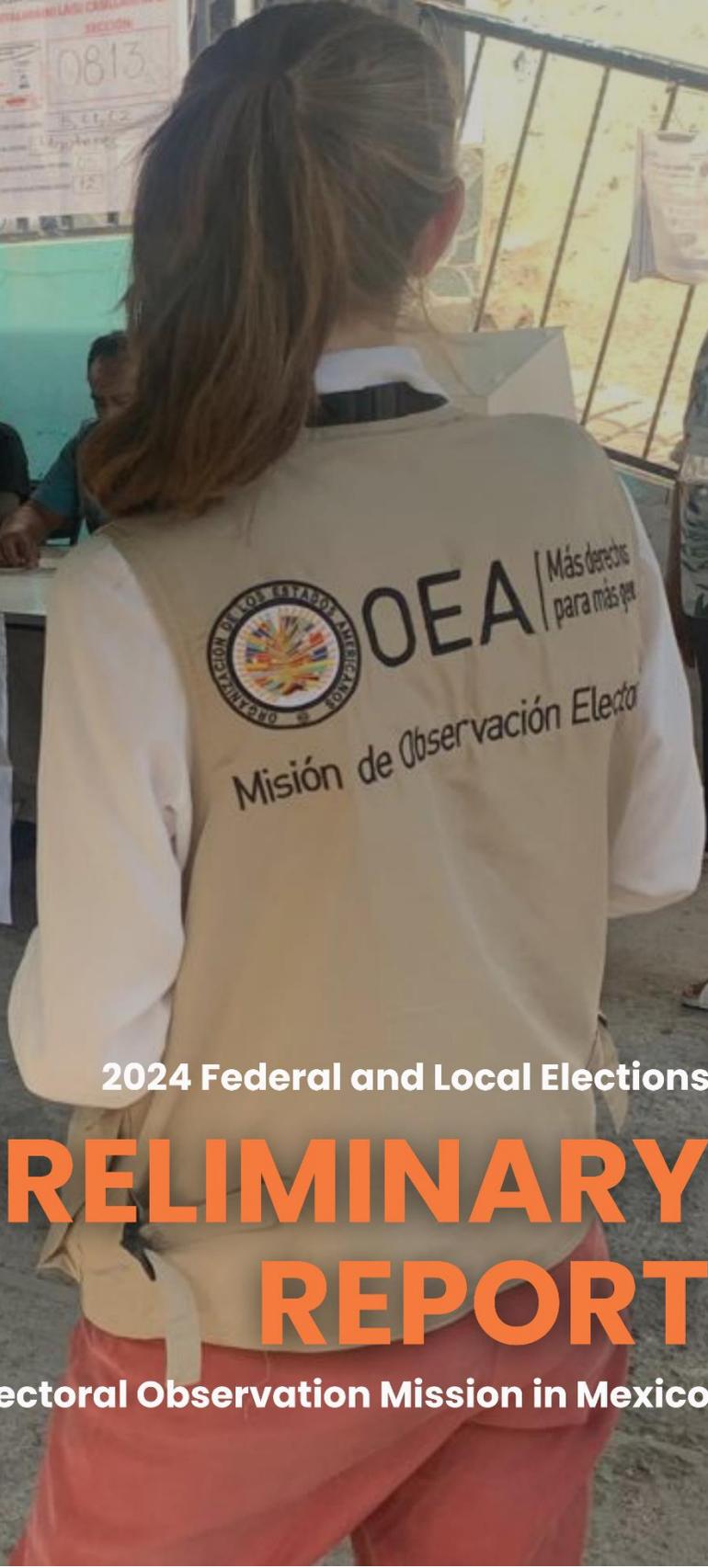




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Misión de Observación Electoral

2024 Federal and Local Elections

PRELIMINARY REPORT

OAS Electoral Observation Mission in Mexico



Preliminary Report of the OAS Electoral Observation Mission in Mexico

June 4, 2024

The Electoral Observation Mission of the Organization of American States (OAS/EOM)¹, headed by former Minister of Foreign Affairs of Chile, Heraldo Muñoz, congratulates the people of Mexico for holding the largest federal and local elections in the history of the country on Sunday, June 2. Approximately 56 million Mexican citizens exercised their right to vote to elect 20,708 federal, state, and municipal officials.

The OAS/EOM highlights the historic result of this election given that, for the first time in 200 years, a woman will be President of the Republic in Mexico. The Mission congratulates the presidential candidate of the *Sigamos Haciendo Historia* coalition, Claudia Sheinbaum, for her resounding victory. It also welcomes the fact that the presidential contenders who lost at the polls accepted the official results when they were published by the National Electoral Institute (INE), demonstrating both maturity and commitment to the democratic principles underlying political systems.²

The Mission highlights the professionalism and technical reliability exhibited by the INE and the Electoral Tribunal of the Judiciary of the Federation (TEPJF), institutions that were vital to ensure the success of the elections. It also recognizes the work of the members of the polling stations - who safeguard the vote-, and that of the election officials, representatives of the political parties, national observers, and the security forces.

The OAS/EOM believes that electoral institutions must continue to be strengthened to reflect the civic maturity of the population, which will increase the confidence of all citizens.

Election day, on Sunday, June 2, when more than 98 million people were called to the polls, went by without major incidents. However, the Mission regrets and strongly condemns the acts of violence that occurred during the electoral campaign directed against would-be candidates, pre-candidates, and candidates, as well as isolated acts on election day against polling place officials,

¹ In Mexico, the OAS/EOM has the status of a Foreign Visitors Mission (FVM), as provided for in Mexican law. It enjoys the same functions, privileges, and immunities as those established for OAS Electoral Observation Missions in Article 24 of the Inter-American Democratic Charter.

² As of the date on which this report was finalized, the data published by the Preliminary Electoral Results Program (PREP) showed that Claudia Sheinbaum obtained 59.35% of the votes, Xóchitl Gálvez 27.9%, and Jorge Alvarez Maýnez 10.4%. Candidate Galvez acknowledged the result of the presidential elections but announced that she would file appeals due to the possible impact of violence and other factors on the elections.



voters, and electoral material. It also expresses its concern about the inhibiting effects that electoral violence has on Mexican democracy.

The OAS/EOM consisted of 97 people³ of 24 nationalities to observe the process in Mexico's 32 states and in five cities in three foreign countries (Canada, Spain, and the United States).⁴ In the course of its deployment, it examined various aspects of the elections, including electoral organization; voting abroad; electoral technology; campaign finance; electoral justice; the political participation of women; electoral violence; the participation of indigenous peoples and persons of African descent; and campaigns, media, and digital communication. The Mission's specialists also followed up on the recommendations issued by previous OAS Missions.

The Mission's members began arriving in the country on May 22, 2024. During its stay, the Mission met with a number of political actors, electoral and government authorities, candidates and representatives of civil society organizations in order to familiarize itself with the preparations and gather perspectives on the elections. Based on these meetings, exhaustive analysis of the regulations and other relevant documents, as well as direct observation, a comprehensive analysis of the electoral process was carried out, maintaining the principles of objectivity and neutrality, the non-substitution of national actors in the process, respect for domestic law, and guaranteeing independence and transparency, among other principles that govern the work of OAS Electoral Observation Missions.⁵

PRE-ELECTORAL PHASE

Electoral reforms

During the pre-election stage, the Mission learned about the attempts to amend several laws related to elections, which was called "Plan B" (first and second part). The first part was published on December 27, 2022,⁶ while the second part was published on March 2, 2023.⁷ Among the

³ The OAS/EOM certified 100 people, but for personal and health reasons, it was finally composed of 97 people: 46 men and 51 women.

⁴ Dallas, Los Angeles, Madrid, Montreal, and Washington D.C.

⁵ Organization of American States. (2024). Manual for OAS Electoral Observation Missions, pp.15 and 16. See: <https://www.oas.org/ext/DesktopModules/MVC/OASDnnModules/Views/Item/Download.aspx?type=1&id=958&lang=2>

⁶ Mexico. (2022). Decree amending, adding, and repealing several provisions of the General Law of Social Communication and the General Law of Administrative Responsibilities. See:

https://www.dof.gob.mx/nota_detalle.php?codigo=5675885&fecha=27/12/2022#gsc.tab=0

⁷ Mexico. (2022). Decree amending, adding, and repealing several provisions of the General Law of Electoral Institutions and Procedures, the General Law of Political Parties, the Organic Law of the Federal Judiciary and enacting the General Law on Electoral Appeals. See:

https://www.dof.gob.mx/nota_detalle.php?codigo=5675885&fecha=27/12/2022#gsc.tab=0



matters to be amended were those related to governmental propaganda ("social communication"), citizen participation in elections and consultations, the rules governing elective office and the declaration of the validity of those elections, the organization and operation of the INE, options for challenging electoral outcomes, and vote recounts and annulments, among others.

The Mexican Supreme Court, by a majority of 9 votes, invalidated both parts of "Plan B". The first part on May 8, 2023 and the second part on June 22, 2023.⁸ In its decision, the Supreme Court considered that there were "serious violations of due legislative process" in the way the amendments were processed before the Chamber of Deputies and the Chamber of Senators.⁹

The OAS has monitored electoral processes in Mexico since 2009. Although every electoral system can be improved, the Mission highlights the organizational strength of the National Electoral Institute (INE) and the robust electoral justice system headed by the Electoral Tribunal of the Federal Judiciary (TEPJ), as well as the guarantee of impartiality provided by citizen management of polling stations.

In this regard, the Mission reiterates what was said by the 2021 and 2022 missions, namely that any reform proposal must always seek the strengthening of the electoral bodies, both in their autonomy and their specialization, and never restrict their independence or technical capacity. The latter would be a setback for Mexican democracy. Thus, the OAS/EOM reaffirms the importance of always safeguarding the independence, autonomy, and professionalism of the electoral authorities, as that would benefit the Mexican political system and society as a whole.

The Mission wishes to emphasize that the recommendations put forward in this report refer to specific changes in specific areas. It reiterates that the Mexican Electoral System does not require in-depth reforms to continue guaranteeing full exercise of suffrage and honest elections.

Innovations in this electoral process

The Mission highlights the adoption of a series of measures that broadened the scope of the rights to elect and be elected. In this regard, it acknowledges the expansion of voting for persons

⁸ Supreme Court of Justice of the Nation. (n.d.). Electoral policy amendments 2022-2023. See: <https://www.scjn.gob.mx/rpe/>

⁹ Supreme Court of Justice of the Nation. (2023). Press release 161/2023. See: <https://www.internet2.scjn.gob.mx/red2/comunicados/comunicado.asp?id=7347>; Press release 222/2023. See: <https://www.internet2.scjn.gob.mx/red2/comunicados/noticia.asp?id=7408>. Press release 222/2023 (June 22, 2023) (<https://www.internet2.scjn.gob.mx/red2/comunicados/noticia.asp?id=7408>).



deprived of liberty without a final sentence¹⁰ to 214 penitentiaries in 31 federal entities,¹¹ after a pilot plan implemented in 2021 in 5 federal social readaptation centers, following a recommendation of the OAS to gradually expand that plan in future elections. Of 30,947 people eligible to vote by this method, 26,569¹² (85.85%) voted for the offices of President of the Republic and governor, municipal councils, city councils, and local deputies in Chiapas, Mexico City, and Hidalgo.¹³

The 2021 OAS/EOM also recommended giving timely access to the candidates' programmatic proposals in order to guarantee the exercise of an informed vote by voters deprived of their liberty. In this regard, the Mission appreciates the fact that INE is facilitating the transmission of presidential debates in prisons in order to familiarize voters with candidates' proposals.¹⁴ In addition, in 2021 it was also recommended that national and international observers be allowed to monitor the prison voting process. In this regard, the Mission learned that INE reported the presence of observers in Mexico City prisons.¹⁵

Likewise, for the first time in Mexico, early voting was implemented for citizens who were physically unable to go to the polling station.¹⁶ Of the 4,002 eligible voters, 3,445 (86.08%) throughout the country voted.¹⁷ The Mission welcomes these inclusive efforts that allow a greater number of citizens to exercise their political rights.

In terms of affirmative action, it is also recognized that, for the first time, 4 seats in the Senate will be allocated for indigenous people and 1 for Afro-Mexican people, out of a total of 128

¹⁰ In this report, all references to persons deprived of liberty refer to those who do not have a final conviction and enjoy their rights to political participation.

¹¹ Yucatan was the only state where persons in pretrial detention did not vote.

¹² National Electoral Institute (INE). (2024). See: <https://centralelectoral.ine.mx/2024/05/23/recibe-ine-26-mil-569-sufragios-de-personas-en-prision-preventiva-y-tres-mil-445-del-voto-anticipado/>

¹³ In early voting they were able to vote for the following positions: Presidency of the Republic and holders of the office of Chief of Government, governorship, mayorships, municipal councils, and local deputies in Chiapas, Mexico City, and Hidalgo.

¹⁴ INE. (2024). INE received 26,569 votes from persons in custody and 3,445 from Early Voting. See: <https://centralelectoral.ine.mx/2024/05/23/recibe-ine-26-mil-569-sufragios-de-personas-en-prision-preventiva-y-tres-mil-445-del-voto-anticipado/>

¹⁵ INE. (2024). INE Mexico City successfully implements Early Voting for Persons in Pretrial Detention. See: <https://centralelectoral.ine.mx/2024/05/07/ine-ciudad-de-mexico-implementa-exitosamente-el-voto-anticipado-para-personas-en-prision-preventiva/>

¹⁶ National Electoral Institute. (2024). <https://centralelectoral.ine.mx/2024/05/05/inicia-ine-voto-anticipado-del-pef-2023-2024/>

¹⁷ It was possible for the disabled to vote for: Presidency of the Republic, senate and congressional seats; Head of Government for Mexico City and/or Governorships; mayorships, city councils, and local congressional seats.



senators.¹⁸ As regards electoral financing, it should be noted that INE established¹⁹ the obligation for political parties to grant women no less than 50% of the public financing that each party or coalition receives for campaign activities (prior to these elections the percentage was 40%).²⁰

In organizational terms, the Mission noted that, following a pilot plan conducted in four cities in 2021, in these elections in-person voting by electronic means was incorporated in 23 consular offices distributed in four countries for voting abroad. This measure considerably expanded the potential universe of voters from the diaspora.

In addition, regarding electoral violence, the OAS/EOM appreciates the implementation of a formal protocol for candidacies and other actors involved in the electoral process, through the "Inter-agency Security Roundtable for the 2023-2024 electoral process." This action responds to recommendations made in 2018 and 2021.

Finally, the Mission welcomes the fact that the Superior Chamber of the TEPJF modified its criteria on the delivery of debit cards or certificates as part of electoral propaganda,²¹ following a specific recommendation of the OAS/EOM in 2018. These types of decisions are important to continue generating conditions of equity among political organizations, as well as to avoid undue influences on voters that could impair the free exercise of the vote.

Electoral violence

At the beginning of its deployment in the national territory, the OAS Mission expressed its concern regarding acts of violence that occurred in connection with the elections and especially regretted the loss of human lives.²² During the various meetings held by the Mission, one of the most reiterated aspects was the context of insecurity and fear surrounding the electoral campaign,

¹⁸ National Electoral Institute. (2024) Numeralia. Affirmative action measures: P.42

<https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/153578/Numeralia-PEF-2023-2024.pdf>

¹⁹ National Electoral Institute (DOF: 11/27/2023) Agreement of the General Council of the National Electoral Institute, which modifies the percentage of financing and State time on radio and television provided for in the Guidelines for national political parties and, as the case may be, local political parties, to prevent, address, punish, repair, and eradicate political violence against women based on gender. Article 55. Available at:

https://dof.gob.mx/nota_detalle.php?codigo=5709577&fecha=27/11/2023#gsc.tab=0

²⁰ This rule had been introduced for the 2021 elections, with a percentage of 40% that was increased to 50% in the 2023-2024 process.

²¹ Organization of American States. (2018) Final Report of the Foreign Visitor Mission. See:

<https://www.oas.org/eomdatabase/GetFileA.aspx?id=409-1116-28-0>; Organization of American States. (2021). Final Report of the Foreign Visitor Mission. See: <https://www.oas.org/eomdatabase/GetFileA.aspx?id=434-1383-28-0>

²² Organization of American States. (2024). Press release. OAS Electoral Mission Begins Deployment for June 2 Elections in Mexico. See:

https://www.oas.org/en/media_center/press_release.asp?sCodigo=E-035/24



including manifestations of organized crime. Both official and civil society monitoring data show that violence has affected all political parties.²³

According to official information from the Secretariat of Security and Citizen Protection (SSPCC)²⁴, as of May 28, 2024 a total of 23 murders had been registered, of which 9 were assassinations of registered candidates, 4 murders of preliminary candidates (*precandidaturas*), and 10²⁵ murders of would-be candidates (*aspirantes*).²⁶ Subsequently, during the closing of the electoral campaigns and on subsequent days two more candidates were assassinated²⁷, prompting condemnation by the OAS/EOM.²⁸ During the night before and the day of the election, the Mission learned of two more assassinations of candidates.²⁹

Civil society monitoring, following different methodologies, recorded various types of aggressions against elected officials, former public officials, former candidates, party leaders or militants and, in some cases, people linked to the campaigns and family members. These monitoring activities

²³ Integralia Consultores. (2024, May 28). Integralia Electoral Report. 2024 Elections Report prior to Election Day. See: https://integralia.com.mx/web/wp-content/uploads/2024/05/Integralia_Reporte-Previo-a-la-jornada-electoral_MAYO24-1.pdf. Voting in the midst of bullets. (May 28, 2024). Database Voting in the midst of bullets program. Available at: <https://votar-entre-balas.datacivica.org/datos-votar-entre-balas>

²⁴ As of May 28, 2023.

²⁵ Ministry of Security and Citizen Protection. (2024). Meeting of the Security Cabinet with the OAS Foreign Visitors Mission.

²⁶ This category is defined by the Secretariat of Security and Citizen Protection as persons not officially registered with their political parties, the INE, or local electoral institutes, but who at some point were mentioned for elected office or expressed their desire to compete for elected office.

²⁷ Alfredo Cabrera, candidate for the PAN/PRI/PRD coalition for mayor of Coyuca de Benítez in the state of Guerrero. See: <https://www.elfinanciero.com.mx/elecciones-mexico-2024/2024/05/29/cierres-de-campana-2024-hechos-violentos-asesinato-de-alfredo-cabrera-coyuca-de-benitez/>. That of the candidate for councilor in the municipality of Izúcar de Matamoros in the state of Puebla. <https://animalpolitico.com/elecciones-2024/violencia-electoral/candidato-regidor-izucar-de-matamoros-puebla>.

²⁸ X account of the Organization of American States. [@OAS_official]. (May 30, 2024). See: https://x.com/OEA_oficial/status/1796742869719429208?t=EWhvKSXqvTKYVkp9ekknlng&s=08 X account of the Organization of American States. [@OAS_official]. (2024, May 31). See: https://x.com/OEA_oficial/status/1796226101850640449?t=w5OaUKGOn223OhA6ll_7Cw&s=08

²⁹ The candidate for municipal trustee (*síndico municipal*) of Cuitzeo, Michoacán and the candidate for municipal president of Santo Domingo Armenta in Oaxaca State. See: Yañez, B. (June 2, 2024). Hours before the election, a Cuitzeo candidate is murdered outside his home. *Expansión Política*. <https://politica.expansion.mx/elecciones/2024/06/02/asesinan-candidato-pt-cuitzeo-michoacan> Pérez, J. (June 3, 2024). Oaxaca: PRI candidate for mayor is murdered at his home. *And La jornada*. <https://www.jornada.com.mx/noticia/2024/06/03/estados/oaxaca-asesinan-en-su-domicilio-a-candidato-del-pri-a-alcalde-6816>



registered between 33 and 36 murders of preliminary candidates, candidates, and would-be candidates.³⁰

Monitoring by civil society organizations recorded between 173 and 518 victims of various attacks, and between 96 and 231 murders during the pre-electoral period.³¹ All the monitoring indicated that the states most affected by these violent acts were Guerrero, Chiapas, and Michoacán.

The OAS/EOM also learned that some political parties decided not to present candidates in some municipalities for fear of their being victims of violence,³² and that a large number of candidates and electoral officials resigned alleging, among others, security reasons. In addition to this loss of political options due to violence, some candidates decided to abstain from campaigning as a result of the violence, thereby impairing the right to an informed vote.

³⁰ Integralia Consultores. (May 28, 2024). Integralia Electoral Report. 2024 Elections Report prior to Election Day. Available at: https://integralia.com.mx/web/wp-content/uploads/2024/05/Integralia_Reporte-Previo-a-la-jornada-electoral_MAYO24-1.pdf

Laboratorio Electoral. (May 29, 2024). Third preliminary report. Violence During the 2023-2024 Elections. Available at: https://laboratorioelectoral.mx/leerdocumento/Violencia_electoral_proceso_2023_2024_Tercer_reporte_PRELIMINAR

Voting in the midst of bullets. (2024, May 28). Database Voting in the midst of bullets program. Available at: <https://votar-entre-balas.datacivica.org/datos-votar-entre-balas>

Causa en Común. (May 30, 2024). Database. Causa en Común aspirants assassinated. Available at: https://docs.google.com/spreadsheets/d/1BOaA03qBQO4oGsS77cdPfZKIPUDdmlV5Xs0biOpZwfY/edit#gid=40875992_1

³¹ Integralia Consultores. (May 28, 2024). Integralia Electoral Report. 2024 Elections Report prior to Election Day. Available at: https://integralia.com.mx/web/wp-content/uploads/2024/05/Integralia_Reporte-Previo-a-la-jornada-electoral_MAYO24-1.pdf. The data cover the period from September 2023 to May 28, 2024. Acts of aggressions cover threats, attacks, and other non-specified acts.

Laboratorio Electoral. (May 29, 2024). Third preliminary report. Violence During the 2023-2024 Elections. Available at: https://laboratorioelectoral.mx/leerdocumento/Violencia_electoral_proceso_2023_2024_Tercer_reporte_PRELIMINAR

The data cover the period from June 4, 2023 to May 29, 2024. Aggressions cover threats, attacks, and kidnappings.

Voting in the midst of bullets. (May 28, 2024). Database. Voting in the midst of bullets program. Available at: <https://votar-entre-balas.datacivica.org/datos-votar-entre-balas>. The data cover the period from September 7, 2023 to May 28, 2024. Acts of aggression cover threats, kidnappings, attacks, armed attacks, and disappearances.

Causa en Común. (May 30, 2024). Database. Causa en Común would-be candidates assassinated. Available at: https://docs.google.com/spreadsheets/d/1BOaA03qBQO4oGsS77cdPfZKIPUDdmlV5Xs0biOpZwfY/edit#gid=40875992_1

The data cover the period from July 2023 to May 30, 2024. They record murders only.

³² ANIE. Executive Summary Fourth Report on Integrity in the 2023-2024 Elections. See: https://www.anie.mx/wp-content/uploads/2024/05/20240529_Resumen-ejecutivo_Cuarto-informe_vf.pdf



According to official data, the 9 assassinations of formally registered candidates involved persons aspiring to hold local positions (5 for municipal presidencies/mayorships and 4 for municipal councilors).³³ The two murders that occurred after the closing of the campaigns were also of candidates at the local level. This information matches that provided by the independent monitors, whose disaggregated data show that an average of 95% of the attacks on candidates were against those seeking to be elected to municipal office. Accordingly, and based on testimonies received by the Mission, this may be related to a lower level of confidence in local security forces. The Mission believes that this issue should be addressed in a systematic and differentiated manner.

It should be noted that, in the Mexican context, political violence is not a new phenomenon and has not been alien to its democratic history. As stated by the National Human Rights Commission (CNDH), in the last 35 years this violence has manifested itself in lethal attacks and the propagation of stigmatizing, defamatory messages and hate speech,³⁴ which indicates that this is not a phenomenon solely related to Mexico's current political-electoral dynamics.

The political violence surrounding elections has been a concern of past OAS/EOMs.³⁵ For example, in 2018 the Mission's report registered a total of 46 assassinations of candidates³⁶ and in 2021 it reported at least 13 candidates murdered, according to official figures, and up to 35 candidates murdered according to independent monitoring, as well as other acts of violence that in total affected 398 candidates.³⁷

The Mission points out that assassination is the worst way to confront a contender. It violates not only the right to life, but also the right to active and passive political participation. It inflicts the worst possible blow to democracy. At the same time, the Mission firmly condemns all the forms of physical and intimidating aggression that took place in the context of the elections and that sought to influence or inhibit citizens' exercise of political participation or impede the organization of the elections in some states from the pre-electoral stage. Likewise, the Mission

³³ Ministry of Security and Citizen Protection. (2024). Meeting of the Security Cabinet with the OAS Foreign Visitors Mission.

³⁴ Inter-American Commission on Human Rights. (2023, December). Pronouncement of the CNDH on the duty to prevent and eradicate the various manifestations of political violence in connection with the exercise of political and electoral rights. Available at: https://www.cndh.org.mx/sites/default/files/documentos/2024-02/PRONUNCIAMIENTO_20231213_VP.pdf

³⁵ Organization of American States. (2015). Report of the Foreign Visitor Mission. Available at: <https://www.oas.org/eomdatabase/MoeReport.aspx?Lang=es&Id=374&MissionId=447> [English: <https://www.oas.org/eomdatabase/moereport.aspx?lang=en&id=374&missionid=447>]

³⁶ Organization of American States. (2018) Preliminary Report of the Foreign Visitor Mission. Available at: <https://www.oas.org/eomdatabase/moereport.aspx?lang=en&id=409&missionid=488>

³⁷ According to the figures presented by the Secretariat of Security and Citizen Protection (SSPC)



rejects all actions that damaged electoral material and facilities, preventing the election from taking place in some municipalities.

ELECTION DAY

On election day, OAS observers visited 808 polling stations in the 32 states of Mexico and abroad in Dallas, Los Angeles, Madrid, Montreal, and Washington D.C., from their installation and opening to the counting of votes and transmission of results. At the beginning of the day, there were delays in the installation of the polling stations, which generated long lines of voters. Despite the fact that the polling stations observed by the OAS opened, on average, at 8:53 a.m., citizens waited patiently in long lines to vote. The slowness of the process may have been due to the high number of ballots to vote for different authorities.

During their visits, the observers noted that practically 100% of the observed polling stations had the necessary materials and that 61% of them were comprised of incumbent members. The Mission welcomes the majority presence of women who served as polling stations members (61%), as well as their leadership in presiding over the polling stations (58%), which once again illustrates their democratic vocation and commitment to the country's electoral processes. Participating in the observed polling stations there were also officials who identified themselves as indigenous (5%) and Afro-Mexican (1%). Another positive aspect noted by the OAS/EOM was the ample presence of political party delegates who remained at the polling stations throughout Election Day. That group, too, was composed mostly of women (62%).

The OAS/EOM observed that, in general, the spaces provided for citizens to exercise their vote were adequate. However, it also found that some stations lacked facilities for people with disabilities. In addition, it was observed that elderly people with reduced mobility or in wheelchairs in some cases had to be lifted to reach their polling place.

The day passed mostly peacefully throughout the country, despite the violent incidents that marked the run-up to the elections. However, there were some isolated incidents that affected the voting at specific polling stations. According to official data from INE's Election Day Information System (SIJE), up to the close of the day there were some acts of violence that prevented the installation of 4 polling stations in the states of Michoacán and Puebla. Events such as armed robberies of electoral material and death threats to polling station members put a stop to activities in specific polling stations in the districts of Atlixco and Jiquilpan de Juárez.

According to data from the National Electoral Institute (INE),³⁸ during election day a total of 63 polling stations had to suspend voting permanently (7 due to weather conditions, 47 due to risk

³⁸ INE. (June 2, 2024). Election Day Information System (SIJE). See: <https://sije2024.ine.mx/>



or acts of violence, 8 due to acts associated with theft and destruction of electoral material, and 1 due to other undetermined causes). The most notable incidents of violence included armed attacks against polling stations, protesters breaking into homes where polling stations were located, threats from armed persons, and physical attacks or beatings of polling station members.
³⁹

Voting in the special ballot boxes was slow and, in some of the observed districts, the number of ballots available was insufficient. The Mission observed the same situation in consular offices abroad, which led to the extension of voting hours in places such as Madrid and Los Angeles.⁴⁰

As reported by the members of the OAS/EOM, the polling stations in the country closed on average at 6:02 p.m. Except in a very few cases, when the time for voting ended, the Mission observed that no voter remained in line to exercise his or her right to vote.

Although the vote count followed the procedure established by the INE, in some cases, there was a lack of uniformity and lack of knowledge on the part of some of the members of the polling stations. This situation caused delays in the presentation of the results.

The Mission received 14 complaints, mostly about problems at the special polling station, but also about the accessibility of the polling station for persons with reduced mobility and the equipment of the polling stations.

At 8:00 p.m., the OAS/EOM observed the first transmission of the preliminary election results through the Preliminary Electoral Results Program (PREP). The tally sheet results were transmitted in the system throughout the night in an uninterrupted, albeit slow, manner.

³⁹ These acts of violence took place in the states of Michoacán (22 polling stations affected), Querétaro (7 polling stations affected), Chiapas (7 polling stations affected), Tabasco (4 polling stations affected), Puebla (4 polling stations affected), Baja California, Estado de México and Nuevo León (1 polling station affected, each). The events related to theft and destruction of electoral material took place in the states of Veracruz (5 polling stations affected), Baja California, Oaxaca and Hidalgo (1 polling station affected, each). According to the Election Day Information System - SIJE, as of 11:00 p.m. there were a total of 448 reports of incidents related to acts of violence or theft and destruction of electoral material that temporarily affected the normal course of the election. Among the most serious events were harassment with firearms in the State of Baja California against two polling stations, which culminated in injuries and obliged members of the National Guard to reinforce security to continue with the process in the midst of the anxiety generated; harassment with firearms in the State of Oaxaca near 5 polling stations that forced polling officials, representatives of political parties, and citizens who went to the polls to seek refuge inside the homes where the polling stations were located; and the launching of an explosive device that fortunately did not go off but affected the security of 7 polling stations in the State of Querétaro.

⁴⁰ La Jornada. (June 2, 2024). INE extends voting hours in Spain due to protests. See: <https://www.jornada.com.mx/noticia/2024/06/02/mundo/alrededor-de-4-mil-mexicanos-esperan-ejercer-su-voto-en-madrid-6934>

The OAS/EOM observed with serious concern that, just minutes after the closing of the polls in the national territory, political forces and candidates declared themselves winners through the media. These actions undermine the certainty of the electoral process, as they cause uncertainty and confusion among citizens.

It was almost midnight on election day, and after postponements of her speech, when the President of INE, Guadalupe Taddei Zavala, announced on national television the results of the Institute's quick count, which projected the winner of the presidential election as the candidate of the coalition Sigamos Haciendo Historia (Let's Keep Making History), Claudia Sheinbaum. At the same time, the number of senatorial and congressional seats that the coalitions and political parties will receive for the next term was disclosed.

At the close of the preparation of this report, the data published by the PREP indicated that Claudia Sheinbaum obtained 59.35% of the votes, Xóchitl Gálvez 27.9%, and Jorge Alvarez Mañez 10.4%.⁴¹

Moments later, through the media, the winning candidate announced her victory and reported on the calls she had had with the other two candidates who participated in the race and who acknowledged the results. The Mission welcomes the spirit demonstrated by Mexico's political forces and the call for national unity made by President-elect Sheinbaum.

Pending the final tallies, the Mission reports that the data collected by its team, based on a representative sample, coincide with the results of the Institute's quick count and PREP.

FINDINGS AND RECOMMENDATIONS

For the 2024 federal and local electoral process, the OAS Mission carried out direct observation tasks, as well as a detailed analysis of the electoral process based on the legislation in force and gathering information and points of view of the different institutional, political, and social actors, at more than a hundred meetings. In the same spirit as in previous years, the OAS/EOM reaffirms its mandate to contribute to the strengthening of Mexican democracy. In this context, the Mission hereby presents its preliminary findings and recommendations:

I. Campaigns, media, and digital communication

Fairness in the competition and tone of the campaign

⁴¹ The INE informed that it plans to recount more than 60% of the votes. See: <https://www.jornada.com.mx/noticia/2024/06/04/politica/hara-ine-recuento-de-votos-en-mas-del-60-de-casillas-instaladas-5015>



As in the 2021 elections, the debate prior to the election among political actors, the government, and civil society revolved to a large extent around the constitutional provisions related to fairness in the use of public resources, fairness in competition and limits to government propaganda,⁴² in the face of claims of non-compliance with these regulations by public servants. The most recurrent complaint in the meetings held by the OAS/EOM was related to the statements made by the President of the Republic during his morning talks, popularly known as "las mañaneras."

On this matter, on May 31, 2024 the electoral authority announced⁴³ that, from September 7, 2023 to May 30, 2024, INE had received 163 complaints for violation of Article 134 of the Constitution⁴⁴ and 8 complaints regarding the use of public resources. Fifty-two of those complaints were filed against the President of the Republic, giving rise to 31 proceedings, 12 of which were referred to the Specialized Regional Chamber and 19 are being processed.⁴⁵ In addition, 40 requests for precautionary measures were filed against the President, resulting in 24 agreements: 18 that admitted the precautionary measures and 6 that rejected them; 16 of these resolutions were challenged and 14 were confirmed by the Superior Chamber of the TEPJF.⁴⁶

In order to strengthen compliance with constitutional norms by public officials with respect to the impartial use of public resources under their responsibility, without impairing the fairness of competition among political parties, the Mission recommends:

- Drawing up a list of varying degrees of penalties in the electoral justice system so that those public servants who commit infractions during an election process can be sanctioned by the electoral authorities.

Another of the issues recurrently mentioned to the OAS/EOM was related to the activities of political actors between June and September 2023, prior to the beginning of the pre-campaign and/or campaign periods, in which parties and coalitions carried out internal processes for the selection of national authorities and representatives. Mexican law provides specific dates for the beginning of the pre-campaign and campaign periods, which begin in November 2023. Regarding those activities, several complaints and denunciations were filed with the INE and the TEPJF,

⁴² Political Constitution of the United Mexican States, Articles 41 and 134.

⁴³ INE. (2024). Press Conferences of May 31, 2024. Available at <https://www.youtube.com/watch?v=vyL4WIEuoGk>

⁴⁴ Article 134 of the Mexican Constitution establishes that public servants of the Federation, the federal entities, the municipalities, and the territorial districts of Mexico City, are at all times required to ensure impartial use of the public resources under their responsibility, without impairing the fairness of the competition between political parties.

⁴⁵ As of June 2, 2024.

⁴⁶ INE. (2024). Press Conferences of May 31, 2024. Available at <https://www.youtube.com/watch?v=vyL4WIEuoGk>



which led to pronouncements by the administrative⁴⁷ and jurisdictional authorities,⁴⁸ who finally validated these processes, in addition to establishing guidelines for their realization, to ensure that they abide by the Constitution and "the principles of legality and equity" that govern the electoral process. Some civil society organizations questioned those decisions.

With respect to the tone of the campaign, the Mission observed an electoral campaign marked by political polarization and attacks between the presidential candidates, which at times may have overshadowed their programmatic proposals.⁴⁹ Although three presidential debates were held - as well as in some states⁵⁰ ,at the same time, statements were made that were considered slanderous by the electoral authorities. As a consequence of some of these statements made during the second⁵¹ and third⁵² presidential debate, INE ordered that the recordings be edited in order to erase those statements.

Also in relation to the organization of the debates, the OAS/EOM acknowledges the broadcasting of the presidential debates in prisons and the dissemination of information brochures to persons deprived of liberty,⁵³ following the recommendation made by the OAS/EOM in 2021.⁵⁴ Likewise, the Mission highlights and welcomes the progress made by the Electoral Institute of Mexico City in terms of informed access to voting, since it transmitted, for the first time, an exclusive signal for the hearing impaired.⁵⁵

⁴⁷ The INE Complaints and Denunciations Commission issued resolutions ACQyD-INE-94/2023, ACQyD-INE-104/2023, ACQyD-INE-118/2023, ACQyD-INE-124/2023, and ACQyD-INE-134/2023, on May 30, June 16, June 28, July 5, and July 15, 2023, respectively, in response to requests for precautionary measures in the framework of various special sanctioning proceedings.

⁴⁸ The Superior Chamber of the TPJF issued resolutions on this matter in files SUP-REP-138/2023 (plus additions)[y *acumulados*] dated June 16, 2023, SUP-REP-180/2023 and SUP-REP-188/2023 (plus additions) dated July 11, 2023, SUP-REP-206/2023 and SUP-REP-212/2023 (plus additions) dated July 12, 2023, SUP-JDC-255/2023 and SUP-JE-1423/2023 (plus additions) dated July 19, 2023, and SUP -REP-221/2023 dated July 20, 2023.

⁴⁹ Crónica. (2024 , May 31). Today, the biggest fraud is to allege that there is fraud in the elections. Available at: <https://www.cronica.com.mx/nacional/hoy-fraude-mayor-alegar-hay-fraude-elecciones-cordova.html>

⁵⁰ For example, Jalisco organized four gubernatorial debates. Available at: <https://www.iepcjalisco.org.mx/proceso-electoral-2024/debates-reglas-y-debates/index.html> CDMX organized three head-of-government debates. Available at: <https://www.youtube.com/@InstitutoElectoralDF/streams>; and Veracruz organized two debates. Available at: <https://www.youtube.com/watch?v=CezVXCATIEQ> y <https://www.youtube.com/watch?v=nTijJMKedXg>

⁵¹ INE. (2024). ACQyD-INE-224/2024; ACQyD-INE-240/2024; ACQyD-INE-217/2024

⁵² INE. (2024). ACQyD-INE-250/2024

⁵³ CDHCM. (2024 , May 26). The vote of people in pretrial detention allows them to be linked to their political community. Available at: <https://cdhcm.org.mx/2024/05/el-voto-de-las-personas-en-prision-preventiva-permite-la-vinculacion-con-su-comunidad-politica/>

⁵⁴ Organization of American States. (2021). Final Report of the Foreign Visitor Mission. P. 33. See: <https://www.oas.org/eomdatabase/GetFileA.aspx?id=434-1383-28-0>

⁵⁵ Electoral Institute of Mexico City. (2024 , May 25). Concluye ciclo de debates chilangos.(End of the cycle of debates in Chilango.) Available at: <https://www.iecm.mx/noticias/concluye-ciclo-debates-chilangos/>



Finally, in line with the regulations in force, on several occasions the electoral authority ordered the suspension of the participation of a number of candidates in radio and television programs.⁵⁶ It also ordered journalists and the media to "adhere to the principles of impartiality and neutrality, using prudent discourse at all times, and taking extra care to prevent their statements from being translated into expressions that favor or harm a political party or coalition, or candidates for elected office who present themselves as a political option."⁵⁷

The OAS/EOM considers that this regulatory framework responded to the concerns prevalent at the time of its approval, but that today it is not necessarily in line with advances in electoral matters and may not ensure the type of broad and plural debate that Mexican citizens deserve. In light of the above, and of the reiterated recommendations of the OAS regarding the Mexican political communication model, the Mission calls for in-depth reflection. Thus, the Mission repeats the recommendation made by the 2021 and 2022 OAS/EOMs:

- Base the communication model on the free flow of ideas and information, so as to stimulate debate, foster plurality in public opinion, and facilitate materialization of the right to cast an informed vote. All restrictions on freedom of expression applied during election periods must meet the international legal requirements of the tripartite test of legality, legitimacy of purpose, and necessity.

Media

According to the monitoring of radio and television news programs carried out by INE, between March 1 and May 31, 2024 the distribution of total time between two of the presidential candidates was even (40.15% for Sheinbaum, 36.94% for Gálvez). The coverage time of candidate Maýnez was somewhat less (22.91%). The Mission welcomes the efforts of the media to move towards balanced and pluralistic coverage, as well as to allocate space to inform citizens about the electoral process.

According to the radio and TV monitoring reports prepared by INE in conjunction with the Universidad Autónoma de Nuevo León, Televisa (N+) stands out as the national broadcasting channel that devoted the most time to coverage of the electoral campaign, according roughly equal time to the two main presidential candidates.⁵⁸

⁵⁶ INE. (2024). ACQyD-INE-268/2024; ACQyD-INE-260/2024; ACQyD-INE-249/2024; ACQyD-INE-216/2024; ACQyD-INE-216/2024

⁵⁷ INE. (2024). ACQyD-INE-261/2024, p. 41 and ACQyD INE-77/ 2024.

⁵⁸ INE. (2024 , May 31). Monitoring of radio and television programs. Available at: <https://monitoreo2024.ine.mx/inicio>



The Mexican political communication model is heavily regulated, so that the State distributes radio and television airtime equally among the parties. During the current election campaign, more than 52 million promotional spots were broadcast. INE estimated that the percentage of compliance by concessionaire companies was 99.59%.⁵⁹

Although current regulations ensure equitable access to the media, this Mission once again received expressions of concern that the duration of the spots transmitted prevents or hinders the proposal of political positions in public debate. In light of the above, the EOM recommends:

- Reviewing the duration of advertising spots in such a way that the time allotted to political parties on radio and television allows for the elaboration of proposals that foster robust political debate.
- Evaluating the feasibility of extending advertising space to other media, beyond radio and television

Digital communication

As in its 2021 preliminary report,⁶⁰ the Mission appreciated the efforts made by INE, in collaboration with social media platforms⁶¹ and information intermediaries, to verify and disprove false information, as well as to distribute truthful information.⁶² Mention should also be made of private initiatives to verify information and combat disinformation.⁶³ To continue progress in this direction, the Mission recommends:

- Continuing with digital literacy and civic education initiatives, with emphasis on the phenomenon of disinformation, in order to provide tools to distinguish true from fake information.
- Reminding all political actors, and especially public officials, of their responsibility to verify the facts on which they base their opinions, in view of the high degree of credibility they enjoy.

⁵⁹ X Account of INE (@INEMexico). (2024, June 1). Available at: <https://x.com/INEMexico/status/1796760701706580317>

⁶⁰ Organization of American States. (2021). Final Report of the Foreign Visitor Mission. See: <https://www.oas.org/eomdatabase/GetFileA.aspx?id=434-1383-28-0>

⁶¹ INE. (2024). New version of INE's chatbot on WhatsApp will make it possible to verify information on the 2024 elections. Available at: <https://centralelectoral.ine.mx/2024/04/17/nueva-version-del-chatbot-del-ine-en-whatsapp-permitira-verificar-informacion-sobre-elecciones-2024/>

⁶² INE. (2024). Certeza INE 2024. See: <https://centralelectoral.ine.mx/certeza/>

⁶³ Animal Político - El Sabueso, available at: <https://animalpolitico.com/verificacion-de-hechos/fact-checking> and Verificado MX, available at: <https://verificado.com.mx>

II. Organizational aspects of the elections

The budget for INE and Local Public Bodies (OPL) and appointments in the INE

A number of stakeholders told the OAS/EOM that the budget cuts for INE and Local Public Bodies (OPLs) required adjustments to their work in order for them to perform their functions. They also expressed their concern regarding the large number of resignations of personnel from the federal and local electoral bodies,⁶⁴ as well as regarding the lack of appointments of the persons in charge of INE's offices. Of 16 directorates, coordination offices, and units that report to the Executive Secretariat and the Presidency of the General Council, 9 are not headed by incumbents.⁶⁵ In light of the above, the Mission recommends:

- Strengthening the autonomy of INE and the OPLs through provisions that guarantee a sufficient budget and the timely receipt of funds.
- Evaluating a mechanism to ensure that the OPLs can count on the budget they need to carry out their functions in a timely manner.
- That the General Council of INE appoint the persons in charge of the various offices currently headed by temporary appointees.

Opening of polling stations

The Mission observed that reporting on the opening of polling stations, used by the Election Day Information System (SIJE), was slow. In urban areas, each Electoral Assistant Trainer (CAE), with the support of his or her Electoral Supervisors (SE),⁶⁶ had to transmit the data of an average of 4 polling stations and, in some cases, up to 8 polling stations. In rural areas, although the number of polling stations to report was smaller, the distances that CAEs had to travel to report were greater. This was in addition to the numerous responsibilities that CAEs have during Election Day.

Therefore, this workload had an impact on the CAEs' reporting time for the installation of the polling stations. Thus, as of 10:15 a.m., 112,125 polling stations had been reported opened, equivalent to 65.88% of the total number of approved polling stations (170,182). As of 1:50 p.m.,

⁶⁴ ANIE. Executive Summary Fourth Report on Integrity in the 2023-2024 Elections. See: https://www.anie.mx/wp-content/uploads/2024/05/20240529_Resumen-ejecutivo_Cuarto-informe_vf.pdf

⁶⁵ According to INE's public organizational chart. See: <https://directorio.ine.mx/chartByAreaOrganigrama.ife?idArea=996>

⁶⁶ On average there is one Electoral Supervisor for every six Electoral Assistant Trainers.



97.64% of polling stations were reported open, and at the close of polling day, 99.83% were open.⁶⁷ This meant that the electoral authority made decisions on the electoral process without having complete information on progress with the opening of the polling stations.

In addition, at the polling stations observed by the Mission, it was recorded that they opened, on average, at 8:53 a.m., which is a considerable delay if one takes into account the fact that the polling stations operate for 10 hours on election day.

Given this situation, the Mission recommends:

- Evaluating the workload of the CAE and SE and conducting the respective studies in order to deploy the appropriate number of these officials and have timely information on the opening of polling stations on election day.
- Evaluating the possibility of assigning the function of informing about the opening of the polling station installation to polling station officials.
- Convening polling station officials earlier, bearing in mind the time needed to complete all the operations for their installation, as recommended by the OAS Mission in 2018 and 2021.

Color of ballots and ballot boxes

The OAS/EOM observed confusion among voters due to the similar colors of the ballots and ballot boxes. Thus, ballots pertaining to one office (*dignidad*) were inserted in the ballot box of another. This generated significant delays in the vote count, since it was necessary to wait to complete the counting of the elections of all the offices before starting to fill out the tally sheets. In this regard, it is recommended:

- Ballots and ballot boxes should be of visibly different colors and should correspond to each other, so that voters can sense in which ballot box they should place the corresponding ballot.

Training of polling station officials

⁶⁷ INE. (2024, June 2). Election Day Information System (SIJE). See: <https://sije2024.ine.mx/>

The INE reported that of the 1,517,821 polling station officials who received their appointments, 1,509,110 (99.42%) were trained and 1,420,277 (93.57%) participated in some practice or drill.⁶⁸

However, the Mission observed a lack of adequate training of polling station officials at several stations throughout the country. Among other aspects, it was observed that they were not clear about their role during the opening of the polls or about the vote counting procedure. Regarding the latter, polling station officials began counting ballots for other offices before those for the presidential election. In addition, in some polling stations it was observed that these officials did not sign all the tally sheets for the presidential election.

Therefore, the Mission recommends:

- Strengthening the training schemes for polling station members and reinforcing during the training aspects related to the opening of polling stations, the counting of votes, and the filling out of tally sheets.

Hiring of Election Assistance Trainers (CAE) and Election Supervisors (SE)

The OAS/EOM learned that the INE encountered difficulties in hiring personnel to fill CAE and SE positions. A total of 49,780 people were to be hired, but it was never possible to complete this staff, so a new call for applications was issued, but the required number of CAEs and SEs was not achieved either.⁶⁹ According to the Directorate of Electoral Training and Civic Education of INE this is unprecedented, as the number of vacancies has doubled compared to 2018 and is much higher than in 2021. In the various meetings that the OAS/EOM held with the electoral authority, it was stated that the reasons for this are still unknown. In light of the above, the Mission recommends:

- Conducting studies to ascertain the causes behind the difficulties in filling the CAE and SE vacancies and taking the respective corrective measures, especially considering the key role played by both on election day.

Special polling stations

As in previous elections, the Mission observed that the special polling stations, which by law⁷⁰ have a limited number of ballots (between 750 and 1,500), are designed to meet the needs of fewer voters. For this election, INE determined that these polling stations would have 1,000

⁶⁸ INE. (2024). Numeralia 2023-2024 as of May 31, 2024. See:

<https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/153578/Numeralia-PEF-2023-2024.pdf>

⁶⁹ Ibid.

⁷⁰ General Law of Electoral Institutions and Procedures, Article 269.2.



ballots,⁷¹ as in the 2021 elections. However, it was observed that in some special polling stations this number of ballots was not sufficient, which resulted in some voters not being able to vote. This situation is aggravated by the fact that the law also establishes that only 10 special polling stations can be established per district.⁷² At the same time, it was noted that the special polling stations did not have a sufficient number of officials to attend to and orient voters, which resulted in long lines to vote.

Although special polling stations constitute a form of voting designed to guarantee the right to vote of voters who are far from their basic polling station, the way they currently operate reduces the effectiveness of this guarantee and, in some cases, renders it meaningless. For this reason, either through legal amendments or the issuance of administrative guidelines, the Mission recommends:

- Adjusting the number of ballots for the special polling stations to match the number of potential voters.
- Increasing the number of special polling stations per district.
- Using appropriate means to provide information regarding the location of the special polling stations.
- Appointing a sufficient number of officials in the special polling stations to assist voters at the time of voting.

III. Overseas voting

Voting abroad has been developing since 1996 and it was not until 2006 that Mexicans living abroad voted for the first time in the presidential elections. There were three ways to vote approved by the INE for the 2023-2024 elections: voting by mail (which began on May 2 and ended on June 1), electronic voting via the Internet (which began on May 18 and ended on June 2), and voting abroad in person by electronic means (which began and ended on June 2). Regarding this last option, the Mission welcomes the fact that, following a pilot plan in the 2021 elections in four

⁷¹ INE. (2023). Agreement of the General Council of the National Electoral Institute determining the number of ballots to be assigned in the Special Polling Stations on Election Day in the 2023-2024 Elections and, if applicable, any extraordinary elections derived therefrom. INE/CG293/2023. See:

<https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/151926/CGor202305-31-ap-4-Gaceta.pdf>

⁷² Articles 258.3 of the General Law of Electoral Institutions and Procedures.



consular offices,⁷³ in these elections electronic voting in person was expanded to 23 consular offices in four countries.⁷⁴

On this occasion, Mexicans from the 32 states residing abroad were able to vote for the offices of President of the Republic and Senator, while voters from the states of Chiapas, Mexico City, Mexico, Guanajuato, Jalisco, Morelos, Oaxaca, Puebla, and Yucatan, elected, according to the local regulations of each of these states, for the offices of Proportional Representation Deputy, Migrant Deputy, Governor, and Head of Government.⁷⁵

The OAS/EOM recognizes the efforts made by the INE, in conjunction with the Ministry of Foreign Affairs, to promote and increase voter registration by certifying credentials at consular offices close to the domicile of residents abroad, in response to recommendations previously made by OAS/EOMs. However, the Mission observed that the voter registration stage was marred by a controversy derived from an INE procedure for reviewing applications for inclusion in the Nominal List of Voters Abroad (*LNE- Extranjero*).

Of these 42,436 requests for incorporation in the LNE - Extranjero, 39,724 people were sent a generic e-mail between April 11 and 12 informing them of their exclusion from the Nominal List due to alleged irregularities. In a press conference on April 15,⁷⁶ INE acknowledged that this mailing was a communication error and not a technical one, and that it had proceeded to explain to citizens, also by e-mail, what the review procedure would be, for which voters would have to submit clarifications. The electoral authority then proceeded to conduct the proper review,⁷⁷ which reinstated 36,573 voters to the LNE - *Extranjero* and excluded 3,369 applications. Even so, the lack of clear information, as well as the high number of applications reviewed, triggered a series of citizen complaints that did not help generate confidence in the work of the Electoral Body.

⁷³ Los Angeles, Dallas, Chicago, and Montreal.

⁷⁴ 20 cities in the United States, Montreal in Canada, Madrid in Spain, and Paris, France. See: INE. (n.d.). Ways to Vote. See: <https://votoextranjero.mx/web/vmre/modalidades-de-votoc>

⁷⁵ INE. (2024). Numeralia 2023-2024 as of May 31, 2024. See: <https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/153578/Numeralia-PEF-2023-2024.pdf>

⁷⁶ INE. (2024). Transcript of the press conference: Voting by Mexicans abroad. See: <https://centralelectoral.ine.mx/2024/04/15/version-estenografica-de-la-conferencia-de-prensa-voto-de-las-y-los-mexicanos-en-el-exterior/>

⁷⁷ INE. (2024). INE reincorporates 36,355 registrations to the Nominal List of Voters Abroad. Central Electoral. <https://centralelectoral.ine.mx/2024/05/10/reincorpora-ine-36-mil-355-registros-a-la-lista-nominal-del-electorado-en-el-extranjero/>

Although for this electoral process the certification of the credentials of voters residing abroad involved 1,585,988 Overseas Voting Credentials (CPVE),⁷⁸ the final LNE - *Extranjero* only reached a total of 223,961 voters.⁷⁹ The difference in the numbers is due to the fact that the inclusion in the Nominal List depends on an additional process of confirmation of the credential after its delivery, unlike what happens in the national territory. The Mission considers that this additional step reduces access to voting from abroad.

According to official figures, 25.12% of voters abroad registered to vote by mail, 67.86% by electronic voting via the Internet, and the remaining 7.02% registered to vote in person on June 2. In order to increase access to the vote, INE decided to install a Special Polling Station with 1,500 ballots in each of the 23 consular offices for the suffrage of Mexicans who had a voting credential issued in the national territory and who were in transit abroad on election day; or for citizens residing abroad who had a CPVE but had not confirmed it and, therefore, were not included in the LNE - *Extranjero*.⁸⁰

The decision to include Special Polling Station ballots increased the potential universe of voters abroad by up to 34,500 more votes, which is significant since, according to the Unit of Migratory Policy, Registration and Identity of Persons, the Mexican diaspora is estimated to amount to 13 million Mexicans residing abroad. This was reflected in the long voting lines observed throughout Election Day at consular offices abroad, which by far exceeded the capacity of the locations, ballots, and demonstrated the overuse of the special polling stations.

Faced with the large number of people who remained in the voting lines even after the official closing time in Europe, around 3:30 p.m. on June 2, INE issued a statement explaining that the decision to have up to 1,500 additional ballots in the special polling stations at the consular offices in this process took into consideration a number of factors, including technical, operational, and infrastructure capabilities. Likewise, the electoral authority recognized that the experience should be "evaluated for the future exercises of voting from abroad, with a view to ensuring, based on a greater analysis of the conditions and capacities of the consular offices, enhancement of the human right to vote."⁸¹

⁷⁸ Considering both credentials issued for this election and those issued previously and still in force, since according to the General Law of Electoral Institutions and Procedures (LGIPE), Article 156.5, they are valid for 10 years.

INE. (2024). Numeralia 2023-2024 as of May 31, 2024. See:

<https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/153578/Numeralia-PEF-2023-2024.pdf>

⁷⁹ INETV. (2024). Regular meeting of the General Council – May 29, 2024. See:

https://www.youtube.com/live/tj97USf4_50

⁸⁰ Ibid.

⁸¹ INE. (2024, June 2). The INE is prepared to receive the vote of citizens residing abroad at consular offices. See:

<https://centralelectoral.ine.mx/2024/06/02/el-ine-esta-preparado-para-recibir-el-voto-de-la-ciudadania-residente-en-el-extranjero-en-sedes-consulares/>



In addition to the above, the OAS/EOM observed a lack of knowledge on the part of citizens about the functioning of the electronic voting system and flaws in the ballot box card reader, which increased the average voting time per person to up to 15 minutes. As a result, despite the fact that there were more people in line than ballots available, delays and infrastructure limitations led to an excess of ballots and citizens without voting in the precincts observed.

Regarding the participation of the electorate abroad, the Mission was able to observe that these elections achieved a historic record in the number of voters abroad. At 6:00 p.m. on election day, the INE reported that, according to preliminary figures, 180,676 Mexicans residing abroad had participated.⁸² As a comparison, in the last presidential election, in 2018, when only voting by mail existed, 98,708 people participated.

The OAS/EOM observed delays in the counting of votes from abroad in the PREP system. In particular, the counting of votes by mail, which is carried out in conjunction with the other forms of voting abroad and within the country, generated delays due to the manual techniques used for the confirmation, one by one, of the ballot envelopes with the names registered in the LNE - *Extranjero*.

Likewise, the OAS/EOM took note that twenty-four hours after the close of Election Day, at 6:00 p.m. on June 3, the results of the vote count from abroad had not been published in the Preliminary Electoral Results Program (PREP). Although they were updated that same night, it was not possible to know the percentage of participation of Mexicans residing abroad by type of vote, which is important information for the analysis of electoral organization.

Finally, the Mission congratulates Mexico on the large turnout of the Mexican diaspora and recognizes INE's efforts to increase voting opportunities for Mexicans residing abroad in this election, as well as the attention provided at consulates, but stresses that access to voting remains relatively limited. Considering the events that occurred during the pre-electoral stage and on Election Day, and the potential number of voters residing abroad, the Mission recommends:

- Analyzing possible strategies and mechanisms to help reduce the existing gap between the universe of Mexican citizens residing abroad and those registered in the LNE - *Extranjero*.
- Evaluating the implementation of immediate mechanisms to confirm CPVEs when they are delivered to consulates, avoiding additional procedures to be included in the LNE - *Extranjero*.

⁸² X Account of the INE [@INEMexico]. (2024, June 2). See: <https://x.com/INEMexico/status/1797413416975638583>



- Conducting information and training campaigns for citizens abroad on how to vote and how to use the ballot box. This could include exercises with voting simulation for those who choose to vote in person with electronic means, in order to avoid delays in voting.
- Considering the introduction of technological methods of verification of the envelopes containing ballots (*sobre-votos*) to speed up their identification with the LNE - *Extranjero* and, consequently, their inclusion in the vote count.
- Strengthening the technical and infrastructural capacities for voting abroad in person, in order to guarantee the right to vote of Mexicans in the diaspora.
- Informing the population in a timely manner of the preliminary results in order to build confidence and consolidate ways of voting abroad for future electoral processes.

IV. Electoral technology

Preliminary Electoral Results Program (PREP) and quick count

In order to provide citizens with timely results, INE uses two tools to process preliminary results: the Preliminary Electoral Results Program (PREP) and the Quick Count.

The PREP system is comprised of three main modules: a mobile application used to capture the images of the tally sheets directly at the polling stations, a web program that allows inputting of the images captured at the different Data Collection and Transmission Centers distributed throughout the country, and a module that consolidates and publishes the results. The OAS/EOM noted that the INE conducted three nationwide simulations with the personnel who used the system on Election Day to ensure its correct functioning during the day. In addition, internal tests were carried out to enhance personnel skills and operational performance. It should be noted that this is a system that has already been used in previous elections, which helps familiarize INE and its technical staff with the system.

The Quick Count, in turn, is a non-binding process consisting of a sample-based statistical system that forecasts voting trends.⁸³ In order to tabulate the results, the INE uses a mobile program that allows the Electoral Assistant Trainers (CAEs) to enter from the polling stations the results of the Sample Canvassing and Counting Protocols, consolidating the results for the analysis of the Technical Advisory Committee of the Quick Count and subsequent dissemination of the results. For the 2023-2024 elections, the sample designed included 16,140 polling stations⁸⁴ and the

⁸³ INE. (2024). Quick Count. See: <https://portal.ine.mx/voto-y-elecciones/conteos-rapidos-ine/>

⁸⁴ Ibid.

Mission learned that, in preparation for election day, INE also carried out three simulations in which the media reported that there were problems that were later corrected by INE's technical departments.⁸⁵

On election day, although the Mission observed the smooth processing of a large number of PREP tally sheets throughout the night, due to the modules used, which require a specific three-stage logistical process to capture the tally sheet data, the publication of the results took longer than expected. This could be related to the heavy workload of the CAEs, who at the end of the vote count were responsible for transmitting data from several polling stations at the same time. Another factor observed by the Mission was the existence of low-quality images of tally sheets in the PREP, or images that were not aligned, were crooked or very slanted, which prevented their correct digitization.

Despite the fact that, operationally, the CAEs use the same mobile devices for both systems, the OAS/EOM observed that the PREP and the Quick Count require different efforts to capture information and process data that are not integrated in any of their modules, and that, therefore, the more than 16 thousand tally sheets captured for the Quick Count also had to be captured for the PREP. Finally, given that both tasks are performed by the same personnel, the national sample of polling stations also places further demands on the CAEs.

To improve the mechanism for the timely dissemination of results in future electoral processes carried out by INE, the Mission recommends:

- Including in the PREP *Casilla* mobile application functions that improve the quality of image capture and let the CAEs know when images do not meet the necessary quality requirements.
- Evaluating alternatives to adapt the PREP application in order to allow results to be entered from mobile devices, as recommended by the OAS in 2021. This could be used as a first digitization of the tally sheets in the process, thereby facilitating a considerable increase in digitization capacity and decreasing the time needed to issue results.
- Evaluating the possibility that the information captured in the Quick Count can be reused by the PREP, allowing its use as part of the double digitization module that is currently used for data verification.

⁸⁵ La Jornada (May 25, 2024). Realizará INE prueba nacional de conteos rápidos. (*INE will conduct a national test of quick counts*). See: <https://www.jornada.com.mx/noticia/2024/05/23/politica/realizara-ine-prueba-nacional-de-conteos-rapidos-421>



- Conducting an in-depth reassessment of the way the PREP operates, with a view to applying the use of new technologies in the communication of information and the development of software for integrating mechanisms such as automatic reading of characters and optimization of the digitalization process.

Internet voting and in-person electronic voting

Three forms of electronic voting were used in the 2023-2024 elections: electronic ballot boxes, both for voting abroad and in the national territory through 71 special ballot boxes in Mexico City and Nuevo Leon;⁸⁶ and, exclusively abroad, non-face-to-face voting via the Internet and face-to-face voting in the 23 consular offices mentioned above.

For Internet voting abroad, INE used a system called SIVEI (Electronic Voting System via the Internet). A version of this program was also used through computers installed in the consulates for electronic in-person voting. The votes received in both modalities were kept in the same vault for subsequent counting.

The Mission noted that the implementation and operation of SIVEI is currently contracted out to an external company and that a large part of the system's risk management is also delegated to the provider. It also learned that it does not have threat modeling, which limits proactive threat management in both the design and life cycle of the software. In addition, the OAS/EOM was informed that most of the INE personnel assigned to electronic voting via the Internet are under contract only until the end of the current electoral process, which makes it harder to ensure continuity of the experience acquired.

Also, in relation to the technology implemented for electronic voting via the Internet, the Mission observed that the INE implemented a *blockchain* system for the SIVEI. That is, it established a technological architecture in the form of a chain, where data, organized in sets (or blocks), were individually secured with cryptographic technology and subsequently added to an existing and transparent chain. Although this technology seeks to enhance data security, the OAS/EOM technicians found that all the nodes were concentrated in INE devices and servers. In addition, during the voting process, the Mission observed that the SIVEI does not include any biometric verification system for citizens, nor does it perform proof of life tests for voter validation.

⁸⁶ 44 in Mexico City, covering all of the special polling stations in this city, and 27 selected polling stations in Nuevo Leon. Each of the polling stations was composed of three voting units, totaling 213 ballot boxes used in all. The use of the electronic ballot box represents approximately 0.04% of the ballot boxes installed in the national territory.

Finally, for the implementation of electronic voting through ballot boxes, INE used equipment (hardware and software) developed by the institute itself. Although their use was limited in these elections, the Mission considers that the use of electronic ballot boxes in this process can serve INE as a pilot scheme for this voting methodology, so that improvements could help maximize their use in the future.

The Mission therefore recommends:

- Planning a transfer of the knowledge acquired from the company hired to the staff of the electoral body in order to ensure the functionality and security of the system.
- Establishing and implementing the threat model for the SIVEI.
- Selecting personnel with a suitable profile and permanent presence in order to maintain knowledge of the process.
- Establishing a distribution of the *blockchain* nodes in such a way that not all of them are hosted on the devices and servers at the INE, with a view to enhancing the security of the information, if it is decided to continue using this technology.
- Analyzing the possibility of including in the non-face-to-face voting system via the Internet an image or video of the citizen in order to perform a biometric validation of his or her identity. This would strengthen the system by confirming the citizen's identity.
- Analyzing the use of the electronic ballot box in the 2023-2024 elections in order to study the feasibility of its expansion.

V. Political and campaign finance

Mexico has a mixed political financing system based on a robust regulatory system, which contains provisions that encourage electoral competition under parameters of fairness and transparency, and which allows for oversight, control, and supervision of political-electoral financing among different entities. In terms of equity, the Mission identified regulations that encourage public financing, prohibit the improper use of public resources, establish restrictions on private financing, and limit campaign spending. In the area of transparency, the Mission also observed the existence of mechanisms that provide for accountability, government control, a system of sanctions, and access to information.

Equity



In 2018 and 2021, the OAS/EOMs had issued recommendations regarding the delivery of debit cards or certificates as part of electoral propaganda,⁸⁷ a practice that had been qualified by these Missions as patronage, given its possibility of influencing the political preferences of the electorate. In these elections, the Mission noted that the Superior Chamber of the TEPJF modified its criteria in this matter and recognized that, under specific circumstances, these practices constitute a manifestation of political-electoral propaganda that creates expectations of direct or indirect benefits in voters and, as such, are prohibited by Article 209 of the General Law of Electoral Institutions and Procedures.⁸⁸ The Mission welcomes the implementation of this recommendation by the TEPJF, which undoubtedly contributed to the fact that in these elections the parties have avoided using cards as part of electoral propaganda.

Despite the fact that the constitutional regulatory framework provides for a series of restrictions and prohibitions directed at public servants at all levels of government,⁸⁹ the Mission observed that, in the face of claims of possible non-compliance with these regulations prior to the election, political actors, the government, and civil society held a debate on impartiality in the use of public resources, fair competition, and limits on government propaganda.

In this regard, the electoral authority informed⁹⁰ that from September 7, 2023 to May 30, 2024, INE received 163 complaints regarding violation of Article 134 of the Constitution⁹¹ and 8 complaints regarding the use of public resources. Of this number, 52 complaints were filed against the President of the Republic. The Mission also noted that, in response to a TEPJF ruling⁹², the INE General Council issued General Guidelines⁹³ aimed at avoiding the interference and participation of public servants who manage social programs in the federal electoral process, as a preventive

⁸⁷Organization of American States. (2018) Final Report of the Foreign Visitor Mission. See: <https://www.oas.org/eomdatabase/GetFileA.aspx?id=409-1116-28-0>; Organization of American States. (2021). Final Report of the Foreign Visitor Mission. See: <https://www.oas.org/eomdatabase/GetFileA.aspx?id=434-1383-28-0>

⁸⁸ TEPJF. (2022). Judgment No. SUP-JE-275/2022.

⁸⁹ Article 134 of the Mexican Constitution establishes that public servants of the Federation, the federal entities, the municipalities, and the territorial districts of Mexico City, are at all times required to ensure impartial use of the public resources under their responsibility, without impairing the fairness of the competition between political parties.

⁹⁰ INETV. (2024). Press Conference of May 31, 2024. See: <https://www.youtube.com/watch?v=vyL4WIEuoGk>

⁹¹ Article 134 of the Mexican Constitution establishes that public servants of the Federation, the federal entities, the municipalities, and the territorial districts of Mexico City, are at all times required to ensure impartial use of the public resources under their responsibility, without impairing the fairness of the competition between political parties.

⁹² TEPJF. (2023). Case file SUP-RAP-4/2023 and additions (*acumulado*).

⁹³ Corresponds to INE General Council resolution number INE/CG535/2023.



measure to regulate certain activities related to the implementation and granting of social programs, including the so-called "servants of the nation."⁹⁴

In terms of equity, the vast majority of people with whom the Mission met reiterated their rejection of the activities of political actors prior to the beginning of the pre-campaign and/or campaign periods, in which parties and coalitions conducted procedures for the selection of national authorities and representatives between June and November 2023. In view of these acts, several complaints and denunciations were filed with the INE and the TEPJF, which led to pronouncements by the administrative⁹⁵ and jurisdictional authorities,⁹⁶ which finally validated these processes, in addition to establishing guidelines for their execution, in order to ensure that they abide by the Constitution and "the principles of legality and equity" that govern the electoral process. Regarding these activities, the Mission recommends:

- Establishing well in advance the necessary parameters and limits for political-partisan acts that allow attention to be drawn to certain people and political forces, in order to avoid undermining the principle of fairness in the contest for all candidates, actors, and political parties.

Transparency, oversight, and inter-agency coordination

INE's Technical Auditing Unit is responsible for inspecting the income and expenses of all federal and local election campaigns. As noted by the OAS/EOM in 2021, despite the fact that the data are systematized, this task represents a major challenge not only because of the number of federal and local candidates in the race, but mainly because of the 10-day deadline the Unit has to review the supporting documentation and accounting presented in the organizations' campaign reports.⁹⁷

In this context, despite the robust regulatory framework, the Mission received concerns from various stakeholders regarding underreporting of income and expenditures in electoral campaigns, as well as difficulties in detecting possible illegal sources of financing, particularly

⁹⁴ Guidelines promulgated by agreement of the General Council of INE number INE/CG535/2023.

⁹⁵ The INE Complaints and Denunciations Commission issued resolutions ACQyD-INE-94/2023, ACQyD-INE-104/2023, ACQyD-INE-118/2023, ACQyD-INE-124/2023, and ACQyD-INE-134/2023, on May 30, June 16, June 28, July 5, and July 15, 2023, respectively, in response to requests for precautionary measures in the framework of various special sanctioning proceedings.

⁹⁶ The Superior Chamber of the TEPJF issued resolutions on this matter in files SUP-REP-138/2023 (plus additions)[y acumulados] dated June 16, 2023, SUP-REP-180/2023 and SUP-REP-188/2023 (plus additions) dated July 11, 2023, SUP-REP-206/2023 and SUP-REP-212/2023 (plus additions) dated July 12, 2023, SUP-JDC-255/2023 and SUP-JE-1423/2023 (plus additions) dated July 19, 2023, and SUP -REP-221/2023 dated July 20, 2023.

⁹⁷ Political Parties Act, Article 80.d.II.



when transactions are handled in cash and/or in locations where there is limited verification capacity.

In this regard, the Mission highlights the regulatory provision⁹⁸ that empowers INE to enter into agreements⁹⁹ with the Ministry of Finance and Public Credit (SHCP), the National Banking and Securities Commission (CNBV), the Tax Administration Service (SAT), and the Financial Intelligence Unit (UIF), aimed at facilitating the exchange of information among different institutional bodies with a view to verifying the origin of the resources obtained by parties, would-be candidates, pre-candidates, and candidates.¹⁰⁰ However, this Mission observed weaknesses in inter-agency coordination in this area and was informed that INE did not receive, in several cases, the information requested for its party finance auditing processes, nor did not receive it in a timely manner. In the case of the Attorney General's Office, it alleged ministerial secrecy,¹⁰¹ which is not applicable to INE due to the powers vested in it under the constitution.

In order to strengthen transparency and promote fairness in the elections, the Mission reiterates recommendations made in 2018 and 2021:

- To strategically strengthen INE's auditing work and guarantee the synergies that should be derived from the collaboration between State entities, especially those with mandates and competence to conduct financial investigations, in order to facilitate the detection and issuance of early warnings regarding illicit funds in electoral campaigns.
- Extend the deadlines for the review of the electoral campaign reports submitted by the obligated parties, so that the UTF of INE has more time to analyze the information provided by the campaigns.
- Analyze the possibility of delegating the responsibility for auditing local candidacies to the OPLs, which, in that case, should have the necessary technical and operational capacity to carry out this task.

VI. Electoral justice

⁹⁸ Rules of Procedure governing Audits, Article 343.

⁹⁹ Communiqué No. 3/2024 of February 14 describes the Collaboration Agreement signed by the Financial Intelligence Unit and the National Electoral Institute, with a view to strengthening the cooperation mechanisms aimed at the prevention and detection of operations using illicit funding. See: https://www.gob.mx/cms/uploads/attachment/file/892864/Comunicado_03_2024.pdf

¹⁰⁰ Rules of Procedure governing Audits, Article 344.

¹⁰¹ TEPJF. (2022). Resolution SUP-JE-3/2022, referring to a case filed by INE.

Composition of the electoral tribunals

Electoral magistrates of the Superior and Regional Chambers of the TEPJF are appointed by a two-thirds vote of the members of the Senate, based on a proposal by the Supreme Court of Justice of the Nation.¹⁰² In accordance with the provisions of the Constitution, the Superior Chamber of the TEPJF must be composed of 7 electoral magistrates.¹⁰³ However, since two magistrates completed their terms in October 2023 and the Senate has not appointed their replacements, it currently has only 5 members.

The issue is especially relevant because, in order to declare the validity of the presidential election, the law¹⁰⁴ requires the votes of at least 6 electoral magistrates. This same law establishes that, in the event of absences, the most senior judge, or the oldest, as the case may be, assumes the position until the appointment is made by the Senate. Some stakeholders told the Mission that they considered that this substitution criterion could trigger debates. For example, it was mentioned that it is not clear how seniority in the position should be interpreted,¹⁰⁵ and whether it is sufficient to have 6 electoral magistrates or whether it is necessary to complete the entire composition of the Superior Chamber. In addition, it is also unclear when all the positions have to be filled and whether these new magistrates would be appointed for all matters or only for the declaration of validity of the presidential election.

The Mission also learned of a similar situation of pending appointments by the Senate of the Republic in the Regional Chambers of the TEPJF. The Mission observed that the Superior Chamber and the Regional Chambers¹⁰⁶ continued to perform their functions and continued to resolve disputes relating to the electoral process. However, the OAS/EOM considers that it is important that the electoral tribunals operate with all of their members duly appointed according to the established election procedure, especially if quorums or minimum majorities are required to carry out a certain act, such as the declaration of validity of the presidential election.

It is essential, therefore, that the appointments of electoral magistrates be made in a timely manner, in order to avoid speculation that could be used to question the validity of their decisions. In this regard, the Mission recommends:

¹⁰² Constitution, Article 99.

¹⁰³ Ibid.

¹⁰⁴ Organic Law of the Federal Judiciary, Article 167.

¹⁰⁵ As a magistrate, electoral, or judicial official.

¹⁰⁶ The Regional Chambers completed their composition by appointing the general secretaries or those with the most seniority, as established by law. Organic Law of the Federal Judiciary, Article 175.



- That all members of the Chambers (Superior and Regional) of the TEPJF be appointed before the beginning of the electoral process, and unfailingly before election day.

Settlement of electoral disputes

In Mexico, electoral justice functions are vested in the TEPFJ, which forms part of the Judicial Branch and is organized into local courts, Regional Chambers, the Specialized Regional Chamber, and the Superior Chamber. In addition, INE, as an administrative electoral body, also assumes some of the functions of resolving electoral disputes in administrative proceedings and issues precautionary measures in connection with sanctioning proceedings.

According to official information, between January 1 and June 1, 2024 the TEPJF (including the Regional Chambers and the Specialized Regional Chamber) had resolved, only in the pre-electoral stage, a total of 8,082 matters, compared to 7,586 in 2023 and 14,066 in 2022, and 18,067 matters in 2021¹⁰⁷ which include the post-electoral stage. For its part, the Superior Chamber of the TEPJF had only settled, between January 1 and June 1, 2024, 2,747 cases in the pre-electoral stage, compared to 4,441 in 2023 and 4,407 in 2022, and 5,889 in 2021 that included the post-electoral stage.¹⁰⁸ The Mission recognizes the TEPJF's institutional capacity to handle the workload assigned to it by law and activated by political actors.

It transpires from the review of the electoral legislation and the information received by the Mission that almost all acts of the electoral bodies can be reviewed and challenged through a series of appeals and at various levels, as well as at all stages of the electoral process (before, during, or after the election). Additionally, the TEPJF also performs functions in controversies within political parties, which in this electoral process implied taking decisions to evaluate the selection of national positions of two of the coalitions with presidential candidacies since June 2023.

According to the review of the current regulations, in the post-election stage there are also several channels through which political parties can file challenges, including challenges questioning the validity of all aspects of the election. In this regard, according to the information disseminated by the media, in the days prior to the election, some political actors announced that they would file different appeals, which, if ratified, could have an impact on the number of complaints and

¹⁰⁷ TEPJF. (2024). Cases received and settled by the Electoral Tribunal, by Regional Chamber and year. Available at: <https://www.te.gob.mx/estadisticas/EstadisticaBOE/Estadistica/E1-Portal%20SGA.pdf>

¹⁰⁸ TEPJF. (2024). Cases settled by the Superior Chamber by year. Available at: <https://www.te.gob.mx/estadisticas/EstadisticaBOE/Estadistica/G4-Portal%20SGA.pdf>



denunciations to be resolved in the post-electoral stage by the electoral courts, the Regional Chambers, and the Superior Chamber.

Thus, the Mission reiterates the need, also expressed on the occasion of the 2015, 2018, and 2021 electoral processes, to promote reviews to address the excessive amount of litigation, given the number of resolutions to be issued by the Mexican electoral justice system.

For future elections, the OAS/EOM reiterates the following recommendation:

- Evaluate mechanisms to restrict the matters that may be subject to pronouncement by the electoral justice system, in order to avoid the politicization of legal-electoral conflicts, without leaving any person or political organization defenseless or impairing protection of the right to effective judicial protection. This could include regulation of alternative dispute resolution mechanisms, especially in intra-party disputes, as well as discouraging complaints that are either contrary to law or exclusively designed to cause delays.

VII. Electoral violence

The Mission interprets electoral violence as any form of intimidation or physical violence directed at stakeholders in the electoral process, the interruption of the electoral process, or damage to electoral materials, which affect the free and transparent conduct of the electoral process and/or influence its results.¹⁰⁹ Electoral violence cannot be separated from the broader context of political and criminal violence that Mexico has long been experiencing, which encompasses various types of aggression that affect the fundamental right to political participation.

As noted, according to official information from the Ministry of Security and Citizen Protection (SSPCC),¹¹⁰ as of May 28, 2024, 23 assassinations were recorded, of which 9 were murders of registered candidates, 4 of pre-candidates, and 10¹¹¹ of would-be candidates.¹¹² Subsequently, during the closing of the electoral campaigns and in the following days, two more candidates were

¹⁰⁹Organization of American States. (2024). Manual for OAS Electoral Observation Missions, p. 56. See: <https://www.oas.org/ext/DesktopModules/MVC/OASDnnModules/Views/Item/Download.aspx?type=1&id=958&lang=2>

¹¹⁰ The data do not establish the starting period. The cutoff date is May 28, 2023.

¹¹¹ Ministry of Security and Citizen Protection. (2024). Meeting of the Security Cabinet with the OAS Foreign Visitors Mission.

¹¹² This category is defined by the Secretariat of Security and Citizen Protection as persons not officially registered with their political parties, the INE, or local electoral institutes, but who at some point were mentioned for elected office or expressed their desire to compete for elected office.



assassinated,¹¹³ prompting vigorous condemnation by the OAS/EOM.¹¹⁴ During the night before and the day of the election, the Mission learned of two more assassinations of candidates.¹¹⁵ Civil society monitors recorded between 33 and 36 assassinations of pre-candidates, candidates, and would-be candidates.¹¹⁶

The systematization and timely communication of information related to electoral violence is a crucial aspect for understanding and properly addressing this phenomenon. In this sense, the Mission recognizes that the methodology used by the SSPC for this electoral process included broader categories for the recognition of political-electoral assassinations compared to those used in 2021. However, the Mission regrets that on this occasion the SSPC has not published official figures on threats and acts of aggression that occurred in the electoral context. Similarly, the OAS/EOM found that the data published were not disaggregated by sex. As in 2021, the

¹¹³ The candidate for mayor of Coyuca de Benitez in the state of Guerrero, Alfredo Cabrera, and the candidate for councilman in the municipality of Izucar de Matamoros in the state of Puebla, Jorge Huerta. See: El Financiero. (May 29, 2024). Asesinatos a candidatos y balceras ‘calientan’ cierres de campaña en México. (*Candidate assassinations and shootings ‘heat up’ campaign closings in Mexico*). Available at: <https://www.elfinanciero.com.mx/elecciones-mexico-2024/2024/05/29/cierres-de-campana-2024-hechos-violentos-asesinato-de-alfredo-cabrera-coyuca-de-benitez/>; Animal Político. (May 31, 2024). Asesinan a Jorge Huerta, candidato a regidor en Izúcar de Matamoros, Puebla. (*Jorge Huerta, candidate for councilman in Izucar de Matamoros, Puebla, was murdered*). Available at: <https://animalpolitico.com/elecciones-2024/violencia-electoral/candidato-regidor-izucar-de-matamoros-puebla>

¹¹⁴ X account of the Organization of American States. [@OEA_oficial]. (May 30, 2024). See: https://x.com/OEA_oficial/status/1796742869719429208?t=EWvhvKSXqvTKYVkp9ekknlg&s=08; X account of the Organization of American States. [@OEA_oficial]. (May 31, 2024). See: https://x.com/OEA_oficial/status/1796226101850640449?t=w5OaUKGOn2230hA6lI_7Cw&s=08

¹¹⁵ The candidate for municipal trustee (*síndico municipal*) of Cuitzeo, Michoacán and the candidate for municipal president of Santo Domingo Armenta in Oaxaca State. See: Yañez, B. (June 2, 2024). A horas de la elección, asesinan a candidato de Cuitzeo afuera de su domicilio (*Hours before the election, a Cuitzeo candidate is murdered outside his home*). Expansión Política. <https://politica.expansion.mx/elecciones/2024/06/02/asesinan-candidato-pt-cuitzeo-michoacan/>; Pérez, J. (June 3, 2024). Oaxaca: PRI candidate for mayor is murdered at his home. And La jornada. <https://www.jornada.com.mx/noticia/2024/06/03/estados/oaxaca-asesinan-en-su-domicilio-a-candidato-del-pri-a-alcalde-6816>

¹¹⁶ Integralia Consultores. (May 28, 2024). Integralia Electoral Report. 2024 Elections Report prior to Election Day. Available at: https://integralia.com.mx/web/wp-content/uploads/2024/05/Integralia_Reporte-Previo-a-la-jornada-electoral_MAYO24-1.pdf

Laboratorio Electoral. (May 29, 2024). Third preliminary report. Violence During the 2023-2024 Elections. Available at: https://laboratorioelectoral.mx/leerdocumento/Violencia_electoral_proceso_2023_2024_Tercer_reporte_PRELIMINAR

Voting in the midst of bullets. (May 28, 2024). Database. Voting in the midst of bullets program. Available at: <https://votar-entre-balas.datacivica.org/datos-votar-entre-balas>

Causa en Común. (May 30, 2024). Database. Causa en Común would-be candidates assassinated. Available at: <https://docs.google.com/spreadsheets/d/1BOaA03qBQO4oGsS77cdPfZKIPUDdmlV5Xs0bi0pZwfY/edit#gid=40875992>



Mission observed a significant difference in the scope and detail of the figures published by the SSPC and the information produced by civil society organizations that monitored the electoral process since it began in September 2023.

The Mission reiterates a view that it expressed in 2021 regarding the fact that the reported figures fail to capture one of the most pernicious effects of electoral violence: the decision not to participate, both due to the withdrawal of candidacies in response to violent threats, as well as the decision not to vote or attend political events out of fear. With respect to electoral material, according to official information provided to the Mission, 4,959 members of the Armed Forces and the National Guard were assigned to guard the electoral process, from the manufacture of the security paper to its final disposal in the local and district councils of the INE.¹¹⁷ During its field observation, the Mission noted that, in the days prior to the election, the electoral material was duly guarded by the aforementioned security forces.

In spite of the above, there were isolated events that, prior to the elections, violated electoral material, including the theft of ballots in Puebla,¹¹⁸ the burning of electoral packages in Guerrero,¹¹⁹ and the burning of the facilities of the Institute of Elections and Citizen Participation of Chiapas, which also resulted in the incineration of 45 packages of electoral material from the municipality of Chicomuselo.¹²⁰ In view of what happened in Chicomuselo and due to the context of insecurity in Pantelhó, the state electoral authority decided to cancel the elections in these two municipalities of Chiapas.¹²¹

Similarly, in the days prior to Election Day, INE decided not to install at least 175 polling stations due to problems in the communities and security reasons.¹²² The electoral authority announced that in those places where it was not possible to install polling stations, the nominal list would be sent so that citizens, with prior information, could vote in the polling station closest to their domicile and would not be left without the possibility of voting.

¹¹⁷ Ministry of Defense. (2024). Presentation to the OAS Foreign Visitors Mission. Meeting held on May 28, 2024.

¹¹⁸ Pérez, M. (May 29, 2024). More than 2,000 ballots were stolen in Puebla. Available at: <https://www.economista.com.mx/politica/Roban-mas-de-2000-boletas-electorales-en-Puebla-20240529-0012.html>

¹¹⁹ Vallejo, G. (2024, May 31). INE confirms the burning of packages in Chicomuselo, Chiapas, and Teloloapan, Guerrero. Available at: <https://politica.expansion.mx/elecciones/2024/05/31/ine-confirma-quema-de-paquetes>

¹²⁰ Aristegui Noticias. (May 31, 2024). Incendian paquetería electoral en Chicomuselo, Chiapas. (*Electoral packages are set on fire in Chicomuselo, Chiapas*). Available at: <https://aristeginoticias.com/3105/mexico/incendian-paqueteria-electoral-en-chicomuselo-chiapas/>

¹²¹ Electoral and Citizen Participation Institute of Chiapas. (May 31, 2024). Urgent Session of General Council 2100. YouTube <https://www.youtube.com/watch?v=XwwimDXjxS8>

¹²² INE. (2024). 95% of the electoral packages have been delivered to the polling station presidents: Martín Faz with Sandra Romandía. <https://centralelectoral.ine.mx/2024/05/31/se-ha-entregado-el-95-de-los-paquetes-electorales-a-presidencias-de-casillas-martin-faz-con-sandra-romandia/>



Among the complaints received by the Mission, a candidate in Chiapas reported acts of violence and death threats against him and people close to him, which subsequently materialized in the murder of collaborators and direct attacks. In this case, the Mission was asked to keep this complaint anonymous. A complaint was also received from an electoral authority in Mexico City for having been subjected to harassment, intimidation, and threats against integrity and life. Complaints received by the OAS/EOMs are forwarded to the competent electoral authority.

Security protocol and arrangements for protecting candidates

The OAS/EOM learned that the "Inter-agency Security Roundtable for the 2023-2024 electoral process" was installed in December 2023. This body included members of INE, the SSPC, federal security forces, and federal intelligence services. The Mission welcomes the establishment of this inter-agency coordination forum.

As part of the work of this Roundtable, in February 2024, a specific protocol was established to address requests from candidates and political parties related to security in the federal entities.¹²³ The protocol established operational procedures (*rutas de atención*) and coordination strategies between the INE and the Security Cabinet (composed of the SSPC, the Ministry of National Defense - SEDENA, the National Guard, and the National Intelligence Center). Based on that protocol, an effort was made to respond to requests for protection filed by candidates for elected office at the federal level, as well as to replicate this mechanism in the states through their security authorities and their respective Local Public Electoral Bodies.

Although in the past protection was provided to candidates for some positions, the Mission was informed that this is the first time that a protocol for the protection of candidates and others involved in the electoral process has been formally implemented, which represents an important step forward in terms of addressing the situation of politically motivated criminal violence in Mexico. This formalization of candidate protection through a protocol also responds to the recommendations made by the OAS/EOM in 2018 and 2021.

According to official data, as of May 28, 2024, a total of 571 security arrangements had been granted by federal authorities, distributed as follows: 3 for presidential candidates, 11 for state gubernatorial candidates, 186 for senators and federal deputies, 364 for local deputies and municipal presidents, and 7 for officials related to the electoral process. All in all, 3,540 National

¹²³ INE (2024). Press Release N° 055. Establecerán INE y autoridades federales protocolo para atender solicitudes en materia de seguridad: (*INE and federal authorities will establish a protocol to address requests for security*): Guadalupe Taddei. Available at: <https://centralectoral.ine.mx/2024/02/02/estableceran-ine-y-autoridades-federales-protocolo-para-atender-solicitudes-en-materia-de-seguridad-guadalupe-taddei/>



Guard troops were deployed to protect candidates.¹²⁴ These protection arrangements provided by federal security forces were in place in 29 of the 32 states. Only the states of Nayarit, Durango, and Querétaro did not have candidates with protection arrangements at the federal level.

The Mission learned that while the federal security forces were in charge of protecting federal candidates - and the municipal and state forces were in charge of protecting local candidates -, the protocol was extended to provide coverage by the federal security forces to some municipal and state candidates in order to improve response capabilities. The OAS/EOM was also informed that risk assessments were dispensed with, granting automatic protection to candidates who requested it, and that the same security scheme was provided regardless of the position for which they were running, except in the case of gubernatorial candidates, who received extra protection.

As in 2021, according to several people consulted by this Mission, given the seriousness of the context, both the Security Roundtable and the protocol for the protection of candidates should have been installed and implemented earlier, considering that the elections were formally convened on September 7, 2023. This is evidenced by the fact that, of the 23 people killed during the electoral process, according to official data, 10 were would-be candidates,¹²⁵ i.e., they had not yet been formally registered as candidates.

In addition, it was not possible to obtain information related to the application of this protocol at the federal entities level. Although federal entities have made public information on the number of protection arrangements at that level, no consolidated numbers were available regarding protection arrangements at the municipal and state levels, where higher levels of violence are recorded.

On the other hand, a number of stakeholders told the Mission that the efforts to operationalize the "National Policy to Prevent Electoral Violence Risk Factors", as established in the 2021 ruling of the Superior Chamber of the TEPJF,¹²⁶ were not sufficient. They referred in particular to the decision to, inter alia, "generate risk maps with specific actions in the territorial area concerned, and make sure that the public is properly informed thereof." Thus, one of the presidential campaigns announced that, in the absence of an official risk map prepared by the electoral and law enforcement authorities, they had to work on one to take informed actions for the protection of their candidates.

¹²⁴ Ministry of Security and Citizen Protection. (2024, May). Meeting of the Security Cabinet with the OAS Foreign Visitors Mission.

¹²⁵ Ministry of Security and Citizen Protection. (2024). Meeting of the Security Cabinet with the OAS Foreign Visitors Mission.

¹²⁶ TEPJF. (2024). SUP-JRC-166/2021 and additions. See: <https://www.te.gob.mx/sentenciasHTML/convertir/expediente/SUP-JRC-0166-2021>



In this regard, the Superior Chamber considered that INE had complied with the ruling by implementing various actions and mechanisms, especially the issuance of the "Protocol to prevent risk factors in electoral processes" in 2022.¹²⁷ Additionally, the TEPJF urged INE to continue, as part of its functions, with the materialization and implementation of the measures and actions generated for the electoral process, in conjunction with public security authorities, to prevent, contain, or dissuade behaviors that compromise the normal development of the electoral process or the right to vote, as well as governmental public security orders to respond immediately, with due diligence and abiding by the principles of legality, objectivity, efficiency, professionalism, honesty, and respect for human rights, to the communications or requirements of the national electoral authority in matters related to the safeguarding of the electoral processes.¹²⁸

The assassination of would-be candidates, pre-candidates, candidates, and incumbent politicians is not only an irreparable loss; it also impacts the democratic process. The Mission calls for actions to be taken to prevent the normalization of political-electoral violence and reiterates that the loss of human lives in such cruel circumstances is a grim reminder of the importance of preserving peace and ensuring security for the consolidation of democracy.

Considering the context of the above-mentioned politically motivated criminal and electoral violence in the pre-electoral stage and on Election Day, as well as that described in this section of findings and recommendations, the Mission reiterates the following recommendations made in 2021:

- Implement an early warning system on political violence, devoted full time to the collection and analysis of risks, with a view to preventing this type of violence.
- Communicate in a timely manner information related to the situation of electoral violence and clarification of the facts.
- Activate the protocol for the security and protection of candidates automatically at the beginning of the electoral period, including the entities involved, their responsibilities, and the way it is to be executed at the state and municipal level.

¹²⁷INE. (2022). INE/CG876/2022, "Acuerdo del Consejo General del Instituto Nacional Electoral por el que se aprueba el protocolo para prevenir factores de riesgo en los procesos electorales, en acatamiento de las sentencias SUP-JRC-166/2021, SUP-JRC-167/2021 Y SUP-JRC-180/2021 ACUMULADOS Y SUP-JRC-101/2022". (Decision of the General Council of the National Electorate Institute adopting the protocol for preventing risk factors during elections, in accordance with judgments...)

¹²⁸ TEPJF. (2024). SUP-JRC-166/2021 and additions. See:

<https://www.te.gob.mx/sentenciasHTML/convertir/expediente/SUP-JRC-0166-2021>



- Design protection schemes that take into account differential approaches (territorial, gender, ethnic, among others) that take into account the different characteristics of federal and local political leadership and geographical variables.

In addition, the Mission recommends:

- Having federal entities draw up, consolidate, and publish a registry of information on acts of politically motivated criminal violence, in a coordinated manner, in order to have a diagnosis of the manifestations of political-electoral violence at the state and municipal levels.
- Drawing up a risk map with specific actions to prevent and address political-electoral violence, as envisaged by the TEPJF in 2021.
- Devising a system for the early detection of risks that involves federal and state security forces to allow for the identification of events and variables that may affect the security of the different election processes, with special attention to the protection of candidates and the installation of polling stations.
- Maintaining and strengthening the inter-agency security roundtable and expanding the number of institutions that participate in it, so as to allow the presence of political parties, journalists, and civil society.
- That the State, together with the Attorney General's Office, design a strategy to achieve judicial truth and criminal responsibility in political-electoral violence, as a guarantee of security and non-repetition.

Politically motivated criminal violence from a gender perspective

The electoral process in Mexico takes place in a context of politically motivated criminal violence that affects women's political participation. Data from civil society organizations indicate that, compared to previous processes, violence against women has diversified, so that attacks are no longer only directed against female candidates and pre-candidates, but also against government and security sector officials.¹²⁹

Likewise, the OAS/EOM has been made aware of the high-risk situations faced by defenders of women's political rights in the country, who accompany, assist, and advise women candidates in situations of political violence, both for their personal integrity and that of their family members.

¹²⁹ Voting in the midst of bullets (Votar Entre Balas). (2024). Data. <https://votar-entre-balas.datacivica.org/datos-votar-entre-balas>

The Mission strongly condemns the multiple cases of violent attacks against women politicians during the electoral process.¹³⁰

In addition, various stakeholders told the Mission that certain attacks have a gender profile, for example, that women are attacked through their family members to a greater extent than men, which could affect their participation. In this regard, the Mission extends its 2021 recommendation to also cover politically motivated criminal violence and suggests:

- Taking appropriate measures to clarify how gender-based political violence against women overlaps with other forms of violence in the electoral process, as well as to determine the specific protection needs of women.

VIII. Women's political participation

Parity

Mexico has the most advanced legal framework in the region in terms of parity, which is helping to significantly increase the presence of women in the country's political life. The Mission highly appreciates this fact and reiterates its deep appreciation of all Mexican women who have participated in this important process of democratization of the country.

Electoral parity was enshrined in the Constitution in 2014 for the first time and, subsequently, the 2019 constitutional amendment established parity in all areas and levels of government, in the composition of autonomous bodies, political parties, and other instances of the public administration of the Mexican State. In this regard, the Mission also highlights the fact that the electoral institutions do comply with the constitutional duty to enforce parity at all levels, and that both INE and the TEPJF are headed by a woman.

Despite these advances, various stakeholders expressed their concern to the Mission about the lack of support from political parties for women. In this regard, some interlocutors stated that, along with the progress made, there are still practices that only "simulate" the application of the norms and that these do not contribute to the substantive participation of women in decision-making. In this regard, the Mission reiterates its call in 2018 and 2021 to political parties, central actors of representative democracy, to make greater efforts to achieve real - and not only formal - equality in politics.

¹³⁰ Ibid.



Mexican law also provides for the application of parity in all candidacies with the exception of governorships (and the Presidency of the Republic). In compliance with the constitutional mandate of parity, INE has established through agreements the application of this rule to gubernatorial candidacies as of the 2021 elections, a measure that some political parties have opposed. Thus, for these elections, of the 9 governorships up for election, the parties had to present women candidates in at least 5.

The preliminary results of the 2023-2024 elections indicate that, in the governorships, according to the preliminary results of the quick count, 4 women have been elected, which means that, out of the 32 states, 13 (40%) will be governed by women. Parity has not yet been achieved, but the Mission highlights the rapid progress towards equality in governorships since the implementation of parity in candidacies for these executive positions began in the 2021 elections. To ensure the application of parity in upcoming gubernatorial elections, the Mission recommends:

- Promoting a legislative reform that establishes parity in the nomination of candidates for the governorships of the federal entities, as recommended in 2021.

Gender-based political violence

Mexico has taken significant steps to eradicate gender-based political violence against women, one of the main structural obstacles to the exercise of their political-electoral rights. After several rulings and based on jurisprudence of the Electoral Tribunal and other measures such as the Inter-agency Protocol, finally, in 2020, a legislative amendment was approved aimed at preventing, addressing, punishing, repairing, and eradicating this violence.

INE handles complaints regarding gender-based political violence against women through the Special Sanctioning Procedure (PES). The Executive Secretariat of INE, through the Technical Unit for Electoral Disputes of INE, is in charge of substantiating the cases,¹³¹ while their resolution is the responsibility of the Specialized Chamber of the TEPJF.¹³² Likewise, since 2020, INE has had a National Registry of Persons Sanctioned for Political Violence against Women on Grounds of Gender, which consists of a public list of all persons sanctioned for exercising this violence.¹³³

¹³¹ INE. (August 31, 2020). Agreement of the General Council of the National Electoral Institute approving the regulations for complaints and denunciations regarding gender-based political violence against women and amending and adding various provisions of the internal regulations of the National Electoral Institute. See:

<https://repositoriodocumental.ine.mx/xmlui/handle/123456789/114501>

¹³² INE. (2021). Special Sanctioning Procedure (PES) in matters of gender-based political violence against women. See: https://igualdad.ine.mx/wp-content/uploads/2021/08/INFOGRAFIA_VPCMRG_PES_Correc1.pdf

¹³³ As of May 30, 2024, the Register contains a total of 401 records and lists 349 persons who have been sanctioned (278 men and 71 women). The data indicate that violence occurs mainly at the local level, with Oaxaca (142), Veracruz (46), and Tabasco (33) being the locations with the most cases in the Registry. By position, the persons sanctioned are municipal presidents (22.05%); citizens (18.5%); and councilors (14.33%).



During the 2023-2024 elections, of particular note is the addition of the "8 out of 8 against violence" procedure,¹³⁴ an instrument for the suspension of citizens' rights and the cancellation of the registration of federal candidacies of persons who have been convicted of any of the eight cases of gender violence set forth in Article 38 of the Constitution.

In addition, the Mission welcomes the creation in the TEPJF of the Electoral Public Defender's Office Specializing in Addressing Gender-Based Political Violence, installed at the beginning of May 2024,¹³⁵ and the implementation, as of March 1, 2024, of INE's pilot program of services for women and candidates who are victims of gender-based political violence.¹³⁶

In this regard, the Mission highlights the efforts of the electoral bodies to strengthen the culture of reporting gender-based political violence and the services that have been created for this purpose, including legal assistance and counseling, which is in line with the recommendations made by the OAS/EOM in the 2021 elections. Even so, it is necessary to continue improving these services, since the Mission was informed that in this electoral process, from September 7, 2023 to May 30, 2024,¹³⁷ INE received 199 complaints regarding gender-based violence against women.¹³⁸ In addition, as of May 30, the Office of the Prosecutor Specializing in Electoral Crimes had received 19 complaints, making gender-based violence against women the issue with the third highest number of complaints received.

In the 2021 elections, the Mission had identified at the local level a heterogeneous panorama of legislation on gender-based political violence and confusion as to the competencies of the various bodies, and at the different territorial levels, to address and resolve cases of violence.¹³⁹ The

¹³⁴ INE. (February 26, 2024). INE will verify that no candidacy commits the "8 out of 8 against violence". See: <https://centraelectoral.ine.mx/2024/02/26/verificara-ine-que-ninguna-candidatura-incurra-en-la-8-de-8-contra-la-violencia/>

¹³⁵ TEPJF. (2024, May 2). TEPJF establishes the Electoral Public Defender's Office Specializing in Addressing Gender-Based Political Violence. See: <https://www.te.gob.mx/front3/bulletins/detail/25722/0>

¹³⁶ INE. (2024). Guidelines for the pilot program of psychological first aid services, orientation, counseling, attention, and legal support for women in situations of gender-based political violence, with an intersectional and intercultural approach, during the 2023-2024 federal electoral process, approved by agreement INE/CG109/2024. See: <https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/166282/CGor202402-27-ap-25-a.pdf>

¹³⁷ INETV. (2024, May 30). Press Conference: Electoral Arbitration. Available at: <https://www.youtube.com/watch?v=vyL4WIEuoGk>

¹³⁸ A total of 91 complaints were referred to other authorities for jurisdictional reasons, 80 are being processed through the PES, and 27 criminal record files have been registered. The main subject matter of the 80 PES has to do, first, with attacks on social networks; second, with attacks in the media; and third, hindering candidacy for an elected office or the exercise of an elected office.

¹³⁹ INE. (2021). Local and federal jurisdiction for addressing cases of gender-based political violence against women. Available at:

https://igualdad.ine.mx/wp-content/uploads/2021/06/INFOGRAFIA_VPCMRG_Compentencia_Local_Federal_Atencion.pdf

OAS/EOM observed that this situation persisted in the current electoral process, in which the INE itself has expressed the need to "place special emphasis on the dissemination of legal tools, procedures, channels, and distribution of competencies in this area at the local level."¹⁴⁰ In light of these findings, the Mission recommends:

- Continuing with the process of improving the implementation of the legislation in force at the local level, for which the Local Public Local Bodies (OPLs) and the local Electoral Courts must have sufficient human and financial resources.

Financing for women candidates

In terms of electoral financing, Mexico stands out again at the regional level for having established an affirmative action¹⁴¹ that obliges political parties to grant women no less than 50% of the public financing that each party or coalition has for campaign activities (prior to these elections the percentage was 40%).¹⁴² The same percentage applies to access to radio and television time during electoral periods. The Mission appreciates and reiterates the importance of this measure, since having adequate resources to conduct the electoral campaign is one of the main barriers that women face in electoral competition, as stated by the OAS Inter-American Commission of Women.¹⁴³

Regarding indirect financing, INE reported that as of May 29, 2024¹⁴⁴ the seven federal political parties complied with the parity guideline by allocating at least 50% of their legislative branch candidacy spots to female candidates. However, the Mission observed that some political actors were unaware of the parity rule in public financing for campaigns and lacked clarity on the

¹⁴⁰ INE. (2024, May). Report submitted by the Executive Secretariat to the General Council on Gender-Based Political Violence against Women. Available at:

<https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/171504/CGor202405-29-ip-13.pdf>

¹⁴¹ INE. (2023, November 11). Agreement of the General Council of the National Electoral Institute, modifying the percentage of financing and state time on radio and television provided for in the Guidelines for national political parties and, where applicable, local political parties, to prevent, address, punish, make reparation for, and eradicate gender-based political violence against women.

https://dof.gob.mx/nota_detalle.php?codigo=5709577&fecha=27/11/2023#gsc.tab=0

¹⁴² This rule had been introduced for the 2021 elections with a percentage of 40%, which was later increased to 50% for the 2023-2024 elections.

¹⁴³ Inter-American Commission of Women (CIM) (2022). ¿Dónde está el dinero para las campañas electorales de las mujeres? (*Where is the money for women's election campaigns?*)

https://www.oas.org/es/cim/docs/Financiamiento_ESP.pdf

¹⁴⁴ INETV (May 31, 2024). Press conference: Prerogatives. Available at:

<https://www.youtube.com/watch?v=oUv5QnkJw5o>. The results of the distribution by gender of the total number of advertisements broadcast by political parties and coalitions during the campaign of the Federal and Local Electoral Process can be consulted on the web page: <https://siate-deppp.ine.mx/genero/app/publico/cumplimientogenero?execution=e1s1>.

application of its methodology to ensure that the resources reach the greatest number of female candidates. Likewise, since the audit of the use of resources does not include in its reports a breakdown of expenses by candidates, it is not possible to verify compliance with this affirmative action during the electoral campaign. In light of the above, the OAS/EOM recommends:

- That INE socialize and train political parties on the parity standard in public financing for campaigns, both at the federal and local levels, particularly for female candidates.
- Considering the inclusion of a specific module in the Integral Auditing System (SIF) to audit compliance with parity in financing during campaigns.
- Evaluating other mechanisms that political parties might implement to facilitate compliance with parity in financing, as well as their reporting to the Technical Auditing Unit.

IX. Participation of indigenous and Afro-descendant populations

Mexico has robust legislation recognizing the rights of indigenous peoples. The first and second articles of the Constitution of the United Mexican States¹⁴⁵ recognize the multiethnic, pluricultural, and plurilingual nature of the country, which is based on the presence and diversity of the indigenous and Afro-Mexican peoples that comprise it. Likewise, section C of the second article recognizes the Afro-Mexican communities.

The results of the 2020 Population and Housing Census show that Mexico is home to 126,014,024 people, of whom 23.2 million (19.4%) identify themselves as indigenous and 2.5 million (2.0%) identify themselves as Afro-Mexican.¹⁴⁶ There are 70 indigenous peoples in the country, located mainly in the center and south of the country. Sixty-eight indigenous languages are spoken and, since 2003, the General Law on the Linguistic Rights of Indigenous Peoples has been in force, which promotes and recognizes the use of indigenous languages in all areas of public and private life.

In relation to the political participation of the peoples and their representation, there is no form of ethnic self-identification in the electoral roll, but the percentage of indigenous and Afro-Mexican population living in the different states, based on the census, is taken into consideration when designing the electoral district. Thus, for the 2023-2024 elections, 5 plurinominal federal

¹⁴⁵ Constitution, Article 2.

¹⁴⁶ National Institute of Statistics and Geography. (INEGI). (2024). Total population. See: <https://www.cuentame.inegi.org.mx/poblacion/habitantes.aspx?tema=P>



constituencies,¹⁴⁷ and 300 uninominal federal electoral districts were established, of which 44 were indigenous.¹⁴⁸ Likewise, 679 local electoral districts were established, of which 115 were indigenous and, for the first time, one was Afro-Mexican.¹⁴⁹ This is an increase compared to the 2018 elections, when out of the total 300 federal electoral districts, 28 were established as indigenous and out of the 658 electoral districts, 56 indigenous districts were established.

As affirmative measures, INE established access quotas for indigenous and Afro-descendant people: 34 seats for indigenous people and 4 for Afro-Mexican people in the Chamber of Deputies. In the case of the Senate, for the first time 5 seats were assigned to indigenous people and 1 to Afro-Mexican people, out of a total of 128 senators.¹⁵⁰

However, the OAS/EOM observed that affirmative measures are not accompanied by the distribution of specific percentages of funding for the promotion of indigenous and Afro-Mexican candidacies. The Mission also reiterates that the quotas assigned are still below the proportion represented by the indigenous and Afro-Mexican population at the national level.

Likewise, as in 2021, the OAS/EOM views with concern the reports from various sources of possible usurpations of indigenous identity that were denounced in the electoral process. In this regard, the Mission was informed of the application of more robust guidelines and mechanisms than in 2021 for certifying the self-classification¹⁵¹ of indigenous peoples to accredit an indigenous candidacy, which may have helped identify those usurpations of indigenous identity. These reinforced controls were implemented following a consultation with indigenous peoples on self-classification, in line with a 2021 EOM recommendation. However, for Afro-Mexican candidates, registration based solely on self-classification was maintained and, for the first time in 2024, the electoral authority approved the withdrawal of a candidate for not being able to prove his or her membership to this group.¹⁵²

¹⁴⁷INE. (2023). Agreement of the General Council of the National Electoral Institute approving the territorial demarcation of the five federal plurinominal districts. INE/CG130/2023. See:

https://www.dof.gob.mx/nota_detalle.php?codigo=5684199&fecha=29/03/2023#gsc.tab=0

¹⁴⁸ INE. (2022). Agreement of the General Council of the National Electoral Institute approving the territorial demarcation of the three hundred federal uninominal electoral districts. INE/CG875/2022. See:

https://www.dof.gob.mx/nota_detalle.php?codigo=5680128&fecha=20/02/2023#gsc.tab=0

¹⁴⁹ INE. (2024). Numeralia del Proceso Electoral Federal y Local 2023-2024. (*Statistics on the Local and Federal 2023-2024 Elections*) See:

<https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/153578/Numeralia-PEF-2023-2024.pdf>

¹⁵⁰ Ibid.

¹⁵¹ INE. (2022) Indigenous Consultation on self-classification. See: <https://igualdad.ine.mx/serie-12/>. See also: INE. (2022). Agreement INE/CG830/2022. General Council of the National Electoral Institute (INE), November 29, 2022.

¹⁵² Animal Político. (May 1, 2024). INE retira candidatura a Mario Moreno, aspirante al Senado por MC, por no comprobar ser afromexicano. (*INE withdraws the candidacy of Mario Moreno, candidate to the Senate for MC, for not proving he is Afro-Mexican*) See:



Regarding the participation of peoples and communities as voters, the Mission was informed by INE that access to credentialing and registration on the electoral roll is a right and that even in the most remote indigenous areas, mobile voter registration campaigns are conducted. However, it was also reported that since the electoral roll does not include information on indigenous or Afro-Mexican self-classification at the time of registration, it is difficult to disaggregate data on their participation or absenteeism.

The OAS/EOM welcomes the initiative of the electoral authorities to provide information on the electoral process and the proposals of the presidential candidates in indigenous languages spoken in Mexico and particularly that, for the first time, the three presidential debates were broadcast simultaneously in Maya, Tostsil, and Nahuatl, in addition to Spanish,¹⁵³ in coordination with the National Institute of Indigenous Languages (INALI).

Finally, the Mission observed, as in 2018 and 2021, that the data on incidents of political violence reported in this electoral period do not include the ethnicity of the victims, which prevents us from knowing the impact of violence on indigenous and Afro-Mexican candidates and its effect on the exercise of their political rights.

In light of the above, the OAS/EOM recommends:

- Including information on people's ethnic origin in the electoral roll, in line with the recommendations of the OAS in 2018 and 2021, in order to evaluate their degree of electoral participation and implement electoral policies that encourage it.
- Establishing effective penalties for the political parties and coalitions when the competent administrative and judicial authorities prove the existence of cases of fraud or false claims of indigenous identity.
- Establishing in the regulations the financing of affirmative action candidacies, in order to promote the political insertion of indigenous and Afro-Mexican groups.
- Disaggregating political violence data by ethnicity, as recommended by the OAS in 2018 and 2021.

ACKNOWLEDGMENTS

<https://animalpolitico.com/elecciones-2024/congreso/ine-candidatura-mario-moreno-senado-mc-afromexicano>

¹⁵³ INE. (2024) Numeralia del Proceso Electoral Federal y Local 2023-2024. (Statistics on the 2023-2024 Federal and Local Elections) See:

<https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/153578/Numeralia-PEF-2023-2024.pdf>



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It also thanks the representatives of political parties, civil society and academia, as well as the Mexican people, for their warm welcome. This is the seventh Mission that the OAS has deployed to Mexico, and on this occasion it wishes to thank Brazil, Canada, the Dominican Republic, France, Italy, Korea, the Netherlands, Spain, Switzerland, and the United States, for their financial contributions without which this deployment would not have been possible.