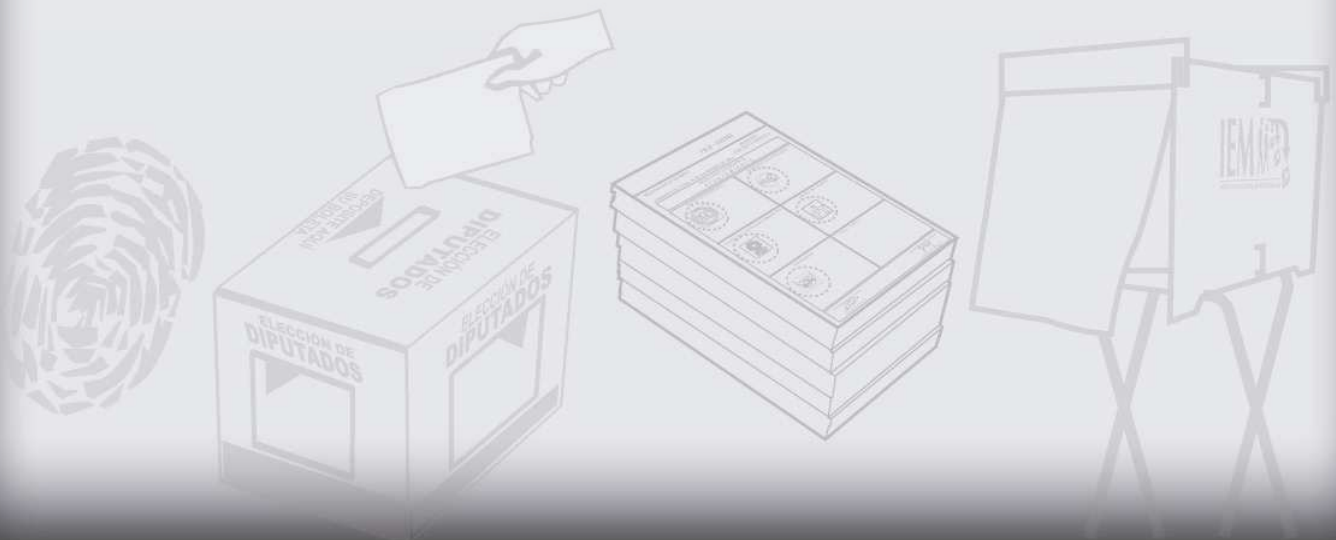


Organ: Committee of Attention to Foreign Visitors

Document: Agreement of the General Council of the Electoral Institute of Michoacán, setting forth the bases and criteria in order to inform and to give attention to foreign visitors coming to observe the modalities of the ordinary electoral process in Michoacán 2011.

Date: October 20, 2011



[Seal of the State of Michoacán]

[Seal of the United Mexican States]
ELECTORAL INSTITUTE
OF
MICHOCÁN

IEM [Seal: Electoral Institute of Michoacán]

AGREEMENT No. CG-97/2011

AGREEMENT OF THE GENERAL COUNCIL OF THE ELECTORAL INSTITUTE OF MICHOCÁN, SETTING FORTH THE BASES AND CRITERIA IN ORDER TO INFORM AND TO GIVE ATTENTION TO FOREIGN VISITORS COMING TO OBSERVE THE MODALITIES OF THE ELECTORAL PROCESS FOR THE ORDINARY ELECTORAL PROCESS OF THE YEAR 2011 TWO THOUSAND ELEVEN.

W H E R E A S :

FIRST.- Article 1 of our Constitution stipulates that in the United Mexican States every individual shall enjoy the guarantees/rights granted by the Constitution.

Article 9° of our Constitution stipulates as a reserved prerogative for the Mexican citizens the right to assemble or associate to take part in the political affairs of the country.

The second paragraph of article 33 of the Political Constitution of the United Mexican States stipulates that foreigners shall not in any way participate in the political affairs of the country.

The Political Constitution of the United Mexican States stipulates on the 41st article that the people exercise their sovereignty through the Powers of the Union, in those cases within its jurisdiction, and through those of the States, in all that relates to their internal affairs, under the terms established by the present Federal Constitution and the individual constitutions of the States' respectively, which latter shall in no event contravene the stipulations of the Federal Pact. The renewal of the Legislative and Executive powers shall be made by means of free, authentic and periodic elections.

SECOND.- That the Political Constitution of the United Mexican States on article 116 section IV stipulates that the Constitutions and Laws of the States on electoral affairs shall guarantee that: a) The elections of the governors, the members of local legislatures and the members of the City Councils shall be made by means of universal, free, secret and direct suffrage; and that the electoral process takes place the first Sunday of July of the respective year. Those States in which electoral processes take place in the year of the federal elections and that do not coincide on the date with this last mentioned process, shall not be tied by this last disposition; b) In the exercise of the electoral function in charge of the electoral authorities, the principal guidelines shall be the certainty, impartiality, independence, legality and objectivity;

THIRD.- On the other hand, article 98 of the Political Constitution of the State of Michoacán de Ocampo stipulates that the Electoral Institute of Michoacan is an autonomous public organization, granted with faculties and own patrimony, in whose integration participates the Legislative Power, the political parties and the people, according to the Law. The principles established for the exercise of this state function are: certainty, legality, objectivity, impartiality, independence, equity and professionalism.

FOURTH.- Moreover, the Electoral Institute of Michoacan has a principal organ from which all the other organs depend on, the General Council [Consejo General] in compliance with article 111 of the Electoral Code of the State of Michoacan, as well as article 113, section III, which states that among the attributions of this Council it is the one of attending the planning, development and vigilance of elector processes by taking into consideration the required agreements for their duly performance, and in the same article, section X it is stated that another attribution of this Council, is the one of integrating the required commissions for the better development of its functions, to which the Council shall establish its faculties and authorities.

FIFTH.- On May 17, 2011, the General Council carried out an Extraordinary Meeting, by means of which, it was declared the beginning of the preparatory phase of elections, for the Governor, Deputies and Councils, being then official the beginning of the 2011 local electoral process.

SIXTH.- On 1994, in the Electoral Federal Institute [Instituto Federal electoral] an amendment was made, in which the *foreign visitor* figure is incorporated in order to regulate the presence of people from other countries who are interested in observing the development of the Mexican Elections. Based on it, article 118, paragraph 2 of the Federal Code of Electoral Institutions and Proceedings [Código Federal de Instituciones y Procedimientos Electorales], appointed as a faculty of the General Council of the Federal Electoral Institute, to decree, when the federal electoral processes are held, the bases and criteria that shall be attended and to inform the foreign visitors who may come to observe the modalities of the process in any of its phases.

SEVENTH.- The Electoral Court of the Judicial Power of the Federation [Tribunal Electoral del Poder Judicial de la Federación] in its decree SUP-RAP-021/99, dated December the sixth, year nineteen hundred and ninety-nine, distinguished between national electoral observers and foreign visitors; by distinguishing both categories, the electoral observer corresponds exclusively to the Mexican citizens to whom the Law grants faculties to participate in by watching the acts of the federal electoral process, having this right, Mexican citizens take part in the same process actively; whereas the foreign visitors are limited to receive information to know the modalities of the electoral process, in compliance with constitutional restrictions, consisting on the denial of the use of the petition right in politic affairs, the limitation to assemble in order to discuss affairs of the country's politic order and the one consisting on that they cannot get into the politic affairs of the country, therefore, the Law does not authorize them to actively participate in the electoral process, limiting their performance to the knowledge of the process that they may observe, and given that their stay derives from an invitation on the part of the administrative electoral authority, and citizen observation is a right non-subject to the will of the administrative electoral authority.

EIGHT.- In the State Law, both the constitutional and the electoral one, there is no disposition regarding on the presence of foreign visitors in the activities of the electoral process, and nor it is restricted.

The General Council has the faculty, as set forth in article 113, sections I and XXXIII of the Electoral Code of the State of Michoacán [Código Electoral del Estado de Michoacán] the one of observing the fulfillment of the Constitutional dispositions and those of the same Code, as well as solving the doubts that may arise from the application and interpretation of the Electoral Code and to give a solution in unforeseen cases.

NINTH.- On September 29th of this year, an official letter was sent on the part of the Federal Electoral Institute [Instituto Federal Electoral] to the office of the Head of the General Council of the Instituto Federal Electoral de Michoacán, by means of which they require, as derived from the official letter received by the same Federal electoral administrative organ, sent by the Secretary of Foreign Affairs [Secretaría de Relaciones Exteriores], the possibility to provide/send an invitation to the Electoral Commission of Angola to visit the State of Michoacán, in November, in which the Governor and Deputies' elections shall take place.

TENTH.- In light of the aforementioned, the Electoral Institute of Michoacán, takes into consideration the interest of the representatives of different institutions and foreign bodies to observed and to be informed, in detail, of the works regarding on the preparation, organization and conduction of the Ordinary Electoral Process of the year 2011, two thousand eleven.

ELEVENTH.- That it is considered by means of an informative Program, the possibility to offer to all the foreign people, interested in the required facilities and information for an objective and integral study and observation of the different aspects regarding on the Mexican electoral regime in general and to the Ordinary Electoral Process of the year 2011, two thousand eleven, where the executive and the legislative powers and the 113 Councils of the State of Michoacan shall be renewed.

TWELFTH: Attending reciprocity and courtesy principles with foreign counterparts and international organizations and institutions in this matter, on which there has been established

friendship and cooperation ties, it is considered in this opportunity the possibility to invite them to visit our State to observe and to be informed about the Ordinary Electoral Process in the year 2011, two thousand eleven, as foreign visitors.

THIRTEENTH: With the aim of providing the best certainty and security to the activities of the foreign visitors who may come to Michoacan to observe and to be informed about the Ordinary Election Process in the year 2011, two thousand eleven, it is convenient to set guidelines, which shall specify and make their activities easier.

C O N S I D E R I N G:

FIRST.- Based on the aforementioned statements, in compliance with articles 116 section IV of the Political Constitution of the United Mexican States [Constitución Política de los Estados Unidos Mexicanos]; article 98 of the Constitution of the Free and Sovereign State of Michoacan de Ocampo [Constitución del Estado Libre y Soberano de Michoacan de Ocampo]; articles 111 and 113 sections III, X, XXXIII and XXXIX and 115 section XII of the Electoral Code of the State of Michoacan [Código Electoral del Estado de Michoacán]; the General Council of the Electoral Institute of Michoacan [Consejo General del Instituto Electoral de Michoacan] hereby decrees the following:

A G R E E M E N T:

FIRST.- Guidelines and criteria for invitation, attention and information are hereby decreed, which shall be observed regarding the observation and information to the foreign visitors who may come to observe the modalities of the Ordinary Electoral Process of the year 2011, two thousand eleven, in the State of Michoacan de Ocampo.

G E N E R A L R U L E S:

1. As herein set forth, *foreign visitor* is all and every foreign person, acknowledged as such by the current legislation, which is interested in observing the Ordinary Electoral Process of the State of Michoacan de Ocampo and that has been properly invited and accredited for said purpose by the General Council of the Electoral Institute of Michoacan [Consejo General del Instituto Electoral de Michoacan], in compliance with these guidelines and criteria;

2. Therefore, provisionally and in order to attend the works related to foreign visitors herein specified, it shall be created a Commission that shall be integrated by three Advisers of the General Council, and the member of the Electoral Organization, who shall act as Technical Secretary, all of them from Electoral Institute of Michoacan.

The members of the Commission shall have the right to take the ground; and, only the Advisers shall have the right to vote, in the sessions carried out with such purpose;

3. The Electoral Institute of Michoacan shall publish, as soon as it had been officially published in this Agreement, an invitation appointed to the international community in general, so that those foreign people interested in observing the development of the Ordinary Electoral Process 2011, take the necessary steps in order to obtain their accreditation;

4. The invitation shall refer expressly to those people interested in the Ordinary Electoral Process 2011, as well as representatives of:

- a. International organizations;
- b. Continental and regional organizations;
- c. Legislative organs of other countries;
- d. Governments of other countries;
- e. Organs of the electoral authority of other countries;
- f. Parties and politic organizations of other countries;
- g. Academic and Research Institutions of Higher Education of other countries;
- h. Foreign specialized organs in activities of cooperation or electoral observation; and

i. Private institutions or non-governmental organizations abroad that carry out specialized activities or related with the politic electoral field, or defending and promoting human rights.

5. Those political parties accredited before this electoral organ, the electoral coalitions, as well as the organizations of observers and all those institutions and Mexican civil associations, specialized or interested in the matter, could spread notification and invite foreign people, meeting the requirements herein set forth;

6. According with prevailing international conventions and practices in this matter, the Office of the President of the General Council could extend the invitation to become accredited as *foreign visitor* to the heads of the electoral organizations of another countries, as well as representatives of international electoral organizations which have cooperation relations with the Institute; and to take the necessary steps to offer a program of specific attention;

A P P L I C A T I O N S:

7. Interested foreign people shall be granted with a term counted as of the announcement publication and it shall expire on November the 1st of this year, to appoint and submit their application before the Office of the Head of the General Council of the Electoral Institute of Michoacán;

8. To such effect, interested foreign people should complete personally the application form, thereto attached, and it shall be available in the central offices, in the 117 local and Municipal Councils, and in the Electoral Institute of Michoacan's webpage. Likewise, the Institute shall require the Secretary of Foreign Affairs the application form to be available for the interested people in diplomatic and consulate representations of Mexico in another countries.

RULES ABOUT THE APPLICATION:

9. In order to grant the required accreditations, interested foreign people must fulfill the requirements hereinbelow set forth:

- a. To appoint and submit their personal application forms before the Office of the President of the General Council, including a photocopy of the passport first pages, and a clear photograph, according to the form stipulations.
- b. Not to pursue profits in the enjoyment of the rights of their accreditation.

10. The Committee of Attention to Foreign Visitors [Comisión de Atención a Invitados Extranjeros], shall know and take decisions, in a term no longer than three days as of its appointment, about all the accreditation applications duly received on time and with the specifications thereof, properly informing in time the General Council [Consejo General] about said issue;

11. The Committee of Attention to Foreign Visitors, through the Technical Department [Secretaría Técnica], shall make and send to each one of the interested parties an official notification regarding on the determination about all and each of the accreditation applications duly received on time and with the specifications thereof;

12. The Technical Department of the Committee [Secretaría Técnica de la Comisión] shall establish the requirements in order to elaborate the identification documents thereof, establishing the most appropriate process in order to distribute them;

13. The Committee of Attention to Foreign Visitors, shall appoint in each meeting of the General Council, preferably, a report about the advances on the attention of the applications, as well as some other activities related with information and attention works to be given to foreign visitors;

I N F O R M A T I O N A N D A C T I O N F I E L D:

14. Foreigner visitors shall observe and be informed about the development of the Ordinary Electoral Process 2011 at any stage and in any place or locality of the State territory;

15. The Committee of Attention to Foreign Visitors, shall elaborate an informative program for the foreign visitors, which shall be disclosed on time to the General Council;

16. With the purpose to obtain complementary orientation or information about the regulations, institutions, and electoral processes, the accredited foreign visitors shall apply for, through the Technical Department, the celebration of interviews or informative meetings with officers of the Electoral Institute of Michoacan of Central Offices, keeping informed the General Council; in the Municipalities of the State, they may do so through the Local Councils or through the District Councils, where the applications appointed before the presiding advisors shall be made, who shall give a response, and in a term no longer than three days they shall inform the President of the General Council, through the Technical Department;

17. The political parties and the electoral coalitions may expose before the accredited foreign visitors, their positions about the electoral process, as well as to provide them the appropriate documents about the electoral process or about their own political organization;

**OBLIGATIONS/LIABILITIES
TRAVEL ALLOWANCES:**

18. The authorized foreign visitors shall be responsible of covering their travel allowances during their journey, stay and activities in the country;

19. During their stay and activities in the country, authorized foreign visitors must comply with the following requirements:

- a. Not to take part in any way in the activities of the electoral authority, political parties and their candidates, nor of the citizens of Michoacan and in any other political affair; and,
- b. Comply at any time and place with the Mexican laws, and specifically those of the State of Michoacán and other applicable laws.

20. In case of any breach of the obligations herein set forth and/or of the federal election laws on the part of any authorized foreign visitors, it shall be applied the stipulation of the Electoral Code of the State of Michoacan and the Procedure and Conduct Regulation of Administrative Faults and Application of Sanctions stipulated by the Electoral Institute of Michoacan.

T R A N S I T O R Y A R T I C L E S :

FIRST.- This Agreement shall be effective as of the very same day of its approval.

SECOND.- It is hereby ordered to communicate this Agreement to the Electoral Municipal District and Municipal Councils of the Electoral Institute of Michoacan.

THIRD.- It is hereby ordered to publish this agreement in the Official Newspaper of the Government of the State of Michoacán de Ocampo and on the website of the Electoral Institute of Michoacán.

It was approved by an unanimous vote, and by majority, regarding on the 13th point of the Agreement, the members entitled to vote, of the Electoral Institute General Council of Michoacan, in extraordinary Meeting dated October the 15th of the year 2011, two thousand and ten .- I attest. - - - - -

[Seal of the United Mexican States]

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ATTY. MARÍA DE LOS ÁNGELES
LLANDERAL ZARAGOZA
HEAD OF THE ELECTORAL INSTITUTE
OF MICHOACAN

[Illegible signature]
ATTY. RAMÓN HERNÁNDEZ REYES
GENERAL SECRETARY OF THE
ELECTORAL INSTITUTE OF MICHOACAN

THE CITIZEN RAMON HERNANDEZ REYES, MASTER, GENERAL SECRETARY OF THE ELECTORAL INSTITUTE OF MICHOACAN, IN TERMS OF ARTICLE 116 SECTION VIII OF THE ELECTORAL CODE OF THE STATE OF MICHOACAN, HEREBY CERTIFIES: THAT IN THE SECOND POINT OF THE AGENDA, OF THE EXTRAORDINARY MEETING OF THE GENERAL COUNCIL OF THE ELECTORAL INSTITUTE OF MICHOACAN, DATED OCTOBER THE 15TH OF THE YEAR 2011, CORRESPONDING TO THE APPROVAL OF THIS AGREEMENT, IT WAS APPROVED UNANIMOUSLY THAT THE MEMBERS OF THE FOREIGN VISITORS COMMITTEE WERE THE ADVISERS MARIA DE LOURDES BECERRA PEREZ, ISKRA IVONNE TAPIA TREJO AND RODOLFO FARÍAS RODRIGUEZ, BEING THE LAST ONE OF THE AFOREMENTIONED PERSONS, THE ONE PRESIDING; THE ABOVEMENTIONED FOR THE LEGAL EFFECTS.- I ATTEST -----

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RAMÓN HERNÁNDEZ REYES, MASTER
[Illegible signature]
GENERAL SECRETARY OF THE
ELECTORAL INSTITUTE OF MICHOACAN