

National Electoral Institute Mexico



Third Online Symposium on 'Elections in Times of Epidemic'



Stepping out of Europe – the Latin American
experience

International Affairs Unit

July 2, 2020

Third Online Symposium on ‘Elections in Times of Epidemic’

Stepping out of Europe – the Latin American experience

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1. The 2019 context in Latin America

Since the end of 2019, in several Latin American countries, the society organized itself to hold demonstrations which may be classified according with four types of triggers, even though in some countries a combination of several of those were present:

- Protests which trigger was the increases in services and against economic inequality: Ecuador, Chile, Venezuela
- Anti-government protests: Chile, Ecuador, Venezuela, Nicaragua
- Protests for lack of electoral integrity: Bolivia, Dominican Republic
- Protests against repression by public forces, insecurity: Mexico, Chile, Ecuador

The context facing Latin America, prior to the health crisis, already saw challenges for electoral bodies:

- Latin America has made progress in the creation of electoral bodies that guaranteed their autonomy and independence. In recent years, these have been undermined, particularly by the Executive Branch, through appointments of officials attached to the government, restrictions on budget allocation, or the use of strategies to discredit the EMB or by questioning the integrity of elections.
- According to Latinobarómetro¹, in 2008 electoral institutions enjoyed an average confidence of 60%; by 2018, the regional average is only 18%, with the highest perception in Costa Rica at 56%, and the lowest in El Salvador at 12%.
- Disenchantment with democracy due to poor results and performance of elected representatives. Support for democracy in the continent, according to Latinobarómetro, is around 45% and citizens respond that they would support an authoritarian government if their economic well-being were guaranteed.

Even though, Latin America has made progress in the creation of electoral bodies that guaranteed their autonomy and independence, in recent years, these have been undermined, particularly by the Executive Branch, through appointments of

¹ <http://www.latinobarometro.org/latContents.jsp>

officials attached to the government, restrictions on budget allocation, or the use of strategies to discredit or question the integrity of elections.

In accordance with these facts, the EMBs already have been facing a difficult task to achieve citizen participation, to generate conditions of equity in the contest, to inform citizens for the issuance of a reasoned vote, and to guarantee the exercise of the right to vote and be voted; activities, which all of them, implies the concentration of citizens in each of the stages of the electoral processes: from obtaining identification to vote, the meetings of political parties rallies to disseminate their work programs, the training for poll officials, even on the E-Day and during the vote tallying.

2. Effects of the pandemic: suspension and postponement of electoral processes

The first political impact of the pandemic was reflected in the electoral field, forcing decisions making on to carry out, postpone or suspend the electoral processes in progress. In the period from March to August, 64 countries and regions in the world had scheduled electoral processes, from direct democracy consultations, political parties primaries, subnational, as well as parliamentary and presidential elections; of these, 15 countries or territories carried them out on the scheduled dates, while 49 of them decided to postpone or suspend them.

Referred to the American Continent, in the period from March to August:

Country	Number of electors	Right to vote	Type of election	Initial date established	New date
Colombia	19 643 676	Mandatory No sanction	Community council	March 29	
Peru	23 825,154	Mandatory	Mayorships and local elections	March 29	
Argentina	27 530 855	Mandatory	Mayorships	March 29	
Brazil	147.302.354	Mandatory	Complementary for local Senate	April 26	
Chile	14 347 288	Voluntary	Constitutional Referendum	April 26	October 25
Bolivia	6 460 515	Mandatory	Presidential and legislatives	May 3	September 6 Ballotage:

					October 18 September 27
Uruguay	2 699 980	Mandatory	Departmentals and Mayorships	May10	
Dominican Republic	7.529.932	Voluntary	Presidential and legislatives	May 17	July 5
El Salvador	2 733 178	Mandatory No sanction	Political parties' primaries	June-July	
Mexico	90,995,885	Mandatory No sanction	Local congress in Coahuila state and Mayorships in Hidalgo	June 7	September
Paraguay	4,259,000	Mandatory No sanction	Legislatives Mayorships	July 12 November 8	August 2 November 29

Source: INE's International Affairs Unit

- In the Americas, 14 countries have had scheduled elections: Argentina, Bolivia, Brazil, Canada, Chile, Colombia, El Salvador, United States, Paraguay, Peru, Dominican Republic, Suriname, Uruguay.
- From those, 11 are Latin American countries, from which, 7 countries were going to hold subnational or internal political party elections, including Mexico which was scheduled to hold local elections in Hidalgo and Coahuila states on July 7.
- The electoral processes of three Latin American countries stand out, due to the relevance of the context: Dominican Republic, Bolivia and Chile.

3. Importance of the right to health and life and its weighting in relation to political rights

The Universal Declaration of Human Rights (UDHR) is a milestone document in the history of human rights because it proclaims a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance. Therefore, is the duty of all member States

not only to protect the lives of individuals, but also to provide the conditions and public policies that guarantee their development as individuals and in society.

Although, on various occasions, the protection of persons over certain actions and situations leads to the possible "collision" between rights; the guideline will always be to protect the life and dignity of a person. The world is facing an unprecedented crisis. At its core is a global public health emergency on a scale not seen for a century, requiring a global response with far-reaching consequences for our economic, social and political lives. The priority is to save lives.

As a result, governments have implemented a series of measures that restrict the freedom of individuals to transit and assemble and have even put democracies at risk by concentrating decision-making power in the Executive branch to deal with the emergency. Specifically, the rights on which democracy is based, and their exercise through electoral processes, are being restricted in the interest of protecting the health and lives of citizens.

However, this is not a time to neglect human rights; it is a time when, more than ever, human rights are needed to navigate this crisis in a way. This means protecting political rights, as well.

4. Effects on Electoral Integrity. Costs and challenges for the electoral authority

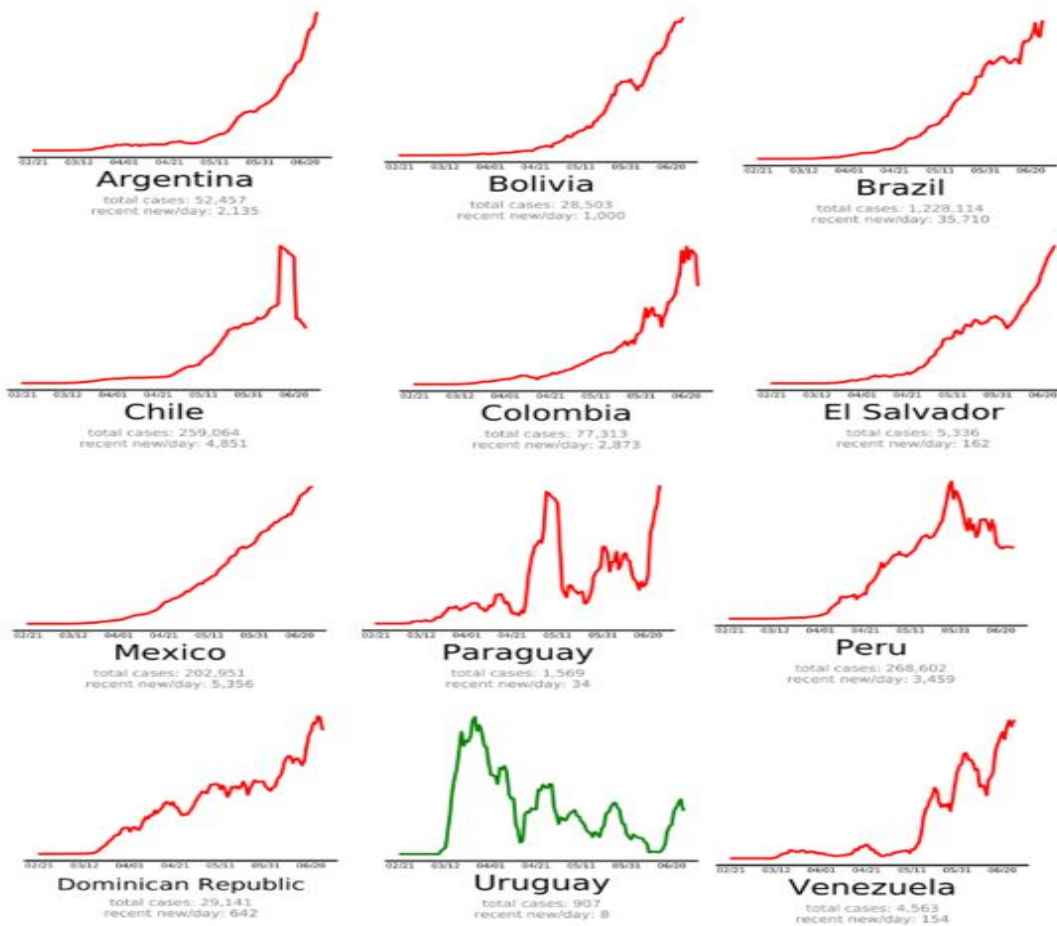
The pandemic has added further challenges for election authorities, both those who conducted the elections and those who suspended or postponed them.

Summarizing, electoral authorities are facing five challenges in the context of the pandemic, with the ramifications that each one implies: 1) organizing the elections; 2) guaranteeing health security for all actors involved (staff, citizens, political parties, candidates, suppliers and facilities); 3) promoting and achieving high citizen and political participation in each of the electoral process stages; 4) guarantee the inclusion of vulnerable groups who are most affected by the epidemic in the exercise of their right to vote.

Below are some elements to be considered, although not limited to those, in a case by case analysis:

- The determination to make changes in the electoral dates does not correspond to the electoral authorities, this decision can be of the Legislative power or other institutions; also, the decisions can be objected, which can imply that the Judicial Power might be involved.
- Besides, the electoral body, either as part of its powers or need to have approval from other State institutions, must define whether other changes will be implemented, to name one: maintaining the mechanisms of voting: in person and with ballots, or to change the modality: by mail, or by electronic means (in person or remotely).
- The EMBs must consider the political coordination and dialogue with various strategic actors such as: political parties, congressmen or judges, supply providers, among others, for the definition of times to conduct elections, considering the time involved in the organization, logistics and preparation of materials. This element puts the electoral bodies in a compromising situation.
- Need to coordinate with various State institutions, more importantly, the health council, with the aim of informing on the prevailing conditions in the field of the epidemic, the economy and aspects of public safety, as well as coordination for the procurement of materials that can contribute to health security during the electoral process: disposable gloves, masks, disinfectants for equipment and facilities, antibacterial gel, among others.
- In most cases, the Latin American countries rescheduled their electoral processes towards the second half of the year in September and October to give time for the control of the pandemic in the region; except for the Dominican Republic, which will hold its presidential elections on July 5, because, by constitutional provision, the transfer of power must take place in August.

The next graphs, show the Latin American countries current pandemic context when most of the electoral processes and the Dominican Republic current case, were going to be carried out:



Source: Some are winning - some are not Which countries do best in beating?
<https://www.endcoronavirus.org/countries>, updated to June 26, 2020

The difficulty of the governments to control the pandemic, still leaves the dates uncertain; however, it leaves the electoral bodies with the need to make a new calendar of the electoral process, with short time to accomplish each stage: electoral campaigns, materials printing, polling officials training, conditioning the facilities and obtaining the equipment for the sanitization and contagion prevention. In addition to these complications, in some countries the second round of elections shall be considered; and this possibility might imply a tight calendar since they could be close to other previously scheduled elections.

- These elements are linked to the budget requirement, or redirecting it, to provide for all of this. It is also important to analyze case by case, since the budget may also depend on the decisions of other institutions: Executive or Legislative Branch, which restricts the decision-making capacity of the electoral body.

- In recent years, electoral bodies in Latin America have been making great progress in inclusion mechanisms to guarantee the right to vote, particularly for citizens in vulnerable situations, focusing on the elderly, people with disabilities, and indigenous groups. The epidemic has affected this population mostly, due to a combination of structural factors, such as economically; and, perhaps, also in their political rights. For these citizens, a greater investment of resources is required in materials to inform them in their languages or to ensure health security.
- The voting from abroad will also imply a challenge, since it would be necessary to consider the host country context and the voting modality. Most of Latin American countries have implemented the in presence voting in their Embassies or Consulates; however, it will depend on the host country to decide when to open facilities or certain mobility measures, alongside with citizens uncertainty regarding their immigration status.
- To guarantee the integrity of the elections in circumstances of contingency, equitable campaigns, to avoid the influence of money or illicit policies, or government intervention; civic education and voter outreach campaigns on the changes implemented, on the procedure for Election Day and, special attention in the transmission of election results.
- An element that is also important to consider is the national and international electoral observation, as an element that has contributed to support the legality and legitimacy of the electoral processes; also this type of participation has been, in most cases, cancelled, due to circumstances such as the restrictions in trips, the difficulty to meet with diverse strategic actors to know their perspective on the electoral integrity and the impossibility to be carried out under conditions of sanitary security.

5. Final Remarks: - Technology, Institutional Confidence

The epidemiological crisis caused by the coronavirus has shown governments, and particularly, to institutions, how much they have invested, not only in health, but also in technology.

The suspension of all activities: economic, social, political and professional has been a great bewilderment and surprise for everyone. Although 80% of the

activities in all areas have been suspended, the technological tools and the Internet have made it possible to continue many activities remotely: educational, commercial, online sales, or professional.

Today, new information and communication technologies (ICTs) are essential tools in all areas of the individual, and their rapid evolution implies a constant adaptation both by the population and by institutions and even the laws of the States, as is the case of social networks.

In the electoral processes the ICTs are fundamental for all the implied ones, as much for the voters who look for information and proposals of the contenders; for the candidates who look for to inform on their projects to their constituency and to influence the vote; as well as for the electoral authorities who look for to stimulate the citizen participation and to promote the informed vote.

Citizens have become accustomed for using social networks in practically all areas of their daily lives. It is estimated that in Latin America and the Caribbean, the Internet is used by about 67% of people with significant differences depending on the country.

The following chart presents each Latin America country' status on internet access:



Source: <https://es.statista.com/grafico/13903/cuantos-usuarios-de-internet-hay-en-america-latina/#:~:text=Tal%20y%20como%20indica%20este,asciende%20a%20casi%20440%20millones.>

For a long time, electoral bodies have also been involved in technological modernization. In the case of INE-Mexico, platforms have been created for the training of members of the National Professional Electoral Service to cover the entire country; strong infrastructure has been invested in monitoring the media; technology has been used to monitor and oversee the resources of political parties, in electoral campaigns and candidacies; and recently, investment has also been made to get citizens' affiliations to create new political parties, as well as to achieve Internet voting from abroad by 2021. This is a great step forward, so in the epidemic framework, technology has been used to continue its activities. However, it is important to recognize that not all citizens have access to the Internet or technological tools, so traditional media, primarily radio, print and television, remain of great support for EMBs outreach strategies.

In addition to these elements, the factor of trust in institutions allows us to see a direct relationship between efficient measures to deal with the pandemic and costs in elections.

In Latin America the pandemic has come to challenge electoral bodies, but trust and support in technological tools can achieve viable solutions.

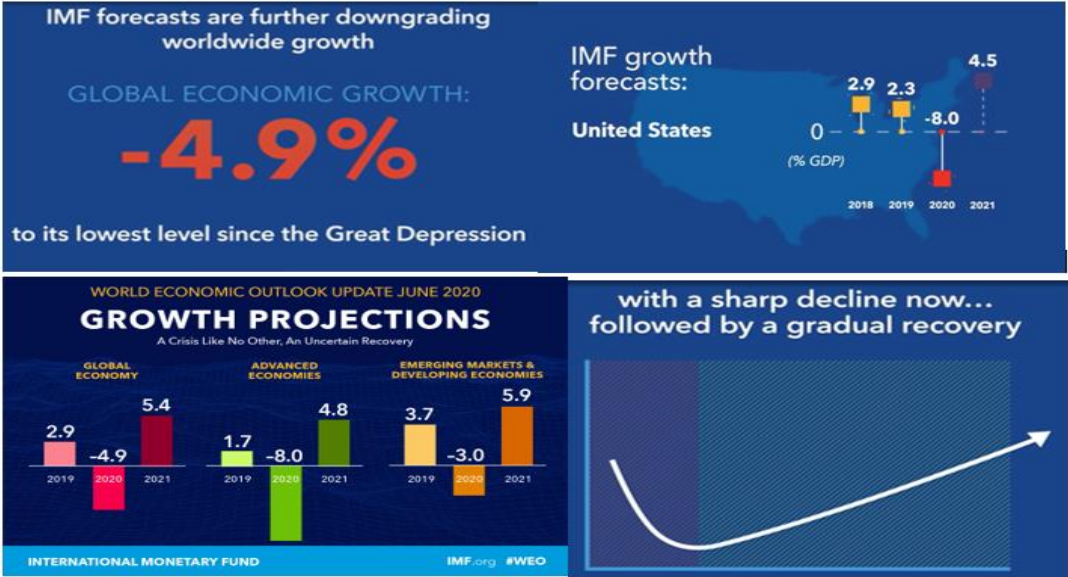
However, the biggest challenge that the electoral bodies will face are those related to the combination of crises in their respective countries, which, on one hand, exceeds EMBs' concern or attributions but, on the other hand, the electoral processes will represent the "battlefield".

The citizens are fed up with the performance of their rulers, the lack of representation of their interests and the high levels of political corruption, extreme discrimination and social and economic inequality. The year 2019 has presented a framework for that context, if not corrected, can be extended to all countries. In 2020, the confinement of people, the suspension of most activities also keeps in abeyance citizen actions to express their discontent.

The economic crisis, which is directly affecting individuals and families, will have a very strong impact on citizens' perceptions of how their elected representatives are managing their affairs. Although, during periods of crisis, citizens tend to close ranks and support the executive branch decisions, however, this support will also be conditioned to economic reactivation.

According to IMF forecasts on the world economy, the outlook for this year will not be easy. Latin America is being the most affected region, and it has even been pointed out that this will set back the progress that had been made by more than

decade and the recovery expected for next year will not be enough. For Latin American countries, their economies recovery is dependent on USA's growth as well:



In this crisis combination, the role of the electoral bodies will be of great relevance to guarantee the electoral integrity in each one of the stages of the electoral cycle; since the pendulum would oscillate between the peaceful transmission of the power and a feasible return to the development will depend on it; or, the social and political conflict that, in the most extreme scenario, could end up in civil war.

In the following chart is presented the progressive relationship between electoral integrity and conflict. This chart must be read from right to left and in counterclockwise, under the two premises:

- the higher electoral integrity, the higher feasibility to restart recovery.
- the lesser electoral integrity, the higher tendency to social and political conflict.

<p>-/+</p> <p>Less Electoral Integrity / Judicial power intermediation</p> <ul style="list-style-type: none"> • Inconformity on campaign inequity • political parties' strategy based on discredit the EMB • Dubious electoral results • Electoral court intervention to ratify results 	<p>+/+</p> <p>Electoral Integrity / Peaceful transmission of power</p> <ul style="list-style-type: none"> • Campaign equity • Elections certainty • Transparent and trustable results
<ul style="list-style-type: none"> • Lack of electoral integrity by evident proves at any stage of the electoral process. • Citizen social and political protests. • Inconformity with Electoral Court decision by questioning its impartiality. • Intervention of police or the army to repress protests. • International organizations interventions to solve the conflict. 	<ul style="list-style-type: none"> • Evident electoral fraud; challenging the results • Violent confrontation between political forces • Repression by police or armed forces. • Protestas políticas y sociales violentas. • International organizations interventions to solve the conflict. • Elected authorities' dismissals; and/or electoral authorities' dismissals • New electoral process call • Dictatorship imposition.
<p>Evident fraud compromising electoral results /political confrontation</p> <p>-/+</p>	<p>Electoral fraud not accepting the results / social and political clash</p> <p>-/+</p>

Source: INE's International Affairs Unit