

# Immigration and Refugee Board of Canada

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> Responses to Information Requests

## Responses to Information Requests

Responses to Information Requests (RIR) respond to focused Requests for Information that are submitted to the Research Directorate in the course of the refugee protection determination process. The database contains a seven-year archive of English and French RIRs. Earlier RIRs may be found on the UNHCR's [Refworld](#) website. Please note that some RIRs have attachments which are not electronically accessible. To obtain a PDF copy of an RIR attachment please email [Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca](mailto:Basesdedonnees.DatabaseUnit@irb-cisr.gc.ca).

8 August 2014

### MEX104925.E

Mexico: Voter identification card (credencial para votar); whether a cardholder must make notification of a change of address; whether it can be used as an identification document; whether the card is punched in some manner once a person has voted; whether the card indicates when a secondary or replacement card has been issued; whether the police, government authorities or individuals can use the voter identification card to access information in the official computer system in order to locate an individual within Mexico; voter card falsification and government response to this problem (2007-July 2014)  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

#### 1. New Format of the Voter Identification Card

In May 2014, the government-owned Mexican press agency NOTIMEX reported that a new format of the voter identification card would be issued starting July 2014 (NOTIMEX 26 May 2014). The article added that, on the new card, "Instituto Nacional Electoral" (INE) [National Electoral Institute] would replace "Instituto Federal Electoral" (IFE) [Federal Electoral Institute] (*ibid.*). According to the INE website, a constitutional reform was officially announced on 10 February 2014 that would [translation] "redesign" the Mexican electoral system and transformed the IFE into the INE in order to standardize electoral processes throughout Mexican states and municipalities (Mexico n.d.a). The INE is the government agency responsible for organizing federal elections in Mexico and helping local electoral entities organize their elections (*ibid.*). The NOTIMEX article reports that the new card will be issued at no cost to the holders, and that they will have the option of having their home address shown on the card or [translation] "encrypted" into it (26 May 2014). A document from the INE with the characteristics and security features of the new format of the voter identification card is attached to this Response.

NOTIMEX cites René Miranda [Director of the Executive Directorate of the Federal Electoral Registry (Dirección Ejecutiva del Registro Federal de Electores) (Mexico n.d.i)] [1] as indicating that the over 78 million old voter identification cards issued by the IFE will keep their validity period of 10 years, except for cards ending in "03," "09," and "12" [in the *Elecciones Federales* field (Mexico n.d.c)] (26 May 2014). A 20 June 2014 news article by NOTIMEX and *La Razón de México*, a Mexico City-based newspaper, indicated that the approximately 3 million voter identification cards ending in "03" would be removed from the electoral registry (*padrón electoral*) on 15 July 2014, and cards ending in "09" and "12" would be removed on 15 July 2015 (NOTIMEX and *La Razón de México* 20 June 2014). However, the same news article indicated that cards ending in "03," "09," and "12" would still be valid outside Mexico while the new card is produced for Mexicans abroad (*ibid.*).

A person can verify the validity period of her or his voter identification card and see if he or she is included on the voter list (*lista nominal de electores*) by consulting the INE website (Mexico n.d.b). The voter list is the electronic list that contains the names and photographs of citizens registered in the electoral registry

and who have a valid voter identification card (ibid. n.d.c). The electoral registry is the database that contains information on all citizens who have asked for a voter identification card (ibid.).

Sources indicate that the voter identification card is an official identification document (ibid. n.d.b; *La Crónica de Hoy* 11 Feb. 2013; Professor 19 July 2014). In correspondence with the Research Directorate, a professor at the Faculty of Law of the National Autonomous University of Mexico (Universidad Nacional Autónoma de México), who specializes in Mexican electoral law, indicated that the voter identification card is the most popular identification document in Mexico because it has the most security features of all documents in the country (ibid.).

## 2. Obtaining a Voter Identification Card

The INE website indicates that a voter identification card is issued to Mexican nationals aged 18 years or older (Mexico n.d.d). According to the Professor, Mexican citizens do not experience problems when trying to obtain a voter identification card, as long as they present all the documents required and follow the procedures (19 July 2014). In order to obtain a voter identification card or to do any transaction with the INE regarding this document [including updating or correcting personal information, or obtaining a replacement or a duplicate (Mexico n.d.d)], a person must provide a document that evidences Mexican citizenship, such as a birth certificate or a naturalization card; a photo identification document, such as a driver's license, a passport, or a military identification card; and a proof of address, such as a utility bill, a bank statement, or a lease agreement (ibid. n.d.f). According to the Professor, the Executive Directorate of the Federal Electoral Registry stores a digitalized copy of all the provided documents (19 July 2014). The data collected by the INE for each voter includes the following: name, surname, gender, age, date and place of birth, address, time spent at current address, occupation, signature, photograph, fingerprints, population registry identification number (*Clave Única de Registro de Población*, CURP) [2], and the number and date of the naturalization certificate, if applicable (Mexico n.d.e). According to the INE website, personal data collected by the institution is [translation] "strictly confidential" and is treated according to obligations outlined in the Constitution and the Federal Code of Electoral Institutions and Procedures (*Código Federal de Instituciones y Procedimientos Electorales*) (ibid.). The Code states the following:

[translation]

Article 171

...

3. In compliance with the obligations imposed by the Constitution and this Code, documents, data and reports that citizens provide to the Federal Electoral Registry shall be strictly confidential and may not be communicated or made known except in the case of trials, appeals or proceedings to which the Federal Electoral Institute is a party, for the purpose of complying with the obligations set out in this Code in regard to electoral matters and in the General Population Law in regard to the National Citizens Registry, or by order of the competent judge.

4. The members of General, Local and District Councils, as well as the monitoring committees, shall have access to the information that makes up the electoral registry exclusively for the fulfilment of their functions, and may not provide such information or use it for any purpose other than review of the electoral registry and lists of voters.

Article 192

...

2. Political parties shall have access on a permanent basis to the database of the electoral registry and lists of voters solely for review thereof, and may not use such information for other purposes. (ibid. 2008)

The Federal Code of Electoral Institutions and Procedures indicates that citizens that are part of the electoral registry must inform the [translation] "local office of the Institute closest to their new residence" of any change of address within 30 days (Mexico 2008, Art. 186(1)).

Information on whether the card is punched in some manner once a person has voted or if it indicates when a secondary or replacement card has been issued could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Information on whether the police, government authorities or individuals can use the voter identification card to access information in the official computer system in order to locate an individual within Mexico could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

### 3. Fraud

Mexico's Penal Code indicates the following regarding fraud involving the voter identification card or the electoral registry:

Artículo 411. Anyone who changes or participates in a change to the Federal Electoral Registry or the lists of voters in any way or who participates in the illegal issuing of voter identification cards will be sentenced to a fine of between seventy and two hundred days' wages [the net daily income of the perpetrator at the time of the crime (Suprema Corte and Instituto Oct. 2010, 14-15)] and a prison term of three to seven years. (Mexico 1931)

#### 3.1 Fraudulent Voter Identification Cards

On 11 February 2013, *La Crónica de Hoy*, a Mexico City-based newspaper, published an article produced by an investigative journalist who reported that obtaining a fake voter identification card takes about 60 minutes in downtown Mexico City (11 Feb. 2013). The journalist interviewed one of the forgers who pointed out that the production of fake voter identification cards is [translation] "common practice," especially among adolescents who want to pass as adults, and LGBT persons who want to change their gender identity (ibid.). The journalist also interviewed employees at banks and department stores who indicated that fake cards are similar to the original ones, and these fake documents could be used to cash cheques of up to 25,000 Mexican pesos (MXN) [approximately C\$2,078] or to open lines of credit (ibid.). The journalist indicated that, in order to obtain a fake voter identification card, a person needs to produce a photograph and pay 800 MXN [approximately C\$66] (ibid.). In an article written by Colectivo ARCIÓN [3] in the journal *Visión Criminológica-criminalística* [4], Javier Ocelotl López, a manager of the Civil Registry (Registro Civil) of the State of Puebla, asserts that obtaining a birth certificate is [translation] "very easy," and falsification of official birth certificates, as well as the use of blank birth certificates, "is very common" (Jan.-Mar. 2013, 31). With a falsified birth certificate, a person can obtain a voter identification card and other official documents containing fake data, and can then perform financial transactions, such as asking for lines of credit (ibid.).

According to René Miranda, there are no statistics on complaints regarding the use of fraudulent voter identification cards (NOTIMEX 26 May 2014). However, the city of Toluca's newspaper *El Sol de Toluca* reports that, according to the National Commission for the Protection of Customers and Financial Services (Comisión Nacional para la Protección y Defensa de los Usuarios y Servicios Financieros, Condusef), 1,500 cases of identity theft were registered in the state of Mexico in 2013 (7 Apr. 2014). According to the newspaper, identity theft includes obtaining a voter identification card using a false identity after [translation] "buying two witnesses" who attest that they know the impersonator (ibid.).

Media sources report the following instances of fraud involving voter identification cards:

- On 17 June 2014, *Campeche.com.mx*, a news website based in the state of Campeche, reported that seven people, including a minor, who sought to travel to Mexico City with fake voter identification cards, were detained by the Federal Police at Campeche International Airport (*Campeche.com.mx* 17 June 2014).
- On 19 February 2013, Cancún-based newspaper *Quequi* reported that two Guatemalans who were about to board a flight to Mexico City with fake Mexican voter identification cards were detained by the Federal Police. According to the detainees, they obtained the fake voter identification cards in Cancún after paying 1,300 MXN [approximately C\$108] (*Quequi* 19 Feb. 2013).
- On 9 May 2008, nationwide Mexican newspaper *El Universal* reported that a federal judge had sentenced a woman to 45 years in prison who had obtained 15 voter identification cards to commit fraud against banks and businesses. The newspaper reported that the woman, who was part of a criminal ring, had used fake identification documents, as well as witnesses who gave false testimonies, to obtain voter identification cards (*El Universal* 9 May 2008).

#### 3.2 Confidential Voter Information Held by Electoral Registry

An investigative journalist from Mexico City's news agency Agencia Reforma reports that he obtained, for 10,000 MXN [approximately C\$830] on [translation] "the black market," four databases with confidential information on Mexican citizens, including IFE's electoral registry of the states of Nuevo León, Colima, Nayarit, Aguascalientes, Quintana Roo, Durango, Querétaro, Morelos, Coahuila, Sinaloa, Oaxaca, Tamaulipas, Michoacán, Puebla, and Guanajuato (Agencia Reforma 3 June 2013). According to the journalist, this database contained the names, addresses, dates of birth, occupations, and CURP numbers of 30 million people (ibid.). The article notes that the other databases contained, respectively, bank account, credit card account, and income information, for thousands of individuals (ibid.).

According to the journalist, the seller of the databases had promoted them on websites under the name [translation] "Exclusive and Important Databases from Mexico" since 2012 (ibid.). The journalist explains that once the seller received confirmation of payment in a Florida bank account, he or she released the information within [translation] "a few hours" (ibid.). The journalist added that he contacted some of the people included in the databases to find out whether or not the information was accurate, and all of the people he contacted verified the information (ibid.).

*Excélsior*, a Mexico City-based newspaper, reports that the IFE filed a complaint on 7 November 2013 regarding the leak of personal voter information contained in the electoral registry through the website "buscardatos.com," the domain of which was traced back to Sweden (8 Nov. 2013). René Miranda is cited by *Excélsior* as saying that the website buscardatos.com might contain information from the 2010 or 2011 electoral registry (ibid.). NOTIMEX reports that as of 20 January 2014, the IFE had not received any news on the investigation into the leak of personal information from the electoral registry (NOTIMEX 20 Jan. 2014). The government news agency cites the interim president of the General Council of the IFE as saying that, by typing in the name of a person, the Swedish webpage provides the voter identification card number, CURP, age, address, and the federal taxpayer registration number of that person (ibid.).

### 3.3 Government Efforts to Prevent Fraud Involving Voter Identification Cards

The Special Prosecutor's Office for Electoral Offenses (Fiscalía Especializada para la Atención de Delitos Electorales, FEPADE) is the government agency responsible for [translation] "preventing, investigating, and prosecuting electoral offenses," and is part of the General Prosecutor's Office [Procuraduría General de la República, PGR (Mexico June 2014)] (ibid. n.d.g). FEPADE's monthly report for June 2014 indicates that in June, 14 investigations were initiated for crimes related to Article 411 of the Penal Code and 26 investigations were concluded, with criminal charges being laid in 12 of them (ibid. June 2014, 5-6). The report further indicates that, as of May 2014, 162 criminal proceedings under Article 411 were in progress (ibid.). Additional information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

#### Notes

[1] The Executive Directorate of the Federal Electoral Registry is the agency within the INE responsible for updating the electoral registry (*padrón electoral*) and issuing the voter identification card (Mexico n.d.g).

[2] The CURP is an official number issued to all Mexican nationals within Mexico and abroad as well as to foreigners residing in Mexico, and is used to access government services (ibid. 19 July 2013).

[3] Colectivo ARCIÓN is a research group at the Free College of University Studies (Colegio Libre de Estudios Universitarios, CLEU), in Puebla, Mexico that produces research on criminology (ibid. n.d.b).

[4] *Visión Criminológica-criminalística* is an academic journal from CLEU that publishes literature on criminology and criminalistics (CLEU n.d.a).

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## Additional Sources Consulted

**Oral sources:** Attempts to contact representatives of the following organizations were unsuccessful: Instituto de Investigaciones Jurídicas at Universidad Nacional Autónoma de México and Instituto Nacional Electoral.

**Internet sites, including:** AM; Buscardatos.com; Cable News Network Mexico; *El Informador*; *El Mañana de Reynosa*; Instituto Nacional de Ciencias Penales; Instituto para la Seguridad y la Democracia; *Jane's Intelligence Review*; *La Jornada*; *La Prensa*; Mexico – Cámara de Diputados, Comisión Nacional de Seguridad, Procuraduría General de la República; *Milenio*; Noticias MVS; Terra México; UniradioNoticias.com; United States – Central Intelligence Agency, Department of State, Federal Bureau of Investigation.

## Attachment

Mexico. N.d. Instituto Nacional Electoral. "Modelo actual de la Credencial para Votar." <<http://www.ine.mx/docs/IFE-v2/DERFE/DERFE-CredencialVotar/CPVF-docs/CPV-CaracteristicasMod2013.pdf>> [Accessed 9 July 2014]

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