THE CARTER CENTER OF E

Latin American and Caribbean

Report of the Team Sent by the
Council of Freely-Elected Heads of Government
To Witness the Observation of the Elections
In Michoacan and Chihuahua, Mexico
July 13, 1992

In response to an invitation by eight Mexican observer groups, the Council of Freely-Elected Heads of Government sent a delegation of eight people to witness the observation of the elections in Michoacan and Chihuahua. We have just returned from our trips to the two states and want to report, but first let me introduce our group and define precisely the purpose and circumstances of our mission.

I. The Council and The Invitation

The Council of Freely-Elected Heads of Government is an informal group of 18 current and former Presidents of the nations of the Americas. Chaired by former U.S. President Jimmy Carter, the Council has observed elections in Panama, Nicaragua, Haiti, the Dominican Republic, and Guyana. Four members of the Council designated representatives to participate on our team.

-- **Dr. Marcelo Stubrin is the representative of former Argentine President Raul Alfonsin.** A former Deputy in the Argentine National Assembly, Dr. Stubrin is a lawyer.

-- **Sr. Rodrigo Madrigal Montealegre, representative of Oscar Arias Sanchez, Council member and former President of Costa Rica.** Sr. Madrigal is a professor and a businessman.

-- **Joaquin Daly Arbulu, representative of Fernando Belaunde, Council member and former President of Peru.** Sr. Daly served in the OAS for ten years and helped organize the OAS election observation missions to Nicaragua in 1989-90 and the OAS Secretary General's Observer Group to El Salvador in 1991.

-- **Dr. Robert A. Pastor, representative of Jimmy Carter,** is a Professor at Emory University, and Executive Secretary of the Council.

-- **Sr. Genaro Arriagada, General Secretary of Chile's Christian Democratic Party,** organized the Committee to observe the plebiscite in Chile in 1988 and has observed elections in Nicaragua, Paraguay, the Dominican Republic, Haiti, and Bulgaria.

In addition, let us introduce three other members of our delegation: Mr. David Carroll, Assistant Director of the Carter Center's Latin American Program, and Mr. Frank Boyd and Ms. Kjersten Walker from Emory University.

Mr. Arriagada had to leave early, but he and all of the members of the delegation have agreed to the following statement.

We come as friends of Mexico, who are respectful of Mexican sovereignty, with no intention of interfering in Mexico's internal affairs. But we also come as friends of democracy in the hemisphere, aware that international conventions on human rights - of which Mexico is a party - declare free elections a universal right. All the people of the hemisphere have the obligation to defend each other's rights.

Our principal mandate was not to observe the elections but to witness the observation by eight Mexican observer groups. We would first like to thank them for the invitation and for their assistance. They took a considerable risk; they knew we would be fair, but they also knew we were independent. And frankly, we are critical of some of the statements some of the groups have made, but we also believe that the role they have filled as observers is a crucial one.

II. Observing Elections

Many of us have had the opportunity to participate in many election observation missions abroad. We have learned some lessons. First, each country feels its experience is totally unique with nothing in common with other countries. While each has unique features, the similarities are more impressive.

In the countries whose elections we have observed, leaders of different political parties hardly communicated with each other. The opposition tends to exaggerate any slight or irregularity and interpret that as part of a conspiracy. The governing party unintentionally encourages this perception by coercive tactics. Opposition parties do not trust the electoral process and rarely accept the results.

With little common ground, national election observers are often perceived as partial to the opposition. This has been the case in other countries, and it is a concern in Mexico. There is no denying that many of the members of the observer groups are sympathetic to opposition parties or critical of the government, but we also believe that the groups are capable of performing their duties in professional and impartial ways.

III. The Elections in Michoacan and Chihuahua

Yesterday, our two groups visited casillas in the two states and asked local observers a set of questions from a form that we developed. Based on these interviews, we concluded that the most encouraging aspect of our observations in both states was the dedication, courage, hard work, and impartiality of the coordinators and the local observers that we met in the casillas throughout the two states that we visited. The observers were well-trained in the state electoral law and in the proper way to relate to election officials. They systematically filled in the ir rather extensive forms and focused on details and documentation - the key units of good election observation. And they worked all day in an environment that was rarely friendly to observers. In many cases, the election officials did not permit the observers to enter the casilla.

Our assessment here of the activities and statements of the local observer groups is a preliminary one. We have discussed our views with leaders from the groups and intend to submit and discuss with them a detailed evaluation.

However, recognizing the commitment of the observer groups to free elections, we would like to register our serious reservations with the statements made by them before the election that the conditions did not permit a free and fair election. We do not believe that the evidence that they presented justifies such a dire conclusion. In our view, the main concern in their list that would merit such a conclusion was that the padron was flawed by as much as 30-37% in both Michoacan and Chihuahua. We did not do an analysis of the padron, but we did review their evidence in the case of Michoacan. (In the case of Chihuahua, the observer groups have not yet given us their evidence.) The study found a 10.7% rate of irregularities - a rate that does not seem very high given the very difficult technical, geographical, and demographic problems described to us by the President of the PAN in Michoacan. The study found a discrepancy of more than 20% between the census and the padron, but it is incorrect to add this to the rate of irregularities to create an error rate of more than 30% or to imply, without proof, that these irregularities have a political bias. Moreoever, there was evidence that the process for correcting the list was working.

The other issues raised in the report - the use of state funds by the governing party, the disproportionate spending between the parties, inequitable access to the media, partiality of election officials - are serious issues, and their resolution would improve the prospects for democracy. But our experiences in other countries have led us to believe that a meaningful election can occur without full resolution of these problems. Both the outcome in Chihuahua, and the statement this morning by PRD leaders in Michoacan that they won the election contradicts the assertion that

the essential conditions for a free election did not exist. According to the logic of the PRD statement, the only issue that stands in the way of a free election in Michoacan is whether the vote count is fair.

Observers can and did play other important roles. During the election campaign in Michoacan, the Convergencia's condemnation of a poster that equated the PRD with Violence led to its being withdrawn. The quick count by the Consejo para la Democracia in Chihuahua was an excellent example of election-monitoring, and perhaps helped to permit all sides to accept the results so quickly. Unfortunately, the observers did not have the resources to do a quick count in Michoacan, but if they had full access to the Actas, they could do a systematic verification that would establish the accuracy of the vote count.

IV. Summary and Conclusion

Were the elections in Michoacan and Chihuahua free and fair? If that is the question you would like us to answer, you do not need to stay for the questions. We did not come here to observe or judge the elections. To have observed the elections effectively, we would need to be here long before the elections, to have fielded a much larger team, to have done quick counts, to have been invited and welcomed by all the parties, and to have complete access to every stage of the election. Those preconditions did not exist in this trip. And therefore, we will not answer the question whether elections were free.

In our view, the Mexican electoral system has opened in positive ways since 1988, and we were encouraged by the pacific climate on election day. But the opposition parties and public opinion polls continue to show a lack of confidence in the fairness of the electoral system. Perhaps one of the most positive elements in Mexico is the emergence of social forces - illustrated by the thousands of Mexican observers - determined to check each element in the electoral system to ensure that it functions fairly.

The local observer groups are new and have flaws, but they are dedicated and could play a vital role in the political process if they are given the kind of support and access to the electoral process that is essential to be effective and to demonstrate their impartiality. Such a role can only succeed as civil society deepens, and the political parties increase their capacity to make the system accountable. We hope that the legal and political environment will be created to permit election observers to play this role, and if invited, we would be prepared to help the observer groups fulfill their potential.