, all this raises doubts»

«We talk about possible irregularities because we don't know, but that doesn't prevent there being some suspicions about the custody process»

**Did you notice something?**

- Of the people who were present there, of the officers of the tribunal, I did not see anything unusual, it was very neat and very correct. When the problem started to appear is when I deposited my votes. The problem is when you arrive with the two votes, they are put in an envelope no matter how well it is sealed, and the voters leave.

From here, because it goes in an envelope and not in a ballot box, what happened to these votes when the envelope was left, where did they go. Here we have the problem, what we don't know.

If, at the time of casting my votes, there had been a sealed ballot box in front of a notary and with the present ballot it would have given me some guarantees of the exercise of my right to vote, which I would probably not have considered anything else. The shadow of a doubt hurts, and that's why I decided that a lawsuit had to be filed.

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