

MEXICO: JUNE 6, 2021, ELECTIONS

Post-Electoral Report
by a
High-Level Canada-US Observer Delegation



June 28, 2021



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I. INTRODUCTION

The Delian Project is a Canadian nongovernmental organization (NGO) dedicated to improving the integrity of the vote count and to instilling public confidence in electoral democracy in jurisdictions throughout the world.

Given its reputation and its expertise in electoral democracy, the Delian Project was invited by Mexico's National Electoral Institute (Instituto Nacional Electoral, INE), along with other international organizations, to observe and assess Mexico's June 6, 2021, elections.

To carry out its mission, the Delian Project assembled the following six-member electoral observation delegation comprising Canadian and US election experts with decades of experience in administering and overseeing elections in their own countries and observing elections internationally. The delegation members have 60 years of cumulative experience observing federal and state-level elections in Mexico.

Jean-Pierre Kingsley

Former Chief Electoral Officer of Elections Canada

John Hollins

Former Chief Electoral Officer of Elections Ontario, Canada

Ann Ravel

Former Chair of the US Federal Electoral Commission (FEC)

Richard W. Soudriette

Founding President of the International Foundation for Electoral Systems (IFES), Washington, DC

Laura Villalba

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Armand Peschard-Sverdrup

International elections observer and Senior Associate (nonresident), Center for Strategic and International Studies (CSIS), Washington, DC

The Delian Project delegation members were accredited by the INE, as designated foreign visitors (*visitantes extranjero*) or special guests (*invitados especiales*) to attend and oversee the June 6, 2021, electoral process.

Because of health concerns associated with the COVID-19 pandemic, as well as travel restrictions imposed by the government of Canada, three members of the delegation observed the election in-country and the other three observed the process virtually, with reporting from delegation members who were in Mexico visiting polling stations.

Delian Project delegation members were cordially welcomed by all polling station officials as well as by voters waiting in line to cast their votes, at the various polling stations they visited.

The delegation participated in this mission voluntarily and at their own expense, from a commitment to uphold electoral democracy in Mexico.

II. THE ELECTIONS RESULTS

Even though the June 6, 2021, midterm elections were conducted in the midst of the COVID-19 pandemic, these registered a 52.66 percent voter turnout. This is the third-highest voter turnout in a Mexican midterm election since the National Electoral Institute was founded in 1991—with the 1991 midterm elections registering a 66.0 percent voter turnout and the 1997 midterm elections a 57.7 percent voter turnout.

The following is a breakdown of the electoral results for the 500-seat Chamber of Deputies, the 15 governorships, and the 30 state legislatures. It is important to note that these results, while they are official INE results, may still be modified since some elections are being disputed, and legal challenges will have to be adjudicated by the Electoral Tribunal of the Federal Judicial Branch (Tribunal Electoral del Poder Judicial de la Federación, TEPJF).

1. Midterm Elections: The 500-Seat Chamber of Deputies

Of the ten political parties competing in the midterm elections, the following six opted to form two separate electoral coalitions in pursuit of congressional seats.

- | | | |
|---|---|---|
| <i>“Juntos Haremos Historia”</i> | { | National Regeneration Movement (MORENA)
Labour Party (PT)
Ecological Green Party of Mexico (PVEM) |
| | | <ul style="list-style-type: none"> ■ This coalition ran joint candidates for 151 of the 300 seats that are elected by relative majority. |
| | | |
| <i>“Va por México”</i> | { | National Action Party (PAN)
Institutional Revolutionary Party (PRI)
Party of the Democratic Revolution (PRD) |
| | | <ul style="list-style-type: none"> ■ This coalition ran joint candidates for 171 of the 300 seats that are elected by relative majority. |

The Citizens’ Movement (Movimiento Ciudadano, MC), which is the only other party eligible to form a coalition, competed on its own in these elections.

The remaining three political parties—Solidarity Encounter Party (Partido Encuentro Solidario, PES), Progressive Social Networks (Redes Sociales Progresistas, RSP), and Social Force for Mexico (Fuerza Social por México, FSM)—are newly registered parties, which are barred in their first year after registration from joining an electoral coalition in a federal or state-level election.¹

Table 1 illustrates a comparison between the INE's quick count, the Preliminary Election Results Program (Programa de Resultados Electorales Preliminares, PREP), and the actual district vote count results for the June 6, 2021, midterm elections, which displays the precision of the quick count and the PREP in relation to the final district-level results.

TABLE 1.
COMPARISON BETWEEN THE INE QUICK COUNT, THE PREP AND THE ACTUAL DISTRICT VOTE COUNT
(JUNE 6, 2021, ELECTIONS)

Party	Quick Count Vote range (%)	PREP (%)	Actual District Vote Count (%)
MORENA	34.9—35.8	35.24	35.33
PT	3.1—3.5	3.37	3.36
PVEM	5.5—6.0	5.64	5.63
PES	2.7—3.0	2.83	2.85
FPM	2.6—2.8	2.57	2.56
RSP	1.8—2.0	1.83	1.83
PAN	18.5—19.3	18.95	18.90
PRI	17.8—18.5	18.41	18.37
PRD	3.5—3.9	3.81	3.77
MC	7.1—7.5	7.22	7.27
Independent	0.1—0.3	0.09	0.09

Source: INE, June 11, 2021.

<https://centralectoral.ine.mx/2021/06/11/termina-computo-distrital-con-52-6-de-participacion-ciudadana/>

¹. General Law of Political Parties, Article 85, Section 5.

Table 2 illustrates the estimated distribution of seats in the Chamber of Deputies.

TABLE 2.
ESTIMATED DISTRIBUTION OF THE CHAMBER OF DEPUTIES
(JUNE 6, 2021, ELECTIONS)

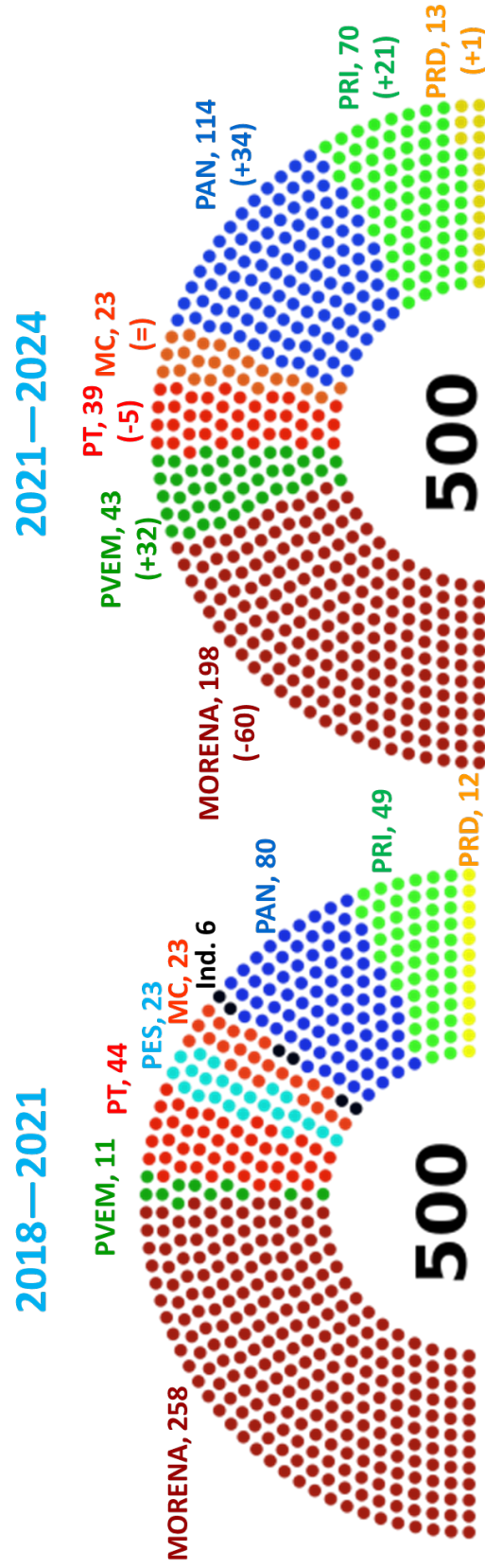
PARTY	BY MAJORITY	BY PROPORTIONAL REPRESENTATION	TOTAL
MORENA	121	77	198
PAN	73	41	114
PRI	31	39	70
PVEM	31	12	43
PT	32	7	39
MC	7	16	23
PRD	5	8	13
TOTAL	300	200	500

Source: Carlos Navarro, Escenario Político-Electoral, INE, June 18, 2021.

Notes: MORENA = Movimiento de Regeneración Nacional (National Regeneration Movement); PT = Partido del Trabajo (Labor Party); PVEM = Partido Verde Ecologista de México (Ecological Green Party of Mexico); PES = Partido Encuentro Solidario (Solidarity Encounter Party); FPM = Fuerza Social por México (Social Force for Mexico); RSP = Redes Sociales Progresistas (Progressive Social Networks); PAN = Partido Acción Nacional (National Action Party); PRI = Partido Revolucionario Institucional (Institutional Revolutionary Party); PRD = Partido de la Revolución Democrática (Party of the Democratic Revolution); MC = Movimiento Ciudadano (Citizens' Movement).

Figure 1 sets up a comparison between the composition of the Chamber of Deputies during the 2018–2021 term and the estimated composition for the 2021–2024 term. This is an estimation, given that the final composition may vary slightly once the Electoral Tribunal of the Federal Judicial Branch (TEPJF) issues its resolutions on the disputed congressional elections.

FIGURE 1. THE COMPARATIVE DISTRIBUTION OF SEATS IN THE CHAMBER OF DEPUTIES
(2018—2021 AND 2021—2024)*



Source: Created by the Delian Project with information from the Chamber of Deputies and the INE, June 21, 2021.

Notes: MORENA = Movimiento de Regeneración Nacional (National Regeneration Movement); PVEM = Partido Verde Ecologista de México (Ecological Green Party of Mexico); PT = Partido del Trabajo (Labor Party); PES = Partido Encuentro Solidario (Solidarity Encounter Party); MC = Movimiento Ciudadano (Citizens' Movement); PAN = Partido Acción Nacional (National Action Party); PRI = Partido Revolucionario Institucional (Institutional Revolutionary Party); PRD = Partido de la Revolución Democrática (Party of the Democratic Revolution).

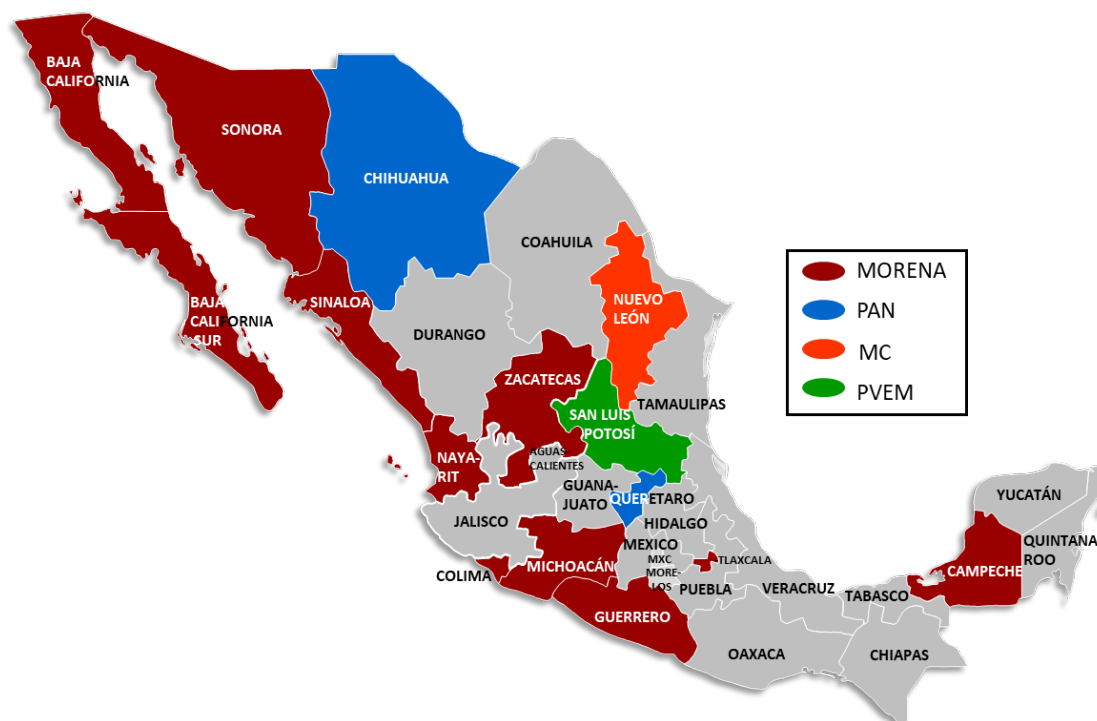
*The 2021–2024 composition is estimated, as the final numbers of disputed elections await adjudication by the TEPJF.

2. Governorship Races

The National Regeneration Movement (Movimiento de Regeneración Nacional, MORENA) won 11 of the 15 governorship races. Of these 11 victories, MORENA was the incumbent in only one state, Baja California. Of the remaining 10 victories, MORENA snatched seven governorships from the Institutional Revolutionary Party (Partido Revolucionario Institucional, PRI) (Campeche, Colima, Guerrero, Sinaloa, Sonora, Tlaxcala, and Zacatecas), two from the National Action Party (Partido Acción Nacional, PAN) (Baja California Sur and Nayarit), and one from the Party of the Democratic Revolution (Partido de la Revolución Democrática, PRD) (Michoacán).

The remaining four governorship races were split between the PAN (Chihuahua and Querétaro—which were PAN incumbencies), Citizens' Movement (Nuevo León—which was captured from an independent governor), and the Ecological Green Party of Mexico (Partido Verde Ecologista de México, PVEM) (San Luis Potosí).

MAP 1. RESULTS OF THE FIFTEEN GUBERNATORIAL ELECTION, JUNE 6, 2021



Source: Created by the Delian Project with information from the INE, June 19, 2021.

Notes: MORENA = Movimiento de Regeneración Nacional (National Regeneration Movement); PAN = Partido Acción Nacional (National Action Party); MC = Movimiento Ciudadano (Citizens' Movement); PVEM = Partido Verde Ecologista de México (Ecological Green Party of Mexico).

TABLE 3. WINNERS OF THE GUBERNATORIAL RACES

	STATE	INCUMBENT PARTY	WINNING PARTY	GOVERNOR-ELECT
1	Baja California	MORENA	MORENA	María del Pilar Ávila
2	Baja California Sur	PAN	MORENA	Victor Manuel Castro
3	Campeche	PRI	MORENA	Layda Sansores
4	Colima	PRI	MORENA	Indira Vizcaino
5	Chihuahua	PAN	PAN	María Eugenia Campos
6	Guerrero	PRI	MORENA	Evelyn Salgado
7	Michoacán	PRD	MORENA	Alfredo Ramírez
8	Nayarit	PAN	MORENA	Miguel Ángel Navarro
9	Nuevo León	Independent	MC	Samuel García
10	Queretaro	PAN	PAN	Mauricio Kuti
11	San Luis Potosí	PRI	PVEM	Ricardo Gallardo
12	Sinaloa	PRI	MORENA	Rubén Rocha
13	Sonora	PRI	MORENA	Alfonso Durazo
14	Tlaxcala	PRI	MORENA	Lorena Cuellar
15	Zacatecas	PRI	MORENA	David Monreal

Source: Carlos Navarro, Escenario Político-Electoral, INE, June 18, 2021.

Notes: MORENA = Movimiento de Regeneración Nacional (National Regeneration Movement); PAN = Partido Acción Nacional (National Action Party); PRI = Partido Revolucionario Institucional (Institutional Revolutionary Party); MC = Movimiento Ciudadano (Citizens' Movement); PVEM = Partido Verde Ecologista de México (Ecological Green Party of Mexico).

One of the triumphs of the June 6, 2021, elections is that due to Mexico's progressive gender parity laws, 6 of the 15 governors-elect are women.

When one adds the tally of gubernatorial election victories to the governorships that the various political parties already held, MORENA now holds 16 governorships, PAN 7, PRI 4, MC 2, PES 1, PVEM 1, and PRD 1, as illustrated in Map 2.

MAP 2. THE PARTISAN DISTRIBUTION OF ALL THIRTY-TWO GOVERNORSHIPS

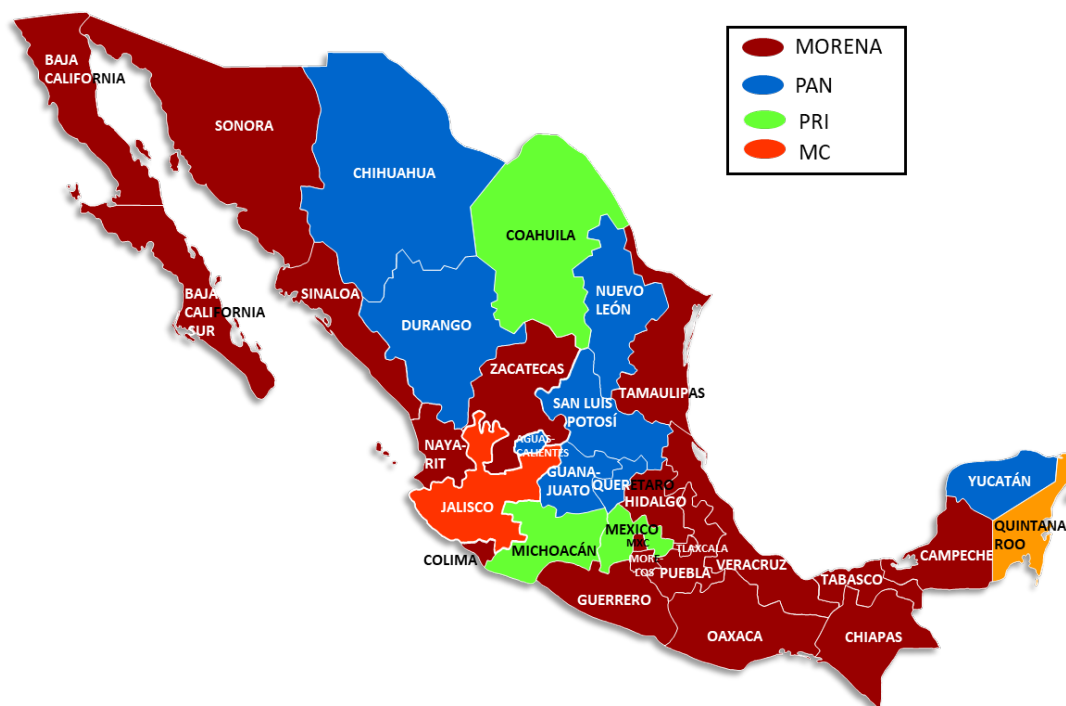


Source: Created by the Delian Project with information from the INE, June 19, 2021.

Notes: MORENA = Movimiento de Regeneración Nacional (National Regeneration Movement); PAN = Partido Acción Nacional (National Action Party); PRI = Partido Revolucionario Institucional (Institutional Revolutionary Party); MC = Movimiento Ciudadano (Citizens' Movement); PES = Partido Encuentro Solidario (Solidarity Encounter Party); PVEM = Partido Verde Ecologista de México (Ecological Green Party of Mexico); PRD = Partido de la Revolución Democrática (Party of the Democratic Revolution).

3. State Legislature Races

The June 6, 2021, elections also included the election of 30 of Mexico's 32 state legislatures, with only two states, Coahuila and Quintana Roo, not holding state legislative elections, since Coahuila held its legislative elections in 2020 and Quintana Roo in 2019 (see Map 3 and Table 4).

MAP 3. THE RESULTS OF THE THIRTY STATE LEGISLATIVE ELECTIONS, JUNE 6, 2021

Source: Created by the Delian Project with information from the INE, June 19, 2021.

Notes: MORENA = Movimiento de Regeneración Nacional (National Regeneration Movement); PAN = Partido Acción Nacional (National Action Party); PRI = Partido Revolucionario Institucional (Institutional Revolutionary Party); MC = Movimiento Ciudadano (Citizens' Movement).

TABLE 4. THE RESULTS OF THE THIRTY STATE LEGISLATIVE ELECTIONS, JUNE 6, 2021

TYPE OF MAJORITY	PARTY OR COALITION	NO. OF STATES	STATES
Supermajority– 2/3 (24 states)	MORENA with allies	14	Baja California, Baja California Sur, Chiapas, Mexico City, Colima, Hidalgo, Nayarit, Puebla, Sinaloa, Sonora, Tabasco, Tlaxcala, Veracruz, Zacatecas
	MORENA	2	Guerrero, Oaxaca
	PAN with allies	4	Chihuahua, Durango, Querétaro, Yucatán
	PAN	2	Aguascalientes, Guanajuato
	PRI with allies	2	Mexico State, Michoacán
Simple majority – 50% + 1 (6 states)	MORENA with allies	3	Campeche, Morelos, Tamaulipas
	PAN with allies	1	San Luis Potosí
	PAN	1	Nuevo León
	MC	1	Jalisco

Source: Carlos Navarro, Escenario Político-Electoral, INE, June 18, 2021.

Notes: MORENA = Movimiento de Regeneración Nacional (National Regeneration Movement); PAN = Partido Acción Nacional (National Action Party); PRI = Partido Revolucionario Institucional (Institutional Revolutionary Party); MC = Movimiento Ciudadano (Citizens' Movement).

Following the June 6, 2021, state legislative elections, only the following 8 states of 32 will have governors who will face state legislatures where the political opposition enjoys a majority (Hidalgo, Oaxaca, Michoacán, Morelos, Tamaulipas, San Luis Potosí, Nuevo León, and Quintana Roo). The remaining 24 governors will enjoy a majority (through their standalone party or in a coalition) and will be able to easily pass their respective state budgets and legislative agendas.

III. THE ADMINISTRATION OF THE ELECTIONS

1. COVID-19 Protocols and Voter Observance

The Delian Project pre-electoral report delineated the various COVID-19 sanitary protocols that the INE had devised for the June 6, 2021, elections.

Delian Project delegation members who observed the elections in-country, in the southern boroughs of Mexico City (Coyoacán, Xochimilco, and Tlalpan) and in San Miguel de Allende, Guanajuato, observed polling station workers implementing the sanitary protocols as well as voters willingly observing these protocols.

2. INE Coordination with and Oversight of OPLE

As noted in the Delian Project pre-electoral report, Article 98 of the Constitution mandates that there be 32 state-level Local Electoral Authorities (Organismos Públicos Locales Electorales, OPLE) and that they be autonomous bodies with independent decision-making authority. Each one comprises one president councillor and six other councillors, all of whom serve seven-year terms (Article 99). They are selected through a rigorous process overseen by the INE's General Council.

For coordination of the electoral process with the 32 state-level Local Electoral Authorities to ensure their observance of pertinent electoral laws, the INE relies on the following two organizational structures:

- The Technical Unit for Liaison (La Unidad Técnica de Vinculación) with OPLE, which is assigned to the INE's Executive Secretary; and
- The Liaison Commission (Comisión de Vinculación), which works on a permanent basis, comprises eight electoral councillors selected by the INE General Council to serve three-year terms, and has an annually rotating chairmanship.

The Technical Unit for Liaison only has a staff of 25 people for day-to-day coordination with and oversight of the 32 OPLEs—which ratio falls short of assigning one state to one member of this unit.

The budgets for each of the 32 OPLEs are approved by each state legislature's fiscal year appropriations (Article 100). In the run-up to the June 6, 2021, elections, 26 OPLEs experienced budget cuts in relation to the budgets they submitted to their respective State Legislatures (with some also experiencing delays in the disbursement of their respective budgets). The only OPLEs that experienced budget increases were those of Sonora, Michoacán, Nayarit, and Baja California, with Mexico State and Coahuila receiving the budget amounts which they requested to their respective legislatures. as illustrated in Table 5.

TABLE 5. OPLE BUDGET APPROVALS IN RELATION TO THE BUDGETS SUBMITTED TO STATE LEGISLATURES

STATE	BUDGET CUT OR INCREASE (%)
Puebla	-87.99
Oaxaca	-83.02
Morelos	-74.93
Mexico City	-54.21
Sinaloa	-52.21
Tlaxcala	-50.42
Durango	-50.35
Nuevo León	-49.88
Aguascalientes	-42.81
Sonora	33.25
Michoacán	23.11
Yucatán	-22.99
Chiapas	-21.04
Nayarit	20.84
Zacatecas	-19.32
San Luis Potosí	-17.83
Baja California Sur	-16.76
Colima	-14.05
Guerrero	-13.75
Jalisco	-10.94
Baja California	10.15
Veracruz	-9.50
Guanajuato	-9.33
Chihuahua	-9.27
Querétaro	-7.28
Quintana Roo	-7.04
Tamaulipas	-5.76
Tabasco	-5.75
Campeche	-4.67
Hidalgo	-0.15
México	0.00
Coahuila	0.00

Source: INE, Situation Presupuestal de los OPLEs, April 23, 2021.

These budgetary cutbacks and delays applied undue pressure on the respective OPLE councillors.

Considering that the OPLEs are responsible for the printing of ballots for the elections for mayors (municipal presidents), state legislatures, and governors, any budgetary cutbacks or delays could threaten the INE's ability to ensure the successful administration of an integrated electoral process.

3. Political Violence and the Participation of Organized Crime

The delegation is concerned over the rising trend of political violence in Mexico, including intimidation tactics that have forced political candidates to drop out of races, and, in a few cases, even ended in their assassinations.

This phenomenon—which at this juncture in Mexico is more prevalent at the municipal and state levels—is due to the following factors:

- 1) Weakening/erosion of the political party system (particularly from 2017 onward)
- 2) Growing transactional nature of political candidacies (*la compra de candidaturas*) and the special interests behind such transactions
- 3) Increased incursion of cartels in Mexican elections (candidates, capital, and coercion of candidates by bribery or intimidation)
- 4) Absence of government control in certain parts of the country (due to insufficient numbers and capacity)

In certain instances, Mexican cartels have either proposed cartel members as political candidates or imposed those candidates who are loyal to the cartels in control of relevant electoral districts.

According to the United Nations (UN), there have been at least 36 assassinations of political candidates in this last election cycle. Michele Bachelet, commissioner of human rights at the UN, decried this situation recently.

4. The Role of Social Media

In the Delian Project’s pre-electoral report, we noted how the increasing use of social media to disseminate misinformation and “fake news” pertaining to the electoral institutions, the electoral process, and the candidates for elected office is a relatively new but growing risk for elections around the world. We also noted that this risk is attributed largely to the fact that governments everywhere have been slow to regulate social media platforms and that the Mexican government is no exception in this regard.

The INE has countered the dissemination of misinformation/fake news via the use of its “Certeza Program.” The Certeza Program comprises 25 men and women from different thematic areas within the INE who can quickly respond to the various types of misinformation or fake news posted in social media platforms. The effectiveness and quick response capability of the Certeza Program is facilitated and undergirded by a robust IT system.

This Certeza Program has proved effective, given that even on Election Day, the program’s team were able to correct social media posts identified as falsehoods within three minutes of their discovery.

The Delian Project delegation’s observations of the June 6, 2021, election—both on the ground and virtually—made it clear that the electoral campaigns in this particular election had migrated from traditional media to social media. The following three trends were observed:

a. Campaigning

Political parties and candidates migrated their electoral campaigns from traditional to social media, where there is as yet no regulatory framework, and hence no platform for the INE and the TEPJF to exercise their mandate.

b. Influencers

Influencers posted campaign videos promoting the Ecological Green Party of Mexico (PVEM) on the day of the election, clearly violating Electoral Law.

c. Election-Related Public Opinion Polls

The increased role of social media caused the proliferation of fake elections polls that were posted and disseminated via various social media platforms. These made-up, and paid-for, polls are intended to favor certain candidates; they are not grounded in sound methodology, but rather used as a tactical ploy to achieve electoral results.

The president magistrate of the Electoral Tribunal of the Federal Judicial Branch (TEPJF), José Luis Vargas Valdez, told the Delian Project that in the absence of electoral laws to regulate social media, the tribunal was left no choice but to apply the same legal principles to social media that regulate traditional media.

Fundamentally there are no rules governing political parties and candidates in social media; Mexico must strive to introduce measures favoring equity in social media.

5. The Role of Traditional Media

The political convention where losing candidates graciously concede defeat has been displaced in Mexico by a culture where victory is declared, even if such “victory” is entirely unsubstantiated. Premature pronouncements by candidates on election night create confusion and could cast uncertainty over the INE’s ability to ensure the integrity of the electoral process.

This practice can also heighten social pressure on the state and federal electoral tribunals, which will soon embark on the adjudication of post-electoral legal challenges.

In light of these challenges, Mexico would benefit from reviewing the regulatory framework that pertains to media coverage on election night.

Consideration should also be given to the provision of more substantive coverage of the tabulation of the Preliminary Election Results Program (Programa de Resultados Electorales Preliminares, PREP)—the very reason the PREP was first created.

In closing, the delegation commends Mexico for the tremendous strides it has made in the past three decades to strengthen the autonomy and capacity of electoral authorities—both the National Electoral Institute (INE) and the Electoral Tribunal of the Federal Judiciary

(Tribunal Electoral del Poder Judicial de la Federación, TEPJF). This progress is the result of the hard work and often the sacrifices of countless Mexicans committed to the principles of electoral democracy.

Therefore, the electoral system in Mexico is tightly devised to prevent fraud. An element of that strength rests in the fact that official results are proclaimed by the two independent electoral authorities, the INE and TEPJF, and no elected body, no elected person, can intervene in this process.”

IV. The Adjudication of Electoral Disputes

1. Pre-Electoral Adjudication

Between the official start and the end of the June 6, 2021, election cycle—which commenced on September 7, 2020 and concluded on June 5, 2021—the Electoral Tribunal of the Federal Judicial Branch (TEPJF) had registered 8,230 electoral disputes. This is the official number registered during the last session of the Electoral Tribunal’s Superior Chamber (Sala Superior).²

The Electoral Tribunal comprises a Superior Chamber (Sala Superior), plus five regional chambers, which receive complaints from the states that encompass the five electoral districts (*circunscripciones*). In addition, there is also a single specialized chamber, which oversees complaints related to access to radio and television by the parties and candidates, the impartial application of public resources, the propaganda of public entities, and electoral propaganda, as well as anticipated acts that occur during precampaign and campaign events.

All of the TEPJF chambers adjudicated all pre-electoral disputes the day before the June 6 elections. This was a major feat, given the TEPJF’s budget cuts, the complications caused by the pandemic, and the highly polarized political environment.

Map 4 illustrates a color-coded map of the geographical jurisdiction of each of the five regional chambers.

² If one factors in the legal challenges that trickled in after the last session of the Electoral Tribunal’s Superior Chamber, the total number of legal challenges rises to 8,120.

MAP 4. THE GEOGRAPHICAL DISTRIBUTION OF THE ELECTORAL TRIBUNAL PER CHAMBER



Source: Created by the Delian Project with information from TEPJF, June 17, 2021.

Note: MXC = Mexico City.

As shown in Table 5, 71 percent (5,837) of the cases adjudicated by the Electoral Tribunal (TEPJF) pertained to state/municipal-level complaints, whereas 29 percent (2,393) pertained to federal cases.

**TABLE 5. THE TOTAL NUMBER OF CASES ADJUDICATED BY THE ELECTORAL TRIBUNAL PER CHAMBER
(SEPTEMBER 7, 2020 – JUNE 5, 2021)**

CHAMBERS	DISTRICT	LOCATION	TYPE OF PROCESS		TOTAL
			STATE/MUNICIPAL	FEDERAL	
Superior Chamber		MXC	1,644	911	2,555
Regional chambers	I	Guadalajara	685	286	971
	II	Monterrey	710	97	807
	III	Xalapa	634	607	1,241
	IV	MXC	1,632	180	1,812
	V	Toluca	501	158	659
Specialized			31	154	185
TOTAL			5,837	2,393	8,230

Source: Created by the Delian Project with information from TEPJF, June 17, 2021.

Note: MXC = Mexico City.

As Table 6 illustrates, the highest number of legal complaints were filed by the ruling National Regeneration Movement (MORENA) Party, followed by the National Action Party (PAN), demonstrating that these two parties have become archrivals.

Notwithstanding the litigious practice of the MORENA Party, President Andrés Manuel López Obrador and MORENA have also been advocating for an electoral reform or abolishment of the INE, arguing that the current INE leans toward “conservatism.”

**TABLE 6. TOTAL NUMBER OF CASES FILED BEFORE THE ELECTORAL TRIBUNAL PER PARTY
(SEPTEMBER 7, 2020 – JUNE 5, 2021)**

POLITICAL PARTY	TOTAL
National Regeneration Movement (MORENA)	272
National Action Party (PAN)	265
Local Political Party	160
Citizens' Movement (MC)	148
Institutional Revolutionary Party (PRI)	142
Party of the Democratic Revolution (PRD)	86
Solidarity Encounter Party (PES)	56
Labor Party (PT)	51
Ecological Green Party of Mexico (PVEM)	49
Social Force for Mexico (FSM)	40
Progressive Social Networks (RSP)	36
More than one party	18
Coalition	3
TOTAL	1,326

Source: Created by the Delian Project with information from TEPJF, June 17, 2021.

Table 7 provides a breakdown of the 8,230 complaints filed before the Electoral Tribunal (TEPJF). Interestingly, 39.0 percent (3,192) of the complaints concerned intraparty disputes, and 14.5 percent (1,192) pertained to the registration of coalitions/candidates/parties; the numbers indicate the fierce competition that was in play early on, as candidates, intraparty factions, and parties strove to position themselves for the forthcoming election.

**TABLE 7. TYPE OF COMPLAINTS FILED BEFORE THE ELECTORAL TRIBUNAL
(SEPTEMBER 7, 2020 – JUNE 5, 2021)**

TYPE OF COMPLAINT FILED	TOTAL
Intraparty dispute	3,192
Registration of coalitions/candidates/parties	1,192
Preparatory acts	1,137
Procedures subject to penalties	811
Independent candidacies	473
In review	416
Customs and habits (<i>usos y costumbres</i>)	375
Integration of electoral bodies	236
Reelection	205
Financing and oversight (<i>financiamiento y fiscalización</i>)	173
Other complaints	20
TOTAL	8,230

Source: Created by the Delian Project with information from TEPJF, June 17, 2021.

2. Post-Electoral Adjudication

The Electoral Tribunal of the Federal Judicial Branch (TEPJF) will start receiving legal challenges following the INE's release of official elections results on June 13, 2021.

Given that many of the legal challenges, particularly as they pertain to state- and municipal-level elections must first pass through the local electoral tribunals and then through the regional chambers, they will not reach the Electoral Tribunal's Superior Chamber until July or August of 2021.

Normally, any election result with a margin of victory less than 5 percentage points, or within the margin of error, would be legally challenged.

All legal challenges or appeals must be adjudicated by no later than the dates on which the elected candidates must be sworn in and assume office, as outlined in Table 8.

TABLE 8. SWEARING-IN DATES OF THE CANDIDATES-ELECT

OFFICE	ENTITY	DATE OF SWEARING-IN
Deputies	Federal	Sept. 1, 2021
Governor	Baja California	Nov. 1, 2021
Governor	Baja California Sur	Sept. 10, 2021
Governor	Campeche	Sept. 16, 2021
Governor	Chihuahua	Sept. 8, 2021
Governor	Colima	Nov. 1, 2021
Governor	Guerrero	Oct. 15, 2021
Governor	Michoacán	Oct. 1, 2021
Governor	Nayarit	Sept. 19, 2021
Governor	Nuevo León	Oct. 4, 2021
Governor	Queretaro	Oct. 1, 2021
Governor	San Luis Potosí	Sept. 26, 2021
Governor	Sinaloa	Nov. 1, 2021
Governor	Sonora	Sept. 13, 2021
Governor	Tlaxcala	Aug. 31, 2021
Governor	Zacatecas	Sept. 12, 2021

Source: Created by the Delian Project with information from TEPJF, June 17, 2021.

Although the pre-electoral statistics provided by the Electoral Tribunal (TEPJF) to the Delian Project for the drafting of this report span the election cycle, from September 7, 2020, to June 5, 2021—these statistics were customized based on the election cycle at the request of the Delian Project. The TEPJF usually records and statistically tracks cases on a calendar-year basis, and not on an election-cycle basis. The TEPJF may want to consider creating subcategories that are specific to the pre-and post-electoral cycles to facilitate a more accurate comparative analysis of the adjudication of Mexican elections.

V. RECOMMENDATIONS

The Delian Project recognizes that electoral democracy is like a living organism, in that it can be strengthened or weakened. In the spirit of continuing to strengthen Mexico's electoral democracy, and based on our decades of electoral experience, we have compiled the following list of recommendations for the consideration of the Chamber of Deputies, the INE, and the TEPJF:

- Mandate that any electoral reforms be based on consensus between political parties, civil society, electoral authorities, and the general population; in that way the electoral system and the INE, the autonomous institution that enjoys one of the highest public approval ratings among Mexican people, will retain and enhance its credibility.
- Review the date on which INE councillors conclude their terms, to give their successors more time to become used to their new responsibilities before they administer general or midterm elections.
- Devise a fixed financial formula to determine institutional/operational budgets and to preclude discretionary budget cuts or delays by the president and governors via the Chamber of Deputies or State Legislatures. This will strengthen the financial autonomy of both the INE and OPLE, and safeguard the operational capacity of these electoral institutions against politically motivated budget cuts and disbursement delays.

There is already a precedent for such an arrangement in the Constitution, under Article 41, II (a), which establishes a formula for the financing of political parties.

- Conceptualize new electoral laws that specifically regulate social media within election cycles.
- Conceptualize new electoral laws that specifically regulate the posting of fake election public opinion polls on social media platforms.
- Analyze the participation of organized crime in the elections and devise strategies and measures that federal and state governments must undertake to

- ✓ Protect the life and well-being of political candidates and their families
 - ✓ Mitigate the undue influence/coercion of organized crime on candidates
 - ✓ Mitigate the undue influence/coercion of organized crime on the public's right to vote as they wish
 - ✓ Prevent organized crime from violating the integrity of the electoral process
- The TEPJF should create a statistical subcategory of electoral complaints that are filed during the pre- and post-electoral cycles, rather than continue to track legal challenges on a calendar-year basis, to enable a more precise comparative analysis of the adjudication of Mexican elections.

VI. APPENDIX

Post-Election Statement by the Delian Project Delegation Mexico City Press Conference June 7, 2021

- El pueblo mexicano se ha expresado en las urnas y lo ha hecho con claridad, libertad y pacíficamente
- Los miembros de alto nivel de los Estados Unidos y Canada de la delegación del Proyecto Delian felicitan al pueblo mexicano por su alta participación en esta pasada jornada electoral, y por hacerlo con civismo y compromiso con la cultura democrática de México.
- Una participación que demostró la confianza del pueblo Mexicano sobre el INE, la integridad de voto, y en el sistema de partidos políticos—como lo demuestro la pluralidad del resultado.
- Los integrantes de la delegación del Proyecto Delian también reconocen a los hombres y mujeres que integran el Instituto Nacional Electoral (INE) y las Organismo Público Locales (OPLEs) y el papel que desempeñaron una vez mas, el cual subraya su capacidad institucional, profesionalismo e imparcialidad para salvaguardar la integridad del voto del pueblo mexicano.
- Mención especial va para los hombres y mujeres voluntarios que desempeñaron sus responsabilidades como funcionarios de casillas/mesas de votación, y que con orgullo y alegría asumieron su deber cívico de asegurar que todos los votos fueran correctamente contados.
- Al igual que a todos los hombre y mujeres que han perdido la vida simplemente por ser partícipes de la democracia electoral de México y aspirar a un futuro mejor para los ciudadanos de esta gran nación.

Gracias