



## **Report of the National Democratic Institute's International Delegation to Mexico's July 2, 2000 Elections**

### **I. INTRODUCTION:**

The July 2, 2000 elections in Mexico marked a historic juncture in Mexico's democratic development. Polls prior to the elections indicated a close presidential race and that citizens would not know what the outcome would be for the first time in 71 years. A series of reforms begun before the 1994 presidential elections helped lay the foundation for a competitive election. However, Mexican electoral history has been marked by allegations of fraud and irregularities. Substantial improvements in the last decade include the adoption of the federal electoral code (COFIPE), the establishment of the Federal Election Institute (IFE) and the emergence of civic watchdog organizations. Problems that remain include, among other issues, equal access to and balanced coverage by the media, violation of campaign spending limits, the use of public funds or assets in support of the governing party, vote buying, coercion and lack of voter education. In order to bring international attention to and monitor these remaining problem areas within the Mexican electoral process, the National Democratic Institute for International Affairs (NDI) was asked by Mexican political and civic leaders to organize an international delegation to observe the July 2, 2000 elections.

NDI has conducted impartial election observation programs in more than 50 countries in the Americas and around the globe. NDI has worked with Mexican civic groups on election related matters since 1991, providing support in the areas of election observation and electoral reform. NDI and the International Republican Institute sent a joint international observation delegation to the 1994 presidential elections. In addition to this international delegation, NDI conducted pre-election assessment missions in May and June 2000. A representative of NDI was in residence in Mexico City from May 31 to July 7, 2000 to monitor the electoral process until its conclusion. NDI also provided technical and financial assistance to the Mexican civic network Civic Alliance to conduct a quick count of the July 2, 2000 elections.<sup>1</sup>

NDI's international delegation was invited and welcomed by the Mexican government and electoral authorities, the three major political parties, and nonpartisan election monitoring

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<sup>1</sup> A parallel vote tabulation or "quick count" is an independent verification of election results using a random yet statistically representative sample of results from actual polling sites. By using actual election results, the "pvt" is more accurate than other methods – such as exit polls, which rely on voters stating how they cast their ballots.

organizations. The delegation conducted its activities in accordance with international standards for impartial election observation and Mexican law, and was provided access to all stages of the election process. The delegation came to Mexico to witness the elections; it did not seek to supervise the elections or to certify them. The primary purpose of the delegation was to demonstrate the international community's continued support for the democratic process in Mexico.

The delegation visited Mexico from June 28 to July 4, 2000 and witnessed the elections in 14 states and the Federal District. Comprised of 42 members from 12 countries, the delegation was led by former Guatemalan President Ramiro de Leon Carpio, former Texas Governor Ann Richards and US Congressman Ed Pastor of Arizona and included elected officials, political party and civic leaders, legal scholars, regional specialists and election experts.<sup>2</sup>

From June 28 to 30, the delegates met at the national level with President Ernesto Zedillo and with representatives of IFE, the three largest political parties, the media, public opinion organizations, the Special Congressional Commission 2000, and civic groups monitoring the elections.<sup>3</sup> On July 1, the delegation divided into 15 teams that were deployed to Chiapas, Chihuahua, Guanajuato, Guerrero, Hidalgo, Mexico, Mexico City, Michoacan, Morelos, Oaxaca, Puebla, Queretaro, Tlaxcala, Veracruz, and Yucatán. The deployment teams met with representatives from the local electoral council, domestic observer groups and political parties. On the day of the elections, the teams observed the voting, counting and tabulation processes. The teams returned to Mexico City on July 3 to debrief and prepare a preliminary statement released that same day.

In addition to its direct observations, the delegation relied on information gathered during the pre-election period by NDI, the International Republican Institute, the United Nations Elections team in Mexico, the Washington Office on Latin America, the Center for Strategic and International Studies, the Carter Center, IFE, the Mexican television station - Televisa, the Ministry of Social Development - SEDESOL, the Congressional Commission Monitoring the Use of Public Funds During the Elections, the private polling firm GEA, the Mexican national newspaper Reforma, and the Mexican Non Governmental Organizations Civic Alliance, the Mexican Academy of Human Rights, COPARMEX (Confederation of Proprietors of the Republic of Mexico), Citizen's Presence, The National Feminine Civic Association - ANCIFEM, and FUNDAR.

The delegation greatly appreciates the hospitality extended to it by representatives of IFE, the government, the media, political parties, the business community and civil society. It could not have accomplished its tasks without the generous cooperation of those with whom it met.

## **II. ELECTORAL HISTORY**

For years, the Mexican opposition parties have alleged electoral fraud in state and national elections, while at the same time slowly gaining incremental reforms designed to bring about more competition, openness and pluralism to the electoral system.

<sup>2</sup> Please find attached the final list of participants of the international delegation - Attachment 1.

<sup>3</sup> Please find attached the Agenda of Briefings - Attachment 2.

In 1983, the PAN won municipal elections in Durango and Chihuahua. In 1985, contrary to expectations, the PRI secured all contested state governorships and won 288 of the 300 directly elected seats in the Chamber of Deputies leading to widespread allegations of electoral fraud. The PAN's objections to the results were dismissed by the government controlled Federal Electoral Commission, but violent clashes between protesting PAN supporters and the police continued for several weeks.

### 1988 Elections

In 1986, dissident factions began to form within the PRI with the emergence of Democratic Current (CD), and the formation of a major left-wing alliance, the Mexican Socialist Party (PMS) in 1987. In October 1987, Carlos Salinas de Gortari, then Minister of Planning and Budget and one of the principal architects of the government's economic policy, was selected as the PRI presidential candidate for the July 1988 national elections. In early 1988, CD and four other left-wing parties, including PMS, formed an electoral alliance, the National Democratic Front (FDN), headed by CD leader Cuauhtémoc Cárdenas Solórzano, former governor of Michoacán and son of a popular former president. Former PRI Chairman Porfirio Muñoz Ledo also broke with the party and ran for president as an independent candidate.

The presidential elections occurred without notable incident on July 6, 1988, but official results were not published for several days fueling opposition allegations that large-scale irregularities had taken place. Final results gave Salinas 50.7 percent and Cárdenas 31.1 percent despite the fact that Cardenas had been leading in many of the exit polls. Cárdenas immediately claimed that the election had been stolen from him. Although the PRI won by almost twenty percentage points, the margin of victory was the smallest in the party's history. The PRI also claimed a majority victory in the congressional contests. Opposition parties refused to recognize the electoral results, citing reports of fraud at 7,400 polling stations.

Opposition parties and independent civic groups continued to allege electoral fraud during state and local elections in 1992 and 1993, leading to violent confrontation between opposition supporters and police. The irregularities included lack of ballots at polling stations, allegations of robbing and stuffing of ballot boxes, violation of ballot secrecy, voting without proof of registration, absence of registered voters from lists, and intimidation of voters.

Spurred by these allegations of fraud, members of the opposition, civil society and President Salinas, began pushing for electoral reforms. Resulting reforms increased the credibility of the 1994 elections, which were won by Ernesto Zedillo of the PRI with 48.7 percent of the vote. The 1994 results were accepted as legitimate by the general public and both national and international observers.

Reforms that were instituted for the 1994 elections included: the legal right of political parties, news media and civic groups to carry out independent parallel vote tabulations; increasing the number of independent citizens that could be Electoral Councilors at the IFE so that they were a majority, increasing the independence of the IFE (however, it was still presided by a member of the PRI); inviting and allowing the participation of national

election observers and international visitors; and incorporating election-day procedural safeguards like curtained voting booths, transparent ballot boxes, sequentially numbered ballot packets, the posting of site results, and providing tally sheets to party representatives.

Additionally, a computerized registry of voters was created and submitted to an external audit. The audit found the registry to be 97 percent reliable. The reliability of this audit was confirmed by a United Nations mission that was invited to give technical advice on election monitoring. This reform proved critical in assuring general acceptance of the election results, particularly when the PRD claimed that approximately 10 million votes were fraudulently manipulated on election day.

Although dramatic improvements had been made since the 1988 elections, some problems in the electoral process did cause serious concern. Principal among these was the level of political violence, specifically the assassination of PRI presidential candidate Luis Donald Colosio in 1994 and the alleged murders of more than two hundred political party activists in the six years between presidential elections. Additional problems included the widespread use of state resources for campaign purposes, biased media coverage, and ineffective campaign finance laws regarding the large disparity of resources available to the governing party in comparison to other political parties.

### **1997 elections**

In 1997, Mexico held its first elections under a fully autonomous IFE. Opposition and civic groups applauded the change and expressed confidence in the IFE's objectivity and technical ability to manage the elections. Election day itself was characterized by few irregularities. Public confidence was bolstered in part by IFE's use of a computer system designed to produce preliminary electoral results on election night. This new system allowed the results of the day's balloting to be made public by midnight.

The July 6, 1997 elections were a watershed in Mexican political history. Opposition parties won key victories including the post of mayor of Mexico City, and a majority of seats in the Chamber of Deputies.

By the July 2, 2000 balloting, opposition political parties had gained control of governorships in 11 of 31 states. Along with the maturing of opposition leaders in government positions, civil society organizations strengthened and elements of the news media grew more independent, setting the stage for what has been accepted as Mexico's most competitive elections.

### **III. POLITICAL PARTIES**

The eleven political parties that competed in the 2000 elections included the Authentic Party of the Mexican Revolution (PARM), Ecological Green Party of Mexico (PVEM), Institutional Revolutionary Party (PRI), National Action Party (PAN), Party of the Democratic Revolution (PRD), Labor Party (PT), Central Democratic Party (PCD), Social Alliance Party (PAS), National Social Democrat Party (DSPPN), Convergence for Democracy, the Nationalist Society Party (PSN), and the Social Democracy Party (PDS). Parties that lost their federal registration due to failure to obtain a 2 percent threshold of

national support during the July 2000 congressional elections include PDS, PCD and the PARM.

#### **IV. ELECTORAL FRAMEWORK**

Electoral reform was an important domestic issue during both the Salinas and Zedillo Administrations. In 1990, the Chamber of Deputies approved reforms to the electoral code, COFIPE (Federal Code on Electoral Institutions and Procedures) that took effect during the 1991 mid-term elections. The legislation called for the creation of a new national registry of voters and required photos on voter identification cards. The COFIPE also authorized domestic election observers and created the IFE. The emphasis of the reform was to allow greater public access to the electoral process. The PRD, however voted against the reform as they strongly objected to procedural obstacles to the formation of political alliances and presidential power to appoint IFE's director and six members of IFE's 21-member executive board.

In September 1993, the COFIPE was modified to gradually reduce the government's influence over IFE's leadership. In January 1994, eight of the nine political parties agreed to a package of reforms designed to guarantee free and fair elections in August 1994. The accord was regarded as a significant step toward genuine electoral reform in Mexico and its symbolism, if not its mandate, had far reaching effects on Mexican election processes. However, crises in the 1994 electoral year including the Chiapas uprising and the assassination of PRI presidential candidate Colosio, further convinced the new president Ernesto Zedillo to genuinely open up the electoral process during his administration.

In a historic move, Zedillo requested that the four political parties represented in Congress negotiate a consensus on electoral reform. The effort resulted in the electoral reforms of 1996 that changed more than 100 aspects of the electoral process. Principal among these was the removal of government officials from the management of IFE, allowing it to function as a fully autonomous body. In addition, limits on over-representation of the majority party in Congress were set at eight percent of total votes, leading to PRI's loss of the absolute majority in the Chamber of Deputies in the 1997 elections. The reforms also resulted in the establishment of direct elections for mayor and city council in Mexico City.

In an attempt to limit the practice of buying and coercing votes, two national measures were adopted. First, IFE established citizen commissions at local and district levels to receive complaints of vote-buying and coercion. In December 1999, the chamber of deputies created a congressional commission to monitor the use of public funds during the electoral cycle.

##### *A. Government Structure*

Under the Constitution of 1917, Mexico is a federal republic consisting of 31 states and the Federal District. The federal government consists of the Executive, the bicameral Congress, and the Supreme Court. The President is directly elected for a single, six-year term. Each state has its own constitution, governor, and legislative chamber. Like the President, governors are elected for a single, six-year term. The Senate has 128 members, with four from each state and the Federal District. Senators serve a single six-year term. The

Chamber of Deputies, directly elected for single, three-year terms, has 500 seats, of which 300 are filled from single-member constituencies. The remaining 200 seats are filled from the parties' lists of candidates elected by proportional representation with a limit on over-representation of the majority party. The justices of the Supreme Court are appointed for life by the President with the approval of the Senate. The Mexican Republic is divided into 300 federal electoral districts, each of which designates a representative to Congress. Each of the 32 federal entities elects four members of the Senate, three elected by popular vote and the fourth reserved for the party with the second-largest number of votes.

*B. The Federal Electoral Institute (IFE)*

The Mexican constitution stipulates that the organization of federal elections (president, senators, and the Federal Chamber) is the responsibility of IFE with the participation of national political parties, the citizens and Congress. These elections are regulated by the new electoral code (COFIPE).

Throughout the 2000 electoral period, public confidence in the IFE was high, with a positive rating by as much as 80 percent of the population in opinion polls. The political parties and candidates also expressed a high degree of confidence in IFE. The principal responsibility of IFE is to ensure the integrity of Mexican elections. IFE establishes the voter registry for the federal and state elections. It announces electoral results and declares winning candidates. It also conducts election training and civic education. Electoral disputes are resolved by the Federal Electoral Tribunal, also established by the COFIPE.

IFE is governed by a 22-member General Council composed of members of both houses of Congress, political parties and citizen representatives. The General Council includes a President Councilor, eight Electoral Councilors, four Legislative Councilors (one from each party with representation in both houses of Congress), eight party representatives (one from each party legally registered), and the Executive Secretary, who is elected by a two-thirds vote at the General Council after being presented as candidate by the President Councilor. Of the 22 members, only the President and the eight Electoral Councilors have voting rights. These nine members are elected by a two-thirds vote in the Chamber of Deputies to serve for a period of seven years. The present Councilors were inaugurated on October 31, 1996. The General Council is able to initiate as many commissions as it deems necessary to carry out its activities. There are five permanent commissions made up exclusively of the Electoral Councilors: Control of Party and Political Group Resources; Prerogatives, Political Parties and Broadcasting; Electoral Organization; and Electoral Training and Civic Education.

In preparation for the 2000 elections, the IFE conducted educational programs on Mexican electoral laws and procedures and the IFE's role in the electoral process. The IFE also organized training seminars for national election observers and poll workers. Extraordinary human and financial resources were committed to IFE's efforts to organize the 2000 elections. The IFE budget for 2000 was 8,453,654,000 pesos (approximately \$899 million US dollars).

The electoral process could be further improved, however, by strengthening IFE's role in important electoral areas such as campaign finance regulation or disclosure, media

coverage of electoral contests and investigation of potential misuse of state resources or governmental authority in pursuit of electoral advantage.

### *C. State and Local Electoral Authorities*

In addition to its national structure, IFE is composed of 32 local councils, one for each state and the Federal District, and 300 district councils, corresponding to each of the single-member districts for the Chamber of Deputies. These councils serve to count, process and validate election results, as well as register national observers. Unlike the General Council, these councils are only established to work during electoral periods.

There are approximately 113,000 polling sites (*casillas*) that fall under the jurisdiction of the district councils. The polling sites are managed by seven local citizens who are chosen through a double lottery system. To fill the casilla positions, 15 percent of eligible voters are randomly selected to attend a training course provided by IFE. Those who complete the course, and who have last names beginning with randomly selected letters, are chosen as election officials. Officials for each casilla are then assigned responsibilities according to their levels of education. In addition, each officially recognized party can appoint up to two representatives and one substitute to be present at each polling booth.

### *D. Electoral Tribunal*

The Electoral Tribunal of the Judicial Power of the Federation is part of the judicial branch and the highest juridical authority on electoral matters. The Tribunal consists of a Superior Court and Regional Courts. Electoral Magistrates in both courts are nominated by the Supreme Court and confirmed by a two-thirds vote of the Senate. The Tribunal is responsible for determining and applying sanctions regarding electoral conflicts including actions and resolutions of IFE; controversies that affect electoral process or the final election result; and actions that affect citizen rights to vote, to be candidates, and to freely participate in the political process. The tribunal also solves disputed results of state and national elections.

The Tribunal member selection process changed in 1996. Prior to 1996, electoral magistrates were nominated by the president and approved by the Chamber of Deputies. Opposition parties are still unhappy with the member selection process as they claim that the Supreme Court is not truly autonomous from the executive branch and, therefore, its nominations can be influenced by presidential pressure. As proof of the tribunal's bias towards the government, they point to a ruling made during the 1997 elections where the tribunal supported the PRI's claim that IFE was overstepping its legal authority when it created a special commission to address complaints concerning the buying and coercion of votes.

### *E. Voter Registration*

Since 1990, IFE has produced a new registration list and voter identification cards that include a photo of the individual, which have been distributed to more than 37 million people. The photographs are taken by a special camera to avoid fraud. Each card also has magnetic strips and various numerical codes. A sophisticated computer program is used to

update and correct the list, erasing duplications and adding new voters. The process of printing the lists is time consuming and requires that voters register six months prior to the elections. With these changes, the list is generally considered the most accurate in Mexican history. The new registration system worked well in the 1994, 1997 and 2000 elections.

#### *F. Election Observation*

The 2000 elections mark the third time national observers have been accredited to participate at the national level. It is also the second time IFE officially recognized and provided credentials to "international visitors," the official term for foreign observers, to witness election day activities in Mexico. Concerns regarding Mexican sovereignty were the principal impediment to allowing international participation in the past.

According to COFIPE guidelines, international visitors must be identifiable, impartial and have credentials. They are allowed to study the electoral process in any of its stages throughout the country by meeting with officials from IFE on a national level or with president councilors from local and district councils, political parties, political groups or electoral alliances.

Mexico benefits from one of the strongest nonpartisan election monitoring movements in the world. This movement includes organizations like Civic Alliance, which developed in 1994 as a nationwide coalition of over 400 nongovernmental groups and deployed 12,000 observers in elections that year; COPARMEX (Confederation of Proprietors of the Republic of Mexico) a private sector association which has mobilized election observers as well as conducted quick counts; and the Mexican Academy of Human Rights, which has conducted extensive media monitoring programs. These groups and others have contributed greatly to building public confidence in the election process and to ensuring the integrity of the process through monitoring the pre-election period, and deploying observers around the country on July 2. Not only have these organizations played a central role in monitoring the election process, but they also have played a central role in advancing Mexican election reforms.

#### *G. Election Day, 2000*

On July 2, 2000, voters selected candidates for president, the 500 member Chamber of Deputies, the 128 member Senate, governorships in the states of Guanajuato and Morelos, the Mayor of Mexico City, and local elections in nine states including Mexico City.

Polling stations opened at 8:00 a.m. and closed at 6:00 p.m. Election officials and security officers were present at each polling station. Political party representatives monitored activities at the *casillas*. Hundreds of national monitors and international visitors were present throughout the country, although not in all polling stations.

Votes were counted first at the *casilla* and monitored by political party representatives. The ballot was then sent to the IFE district office, accompanied by party representatives.

### **V. MEDIA COVERAGE**



According to guidelines established by the IFE, all political parties are guaranteed equal conditions of access to the media for commercial slots, special programs and publicly financed airtime. The IFE recommended that the Radio Broadcasting Commission and the National Radio and Television Board implement policies to ensure balanced news coverage of each party's campaign. In addition, each political party has the right to 15 free minutes of television and radio broadcasting each month. Political parties with representation in Congress receive additional free airtime: 30 percent is allocated on an equal basis and 70 percent is allocated according to the proportional representation.

Historically, the media in Mexico has been a strong supporter of the PRI in electoral periods. During the 2000 elections, the national newspaper Reforma, monitored media coverage on a daily basis during the campaign period, reporting weekly summaries of radio and television coverage of all presidential candidates. The summary included the total amount of airtime (purchased and non-purchased) and the nature of the coverage (favorable or unfavorable) received by each candidate. The media monitoring efforts of Reforma, IFE and the NGO Mexican Academy of Human Rights found that during the 2000 elections, the coverage among the candidates of the three main political parties was equitable. However, monitors also reported that the media tended to favor the PRI's presidential candidate and that most of the coverage of opposition presidential candidates was negative. Concerns remain that the major television networks, Televisa and TV Azteca, and regional news agencies are still biased in favor of the PRI.

For the 2000 elections, the IFE estimates that 65 to 70 percent of campaign expenses was spent on media. The IFE is monitoring the purchase of airtime by candidates by requiring each candidate to submit an official report that details media expenses. IFE also hired the private firm, Berumen, to monitor the candidates' campaign-related airtime and media expenses throughout the country. These findings will be compared with the official reports submitted by the parties to the IFE.

While the effects of media bias have not been established, news bias can significantly undermine the benefits gained by free and paid media access. Developing methods to eliminate politically motivated news bias, without infringing on the right to separate editorial opinion, should continue to be an important area for electoral reform efforts in Mexico.

## **VI. CAMPAIGN FINANCE**

To limit the influence of outside money, strengthen political parties and provide newer, smaller parties with an opportunity to compete, the COFIPE allows the IFE to channel public resources to all registered parties for operating expenses and campaign expenses. Thirty percent is divided equally among all registered political parties, the remaining 70 percent is divided proportionally among parties that received at least two percent of the vote in the 1997 federal elections. For the 2000 elections, the party alliance campaigns of both the PRD and the PAN received the most money from the government. Political parties are allowed to raise up to 49 percent of their total funding from private sources. Individual campaigns are allowed to raise 10 percent from private sources. Private funding is difficult to track as IFE does not have direct access to candidate financial records nor the power to demand full disclosure.

The first assessment mission recommended thorough training for *casilla* officials and party poll watchers, a continued mandate and support for agencies that tackle the issues of the use of state resources for electoral advantage, and potential reforms that could address the issue of more objective news coverage during the pre-electoral period. The second mission recommended that parties apply campaign finance regulations during party primaries, increased independence and autonomy for the Prosecutor of Electoral Crimes (FEPADE), legal reforms that further define electoral crimes, and increased staff and resources to expedite the processing of complaints.<sup>4</sup>

#### IX. NDI INTERNATIONAL DELEGATION FINDINGS:

Voter turnout on July 2 was large<sup>5</sup>, and the elections took place in an orderly and peaceful manner. The July elections marked the beginning of a new era in Mexican history. For the first time the reins of national government will change hands democratically between two political parties. The delegation commended the opposition parties, civic organizations and members of the federal government and the ruling party for their long, difficult and continuing efforts for electoral reforms.

At the same time, the process was not without problems. The delegation noted minor irregularities on election-day including: not enough special *casillas* and inefficient voting procedures at the special *casillas*, late openings of *casillas*, election officials who did not show, lack of privacy of the vote, and isolated incidents of intimidation of voters.<sup>6</sup> The most difficult states observed by this delegation were in Central and Southern Mexico, specifically: Mexico, Puebla, Hidalgo and Yucatán.

The delegation determined that challenges remain that should be addressed through future reforms. These include: 1) the need to improve voting procedures at special polling stations (*casillas especiales*); 2) the need for further and timely disclosure of political party financing; 3) elimination of bias in news coverage of political parties and candidates, particularly at the state and local levels; 4) the need to take steps to increase the effectiveness of the bodies responsible for adjudicating electoral complaints and electoral crimes; 5) enhancing coordination among electoral authorities at the national, state and local levels; and 6) addressing the use of state resources and authority as they relate to vote-buying and voter coercion.<sup>7</sup>

<sup>4</sup> Please find attached the statements from the pre-election assessment missions (Attachments 3 & 4.)

<sup>5</sup> *La Jornada* cited 65% on July 3, 2000

<sup>6</sup> See attached table of delegate findings -- Attachment 5.

<sup>7</sup> Please find attached the July 3, 2000 statement from the NDI International Observation Delegation -- Attachment 6.