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*With the compliments  
of  
The Mexican Embassy*

*Washington, D. C.*

# Mexico's Political and Electoral Reform

# MEXICO'S POLITICAL AND ELECTORAL REFORM

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On August 21, 1994, Mexican voters will go to the polls to elect a new President, a new Chamber of Deputies, and three-fourths of the Senate.

This electoral process takes place under a set of unprecedented regulations agreed upon by the political parties of Mexico. Under the current Administration, the Mexican electoral system has been strengthened. Recent reforms take into account the important transformations that have occurred in Mexican society over the last decade. The backdrop to the reforms has been the willingness of the nation to bolster its democratic practices and institutions.

The main objectives of the political and electoral reforms are:

- Create an updated, transparent and credible electoral system;*
- open new spaces for the political participation of all Mexicans;*
- strengthen political plurality through guarantees for minority access to both the Chamber of Deputies and the Senate;*
- give full jurisdictional authority to the Federal Electoral Court as an independent body responsible of upholding the principles of legality and impartiality during elections.*

## A NEW POLITICAL FRAMEWORK

In his Inaugural Address in December of 1988, President Carlos Salinas de Gortari proposed a "National Agreement for the

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Expansion of Democracy" with three basic objectives: improve electoral procedures, update Mexico's party system and modernize its political practices.

During his fifth annual State of the Nation address in November of 1993, President Salinas called on all political parties to strive in the search for a consensus that would "consolidate democratic improvements and electoral transparency".

This proposal led, on January 27, to the "Agreement for Peace, Justice, and Democracy," adopted by all political parties (except the Popular Socialist Party). The Agreement, also known as the "Accord for Political Civility", draws upon a widespread consensus in the country for sustained economic growth, social reform, and a commitment to democracy and justice. It is also the first document ever to be endorsed and signed by the largest political parties in Mexico and by its presidential candidates.

Mexican society has undergone a profound change: more and more people, individually or through NGO's, play a fundamental role in every-day politics and in a wide range of issues, from environment and human rights to conducting polls. The "Accord" is an expression of society's newfound capacity and willingness to play, through the electoral process, a more active role in the modernization of the nation.

## **THE CONSTITUTIONAL AND LEGAL REFORMS**

The "Agreement for Peace, Justice, and Democracy" is a landmark in Mexican political history and provides a framework for the enactment of the electoral reform packages approved by Congress. These reforms, designed and validated by all political

parties, update and improve constitutional and legal provisions, and propel political plurality and social justice in Mexico.

The reforms have proceeded in three stages.

## **I FIRST STAGE (1989-1990)**

Five of the six parties represented in the Mexican Congress approved a first package of reforms whereby the "Federal Code for Electoral Institutions and Procedures" (**COFIPE**) was issued in 1990. Through the **COFIPE**, the Federal Electoral Institute (**IFE**) was established in 1990 as an independent and permanent body.

Other important steps were the drafting of a new electoral registry comprised by over 47 million citizens out of approximately 50 million voting age Mexicans, and the development of a tamper-proof voter credential with photograph.

## **II SECOND STAGE (1992-1993)**

In preparation for the federal elections of 1994, a series of amendments to the Constitution, to the **COFIPE**, and to the electoral law were approved in 1993 by Mexico's Congress regarding political rights and political representation as well as political parties and conditions for electoral competition.

### **◆ CONSTITUTIONAL AMENDMENTS; POLITICAL RIGHTS AND POLITICAL REPRESENTATION**

The reforms to both Chambers of the Mexican Congress guarantee a more plural representation in the Senate, and preclude the dominance of one party in the Chamber of Deputies.

### 1) *SENATE*

The number of senators for each state and the Federal District doubled from two to four. Three senators will be elected by majority vote and a fourth seat will be allotted to the party obtaining the leading minority vote in each state. This guarantees that at least 25 percent of the seats in the Senate will be held by parties with the leading minority in each state.

### 2) *CHAMBER OF DEPUTIES*

The Chamber of Deputies was reformed with the purpose of preventing a single political party from having more than two-thirds of the 500 seats; thus, a constitutional amendment would require the consensus of several political parties.

Another important step is the elimination of the “governability clause”, which formerly guaranteed the majority of seats in the Chamber to the party obtaining 35 percent of the vote.

### ◆ LEGAL REFORMS;

#### POLITICAL PARTIES AND CONDITIONS FOR ELECTORAL COMPETITION

### 1) *FUNDING*

The electoral legislation regulates government funding to all political parties and the sources of party financing, and establishes expenditure ceilings.

Government agencies, government officials, commercial corporations, churches, and foreign organizations, individuals and political parties are prohibited from making contributions to Mexican political parties.

A ceiling of 42 million dollars has been established for each party’s presidential campaign expenses. Precise rules and

procedures of expenditure disclosure have been approved for all political parties. Campaign expenses for senators and deputies have also been curtailed and their expenditure ceilings will depend on issues such as number of constituents and the socio-economic profile of each state.

## *2) EQUAL ACCESS TO THE MEDIA*

In addition to the time allotted by the Government to all parties, the reforms guarantee new bidding standards so all parties may be able to purchase commercial slots on an equal basis.

The IFE will request that radio and television stations provide a catalogue of available timetables and rates for political parties; no party may purchase air-time outside these slots and rates cannot be higher than those charged for ordinary commercial advertising. General policies and guidelines for media coverage of each party's campaign have also been established.

## *3) ELECTORAL SANCTIONS*

A special office for the prosecution of electoral crimes has been established and the Penal Code includes precise sanctions for a host of activities subject to criminal prosecution. This legislation was implemented to avoid vote tampering or the channeling of state funds and resources to support political campaigns, among other things.

## *4) NATIONAL OBSERVERS*

The legislation recognizes the fundamental role Mexican NGO's will play in this year's electoral process. Mexican observers will participate throughout the whole process, and will play a non-partisan role in polling-booth observation on election day. A number of these groups will conduct exit polls and an independent tally once all the polling-booths have closed on August 21.

National observers will work alongside political party representatives and approximately 800,000 citizens enabled as

polling-booth officials. These citizens, drawn by lottery throughout the country, will be in charge of vote-counting procedures on election day.

### **III THIRD STAGE (1994)**

The political parties promoted a set of additional reforms in order to further guarantee credibility and transparency during the 1994 electoral process.

#### **1) ACCOUNTABILITY**

Agreements were reached on allowing external audits to the electoral registry, under the supervision of a technical council composed by citizens. Political parties would then review the results. In order to reassure voters and political parties during the upcoming elections, other measures were approved such as the establishment of a special prosecutor for electoral crimes and the numbering of ballot stubs in order to maintain control over all ballots while preserving voter secrecy.

#### **2) CITIZEN COUNSELORS**

Congress approved changes in the composition and structure of electoral authorities. The IFE's General Council now includes six non-partisan citizens who will have the majority of the votes. They will be supported by executive and technical experts of IFE for professional electoral service and supervision. Their work will be guided by the following principles: precision, respect for the law, independence, impartiality, and objectivity.

A fundamental change is that the political parties' representatives within the General Council will no longer be able to exercise a vote in the decisions adopted by the IFE, thus eliminating potential gridlock in the federal electoral bodies. All decision-

making within the General Council now resides with the representatives of the Executive branch (Minister of the Interior), of the Legislative branch (two senators and two deputies, one from the majority party, the other from the leading minority in each Chamber) and the six Citizen Counselors.

It is important to underline that these agreements were reached with the majority approval within the Chamber of Deputies, including the three largest political parties in Mexico, that is PAN, PRI, and PRD.

### 3) *INTERNATIONAL VISITORS*

The Mexican Government invited a United Nations mission to cooperate with the IFE in two ways:

- a) Working with the country's NGO's in providing technical assistance and ensuring that the observation of the process is objective, non-partisan, and professional;
- b) Preparing a technical assessment of the Mexican electoral system.

Over three hundred Mexican NGO's have already announced their intention to work with the United Nations technical mission. It is expected that other Mexican entities will join the effort.

Moreover, the Mexican Congress approved legislation that will allow "foreign visitors" to be in Mexico during the electoral process.

However, the observation of the electoral process will reside solely with the Mexican political parties and national observers. The faculty to certify the election resides with the electoral

authorities, and the newly-elected Chamber of Deputies will ultimately certify the presidential election.

## **TOWARDS A MORE PARTICIPATIVE DEMOCRACY**

Mexico is undergoing a series of profound changes. The economic, social and political reforms that Mexico implemented in these past years have profoundly transformed Mexican politics. Obsolete political institutions have disappeared, others have been modified, and new ones have been created.

In this sense, institutions like the Mexican Congress and the Federal Electoral Institute have been valuable channels for the political forces of the country to voice their concerns and reach important agreements towards a more participative democracy.

It has been in this constructive spirit of political civility that the Government, political parties, NGO's, and society in general have been able to effectively define and bolster Mexico's new agenda for the advancement of democracy.



**NEW  
DOCUMENT**

Address  
of Dr.  
Jorge  
Carpizo,  
President  
of the  
General  
Council  
of the  
IFE

June 3, 1994.

# ADDRESS OF DR. JORGE CARPIZO, PRESIDENT OF THE GENERAL COUNCIL OF THE FEDERAL ELECTORAL INSTITUTE (IFE)

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## INTRODUCTION

On June 3, 1994, Mexico's Minister of the Interior, Dr. Jorge Carpizo addressed a special session of the General Council of the Federal Electoral Institute (IFE). The purpose of this meeting was to greet the Citizen Counselors who, for the first time, participated in the General Council, IFE's highest decision-making body.

One of the objectives undertaken by Mexico's electoral institutions and by its political parties regarding the upcoming August 21 federal elections, has been to bolster the reliability of the country's electoral process. The participation of civil society in IFE's governing bodies and its involvement in the electoral process as a whole has been one of the most important steps in this direction.

Dr. Carpizo's speech is an important summary of the electoral reforms enacted by Mexico's Congress over the past four years. It highlights thirty-six different initiatives, supported by Mexico's political parties and approved by Congress. These reforms, born as a result of negotiation, dialogue, and consensus, were bolstered by the commitments of the January 27 "Agreement for Peace,

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Justice, and Democracy”, subscribed by eight of the nine political parties and their presidential candidates.

Dr. Carpizo’s speech is a testimony of the efforts undertaken by all, the Government, the political parties, and Mexican society, in order to fulfill the objectives of a transparent, credible, and reliable electoral process. It ratifies the commitment of the Government of Mexico with the democratic process and with free and fair elections. Above all, it is a call to all Mexicans to support our nation’s high interest in its electoral process.

ARTURO NUÑEZ JIMENEZ  
DIRECTOR GENERAL  
FEDERAL ELECTORAL INSTITUTE

# MEMBERS OF THE COUNCIL AND REPRESENTATIVES LADIES AND GENTLEMEN:

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I would like to give a warm welcome to Council Members Santiago Creel, Miguel Angel Granados-Chapa, Ricardo Pozas, José Agustín Ortiz Pinchetti, José Woldenberg, and Fernando Zertuche, who have been elected to the General Council of the Federal Electoral Institute (IFE) by the Chamber of Deputies in accordance with the recent legal regulations regarding the composition of the electoral bodies, as stated by the new article 41 of the Constitution of the United Mexican States.

I also wish to acknowledge the Magistrate Counselors who acted as members of the General Council until the last meeting, and who, according to the law, complied fully with their responsibilities and duties.

Also welcome are the new members of the houses of Congress and the representatives of the national political parties who join us today in our tasks.

I recognize the democratic spirit and the commitment to the Republic expressed by all the political parties of the country, and

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which constitute Mexico's multi-party system, based on the sovereign will of our society.

I wish to acknowledge the participation and committed cooperation of the members of Congress during the whole reform process. Without their support, without their determined commitment to improve our electoral system, the progress which we can attest to today would not have been possible.

The reform process initiated on January 27 of this year is part of a cycle which began in 1978 as a result of the political reform encouraged by Jesús Reyes Heróles. It continued in 1986 with the enactment of the Federal Electoral Code, and bolstered as of 1990 with the approval of the constitutional amendments to the electoral process and the promulgation of the Federal Code for Electoral Institutions and Procedures (COFIPE). It was completed in 1993 and now, with the new reform, a significant step has been taken aimed at cooperating towards the common objective of holding exemplary elections, with which each and every Mexican can be satisfied.

I hope that the efforts made by the national political parties and the firm commitment of the Government will allow us meet the objectives which we have consensually established: to reach August 21 in a peaceful and civil environment, in such a way that the 56th Congress can begin its sessions on the 1st of

November, and the new President-elect may take office one month later.

Since January 27, I pointed out that the only limitations on the agreements amongst the parties were the consensus by the parties themselves and the election date. Today, I reaffirm that the elections will be held on August 21 of this year, according to the law. The institutions of the nation and its legal framework are strengthened thanks to the agreements that have been reached.

This does not mean that there are no new tasks, problems, and challenges to be solved always in compliance with the Constitution, the law, and the best interests of Mexico. We must maintain and expand the dialogue and the search for agreements in the General Council, in each of the local and district councils of the Federal Electoral Institute, if we are to find the common solutions which can strengthen the credibility of the elections.

The Congress has approved the constitutional and legal reforms related to the federal electoral process. The approval of the initiatives for legal reforms, supported by four national political parties and approved by a majority in both Houses, constitutes the most important step towards the goal of impartiality which we established on January 27 of this year after eight parties and their presidential candidates signed the "Agreement for Peace, Justice, and Democracy".

As I stated in Querétaro on March 21, the reforms approved by Congress represent the most important change Mexico has undergone since the political reform of 1978. It is true that for several reasons, some political parties and their parliamentary groups decided not to support such proposals. But I must reiterate what I expressed since the dialogue began: we decided to base all decisions on consensus among the parties, knowing that consensus is not synonymous with unanimity.

The changes approved constitute the set of guarantees deemed necessary and encouraged by the political parties in order to bolster the impartial nature of the electoral authorities and foster equal conditions in the electoral contest. Free and fair elections are our common objective.

The reform represents a particularly important step both in its regulatory and procedural aspects. Both rules and practices change.

In the name of the Executive branch, I wish to reiterate that the Government's commitment to legality and impartiality is invariable. It is not, and will not be subject to rules other than those recognized by the law.

I think that this is an adequate time to summarize and review the legal reforms and the agreements of this Institute, as of the "Agreement for Peace, Justice, and Democracy" of January 27.

Among the most relevant aspects of this electoral reform of 1994, are the following:

1. A five-fold reduction of the previously established ceiling for the campaign expenditures of presidential candidates.
2. The establishment of an external audit of the electoral registry, of the lists of nominal voters, and the voter credential. The audit is already being carried out by eight firms. To guarantee the reliability of the external audit, it is being subjected to the surveillance and supervision of a Technical Board composed of eleven distinguished scientists and Mexican professionals, well known for their capabilities and impartiality, who have been appointed by the consensus of the political parties.

The audit is being performed taking into account the legal rights of citizens and parties to directly verify the reliability of the registry, as is the case with a national verification through samples presently being conducted by eight political parties.

3. Based on the unanimous agreement reached by the political parties, I have requested the Attorney General of the Republic, establish a Special Attorney's Office for electoral crimes, headed by a legal expert recognized for his honesty, probity, and courage.
4. The selection of the officials at the polling-booths has followed the procedure proposed by one of the political parties

that has raised the most objections to the methods used in the past. The procedure used for the election in August guarantees the absolute impartiality of the official, and thus, reliability for parties and citizens. The selection is based on a double random lottery through which individuals are selected according to the month they were born in and the first letter of their last name. This method prevents any and all undue practices.

Let me point out that this process of double lottery strengthens the impartiality of these polling-booth officials, members of our society. These citizens will count the votes when the polling-booth is closed and will, some days later, certify the election of the federal deputies and senators in each district and in each local council. Those citizens will, thanks to this reform, six of the seven votes in those councils.

5. The polling-booth officials will be ranked according to their educational level.

6. A commission composed of all the political parties was created, in order to cooperate with the analysis of the programs and the supervision of the electoral training of polling-booth officials.

7. For the first time in our electoral history, the electoral ballots will be attached to a numbered slip. Polling-booth officials and the representatives of the national political parties

will have an additional element to ascertain the fairness of the voting procedures, while preserving the secrecy of the vote at the same time.

8. Each polling booth will be provided with all the materials necessary to guarantee the secrecy of the vote.

9. The indelible ink which will be used during election day was especially manufactured by scientists belonging to the National Polytechnic Institute.

10. The electoral observers, who will be Mexican citizens, will have all the facilities and guarantees to carry out their duties. They will only be requested to act with objectivity, expertise, impartiality, and non-partisanship.

11. Our legislation accepts, for the first time, the presence of "foreign visitors", not foreign observers. Based on the provisions of the law, this General Council will define their profile and characteristics.

12. All special polling-booths are now subject to strict limits regarding their number and distribution, the amount of ballots, as well as to strict guidelines regarding their installation.

13. With the unanimous vote of the political parties, general guidelines were approved for radio and television news coverage.

They seek to encourage equity, balance, and veracity in the information provided by the mass media to the public regarding the campaigns and candidates of each party.

14. During its special session held in March, Congress approved the amendment to Article 41 of the Constitution and, during the regular sessions, the amendments to the (COFIPE). Both provide for the new composition of the IFE's governing body, the General Council.

15. The Citizen Counselors, members of this General Council, will still be appointed by the Chamber of Deputies by a two-thirds vote, but instead of being proposed by the President, they will be proposed by the parliamentary groups in the Chamber of Deputies.

16. The requirements for becoming a Citizen Counselor were made more flexible in accordance with the new philosophy of this electoral body.

17. As of today, six highly reputed citizens, elected by the Chamber of Deputies -based on a proposal made by four political parties- will occupy positions as Citizen Counselors, according to the new regulations established by the COFIPE. Together with the representatives of the Executive and Legislative branch, they are responsible for the decision-making process in the General Council. Because of their number, their decision-

making capabilities are guaranteed; through their probity and prestige, they guarantee the impartiality of the authorities. Their only commitment must be to Mexico.

18. From this day forward, in the local and district councils, six Citizen Counselors, will govern the process in their district and reach the appropriate agreements, according to the law and the agreements of the General Council. In each of the local district councils, the political parties will, as in the General Council, have equal representation, entitled to voice opinions but not to vote.

19. The main purpose of the amendments to the Penal Code regarding electoral crimes, is to discourage illegal practices and to make an example of anyone committing them. Society and all political parties have demanded this.

20. In order to provide additional guarantees to Mexican society concerning the impartiality and fairness of the electoral process, and after having listened to the opinions of the political parties, the Government of Mexico, through me, has formally invited the United Nations to send, within the framework of respectful cooperation with its Member States, a mission composed of experts on electoral matters to analyze the Mexican electoral system and issue a technical report on it.

Likewise, and considering the recognized impartiality of the United Nations in the observation of electoral processes, we have requested its technical assistance in order to support the work of

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the national observer groups that freely request U.N. help and thus guarantee, as I have said before, their objectivity and impartiality.

21. As a result of the consensus reached by the political parties, the deadline for citizens to ask for the replacement of their voter credentials in case of damage or loss, was due on May 15 of this year. The deadline for the delivery of credentials was set for June 12 of this year. Those agreements already approved by Congress will allow the parties and the polling-booth officials to receive one, not two, definitive nominal electoral lists. This list will be delivered on 8 mm. tapes to all parties on June 30 and a printout will be delivered on July 21.

22. The electoral registry will be delivered on magnetic tapes on a monthly basis to all parties. Regional computer centers will make reviews and verifications easier. This will provide additional guarantees that the definitive lists delivered to the parties will coincide exactly with those being delivered to polling-booth officials.

23. The registry with the list of citizens who obtained their voter credential until February 28 of this year was presented on time and in a correct fashion. The Executive Director of the Federal Electoral Registry received almost 60,000 individual observations. Each one of these was duly attended and a detailed list containing the answers provided by the registry for

each case was delivered to the parties along with the appropriate clarifications.

24. Aside from all these initiatives, the Executive Director of the Federal Electoral Registry, under the supervision of a national commission composed of a representative of every political party, will continue its work through regular and special programs to guarantee the electoral registry's maximum reliability. These programs are:

a. Program to Modify Status of Citizenship, through which it is possible to gather external information from federal, state, and municipal agencies related to citizens that have died, are imprisoned, or waive their nationality.

b. Program to Detect Duplicates, in order to identify citizens that have the same name or have two or more voter credentials.

c. Conclude the Program for the Identification of Cartographic Inconsistencies.

25. Regarding electronic mass media, the free time on radio and television to which all parties are entitled to has been increased by 180 percent, compared to what was available in 1991. In addition to this, extra airtime will be purchased by the IFE and made available to the political parties for the transmission of daily

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promotional clips and distributed among them, based on the results they obtained during the last federal election.

26. Upon the parties' request, negotiations were held with the National Chamber of Radio and Television regarding the application of widely accepted commercial criteria in such a way that, with no additional charge, the parties may benefit from one additional promotional clip for each promotional clip paid by IFE. Thus, the total number will increase to 116 daily messages in radio stations that best fit the interests of each party.

27. The parties, according to rules agreed upon by them, will be allotted a full hour on radio on the three Sundays prior to the elections of August 21. As was the case during the recent debates among the presidential candidates, the Office for Radio, Television and Cinematography of the Ministry of the Interior and the IFE's Commission for Broadcasting will continue to provide facilities so that radio and television stations may freely hook onto future debates among presidential candidates.

28. The IFE's Commission for Broadcasting, composed of representatives of all political parties, will be in charge of enforcing compliance with the agreements and guidelines related to electronic mass media news coverage, in accordance with the recommendations of IFE's General Council.

It should be recalled that these guidelines are not restrictions or impositions, but "suggestions." Freedom of speech is fully guaranteed. Society will freely judge the performance of the mass media.

29. With the purpose of strengthening equal access to radio and television during the ten days prior to the elections, party-paid propaganda in the mass media will be suspended, with the sole exception of campaign closing events. According to the law, parties will make use of the official time to which they are entitled during that period, respecting the general provision that suspends all partisan activity three days before election day.

30. Upon the request of the political parties, the President has agreed to suspend radio and television propaganda of the PROCAMPO and PRONASOL programs during a twenty day period before the election.

31. Regarding the use of public resources during the electoral process, the Government reiterates its commitment to keep these resources from being used in an illegal manner to support a given party or candidate.

32. The Office of the Comptroller General is carrying out both preventive and informative programs in order to sustain the above-mentioned commitment.

The Government expresses its commitment that public programs for economic development and attention to less fortunate members of society will be exercised on a basis fully independent of the electoral process. Nobody must feel that his or her vote is being linked to the services they receive.

33. No government official may be commissioned to work for a given political party nor perform partisan activities within working hours or use public resources with any of these purposes. All political parties are upholding this principle. No government official shall exercise coercion over his or her subordinates in order to encourage a specific vote nor suspend work to attend party activities.

34. The review regarding an appropriate selection of electoral officers and of the Citizen Counselors, requested by the parties, has been concluded. Based on the consensus reached by the parties, 247 members have been substituted, including a strict review of 19 of the 32 local executive members. It was also agreed to replace 170 Citizen Counselors. Thus, we have established a definitive agreement that allows us to have in place the electoral structures required for the electoral process and required by the law.

I must point out that in all cases and without exception, replacements were carried out because of a perceived link to a particular political party and not because their honesty or

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probity was called into question. Their cooperative spirit in this difficult task must be acknowledged.

35. In order to provide the political parties with greater facilities for the registration of their representatives with the polling-booth officials, Congress approved some changes to the deadlines for this registration.

36. Finally, there is a consensus in the sense that all electoral lists and ballots shall not be destroyed until six months after election day. Thus, the commitments made by the political parties and the Government in the January 27 agreement have been complied with. Appropriate measures and amendments that strengthen impartiality, objectivity, and transparency of the elections, have been taken and approved.

The effort undertaken has been enormous. Perhaps a party may feel that not all of its expectations were met. They must take into account that the only limitations to this superb package of reforms were time and the fact that we had to reach a consensus among all political parties. Besides, in a democracy it is not feasible for a single party to obtain the approval of every single one of its proposals. This happens only in totalitarian systems. Fortunately, there is a vigorous multi-party régime in Mexico.

An electoral reform has been achieved in four months based on consensus, a reform that began to be discussed seven months

before election day and that now has been concluded, with still three months to go. If one considers that our election encompasses an electoral registry of 47 million citizens, that approximately 95 thousand polling-booths will be installed, and about 2 million citizens will be trained -out of which 800,000 citizens chosen randomly will work as polling-booth officials- one may fairly say that the implementation of our electoral process is one of the largest in the world. Besides, in this process, all of the reforms that I have summarized here have been enacted, something which on occasions has created some hard-to-solve problems. However, with political will, confidence in our institutions, energy, conviction and commitments -but above all, with faith in Mexico- we all, the political parties, Congress, and the Executive branch have concluded an electoral reform on the very eve of the election in order to strengthen transparency, objectivity, and reliability of the electoral process. We have done this convinced that society demanded it and that every effort is worthwhile, provided that it reinforces civility, cooperation, and brotherhood among all Mexicans.

I cannot deny that I have been questioned on the relevance and validity of these reforms in several forums and with different intentions. Some citizens wonder, with legitimate concern, if we are risking the very same electoral process. I say no. We have been very careful in this respect.

It will be hard to find in the world another case in which legal regulations are changed and procedures modified in the midst of an electoral campaign. We did this because Mexico's interest demanded it, and there is nothing so highly esteemed by Mexicans as peace and safety, essential conditions for the preservation and development of democracy.

Ours has been a hard, complex, and conflictive time. Most of our troubles are products not of intransigence, but of the free environment that the Government and all Mexicans have been building through sacrifices and efforts for many years. Changes do not frighten us as long as they are the result of dialogue and a common will for the benefit of Mexico.

We change in order to advance our democracy, to maintain and strengthen civility, respect, and mutual tolerance. The Mexico we have all built, so diverse, complex, open to the world and its beneficial influences, wants to reach the new century with a favorable balance for all its inhabitants. I ratify the commitment of the Government with the democratic development of the nation, with free and fair elections, with absolute respect for the vote of all citizens. Only the people, by means of their sovereign vote, have the power to decide who will govern them.

A main tenet of democracy is that people decide electoral results through their votes; the Government will be an unbiased guarantor of this principle.

The efforts brought to bear on more than four months of shared dialogue and negotiation have made these reforms possible. Government and parties managed to live up to the challenges of the "Agreement" drafted on January 27, 1994. We have proved that our commitment to Mexico is stronger than our differences. Through dialogue and consensus we have concluded the tasks that we set for ourselves on January 27, 1994. We have said no to violence, we have said yes to peace and dialogue. Our agreements are the reflection of a mature society.

Because of this, it is not acceptable that while we are achieving democratic progress, the electoral process is being disqualified beforehand and with it, all of our efforts.

Ladies and gentlemen:

Having accomplished the goals set forth by the "Agreement" of January 27, we must now strengthen citizen participation in the elections and foster trust in the process. The IFE will implement an ambitious program of public relations with the purpose of encouraging voter turn-out. The Minister of the Interior, acting as President of IFE's General Council, will join this campaign one month before election day.

This General Council, I am sure, will be a zealous guardian of the legal and ethical principles guiding IFE, it will uphold the law with rightness and justice, and it will proceed to build necessary consensus in the coming months.

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I encourage all officials within the Professional Electoral Service to maintain and reenforce their unbiased and objective behavior, to work efficiently and with a spirit of service, and to contribute to the higher objectives Mexico demands of us.

To all Mexicans, to their political and social organizations, I once again request, that for the country's sake we uphold basic moral principles. We must uphold the truth, whatever this may be. All Mexicans should make truth our banner, truth our strength, truth the springboard of our actions. Let truth enhance our republican ethos. Always, but especially in the upcoming months, we must all reinforce these values upon which our nation is built.

I assume, as my personal concern and as my duty, in the name of the Government, the historical, legal, and moral responsibility of the agreements which we have reached together; several national leaders of political parties have expressed to me the same conviction.

Let us always maintain open channels of communication and the possibility of solving our differences through them. We are all committed to carrying out free and fair elections. Such is the demand of all Mexicans and this much is demanded by the greater interest of Mexico.

**NEW  
DOCUMENT**

EMBAJADA DE MÉXICO

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WASHINGTON, D.C.  
JULY, 1994

THE DOCUMENTS IN THIS PACKAGE HAVE BEEN PREPARED BY THE FEDERAL ELECTORAL INSTITUTE OF MEXICO (IFE), REGARDING THE ELECTORAL SYSTEM THAT WILL PROVIDE THE FRAMEWORK FOR MEXICO'S FEDERAL ELECTIONS ON AUGUST 21, 1994.

SOME OF THE DOCUMENTS HIGHLIGHT THE POLITICAL AND ELECTORAL REFORMS THAT HAVE BEEN ENACTED BY THE MEXICAN CONGRESS, WHILE OTHERS UNDERSCORE SPECIFIC ISSUES OF EACH ONE OF THE REFORMS.

THESE DOCUMENTS PROVIDE A BETTER UNDERSTANDING OF THE SCOPE OF MEXICO'S ELECTORAL REFORMS, OF THE NATURE AND CHARACTERISTICS OF MEXICO'S CURRENT ELECTORAL SYSTEM AND INSTITUTIONS, AND OF THE IMPORTANCE THAT MEXICO HAS ATTACHED TO ITS UPCOMING ELECTORAL PROCESS.

EMBASSY OF MEXICO, WASHINGTON, D.C. (202) 728-1600

# MEXICO'S FEDERAL ELECTORAL SYSTEM

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## INTRODUCTION

In preparation for the 1994 federal elections, Mexico has undertaken an important effort to update and improve its electoral processes and institutions. The Government, political parties, and society in general have worked to guarantee a transparent and credible electoral system for the August 21 federal elections, in which the country will elect a new President, and members of the Chamber of Deputies and the Senate.

The creation of the Federal Electoral Institute, the drafting of a new electoral registry, a new tamper-proof voter credential with photograph, and the participation of civil society throughout the whole electoral process are, among others, a clear testimony of Mexico's commitment to this endeavour.

The documents in this package explain the political and electoral reforms that have taken place since 1990. They cover a wide-range of issues, from constitutional reforms regarding the Mexican Congress to sanctions dealing with electoral crimes.

The fundamental purpose of this package is to promote a better understanding of the electoral system that constitutes the framework for the federal elections of August 21, 1994.

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**NEW  
DOCUMENT**

# MEXICO AND ITS ELECTORAL PROCESS

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## **1) How often do federal elections take place in Mexico?**

Presidential elections take place every six years, and legislative elections take place every three.

## **2) When will the following federal elections take place?**

Sunday, 21 August, 1994.

## **3) Who will be elected in August?**

A new President, who will be in office during the term of 1994-2000; the totality of the Chamber of Deputies for the 1994-1997 period; and 96 of the 128 senators that will make up the Senate from 1994 to 2000.

## **4) Who will vote in the 1994 elections?**

All Mexican citizens over the age of eighteen, properly registered in the Federal Electoral Registry. All voters must present their voter credential before casting their votes.

## **5) Is the Electoral Registry reliable?**

The electoral registry has undergone thirty six independent audits and the constant supervision of all political parties. As of May 1, an external audit is being conducted by a group of firms

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headed by McKinsey. Furthermore, all citizens have the right to verify their data in the registry.

With the active participation of all the political parties, there are national, state, and district commissions in charge of supervising the registry.

Obviously, keeping a precise registry is not easy. There are almost 2 million new citizens in Mexico each year, 300,000 deaths, 2.5 million changes of address, and a sizeable number of migrant workers.

Despite this, the new electoral registry includes more than 90 percent of all citizens. This coverage is higher than that of the United States (55%), Colombia (79%) or Italy (80%) and similar to that of Australia, France or Canada (90%). The importance of having a reliable registry has been so great that Mexico has spent approximately 730 million dollars in updating and improving it. This budget equals what would be required to build 48,000 new classrooms or 56,000 new homes.

A new tamper-proof voter credential with photograph has been developed and already delivered to 86 percent of all eligible voters.

#### **6) May Mexican citizens living abroad vote in federal elections?**

Only Mexican citizens who are within Mexican territory on election day may cast their votes.

#### **7) May citizens vote outside their districts?**

Notwithstanding that most citizens will vote within their districts, special provisions have been made so that voters who find themselves outside their precincts can vote.

a) There will be 57 special polling-booths, each with 750 additional ballots, along the U.S.-Mexico border so that Mexican citizens in the United States may return to Mexico and vote.

b) Those voters who are within the country, but in a different district from the one they live in, may vote for senators, for proportional representation deputies, and for President. If they are outside their state of residence, but within their plurinominal district, they may vote for proportional representation deputies and for President. Those outside their plurinominal district may only vote for President.

To facilitate this type of votes, there will be five special polling-booths per district, each one with 300 additional ballots.

#### **8) Who is responsible of organizing the 1994 elections?**

This responsibility lies with the Federal Electoral Institute (IFE), a permanent and autonomous body with its own funding, with governmental and political party representatives, and a professional electoral service. The IFE has 32 delegations (one in each state) and 300 subdelegations (one per electoral district).

#### **9) What are the IFE's principal responsibilities?**

The IFE is in charge of all activities that relate to the organization and supervision of the electoral process. Some of them are:

- Update the electoral registry;
- Observe and comply with the rights and obligations of all political parties;
- Prepare and supervise election day;
- Electoral training for all citizen officials in charge of the polling-booths;
- Vote counting and certification of elected officials;
- Civic education programs.

## **10) How is the IFE organized to deal with these responsibilities?**

The IFE has a three-tier structure:

- Directive Councils, composed of government and political party representatives, and Citizen Counselors,
- Executive and Technical Boards, composed of professional electoral officials;
- Commissions for Electoral Oversight, composed of party representatives and professional electoral officials.

These three bodies are permanent; only local and district councils operate on an ad hoc basis.

## **11) Which one of these is the top decision-making body?**

The General Council, made up of:

- One counselor from the Executive branch, in this case, the Minister of the Interior;
- Four counselors from the Legislative branch, two from the Senate and two from the Chamber of Deputies. The majority party of each Chamber proposes one counselor and the other is nominated by the leading minority party;
- Six Citizen Counselors, chosen by the Chamber of Deputies and proposed by all political parties;
- One representative for each one of the political parties.

Only the Counselors have a right to voice opinions and cast votes; political party representatives do not have the right to vote.

## **12) What are some of the General Council's attributions?**

- Supervise the operations of the IFE's permanent bodies and set up the ad hoc bodies (local and district councils);

- Elect the Director General and the six Executive Directors of the IFE;
- Resolve issues pertaining the register of political parties or agreements among parties and coalitions;
- Establish the maximum amounts political parties may spend on presidential campaigns and on federal elections.

**13) How many political parties are registered for this year's elections?**

Nine. They are:

-PAN	Partido Acción Nacional
-PRI	Partido Revolucionario Institucional
-PPS	Partido Popular Socialista
-PRD	Partido de la Revolución Democrática
-PFCRN	Partido del Frente Cardenista de Reconstrucción Nacional
-PARM	Partido Auténtico de la Revolución Mexicana
-PDM	Partido Demócrata Mexicano
-PVEM	Partido Verde Ecologista de Mexico
-PT	Partido del Trabajo

**14) What are the political parties' main prerogatives during the electoral campaign?**

All political parties are guaranteed free and permanent access to the national media during elections. Their air-time increases depending on their electoral strength within each state or district.

All of them have the right to receive public financing in support of their activities.

**15) May political parties receive private funds?**

All parties can receive private funding from four sources: through its members; from supporters; through self-financing; and through investments.

In order to guarantee equitable conditions among all parties, limits to funds obtained through these sources have been established, and the new legislation binds all political parties to strict rules of accountability and campaign-funding disclosure.

Under all circumstances, the new legislation prohibits the channeling of government funds or resources to political campaigns and curtails funding from abroad or from the Mexican commercial corporations and the churches.

**16) Are there other legal provisions which enhance equality among political parties?**

Yes. For example, in 1993 Congress approved a series of reforms which establish party spending limits and ceilings on campaigns for President, senators and deputies in order to avoid that differences in party campaigns, due to larger party funds, become a determinant factor in obtaining a larger percentage of the votes.

In this regard, the General Council of the IFE has established a 42 million dollar spending ceiling on the presidential campaign.

**17) How many polling-booths will there be on election day?**

Almost 95,000 polling-booths will be distributed throughout the country. The maximum number of voters per booth is 750.

**18) Who will be in charge of the polling-booths?**

Four non-partisan citizens (plus four substitutes), picked by lottery and trained by the IFE. Every political party can register up to two representatives (and one substitute) per polling-booth and one general representative for every ten urban polling-booths or five rural ones.

## **19) Will there be electoral observers?**

New reforms to the electoral legislation have guaranteed Mexican citizens, individually or through NGO's or other organizations, a role as national observers. All accredited national observers are already participating in audits to the electoral registry and will observe the installation of the polling-booths, the voting, vote-counting, posting of results and the dispatch of the reports to each polling district. Besides, all political parties have the right to place party observers in the polling-booths.

Observation of the electoral process will reside solely with the political parties and national observers. The faculty to certify the election will reside with the electoral institutions. The newly-elected Chamber of Deputies will ultimately certify the presidential election.

On May 11, Mexico invited the United Nations to cooperate with a mission of experts that will a) provide technical assistance to Mexican national observers to enhance their observation capabilities and their non-partisanship, and b) deliver a technical assessment of the Mexican electoral system.

Over three hundred Mexican NGO's have already announced their intention to work alongside the UN mission.

On May 13, the Mexican Congress approved legislation that will enable "foreign visitors" to travel to Mexico during the electoral process.

## **20) When will the election results be provided?**

Polling-booth officials will attach the results of each precinct outside the booth in order that anyone may learn of the tally

immediately after the booth has closed. This information will be sent to every district no later than 24 hours after election day, and in turn will be sent to the IFE where it will be processed immediately.

Additionally, a group of Mexican NGO's will be conducting exit polls and a tally once all polling-booths have closed.

**21) When will elected officials assume office?**

The 56th Legislature will be installed on November 1, 1994 with the new 500 deputies and the 96 new senators of a total of 128. The Electoral College of the Chamber of Deputies will certify the presidential election and will declare the President-elect.

The new President will take office on December 1, 1994.