

**PRELIMINARY STATEMENT
BY THE IRI/NDI INTERNATIONAL DELEGATION
TO THE AUGUST 21 MEXICAN ELECTIONS
August 23, 1994**

The international delegation sponsored by the National Democratic Institute for International Affairs (NDI) and the International Republican Institute (IRI) is pleased to offer this preliminary statement on the August 21 elections in Mexico.

Our delegation, comprised of 80 members from 17 countries, witnessed the elections in 25 Mexican states and the Federal District. The delegation includes former heads of state and government, former diplomats, elected officials, political party and civic leaders, legal scholars, regional specialists and elections experts. A delegation of the Council of Freely Elected Heads of Government/Carter Center of Emory University participated in the delegation.

This international delegation was invited and welcomed by the three major political parties, electoral authorities and civic organizations. We were provided access to all stages of the election process and enjoyed the same rights afforded to election observers in other countries. Our delegation came to witness the elections. We did not seek to supervise the elections or certify them. Ultimately, it is the Mexican people who will determine the legitimacy of the elections.

The primary purposes of the delegation are to demonstrate the international community's continued support for the democratic process in Mexico and to provide the international community with an objective assessment of the August 21 elections. We also are seeking to learn from the Mexican people about the nature of the electoral process and its implications for the further development of Mexico's democratic institutions.

The delegation's mandate included the examination of three aspects of the election process -- the campaign, election day proceedings, and the tabulation of results to date. This statement is a preliminary assessment of these issues. In addition to its direct observations, the delegation also relied on information gathered during the entire pre-election period by IRI, NDI and the Carter Center.

We note that the tabulation of results and the resolution of any electoral complaints have yet to be completed. NDI and IRI will continue to monitor post-election developments and will issue a more detailed report at a later date.

The delegation arrived in Mexico on August 17. Prior to the election, the delegates met at the national level with representatives of the Federal Electoral Institute (IFE), including Citizen Councilors, the three largest political parties, the United Nations, news media, and national election monitoring organizations. The delegation then divided into 34 teams and deployed throughout the country. The delegation's teams held local meetings similar to those at the national level and observed the voting, counting and tabulation processes.

THE ELECTORAL PROCESS

This election represents a significant step forward for the Mexican democratic process.

The delegation was particularly impressed by the high voter turnout demonstrating the intense interest of the Mexican people in expressing their will through the electoral process.

The delegation was also impressed with the high degree of citizen participation in the elections. Political parties actively campaigned and deployed thousands of party representatives at the polling sites (*casillas*) to observe the voting and counting process. Representatives of nonpartisan civic groups also stationed thousands of pollwatchers to help ensure the integrity of the process. These activities gave tangible expression to the Mexican people's commitment to democracy.

We were inspired by those citizens who worked diligently and for long hours as polling officials --- men, women and young persons. We also applaud the many party representatives who worked cooperatively at the polling places.

While the delegation focused its efforts on the presidential race, it recognizes the significance of the federal legislative elections as well as the elections for state and local offices. Returns indicate that the new National Congress (*Congreso de la Union*) will include stronger representation of all three political parties. This creates the potential for a new and more balanced relationship between the executive and legislative branches of government.

The delegation notes a number of positive developments resulting from recent electoral reforms. Overall the procedural aspects were improved dramatically over previous elections. Among the critical reforms noted by the delegation were:

- instituting a new computerized Register of Voters (Padron) and new voter photo-identification cards to create a modern system for verifying voter eligibility. The delegation was impressed by this new system. The political parties were provided access to the Register of Voters prior to the election in order to review its accuracy, and the Register was independently audited;

- modifying the membership of IFE's General Council as well as IFE's 32 Local and 300 District Councils so that Citizen Councilors hold the majority of votes, thus increasing IFE's independence and public confidence in its decisions;

- employing a double lottery to select polling site (casilla) officials to help ensure their impartiality;

- permitting national election observers and inviting international visitors in order to increase the transparency of the elections and public confidence in the process;

- recognizing the legal basis for political parties, news media and civic groups to carry out independent parallel vote tabulations (PVTs or rapid counts), which added credibility to IFE's preliminary results;

- modifying the criminal code to define specific electoral crimes and corresponding sanctions as well as naming a Special Electoral Prosecutor;

- instituting a number of election-day procedural safeguards, such as curtained voting booths, transparent ballot boxes, sequentially numbered ballot packets, improved indelible ink, posting of polling site results and providing tally sheets to party representatives.

The delegation notes that IFE invited the United Nations to support the electoral process. The UN played an important role in assisting the efforts of national observers.

During the pre-election period, the political parties were able to communicate with the electorate through the news media, rallies and other avenues. The first-ever debate among the leading presidential candidates was nationally televised.

Notwithstanding these positive developments, some problems in the electoral process caused concern for the delegation. The following are among these concerns.

- 1) While the pre-election campaign and the voting process were more open and peaceful than many previous elections, the delegation deplores acts of political violence. The most dramatic incident was the tragic assassination of presidential

candidate Luis Donaldo Colosio. In addition, more than two hundred political party activists have been allegedly murdered since the last federal elections. Most of these murderers have yet to be apprehended. The delegation expresses its sorrow over the loss of life resulting from such incidents and hopes that efforts will be made to end political violence.

2) Credible sources reported that there was widespread use of state resources to advance the electoral cause of the governing parties at the national and state levels. Some of these incidents are presently being reviewed by the Special Electoral Prosecutor.

3) The delegation noted with concern the large disparity of resources between the governing party and other political parties. While the introduction of campaign finance limitations represented a potentially important electoral reform, the ceiling was set so high that it permitted the governing party to take advantage of significantly more resources than those of the other parties.

4) The delegation was greatly troubled by numerous reports of bias in favor of the governing party that was evident in the broadcast news media, particularly in television coverage of the election campaign. This was documented in credible studies by the Mexican Academy for Human Rights, a member organization of Civic Alliance, and by IFE's own commission to monitor radio and television news programs. While some steps were taken to remedy this problem, they did not effectively eliminate broadcast news bias.

5) As mentioned earlier, the delegation commends the recognition of national election observers and international visitors for the first time. The accreditation process for national observers, however, could have been less cumbersome.

6) A significant number of prospective voters was disenfranchised at the special *casillas* set up for individuals traveling on election day. The political parties agreed that IFE would limit the number of ballots delivered to each special *casilla* to 300 for each federal office. By the early afternoon, many special *casillas* ran out of ballots, and large numbers of prospective voters waiting in line were turned away from the polls. These individuals comprised two categories: those who were away from home and those who possessed valid voter identification cards but whose names were not on the voter's lists at their *casillas*.

7) On election day, delegation members noted a number of minor irregularities and isolated instances of intimidation of voters. In addition, delegation members received a number of

allegations of partisan behavior by some local election officials.

8) The delegation commends the creation of the Special Prosecutor's Office for Electoral Crimes and the appointment of a highly respected individual to head that office (the Special Electoral Prosecutor). The office appears to be independent and currently possesses resources to pursue its mandate. At the same time the delegation notes with concern that the Special Electoral Prosecutor was not appointed until July 19. This did not provide adequate time to organize the office and effectively process cases prior to the elections. Only one of the more than 240 complaints lodged with the Special Electoral Prosecutor reached the courts by election day. The late appointment of the Special Electoral Prosecutor precluded the possibility of sending a strong message prior to the elections that electoral abuses would not be tolerated.

While the delegation takes the above-mentioned problems seriously, it has received no evidence to suggest that they would have affected the outcome of the presidential contest.

RECOMMENDATIONS

Prior to August 21, many citizens questioned the integrity of Mexico's electoral process, despite all of the legal and procedural reforms effected since the last national elections. From our experience in other countries, when doubts are raised concerning the fairness of an electoral system, additional safeguards should be introduced even if the law meets an otherwise acceptable standard. In Mexico, the longevity of the ruling party imposes a special responsibility on it to help ensure that the electoral process is not only administratively correct but free from the perception of partisanship. All parties share an obligation to respond to the elections in a responsible manner.

The high voter turnout was an encouraging sign that progress is being made in addressing this issue. The delegation believes that this election should help to reduce skepticism. We commend the recent electoral reforms, and hope that electoral reforms will be continued and intensified in the immediate post-election period. In this spirit, the delegation respectfully offers the following recommendations.

1) All political parties should build upon their efforts in creating the Agreement for Peace, Justice and Democracy. This could be done by establishing mechanisms for ongoing dialogue on crucial issues affecting public confidence in the political system. This would reinforce a political culture of tolerance and pluralism.

2) The government and the political parties should take steps to follow up on elements of the Agreement for Peace, Justice and Democracy. These would include:

- undertaking a review of political party financing, in order to establish more equitable electoral competition;
- taking effective measures to prevent the misuse of state funds and resources in support of any political party or candidate;
- establishing clear and enforceable guidelines on equal access to the news media for all political contestants.

3) The continued development of independent civic organizations should be encouraged to become a strong and permanent feature of the Mexican democratic process.

4) The government and the council for broadcast news media should establish guidelines for balanced and objective news coverage of electoral contestants and issues of public importance that bear on voters' choices. These guidelines should include clear provisions allowing the broadcast of independent parallel vote tabulations (also known as rapid or quick counts). Debates between political contestants for various offices also should be broadcast. Additional voter education announcements, in all local languages, should be broadcast in order to further raise public confidence in the electoral process.

5) All electoral complaints lodged with IFE and the Federal Electoral Tribunal, as well as all cases brought to the Special Electoral Prosecutor should be promptly processed in order to provide effective remedies for abuses of electoral rights. The Special Prosecutor's Office for Electoral Crimes should be provided with the necessary resources to effectively pursue its mandate in a timely manner, and consideration should be given to establishing it as a permanent body.

6) Problems that took place at the special *casillas* on election day should be examined in order to improve the system or adopt alternative measures. Confidence would be enhanced by a public report on the results of that examination.

7) Any registry of voters is likely to contain some errors. One type of error is to omit the names of individuals who properly completed all steps of the registration process and who even received their voter identification cards. In order to prevent the disenfranchisement of such individuals, IFE should consider implementing a system for casting challenged or tendered ballots on election day.

8) Efforts should be made to further ensure IFE's autonomy. IFE should also continue to review complaints concerning partisan behavior of local and district electoral officials and take appropriate action against those found to have acted improperly.

The delegation would like to stress that it recognizes and commends the improvements made as a result of recent reforms to the Mexican electoral system. The recommendations set forth here are made with modesty and in a spirit of cooperation. The delegation urges that all electoral disputes be resolved peacefully and through legal means.

The delegation would like to express its appreciation to the government, IFE, the political parties, civic organizations and the Mexican people for their warm hospitality. It would not have been possible to accomplish our tasks without the generous cooperation of those with whom we met. Members of the delegation will remain in Mexico to follow post-election developments, and the delegation will release a more detailed report at a later date.

**NDI/IRI
INTERNATIONAL DELEGATION
TO THE MEXICAN ELECTIONS
AUGUST 21, 1994**

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