

# POLITICAL AND LEGAL RISKS MEXICAN EXPERIENCES



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# Challenges related to the national Mexican context

- The National Electoral Institute (INE, for its acronym in Spanish) is the public and autonomous organism responsible for organizing the federal elections in Mexico; that is, the elections in which Mexicans elect the President of the Republic, 500 federal congress deputies, and 128 senators, who form the Congress of the Union.

## Challenges related to the national Mexican context

- Upon from the electoral reform approved on December 13th, 2013 and after its publication on February 10th, 2014 in the Official Newspaper of the Federation, the INE is also responsible for organizing, in coordination with the local electoral organisms in each federal state, the local elections in the 31 states of the republic and the federal district.

## Challenges related to the national Mexican context

- These changes to the Mexican Constitution substantially modified the structure and the way in which elections are organized in Mexico, as INE became the main and only organism responsible for all elections for public office in the country, at the federal as well as at the local level.
- The Mexican legislation establishes that the objective of the INE is to guarantee that elections are carried out in a periodical and pacific manner, under the principles of certainty, legality, independence, impartiality, maximum publicity, and objectivity.

## Challenges related to the national Mexican context

- On June 7<sup>th</sup>, 2015, there was an election for federal congress deputies, At the same time, in 17 estates, there were local elections for 1679 state positions.

## Challenges related to the national Mexican context

- This 2015 election represented a major challenge for the INE, even though we had the structure and expertise inherited from the former Federal Electoral Institute (IFE, for its acronym in Spanish). This election was the first time that entirely new procedures dictated by the legislation of the electoral reform were to be implemented in the Mexican electoral system.

## Challenges related to the national Mexican context

- All of this in addition to the Mexican social context, with a lot of geographical and cultural diversity, in a country with more than 112 million people and almost two million square kilometers of extension. It was necessary to set up about 148,500 voting locations in which to receive the votes of more than 83 million voters.

## Challenges related to the national Mexican context

- The organization of the 2015 elections also entailed a number of challenges with regard to dealing with the presence of groups who are in disagreement with the policies carried out by the Mexican government, in the states of Chiapas, Guerrero, Michoacán and Oaxaca, who threatened to boycott the elections from the very beginning.

## Challenges related to the national Mexican context

- Among the protest acts that took place in the previously mentioned states, during different stages of the electoral process, are the following:
  - The siege of the INE office.
  - Physical aggressions to INE staff.
  - Theft and destruction of electoral documents.
  - Vandalism to the facilities of political parties
  - Road blocks, demonstrations and rallies



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**JUNTA LOCAL EJECUTIVA  
EN EL ESTADO DE CHIAPAS**

**FARSA** **ANTES!**

**CNTE**



**GRUPO  
expansión**



## Challenges related to the national Mexican context

- The destruction of electoral material is especially noteworthy, as Mexican legislation establishes that electoral documents, and especially ballots, must be guarded by the military at all times to avoid alterations or falsifications to the ballots.

# Implemented activities

- The adverse circumstances force the INE General Council, the major governing body in the institute, to approve agreements in order to guarantee the continuity of activities before, during, and after the election day, always procuring meeting the requirements established by the Constitution and the law, regarding the setting up of alternative voting locations in the case that the integrity of the local and district councils be compromised, as these councils are responsible for making sure that the activities carried out by the institute are legal.

## Implemented activities

- In addition to these agreements, in the four states in which there was the siege of the facilities of the INE, the institute designed a protocol for internal security that allowed us to guarantee the continuity of the main operations in the institute, and continue activities in alternative locations, at times even in the homes of the institute employees.

## Implemented activities

- Close to the day of the election, the actions carried out by those groups who were in disagreement with the government were more radical. As a result, special actions were carried out to deliver electoral material, mainly ballots and other supplies needed for the election. In addition, in some cases, it was necessary to avoid wearing uniforms or driving cars with institutional logos.



## Implemented activities

- We also coordinated with different civil, military, and administrative authorities at all levels of government, in order to establish protocols and security operations that would inhibit behaviors against the pacific development of the elections, without compromising the right of the citizens to vote, at the same time that we guaranteed the safety of the election locations.

# Results

- In spite of the pressure and all destabilizing actions by the disagreeing groups, elections took place on a national level, with positive results in the more complex states, which are: Michoacán, Guerrero, Oaxaca and Chiapas.
- In these states 99.84% of all the approved voting locations were successfully set up. In addition, these states achieved a participation of 47%, which equals the percentage presented for the federal deputy election on a national level.



# Policy and practical implications

- The actions adopted by the General INE Council were fruitful thanks to the collaboration of the entire structure of the institute, including all temporary staff, council members, staff from the professional electoral services, and especially those citizens who were officers at the voting locations during the day of the election.
- Political parties also supported the institutional decisions and contributed to a safe environment, encouraging the general population to dialogue and electoral participation.

## Policy and practical implications

- At the same time, the Electoral Court of the Nation decided to validate the results of the elections in spite of all the disturbances to the development of the election day, considering that such acts were caused by reasons not related to the electoral process, and they were not intentionally carried out by any political figures or the government. The election was validated after establishing that the INE had followed all legal procedures and norms that govern the electoral process.

# Pending questions and controversies

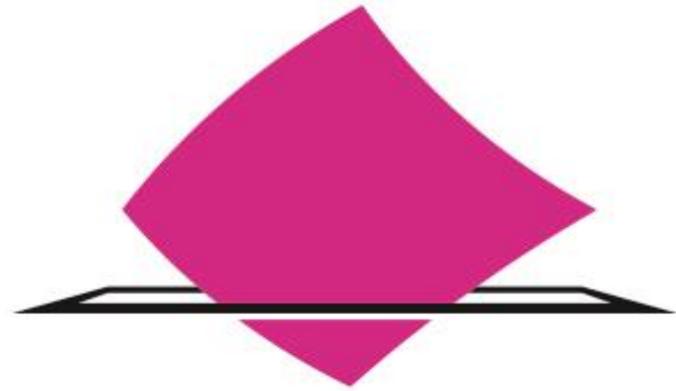
- The events that took place in 2015 made us recognize the need to work in the relationship with the citizens, in order to keep and foster trust to our institutions so that the INE can continue to carry on its work as a relevant institution in the Mexican political system.

## Pending questions and controversies

- It is necessary to fine-tune the already existing mechanisms in order to establish permanent communication with the authorities at the federal and local level, in order for the protocols for risk situations like the one I just described, to guarantee the safety of the facilities and staff of the institute in the future. It is crucial that information is rapidly shared so that preventive or dissuasive measures can be taken, if necessary.

## Pending questions and controversies

- In the same manner, incorporating contingency procedures will be necessary to provide certainty when making decisions to confront extraordinary threats against the institute and its activities.
- In democracy there general and immutable principles, the best system is that convinces the majority and is accepted by all.
- The Mexican case is not a recipe. Only an experience.



**INE**

**Instituto Nacional Electoral**

**Thank you**