

Overview of the Mexican Electoral Regime and the Concurrent Federal and Local Elections 2021

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INTRODUCTION

On 6 June federal elections will take place throughout Mexico, while its 32 states will also hold local elections.

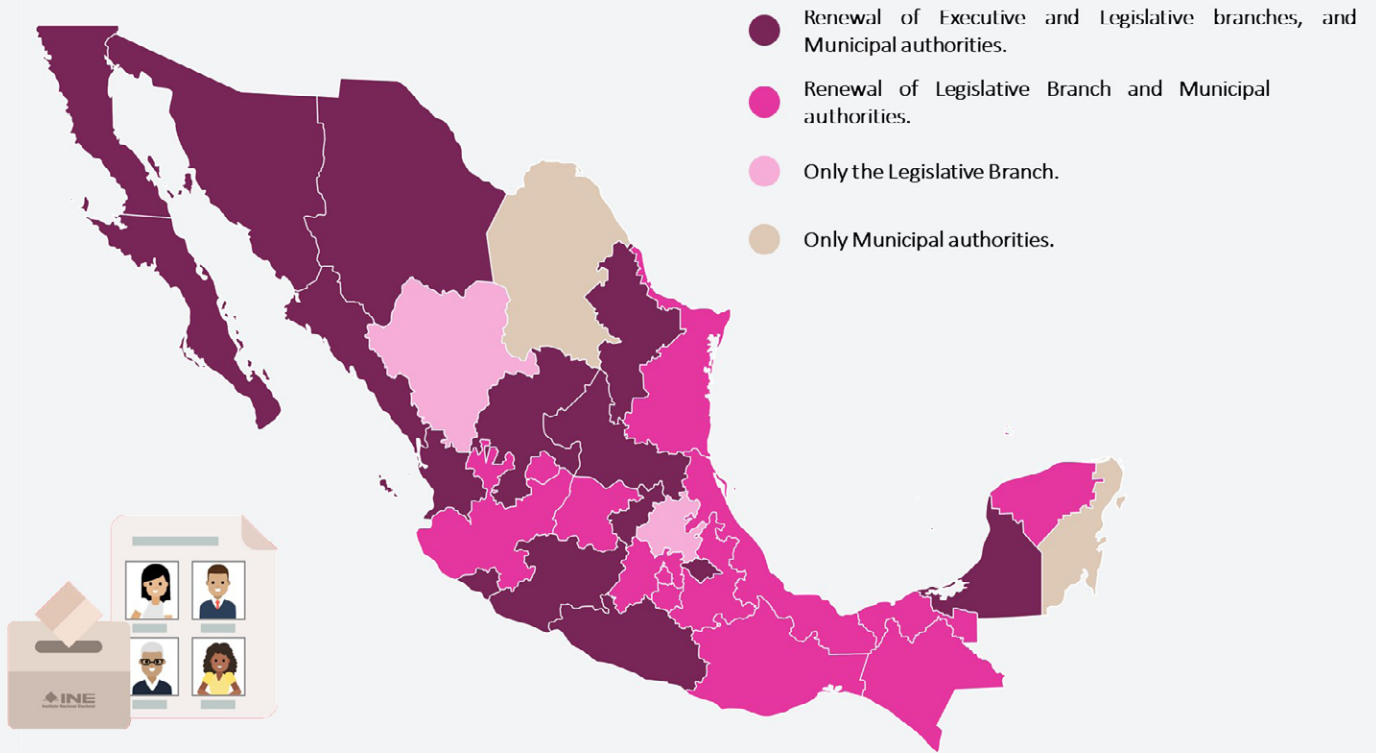
The number of Mexican citizens authorized to exercise their right to vote will be around 95 million, which would represent an increase of almost 5.5 million compared to the last elections in 2018.

Therefore, it is expected that around 160,000 voting places will be installed throughout the national territory, a figure that would significantly exceed those installed in 2018.

More than 21,300 positions of popular election will be at stake, including the 500 seats in the Chamber of Deputies, in addition to the ownership of the Executive Power in 15 entities of the country. The figure also exceeds by more than two thousand the charges that were disputed in 2018. Of this magnitude is the challenge and logistics faced by the INE and the electoral bodies of the 32 states.

The INE's International Affairs Unit has prepared this document with the purpose of offering a panoramic overview of the most important aspects that make up the Mexican electoral organization, as well as some of the substantive programs of the Institute, that will be running around the 2021 Federal and local concurrent elections.

Local elections 2021



1

The 2021 Electoral Universe and its MAIN NOVELTIES

On Sunday 6 June 2021, federal elections will take place throughout Mexico, while its 32 states will also hold local elections.

Since the Presidency of the Republic and the 128 seats of the Senate were renewed in 2018, new elections for those posts will only happen in 2024. Hence, federal elections in 2021 are exclusively to elect the 500 members of the Lower Chamber.

As for local elections, various offices will be renewed. The following tables show, from complementary perspectives, the types of local elections that will be held in the 32 states

Renewal of:	Amount of States	States
Executive and Legislative branches, and Municipal authorities	15	Baja California, Baja California Sur, Campeche, Chihuahua, Colima, Chiapas, Guerrero, Michoacán, Nayarit, Nuevo León, Querétaro, San Luis Potosí, Sinaloa, Sonora and Zacatecas.
Legislative Branch and Municipal authorities	13	Aguascalientes, Chiapas, Ciudad de México, Estado de México, Guanajuato, Jalisco Morelos, Oaxaca, Puebla Tabasco, Tamaulipas, Veracruz and Yucatán.
Only the Legislative Branch	2	Durango and Hidalgo.
Only Municipal authorities	2	Coahuila y Quintana Roo.

Renewal of:	Amount of States	States
Governorships	15	Baja California, Baja California Sur, Campeche, Chihuahua, Colima, Chiapas, Guerrero, Michoacán, Nayarit, Nuevo León, Querétaro, San Luis Potosí, Sinaloa, Sonora and Zacatecas.
Congresos Locales	30	Excepto Coahuila and Quintana Roo
Autoridades Municipales	30	Excepto Durango and Hidalgo.

THE NOVELTIES OF THESE ELECTIONS:

Mechanisms against gender-based political violence

As part of extensive amendments to several laws and regulations—passed by the Congress in April 2020—to advance the access of women to a violence-free life, various provisions were included in the electoral legislation to counter gender-based political violence against women. One of the most relevant refers to the requirement that senator and representative hopefuls ought to not have been condemned for the crime of gender-based political violence against women. In accordance, the General Council of the National Electoral Institute (INE) passed an agreement that—in consonance with the denominated “3-of-3 Declaration Against Gender-Based Political Violence”—established additional requirements for candidates to be registered: a) no conviction for domestic or family violence; b) no conviction for sexual offences, or crimes against sexual freedom or criminal sexual contact; or, c) no alimony debt.

Likewise, in compliance with the new provisions, in the eve of the current electoral process INE passed:

- A regulation to process complaints and accusations of gender-based political violence.
- The bases for the construction, functioning, update, and upkeep of a national registry of persons penalised for gender-based political violence that shall include information of infringers. It shall be publicly available and be accessible at INE’s website, where it can be sorted nationally or by state.

Gender parity

The 2014 constitutional and legal reforms resulted in an electoral law that compels political parties to further gender parity in the nomination of candidates to both the Congress of the Union (relative majority and proportional representation senators and legislative representatives) and the

congresses of all 32 states. In the case of federal elections, INE’s General Council has the power to reject the registration of candidacies that fail to comply with the principle of gender parity.

The agreements that INE—as part of its functions—had already issued during previous electoral processes to guarantee the compliance and effectiveness of such precepts have been ratified for the 2021 elections. The greatest novelty for the upcoming elections is that the General Council passed an agreement that forces political parties to comply with this principle when nominating the candidates to the 15 governorships in contest, which means it was extended to unipersonal posts and requires that political parties nominate a maximum of eight candidates of one gender.

Measures that guarantee the elections’ impartiality, equity, and certainty

In December 2020, INE’s General Council exercised its powers to strengthen, supplement, or specify provisions on the electoral law by passing three agreements containing explicit measures that—as a whole—are meant to guarantee the impartiality, equity, and certainty of the elections. These are colloquially referred as agreements to secure a “level field” during the electoral competition:

- One refers to the use of social programmes.
- Another, to government propaganda.
- The third, to public services.

Re-election of federal representatives

The 2014 amendment allowing federal representatives to be re-elected for up to three consecutive terms in addition to the initial one—that is, four periods in total—comes into effect.

Despite the fact that an overwhelming majority of the legislators who currently make up the Lower House (436 out of 500), expressed their intention to aspire to re-election, at the end of the candidacies’ registration process, only 213 of them reached its purpose.

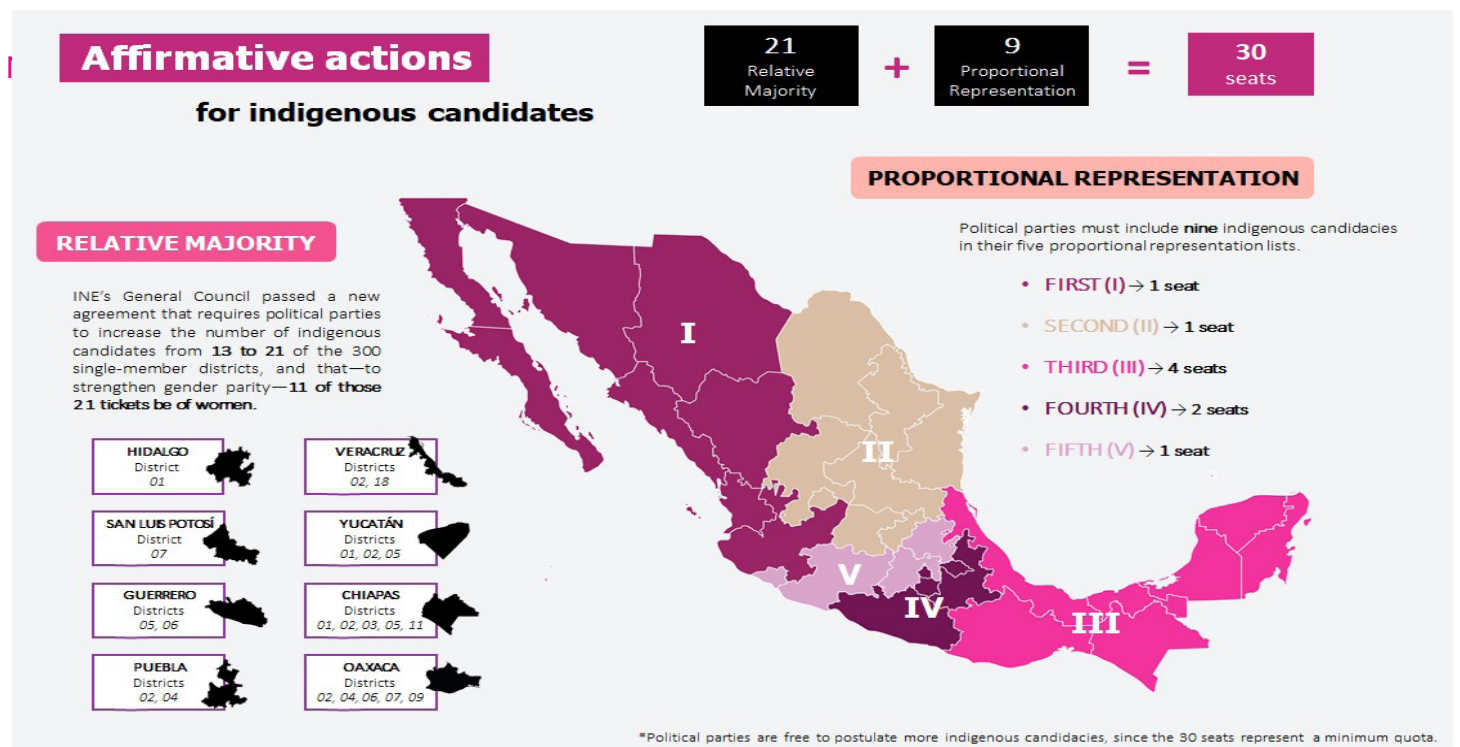
Appointment of indigenous candidates

The electoral law does not include reserved seats that guarantee the representation of distinct social groups or sectors in the composition of the Congress of the Union. However, INE's General Council adopted an agreement for the 2018 federal elections by which political parties were required to appoint indigenous candidates in 13 of the 300 single-member districts used for the conformation of the Lower Chamber. This guaranteed the representation of indigenous communities through 13 of the 500 seats of that Chamber.

In an effort to further this kind of affirmative action to benefit indigenous communities, INE's General Council passed a new agreement that requires political parties to increase the number of indigenous candidates from 13 to 21 of the 300 single-member districts, and that—to strengthen gender parity—11 of those 21 tickets be of women.

This, in principle, extends the opportunities of political representation for these communities. However, political parties will have the possibility to abide this requirement by choosing from among the 28 districts whose indigenous population amounts to over 40% of all the electorate. Those 28 districts are distributed through nine of the 32 states of the country.

In addition to the abovementioned, political parties must include nine indigenous candidacies in their five proportional representation lists.



In accordance with its policy of promoting the inclusion of groups or communities in situations of vulnerability, on January 15, 2021 the General Council of INE approved an agreement which requires political parties to nominate three forms of candidacies for Afrodescendant people in any of the 300 majority districts into which the country is divided for electoral purposes, as well as a candidacy in any of the five proportional representation lists, but this candidacy must appear within the first 10 places of the selected list (each list must include up to 40 candidacies). In addition, the principle of gender parity must be guaranteed in the nomination of these four candidates.

Similarly, the General Council's agreement determines that political parties must postulate six forms of candidacies for people with disabilities in any of the 300 majority districts, as well as include two more within the first ten places on their proportional representation lists. In these eight candidacies, the principle of gender parity must also be guaranteed.

Finally, the agreement demands from the political parties to nominate two candidates for the majority and one for proportional representation, also within the first ten places on a list, of persons representing sexual diversity.

Out-of-country Internet voting

Mexican citizens residing overseas who register as out-of-country voters will be able to cast their vote over the Internet, instead of the conventional postal voting that has been used since 2006.

Even if out-of-country voting is not available for the 2021 federal elections—since legal provisions only consider it for presidential and senate elections—, the registered voters from 11 states whose legislation allow it for their governorship or some seats of their local legislature will be able to cast their vote.

Voting in prison

In compliance with a ruling of the Electoral Court that determined that persons held in prisons, who have not been sentenced, should be guaranteed the right to vote, the General Council of INE approved, for the purposes of the next federal elections, the implementation of a pilot program to be carried out in five federal prisons.

The centers are located in different regions of the country (Chiapas, Guanajuato, Michoacán, Morelos and Sonora), and one of these center's is for women. It is estimated that it could benefit around 2,000 people in preventive detention. The inmates who request to exercise their right to vote and comply with the requirements that enable them, will vote in person and in advance at voting centers located inside the penitentiary facilities on a day scheduled for May 17, but that, if necessary, it could be extended for two more days, until May 19.

2

The NATIONAL ELECTION SYSTEM

A constitutional amendment enacted in 2014 redistributed —within the federal State model— the political and electoral powers between the federation and the 32 states. It laid out the foundations for the shaping of an articulated and coordinated system for the organisation of elections around the country.

The system is:

- Ruled by a national law (the General Law on Electoral Institutions and Procedures, or LGIPE), which lays a set of common regulations and procedures to all elections, while setting aside regulatory spaces for the electoral legislation of the states to cover.
- Comprised of the National Electoral Institute (INE), as the governing body, and the authorities responsible of the electoral management in the 32 states (generally referred to as public local electoral bodies or OPLEs).

INE is:

- The sole responsible for all activities related with the organisation and management of federal elections, from the review and adjustment of the electoral boundary delimitation (300 districts) to awarding the certificates that identify elected deputies and senators, including all elections' management and logistic tasks.

- The only responsible, regarding both federal and local elections, for:
 - the electoral geography (periodic review and adjustment of the country's and states' boundary delimitation for electoral purposes);
 - the making up and maintenance of the voters' registry, along with the issuance of the photo voting card;
 - the location of polling stations, as well as the designation and training of their members;
 - the control and oversight of the funding for political parties and electoral campaigns; and,
 - the management and allotment of the free airtime to which parties and candidates are entitled to on a permanent basis.
- Regarding local elections, INE has regulatory attributions for:
 - Electoral observation;
 - Printing of documents and production of electoral materials;
 - Surveys and opinion polls;
 - Quick counts; and,
 - Provision of preliminary results.

Moreover, in relation with local electoral processes, as the governing institution of the system—and provided the requirements established in the law

are duly abode—, INE holds the powers to:

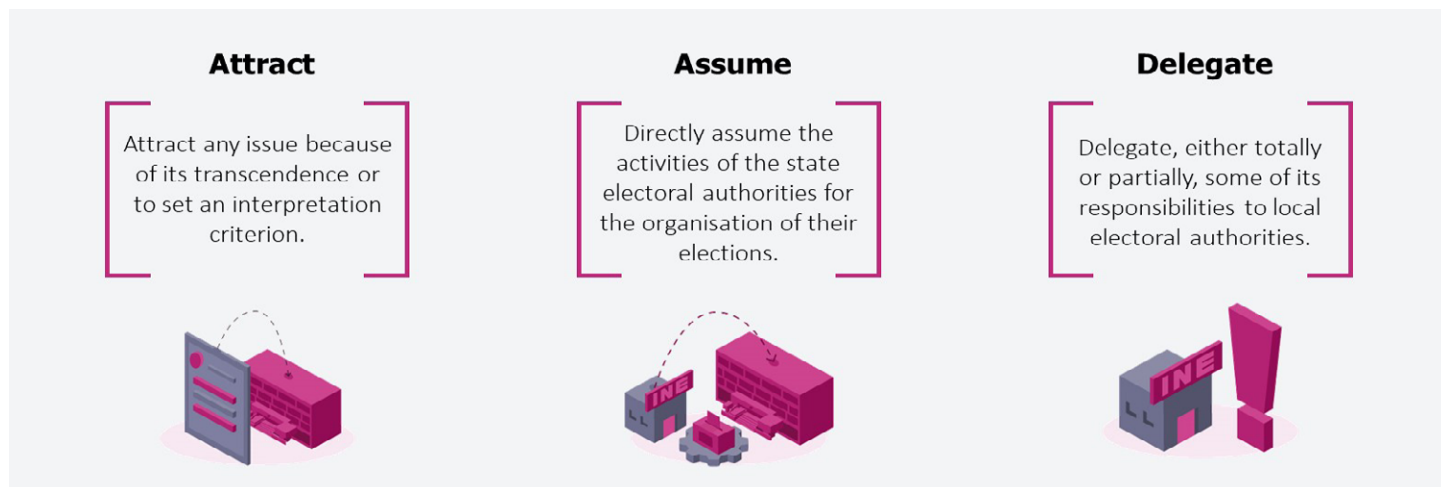
- Attract any issue because of its transcendence or to set an interpretation criterion.
- Directly assume the activities of the state electoral authorities for the organisation of their elections.
- Delegate, either totally or partially, some of its responsibilities to local electoral authorities.

Within their jurisdiction, the states' electoral authorities (OPEs):

- Are jointly responsible for the organisation, carrying out and supervision of local electoral processes.
- From among its attributions, those related with the following must be highlighted:
 - Registry of political parties and candidacies for local elective posts, and guaranteeing their rights and prerogatives, such as the provision of public funding;
 - Development of training materials for polling officers according to local prescriptions;
 - Preparations for Election Day;
 - Tallying and counting of the final results;
 - Declaring the validity of elections and issuance of certificates to the winners;
 - Design and implementation of civic education programmes; and,
 - Organising whichever direct democracy instrument is included in the local legal framework.

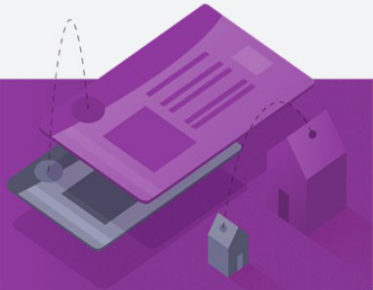
Resolution of controversies and upholding justice in the electoral field is responsibility of permanent and specialised courts. The maximum authority in this matter is the Electoral Court of the Federal Judicial Branch (TEPJF), although state electoral courts also exist.

All acts and resolutions by administrative authorities (INE and OPEs) can be contested before the respective electoral court.



1

The **electoral geography** (periodic review and adjustment of the country's and states' boundary delimitation for electoral purposes).

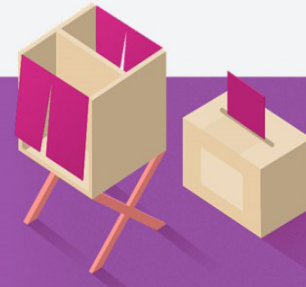


The making up and maintenance of the **voters' registry**, along with the issuance of the photo voting card.

2

3

The location of **polling stations**, as well as the designation and training of their members.

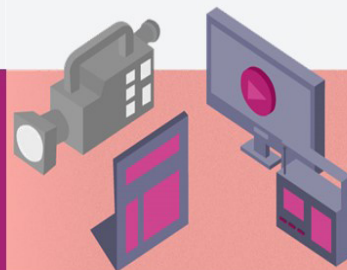


The control and oversight of the **funding** for political parties and electoral campaigns.

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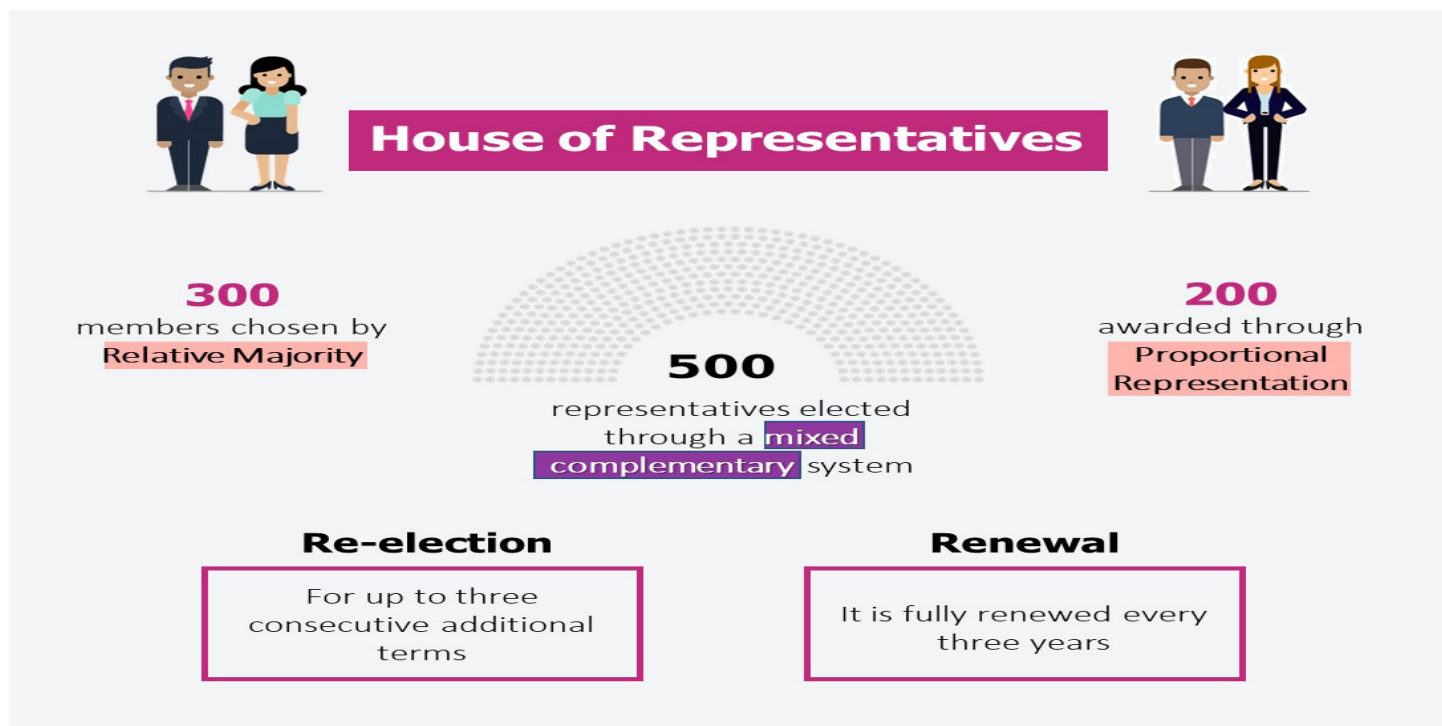
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The management and allotment of the **free airtime** to which parties and candidates are entitled to on a permanent basis.







3

CHARACTERISTICS of the SYSTEM for the composition of the HOUSE of Representatives



- It is composed of 500 representatives elected through a mixed complementary system, that is, a system whose components are related.
 - 300 are elected through a first-past-the-post (FPTP) system.
 - 200 by one of list proportional representation (PR)
 - Their re-election —for up to three consecutive additional terms— is possible from this year onwards.
 - It is fully renewed every three years.
- The 300 FPTP members:**
- Elected in an equal amount of single-member districts.
- The distribution of the 300 single-member districts along the 32 states is made according to their population size in relation with the national total; and it is periodically reviewed and adjusted—to guarantee the principle of equality of the vote—following the results of the population census.
 - By constitutional mandate, no state can have less than two single-member districts (seats in the House of Representatives).
 - The current distribution of the 300 districts along the 32 states is the result of an adjustment process (redistricting) that concluded in early 2017.
 - Independent candidacies are applicable for this post.

Other applicable rules to deputyships' (and senatorships') elections:

GENDER EQUALITY	COMMON CANDIDACIES	SIMULTANEOUS CANDIDACIES	VOTING THRESHOLD
<p>Political parties are compelled to observe the principle of gender parity when nominating their relative majority and proportional representation candidates. For the former, both candidate and substitute of each slate must be of the same gender. For proportional representation lists, the principles of sequence and alternation are applied.</p>	<p>Political parties can make up coalitions to nominate common candidacies, but only for relative majority offices. Colligated parties must submit their own lists for the PR deputyships' and senatorships' elections.</p>	<p>Political parties can include, simultaneously, up to 40 of their relative majority deputyships candidacies in their PR deputyships lists, as well as 6 of their plurality candidacies to the Senate in their national PR lists.</p>	<p>For a political party to have access to the allocation of PR deputyships or senatorships, it must obtain at least 3% of the total amount of votes cast in the corresponding election.</p>
			

The 200 PR members:

- These are elected through a system of regional party lists in five circumscriptions, among which 40 seats are equally distributed.
- Each circumscription comprises various states, and their composition is also periodically reviewed and adjusted in the interest of homogeneous electoral weight.
- Although the allocation of these seats is done in each circumscription, it is based on the votes obtained nationally by each party.
- Only political parties can submit lists for the allocation of these seats.

Additional mechanisms that govern the voting and composition system of the House of Representatives

- One single ballot paper is used to cast one single vote to choose both the FPTP and PR representatives.
- FPTP candidates appear on the obverse side of the ballot paper, while the party lists are on the reverse.
- Voters mark, solely, their preference for an FPTP candidacy. When voting for a party candidate, the vote has automatic effects for that party's list. If the vote is cast for an independent candidacy, it has no effects on the PR deputyships; it does not count for any party list.

- By constitutional mandate, no political party can attain, regardless of their margin of votes, more than 300 of the 500 deputyships. Therefore, amendments to the Constitution—which require a qualified majority of two thirds of the representatives—can only result from agreements involving parliamentary groups of two or more parties to add up the necessary votes.
- Within this parameter, and as general rule meant to further high proportionality to the relation between votes and seats obtained, a political party must not sum a number of seats that surpasses by eight percentage points the amount of votes won.
- The procedure for allocating proportional representation deputyships is based on that rule and, hence, operates in the sense of correcting imbalances in the votes-seats ratio.
- Even if with its peculiarities, this system can be considered a variation of the German personalised proportional representation model.

Other applicable rules to deputyships' (and senatorships') elections:

- Gender equality: political parties are compelled to observe the principle of gender parity when nominating their relative majority and

proportional representation candidates. For the former, both candidate and substitute of each slate must be of the same gender. For proportional representation lists, the principles of sequence and alternation are applied. In addition, three of the five lists must be headed by a woman.

- Common candidacies: political parties can make up coalitions to nominate common candidacies, but only for relative majority offices. Colligated parties must submit their own lists for the PR deputyships' and senatorships' elections.
- Simultaneous candidacies: political parties can include, simultaneously, up to 40 of their relative majority deputyships candidacies in their PR deputyships lists, as well as 6 of their plurality candidacies to the Senate in their national PR lists.
- Voting threshold: for a political party to have

access to the allocation of PR deputyships or senatorships, it must obtain at least 3% of the total amount of votes cast in the corresponding election.

Coalitions:

- These are the agreements two or more political parties subscribe—and which ought to be formalised before INE—to nominate common candidacies to relative majority elective posts (presidency, deputyships and senatorships).
- A newly created political party must participate on its own in the first federal election following its registration. Consequently, it can only be part of a coalition from its second participation in a federal election onwards.
- The law distinguishes three kinds of coalitions:
 - Total: comprises all relative majority posts,

Coalitions

These are the agreements two or more political parties subscribe—and which ought to be formalised before INE—to nominate **common candidacies** to relative majority elective posts (presidency, deputyships and senatorships).

Kinds of coalitions:

Total¹



Comprises all relative majority posts.

*300 deputyships and/or 32 binomial senatorships.

Partial



Comprises at least half the competed posts.

*150 deputyship candidacies and/or 16 of the binomial senatorships.

Flexible



Comprises at least 25% of the relative majority posts in contest.

*75 plurality deputyship candidacies and/or 8 binomial senatorships.

¹ If two or more parties decide to colligate to nominate common candidates to all plurality deputyships and/or all plurality senatorships, the coalition must also cover the presidential election.

that is, 300 deputyships and/or 32 binomial senatorships. Either option has binding effects on the candidacy for the presidency of the Republic. In other words, if two or more parties decide to colligate to nominate common candidates to all plurality deputyships and/or all plurality senatorships, the coalition must also cover the presidential election.

- Partial: comprises at least half the competed posts, that is, it can have effects over at least 150 deputyship candidacies and/or 16 of the binomial senatorships.
- Flexible: consists of at least 25% of the relative majority posts in contest, which means that it can be limited to 75 plurality deputyship candidacies and/or 8 binomial senatorships.

Partial and flexible coalitions have no binding effects on the presidential election. In any case, and within the electoral process, no political party can be part of more than one coalition.

2021 Coalitions

In terms of the upcoming elections—where only partial coalitions are possible—, six of the seven political parties that kept their registration after the 2018 federal elections, and are therefore enabled to do so, have taken part in the setting up of two coalitions:

While the National Action (PAN), the Institutional Revolutionary (PRI), and the Democratic Revolution (PRD) parties have conformed the “Va por México” coalition to nominate common candidates in 171 of the 300 relative majority districts, the Labour Party (PT), the Green Ecological Party of Mexico (PVEM), and the National Regeneration Movement (MORENA), of the “Juntos Hacemos Historia” coalition, will nominate common candidates in 151 relative majority districts.

The only political party that decided to compete on its own, despite being enabled to colligate with others, is Citizen Movement (MC).

2021 Election

COALITIONS



Va por México





Juntos Hacemos Historia



4

CHARACTERISTICS of the SYSTEMS to elect LOCAL POSTS

The constitutions and electoral laws of the 32 states are the ones that determine the features and rules of the systems to elect their authorities at the state and municipal level, which is why there are variations or differences between some of them. Nevertheless, in general terms, the following common features and elements can be listed:

States' executives (Governorships in 31 states and Chief of Government in the case of Mexico City):

- Just like the presidency of the Republic, they are unitary.
- They are chosen by an FPTP system to serve a six-year period.
- In this case, there is an express and categorical prohibition to the re-election of the person that might have been previously voted for that post.

Local legislatures (Congresses in 31 states and Legislative Assembly in the case of Mexico City):

- The amount of their members ought to be proportional with their inhabitants, meaning it varies from one state to the other. Currently, the smallest legislature is the one of Baja California—with 21 members—and the largest is that of the State of Mexico—with 75.
- In all cases, a mixed complementary system—like the one used for the House of Representatives—is used for the elections, where one segment (of over half the total of the seats) is chosen by relative majority and the other (less than half) by proportional representation.
- Even if there are variations in the procedures for

the allocation of proportional representation seats amongst the different states, by mandate of the General Constitution—and as a general rule—, no party can hold a number of deputyships which surpasses by eight percentage points that of the total votes it has obtained.

- They are fully renewed every three years and provisions for re-election are already provided for in all cases, in some for up to three consecutive periods—maximum allowed by the General Constitution of the Republic.

Municipal authorities:

- The General Constitution of the Republic stipulates that each municipality (basic territorial unit into which the country is divided for political and administrative purposes) is to be governed by a municipal council [ayuntamiento] composed of a municipal president and a set of alderpersons (whose number is established by each of the states' legislation, although in compliance with the principle of proportional representation).
- The country is comprised of 2,460 municipalities (including 16 mayoralties in Mexico City). In most of them, authorities are elected by direct and secret suffrage, although the Constitution also recognises the indigenous peoples' and communities' right to choose their authorities and representatives according to their traditional rules, procedures and practices. Hence, in many municipalities of various states—particularly in Oaxaca—alternative methods are used (which are generically referred to as customs and

usages), that do not necessarily take place on Election Day.

- Besides, the laws of some states lay out the election of authorities for smaller jurisdictions or areas into which municipalities are divided (in Campeche, municipal boards; or in Tlaxcala, communities' presidencies, for instance).
- In Mexico City, what used to be the 16 delegations are now mayoralties, in which a mayor and a council, of at least 10 members, are elected.
- In any case, the General Constitution prescribes that the states' Constitutions must guarantee the principle by which the authorities whose mandate is of no more than three years can be re-elected for one consecutive term.

In general, and considering the particularities of each case, these regulations are applicable to local elections' coalitions, on the understanding that their extent and restrictions are restricted to the corresponding territorial jurisdiction and for the posts in competition.

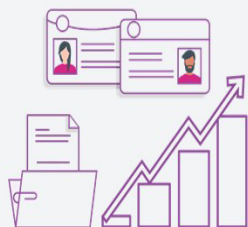
Other rules applicable to the election of state and municipal authorities.

- **Independent candidacies:** allowed for all popularly elective relative majority posts.
- **Re-election possibility:** the provisions for each specific post establish that, in the case of party candidacies—either federal or local—, is subject to the nomination being made by the same political party—or, if that be the case, any of the originally colligated parties—, unless a resignation or loss of political party membership had come about before half the term had passed.

5

THE VOTERS REGISTRY

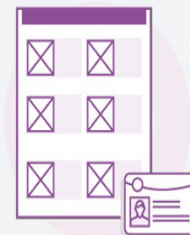
The federal registry of voters is made up of three fundamental instruments:



Electoral roll



Photo voting card



Voters' list

In Mexico, the voter registry is of a federal nature, meaning its conformation, update and filtering are INE's exclusive responsibility. Even if all Mexican persons—either born or naturalised—with an honest way of living have the right to vote once they turn 18 years old, an indispensable requirement for them to exercise it is to enrol themselves in the federal registry of voters and be in possession of their photo voting card—which INE issues for free both nationally and overseas.

Mexico's voter registration is active, meaning that citizens must personally apply to be enrolled before any of INE's registration offices or mobile units around the national territory or, if that be the case, before any of the country's diplomatic missions abroad.

The federal registry of voters is made up of three fundamental instruments: the electoral roll, the photo voting card and the voters' list.

The Electoral roll

This is the denomination by which the database holding the names and basic information of all Mexican citizens who have ever, formally and

individually, requested their enrolment for electoral purposes is known.

The registration in the electoral roll is georeferenced, which means it is correlated with the place of residence of the voter. Along the national territory, it is linked to a specific geographic area called electoral section, within which the address of the voter is located. The section is the basic geographic unit into which the country's territory is divided for electoral purposes. According to the electoral law, each section is comprised of a minimum of 100 and a maximum of 3 thousand voters grouped following the geographical contiguity of their domicile.

Photo Voting Card

Each request for electoral registration must be appropriately validated before the issuance of the photo voting card, which is an indispensable enfranchisement document whose validity is of 10 years. Aside of the exceptions foreseen by the law, any citizen who fails to bring and provide the photo voting card on Election Day will be disqualified to vote.



which the elections are conducted, for they are used to identify the voters attending the polling stations to cast their vote.

The voters’ lists are grouped by district and section, and are ordered alphabetically. The photograph included in the voters’ lists is identical to that of each voters’ current voting card. This provision is an additional mechanism to guarantee the security and trustworthiness of the voting.

The photo voters’ lists are printed in an especially manufactured security paper that prevents their forgery. They are bound and distributed according to the respective polling station where they are to be used. All the necessary geographical data for their correct identification is included on the cover of each booklet, as well as the amount of citizens—disaggregated by gender—contained in each list.

Updating and filtering

The law establishes a series of procedures and actions with the express intention of permanently updating and filtering the three instruments that constitute the voter registry so that not only do they preserve, but improve, their accuracy, precision and trustworthiness levels.

It is important to point out that it has not been possible to attain the objective of issuing a national identification document in Mexico. Hence, even though the photo voting card was initially conceived solely for electoral purposes, it has become, in practice, Mexicans main identification mean, while also being the one of broadest coverage amongst the voting population—that is, those over 18 years old. Not only is this situation explained by the multiple security mechanisms embedded in the voting card, but also because of the many facilities extended for processing and obtaining it, as well as for its great acceptance as a means of identification in multiple institutions and establishments.

It is also worth mentioning that—in order to take action towards guaranteeing the protection of personal data—, ever since January 2014, when citizens request their voting card they can decide whether they want their address to be shown or to be encrypted and hidden. Additionally, the last generation of voting cards issued since July 2014 display the voters’ photograph on the left side, in conformity with international standards for identification documents.

Voters’ lists

These lists contain the name and photograph of all duly registered citizens who are part of the electoral roll and whose photo voting card has been issued and delivered. Strictly, these are the lists upon

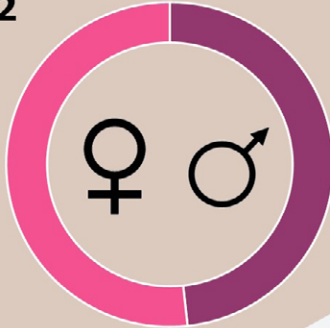
Electoral Roll

Electoral Roll is the database holding the basic information of all Mexican citizens who have requested their enrolment, in order to obtain their Photo Voting Card and thus exercise their right to vote.

94'686,022

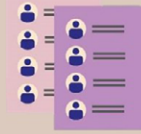
registered citizens

*Updated May 20, 2021.

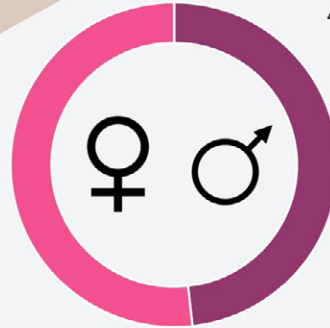


Women
48'985,224
(52%)

Men
45'700,798
(48%)



Men
45'286,481
(48%)



93'935,039

registered citizens

*Updated May 20, 2021.

Women
48'648,558
(52%)



Voters' Lists contain the name and photograph of all duly registered citizens who are part of the electoral roll and whose photo voting card has been issued and delivered.

Voters' Lists

6

THE POLITICAL Parties SYSTEM

General Political Parties' Law (LGPP, for its abbreviation in Spanish)

- Enacted in May 2014 as a result of, and in abidance with, the previsions of the constitutional reform passed earlier that year.
- Previsions related to the constitution and legal registry of political parties, as well as their rights and duties, with which both national and local parties must comply, are established in it. These previsions used to be established in the legislation of each particular jurisdiction.

DIFFERENTIATED JURISDICTIONS:

INE has jurisdiction over:

- The registry of national political parties and the acknowledgement of their rights, and guaranteeing they have access to their prerogatives.

- The control and oversight of the income and expenditures of all political parties and candidates to elective posts, even at the local level.
- The verification that the organisations intending to become national or local political parties have the required amount of members, as established in each level, and that they fulfil the requirements of the corresponding law.
- The organisation of the election of the political parties' leaders whenever an express request is filed, whose cost will be deducted from their prerogatives.

Local electoral authorities (OPEs) are responsible for:

- The registry of local political parties and the acknowledgement of their rights and the access to their prerogatives, as well as those of the candidates to local elective posts.



Partido Acción Nacional	Partido Revolucionario Institucional	Partido de la Revolución Democrática	Partido del Trabajo	Partido Verde Ecologista de México
				

Movimiento Ciudadano	Morena	Partido Encuentro Solidario	Redes Sociales Progresistas	Fuerza Social por México
				

Rules for the constitution and registry of political parties:

- The competent authority ought to be notified during January of the corresponding year (the process is only open every six years, throughout the one following that when the election to the presidency of the Republic or the governorship had taken place, respectively).
- Basic documents must be presented (Declaration of Principles, Action Programme and Statutes).
- Provide proof that the law-required—whether nationally or locally—number and territorial distribution of their members is met (whose total must be of at least 0.26% of all registered voters of the corresponding jurisdiction).
- Demonstration that the required constitutive assemblies took place.

National Political Parties

- Ten national political parties will all take part in the elections on 6 June 2021.
- The first seven of the list are those that kept their registry after the 2018 elections. The last three were added once the process for the registration of new political parties after the 2018 elections was concluded.

- As it was previously explained, six of the seven political parties—except for Citizen Movement (MC)—that retained their registry after the 2018 elections, and who are enabled to colligate, will compete in the 2021 legislative elections as members of partial coalitions.
- It will be after the 2024 elections that a new period for registration will be opened.

Local political parties

- There is a possibility that local political parties will be created and registered.

Rights, prerogatives and duties of the political parties

- From amongst their main rights and prerogatives, the following stand out:
- Permanent free access to airtime on the radio and television;
- Reception of public funding;
- Appointment of representatives before the electoral authorities;
- The formation of coalitions and fronts, as well as fusing with each other; and,
- Access to the electoral justice system for the defence of their legitimate interests.

And amongst their duties:

- Rejection of all kinds of contributions from law-forbidden sources;
- Consent to audits and verifications on their income and expenditures by INE, and the provision of whichever required documents;
- Disbursement of public funding exclusively for the purposes for which it was provided;
- Refrainment from using any expression in their political or electoral propaganda that denigrates either the institutions or other political parties, or which slanders persons;
- Refrainment from using religious symbols in their propaganda;
- Guarantee gender parity within their candidacies to elective posts; and,
- Compliance with the duties imposed on them by law regarding transparency and access to information.

Reasons for the loss of registration

- Failure to take part in an ordinary electoral process;
- Failure to obtain at least 3% of the votes cast in one of the ordinary elections;
- Discontinuance to comply with the necessary requirements for their registration; and,
- Grave and systematic non-compliance with the duties imposed to them by law.

7

Independent CANDIDACIES

An amendment to the General Constitution in 2012 acknowledged the figure of independent candidacies for elective posts at all levels of government. Although the General Law on Electoral Institutions and Procedures (LGIPE)—adopted in 2014—establishes some basic rules for their regulation, it allows local legislatures to set the criteria for the regulation of their terms, rules and requirements, including:

- The amount of support-signatures needed to request the registration to each post;
- The period to gather the required support-signatures;
- The rights and duties of the applicants;
- The registration procedure; and,
- The rights, prerogatives and duties of the registered candidates.

As a general rule, the appropriate authority (INE in the case of federal posts and local EMBs in their respective jurisdiction), must issue an official call at the beginning of each process where the following is specified:

- The requirements the applicants must comply with;
- The required probative documents;
- The periods to gather the citizens' support; and,
- The expenditure ceilings.

Complementary relevant information

- To ease both the collection of the support-signatures and back-up documents needed by the applicants to take part in the federal electoral process, and the verification process by the electoral authority, INE designed and implemented a mobile app.
- Even when local electoral authorities establish the number of required signatures for each elective post and the period for their collection within their jurisdiction, the review and validation process of those signatures is INE's responsibility.
- All activities to obtain the citizens' support must be financed, exclusively, using lawful private resources, which are subject to a 10%-limit of the corresponding expenditure ceilings in the previous electoral campaigns.
- Applicants must present an income-and-expenditures report within 30 days after the conclusion of the period provided for the collection of citizen support. These are also reviewed and assessed by INE.

2021 independent candidacies

By the end of October, INE issued the official call for the nomination of independent candidacies to the Lower Chamber elections. It established the procedures and requirements that must be met and within which periods.

The deadline to obtain the necessary citizens' support (2% of the registered voters in the corresponding district) was set to 12 February, and the expenditure (strictly from private sources) ceiling to achieve it amounts to MXN 143,211 (about USD 7,160 considering an exchange rate of MXN 20 = USD 1).

Although by 1 December 2020—the established deadline—a total of 61 persons have manifested their intention of registering their independent candidacies, only 44 did meet the requirements, of which 42 were collecting the necessary support signatures by 18 January

Although at the beginning of the period foreseen for the interested persons to formalize their manifestation of intention to seek an independent candidacy to the Lower House (December 1, 2020), 61 applications were presented, finally there were only five formulas (head and alternate) , who met all the necessary requirements to run for a federal position through an independent candidacy.

8

Parties' and Candidates' PRIVATE FUNDING Regulations

In the case of national political parties, the law recognises and regulates four private funding sources:

By their members

It is composed of individual cash or in-kind contributions and compulsory fees—both ordinary and extraordinary—imposed by political parties to their members, as well as those that only pre-candidates or candidates might contribute to their own pre-campaigns or campaigns on a voluntary and personal basis.

The contributions that political parties can impose to their members are subject to a double annual limit. One that applies to each individual, of as much as 0.5% of the previous presidential election expenditure ceiling. The other is global, since the aggregation can only add up to 2% of the total amount of public funding provided to political parties for their ordinary activities.

Likewise, the candidates' campaign contributions are subject to a comprehensive limit of 10% of the expenditure ceiling set for the previous presidential election.

By sympathisers

It includes donations that Mexican citizens residing in the country make freely, voluntarily, and personally—whether in cash or in kind—to the political party of their preference during federal and local electoral processes.

Just like the candidates' campaign contributions,

these are subject to a global limit of 10% of the expenditure ceiling set for the previous presidential election.

Self-funding

These resources are obtained by political parties through promotional activities, such as conferences, shows, games or raffles, cultural events, editorial sales and any other of the kind.

Financial profits

These are the profits from the accounts, funds or trusts that political parties can establish with financial institutions in Mexico for the investment of their liquid resources, which must be devoted to accomplish their objectives and are not protected by bank or fiduciary securities.

Moreover, the law bans any donation from the following sources for all, including independent candidacies:

- Any government authority, agency or institution of any level and under any circumstance.
- Foreign political parties and natural or judicial persons.
- International organisations of any kind.
- Judicial persons.
- People living or working abroad.

The law also prevents the request of credits from development banks to finance political activities, and forbids the reception of donations from unidentified persons.

In the case of independent candidacies, in addition to the forbiddance on accepting contributions or donations from the aforementioned sources, the law demands them to reject all kinds of economic—as well as political or propagandistic—support from any foreigner or religious minister, and also from religious associations and organisations and churches.

As for independent candidates, contributions from sympathisers and self-funding are the only sources of private funding that the law acknowledges and sets limits to during the process of collection of the support-signatures needed for their registration and campaigning.

Limits to political contributions in 2021

According to the rules set in the law, the limits established by INE’s General Council for this year’s political contributions, where elections for representatives are included, are as follows:

Concept	Amount	USD
Overall limit to contributions by political parties’ members (applicable only to political parties)	105’019,0420	5’250,952
Limit for individual contributions by political parties’ members (applicable only to political parties)		
Overall limit to contributions by sympathisers (applicable only to political parties)	42,963,332	2’148,166
Limit for individual contributions by sympathisers (applicable to political parties)	2,148,166	107,408
Limit to individual contributions by sympathisers (applicable to independent candidacies)	8,240	412
Limit to candidates’ campaign self-funding (applicable to political parties’ and independent candidacies)	164,818	8,240

9

CAMPAIGNS

AND

PRE-CAMPAIGNS

Pre-campaigns

- The pre-campaign stage or period is that during which political parties and their members, especially those aspiring to be nominated to a popularly elective post, celebrate public events or rallies to make their proposals known and obtain the necessary support for their nomination.
- In any case, pre-campaign periods are related with the internal processes conducted by political parties to choose or select—according to their own internal rules and procedures, and the applicable legal provisions—their candidates to popularly elective posts.
- While each state determines the duration of pre-campaign periods for their local elections, there is a constitutional mandate that establishes they cannot last for more than two thirds of the period determined for their campaigns (which depend, themselves, on a constitutional mandate that states the minimal and maximal periods according to the kind of election).
- In the case of federal elections, if only legislative mid-term elections take place to renew the Lower Chamber, as is the case in 2021, their maximum duration is of 45 days. When the presidency of the Republic and both Chambers of the Congress are renewed at the same time, pre-campaigns cannot last for more than 60 days.
- In any case, all political parties' pre-campaigns must take place within the same period.
- Neither aspirants, nor pre-candidates, can celebrate proselytical or propaganda activities prior to the date stated for the beginning of pre-campaigns. The breach of this provision is punished with the denial of such pre-candidate's

registration.

- Pre-campaign expenditures must respect ceilings, which are set in the electoral legislation of the corresponding jurisdiction.

Inter-campaigns

- In its most conventional sense, this is the period between the deadline for internal processes for selecting candidates—or pre-campaigns—and the formal commencement of electoral campaigns.
- Early campaign acts—such as public meetings or rallies, or the dissemination of propaganda promoting candidacies or calling people to vote—are prohibited during this period. Political parties are only allowed to disseminate general propaganda.
- This period includes those for the registration process of political parties' candidates, as well as, if that is the case, of those independents who might have fulfilled the requirements.
- The legislation of each territorial jurisdiction (federal and state) must also establish the periods and deadlines for the registry of candidacies for each kind of election.
- In the case of the 2021 federal elections, INE's General Council established the candidates' registration process—either partisan, of coalitions or independent— would take place from 22 to 29 March 2021.
- The review and approval process of candidacies for federal councils concluded on April 3. A total of 3,471 formulas were registered under the principles of majority and proportional representation, in which the INE ensured that

candidate parties and coalitions complied with the affirmative actions that were approved for this electoral process for the nomination of candidacies for indigenous people, with disabilities, Afro-Mexicans, sexual diversity and migrants or residents abroad, all under parity conditions.

third parties, and the democratic institutions and values. Their propaganda must abstain from mud-slinging any person.

- Expenditures disbursed by political parties, coalitions and candidates for campaign activities and electoral propaganda cannot surpass the ceilings set for each federal election by INE's General Council.

Campaigns

- Electoral campaign is the set of activities that political parties, coalitions and registered candidates can celebrate with the purpose of making their programmes, proposals and ideas known, and try to convince the electorate and get its vote.
- Amongst those activities with which political parties, registered candidates and their sympathisers present and promote their candidacies before the electorate, the law makes a distinction between conventional campaign acts (like public meetings, rallies or walks) and those of propaganda (which make reference to writs, publications, images, recordings, projections and expressions).
- Each state establishes the duration of local campaign periods, but a constitutional mandate dictates they must be of 60 to 90 days for governorship elections, and of 30 to 60 days for those of local representatives and municipalities.
- In the case of federal elections, when the presidency of the Republic and both Chambers of the Congress are renewed at the same time, campaigns last 90 days; while during intermediate legislative elections —as will happen in 2021— the duration is of 60 days.
- In any case, campaign activities must conclude three days before Election Day. No electoral public meetings or campaign acts are allowed, nor is electoral or proselytistic propaganda disseminated, on E-Day and the three days prior.
- The only restriction to the propaganda disseminated by political parties, coalitions or candidates during a campaign is the due respect to the private life of candidates, authorities,

Schedule 2021

Activity	Period
Pre-campaign	23 December - 31 January 2021
Inter-campaign	1 February - 3 april
Campaign	4 april - 2 june

En caso de que los actos se realicen en espacios cerrados, se recomienda, además, asegurar que estén debidamente ventilados y que las puertas y ventanas estén y permanezcan abiertas

In order to ensure that electoral campaigns are a space free of Covid-19 infections and taking into consideration both international experiences and those derived from the local elections in Coahuila and Hidalgo held in 2020, the General Council of INE approved a set of recommendations, starting with the privilege of holding events in open and well ventilated spaces, under terms such as the following:

- Avoid the use of shared vehicles for the transfer of people belonging to vulnerable groups.
- Avoid crowds to enter spaces or enclosures and establish sanitary filters for access to designated spaces in which the temperature of attendees is taken with a digital thermometer and access to people is prevented, whose do not use mouth covers or have a temperature above 37 degrees.
- Require that the speakers wear mouth covers during their speeches and that the audience keep silence to avoid the dispersion of particles.
- Encourage the use of mouth covers, the respect for healthy distance protocols and avoid bodily

contact.

- Avoid the delivery or consumption of food, as well as the delivery of promotional materials and, if applicable, sanitize them before delivery.
- Have medical equipment and sanitary services with handwash.

Sanitize the spaces both before and after the events.

In case the acts are carried out in closed spaces, it is also recommended to ensure that they are properly ventilated and that the doors and windows are and remain open.

10

PREROGATIVES AND EQUITY CONDITIONS in the COMPETITION

Public funding

It is the prerogative of all political parties—whether national or local—and independent candidates to all popularly elective posts, to receive direct public funding.

Political parties

In the case of political parties, by constitutional mandate, public funding must prevail over any other kind of funding, and is assigned under three distinct concepts:

For their permanent ordinary activities

This is of a permanent nature.

The total amount is calculated every year and is the result of multiplying the number of registered voters to 31 July of the previous year in the respective territorial jurisdiction by 65% of the valid minimum wage of that same circumscription. In the case of national political parties, the number of national voters and Mexico City's minimum wage are the values considered.

From that sum, 30% is divided equally between all political parties and 70% is allotted proportionally to their share of votes in the preceding election for the House of Representatives—in the case of national political parties—or for the state Congress—in the case of local parties.

Each political party ought to spend, annually, at least 3% of these resources for the training, furtherance, and development of women's political

leadership, and not less than 2% to carry out their specific activities as entities of public interest.

For campaign expenditures

This one is only available on electoral years.

As a general rule, during the year when the federal or local executive and legislative powers are renewed, each party is granted an additional amount equal to 50% of the public funding for ordinary permanent activities. However, when only mid-term legislative elections take place—as those of 2021—the amount is of 30% of such funding.

For specific activities as entities of public interest

This is also of a permanent nature, and is intended to support—directly and expressly—political education and training activities and social and economic research, as well as the political parties' editorial tasks.

An annual pocket of resources—equal to 3% of the total amount given to political parties for their ordinary activities—is distributed for that purpose, following the same proportionality: 30% equally and 70% according to the votes in the most recent legislative election.

2021 Public funding

Following the formula stated in the Constitution, INE's General Council calculated the following overall amounts:

National political parties

Concept	Amount	USD
Permanent ordinary activities	5,250,952,127	262,547,606.35
Campaign expenditures	1,575,285,638	78,764,281.90
Specific activities	157,528,563	7,876,428.15
Postal franchise	210,038,090	10,501,904.50
Telegraphic franchise	693,504	34,675.20
Total	7,194,497,923	359,724,896.15

for deputations was applicable, which amounted to 31'505,703 pesos (around \$ 1.57 million dollars).

By virtue of the fact that only five independent candidate formulas were registered, it was appropriate to distribute the resource pool among them, but since the campaign spending ceiling is 1,648,189 pesos (around 82 thousand dollars), when applying the rules and formulas provided by law, it has been possible for each of the formulas to be assigned public financing for the total amount of their campaign expenses.

Free access to the radio and the television

The free and exclusive access to over-the-air (OTA) radio and television (commercial, public or community) is the prerogative of political parties—whether national or local—, and of independent candidates to all popularly elective posts.

Free access is through the State's official airtime in the media, that add up to a little over 2,000 radio and almost 1,400 television broadcasters along the country. Political parties have permanent access, while for candidates is only during electoral periods.

INE is the only responsible for the management and allotment of the free official airtime meant for electoral purposes—to be used either by political parties, candidacies, or electoral authorities, to whom the right is also applicable.

Electoral official airtimes differ between:

Ordinary or non-electoral periods

- These are of slightly less six minutes in commercial television and a little under eight in commercial radio, but only three and a half minutes in public and community radio and television.
- Half of the total amount of airtime is equally distributed amongst political parties, and the other half between electoral authorities, in slots of at least 30 seconds for political parties and 20 seconds for electoral authorities, which are broadcasted from 6:00 to 24:00 hours.

Independent candidacies

- The General Constitution recognises the independent candidacies' prerogative to receive public funding for their campaign expenditures.
- The terms for the materialisation of this prerogative are established in the LGIPE, in the case of candidacies to federal posts, and the states' laws, for candidacies to local posts.
- In the case of candidacies to federal posts, the provision is to grant them, as a group, with an amount equal to that given to a newly created political party, which is of 2% of the resources for the political parties' campaign expenditures.
- Out of those resources, one third is allotted to the independent candidacies that might have obtained their registration for the presidential elections, another third for those registered to compete for the senatorships, and the last third for those competing for deputyships. If only one candidacy is registered for one kind of election, it cannot receive more than 50% of the corresponding funds.

2021 Funding for independent candidacies

Due to the fact that the June 6 elections are intermediate legislative elections, in accordance with the provisions set forth in the law, only one third of the pool of resources corresponding to the candidacies

- The messages airing order is established through a raffle, but a rotating schedule procedure is used for their allotment, so that they are all programmed during primetime.

Electoral periods

- For both federal and local processes, these are considered to go from the beginning of pre-campaigns to Election Day.
- As a general rule, they comprise 48 minutes of the daily schedule of all radio and television broadcasters.
- Three hourly minutes of electoral messages from political parties (coalitions and independent candidacies,

	Pre-campaign	I n t e r - campaign	Campaign	Reflection period and Election Day
Parties, coalitions and— only during campaigns— candidates	30 minutes	24 minutes	41 minutes	-
Electoral Authorities	18 minutes	24 minutes	7 minutes	48 minutes
Total per day	48 minutes	48 minutes	48 minutes	48 minutes

if that be the case) and electoral authorities are programmed daily between 6:00 and 12:00 hours and from 18:00 to 24:00 hours; as well as two hourly minutes from 12:00 to 18:00 hours.

- The allotment of the 48 daily minutes amongst the various beneficiaries (parties, coalitions, candidacies and authorities) throughout the electoral period varies according to several factors, of which the kind of election—federal and/or local—and the stage of the process stand out, resulting in significant differences from one situation to the other.
- In any case, the following table shows—merely for illustrative purposes—a general and typical allotment model of the 48 daily minutes per stage and actor:
- In principle, the criteria for the airtime allotment to political parties depend on the stages of the election.
- The 24 inter-campaign minutes are distributed equally between them.
- However, both the 30 minutes during pre-campaigns and the 41 during campaigns, are divided as follows: 30% equally and 70% according with their share of votes in the previous legislative election.
- If two or more parties form a total coalition, each keep their share of the 70%-proportional time during the pre-campaign and campaign stages, although the 30%-equal share is consolidated and allotted as if they were one single political party. The original political parties' airtime allotment is not modified by partial and flexible coalitions.
- Newly-created parties only take part in the allocation of the equally-distributed airtime of all three stages of the process.
- The equivalent to the airtime of a newly-created party is reserved for independent candidacies exclusively during the stage of campaigns, that is, one share of the 30% of the airtime which is equally distributed.
- As with public funding for campaign expenditures, the free airtime available for independent federal candidacies is first divided into thirds and then equally distributed amongst the registered candidacies for each federal election (presidency, senatorships and deputyships).

	Pre-campaign	I n t e r - campaign	Campaign	Reflection period and Election Day
Federal	19 minutes	15 minutes	26 minutes	63%
Local	11 minutes	9 minutes	15 minutes	37%
Total airtime	30 minutes	24 minutes	41 minutes	100%

- The model for airtime allocation is more complex when federal and local electoral process are simultaneous, as is the case of those of 6 June 2021.
- The following table is merely illustrative of the method used to allocate the airtime for political parties and, if that be the case, coalitions and independent candidacies, through the different stages of the concurrent federal and local elections:
- Representatives’ election: the limit is by district, and is the result of dividing the ceiling set for the presidential election into 300, which is the number of single-member FPTP districts of the national territory.
- Senatorships election: the ceiling is set by state, and it is determined by multiplying the deputyships’ district-limit by the number of districts of which the state is composed, although only until the amount 20, regardless of the total of the state.

Ceilings to campaign expenditures

With the purpose of guaranteeing equal conditions in the competition and to prevent that unequal access to, or availability of, resources can become a decisive factor in the likelihood of winning the citizens’ vote, the General Constitution provides that limits are to be set to the expenditures that political parties, coalitions and candidacies can disburse for every election and elective post.

It is the legislatures and electoral authorities of each jurisdiction who must establish the applicable ceilings to the campaigns (and pre-campaigns) of each kind of election.

As for campaigns to federal posts, INE’s General Council is responsible for determining the appropriate limits to each kind of elections according to the following bases:

- Presidential election: the ceiling shall be of 20% of the overall public funding established for the campaign expenditures of all political parties on the year of the presidential election.

Ceiling for the 2021 representatives’ elections campaign expenditures: 1’648,189 MXN, equivalent to 82,409 USD.

The limit applies both to partisan and independent candidacies. However, it must be noted that setting and observing ceilings for independent candidates has implications on the regulations for public and private funding.

In principle, the Constitution rule which states that public funding must prevail over the private one (designed upon political parties’ public funding) would only be relevant if the quantity of public funding for an independent candidate were more than half the limit. Otherwise, the difference between the ceiling for campaign expenditures and the sum granted as public funding is the amount of private funding (self-funding and from their sympathisers) they can gather. Consequently, the smaller the quantity of public funding a private candidate receives, the greater number of private resources will they be able to raise for campaign expenditures.

As already mentioned, for the purposes of the next elections, the five formulas of independent candidacies that obtained their registration will have public resources to fully finance their campaign expenses.

considered political or electoral propaganda or that might be related with any particular local or federal government or administration.

Forbiddance to broadcast government publicity during campaign periods

- All government publicity in radio and television is forbidden from the beginning of campaign periods—whether federal or local—and until the conclusion of Election Day, except for that related to health or education services or civil protection in emergency cases.

2021 Elections

As it has been previously mentioned, at the end of 2020, INE's General Council passed a set of "level field" agreements whose purpose is to guarantee the impartiality, certainty, and equity of the competition. One of them makes reference to the dissemination of government publicity and expressly states the following.

- I. Its nature must be institutional nature and have information, educational or social orientation purposes, so the praising, promotion or justification of any program or achievement of local or federal governments or any specific administration.
- II. It must refrain from including phrases, images, voices, or symbols that could be part of some political or electoral propaganda; nor can it include personalised propaganda elements referring to any public servant. It will not disseminate government accomplishments, public infrastructure, or even provide information meant to justify or persuade the citizenry about the pertinency of a particular administration.
- III. It must merely identify the institution by its name or official logo, without alluding any phrase, image, voice or symbol of any kind that might be

11

REGULATION OF SURVEYS AND OPINIÓN POLL

INE's General Council has the attribution to issue rules, guidelines, and criteria to be adopted by any natural or juridical person interested in conducting surveys or opinion polls during federal and local electoral processes, based on the following legal mandates:

- The publication, dissemination, or release of the results of any survey or opinion poll on electoral preferences, through any means, is strictly forbidden in the three previous days to any Election Day—whether federal or local—and until the closing of the polling sites.
- Results from exit polls or quick counts conducted during Election Day can only be released after the official polling stations' closing time, which in the case of federal elections means waiting until the most western time zones of the national territory.

In all cases:

- Natural or juridical persons with the intention of conducting survey samplings on electoral preferences or voting trends shall integrally adopt the general scientific criteria issued by INE's General Council, which is previously consulted with professionals on the matter and with organisations to which they belong.
- Whoever requests or orders the publication of any federal or local electoral survey or opinion poll—from the beginning of the process and until the polling stations' closing time—, ought to submit a copy of the whole study before INE's or the local EMB's executive secretary, respectively.
- Natural or juridical persons who disseminate

surveys or opinion polls shall submit a report, before the corresponding electoral authority—INE or local EMB—, on the resources used for carrying them out.

12

ELECTORAL

DEBATES

The general law on the matter recognises, and establishes, some basic rules for the organisation and celebration of debates between candidates to all popularly elective posts. Debates can be organised either by the corresponding electoral authorities of the jurisdiction or by national or local communication outlets.

Debates organised by electoral authorities

Federal posts

INE's General Council is responsible for organising, at least, two mandatory debates amongst all presidential candidacies, and for encouraging—through its local and district collegiate directive bodies—the celebration of senatorship and deputyship debates.

The faculties for the organisation of the mandatory presidential debates include INE's General Council determination of the rules, dates and venues, while respecting the equity principle between candidates. These debates ought to be aired by public radio and television broadcasters, although commercial operators whose coverage is of half, or more, of the national territory are also compelled to air it on at least one of their channels. The radio and television signals generated by INE for this purpose can be used, live and for free, by any interested telecommunications' operator who would also wish to broadcast them.

Local posts

The general councils of the local electoral management bodies (EMBs) are authorised to

organise—according with what is established by their respective laws—debates between candidates to the different popularly elective posts. Those of the candidates to governorships or, in the case of Mexico City, to the chief of government, ought to be broadcast by public radio and television stations of the corresponding state and INE must encourage its dissemination by other operators with local coverage.

Debates organised by the media

The national and local media are free to organise debates, as long as they comply with the following:

- The intention is informed to the corresponding electoral authority.
- The participation of at least two candidates to the same post.
- Equity conditions are established in the format

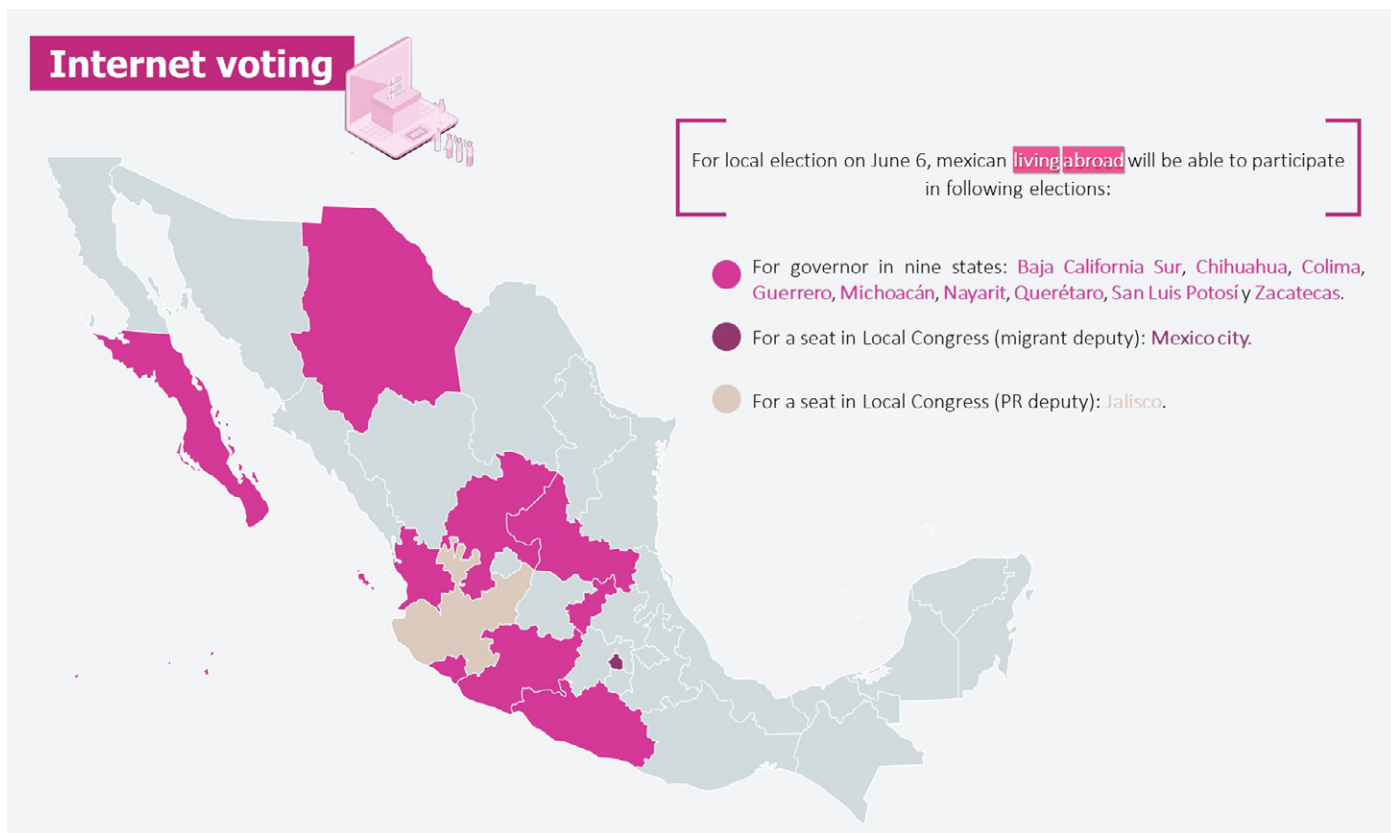
In any case:

- The media's broadcast of the debates' content ought to be for free, whole, and unaltered.
- Nonattendance by one or more of the invited candidates shall not result in the cancellation of the debate as scheduled.

13

OUT-OF-COUNTRY

VOTING



The general law on elections establishes the rules for Mexicans residing overseas to exercise their right to vote for the following elective posts:

In federal elections: for the presidency and senatorships. Hence, there will be no out-of-country voting at the 2021 federal elections, since only legislative representatives will be voted for.

In local elections, and provided it is stated in their corresponding Constitution: for governorships, or chief of government of Mexico City, and other elective posts.

For the local election of June 2021, Mexican

voters from 11 states will be able to vote overseas:

- For governor in nine states: Baja California Sur, Chihuahua, Colima, Guerrero, Michoacán, Nayarit, Querétaro, San Luis Potosí and Zacatecas.
- For a seat in the Local Congress of two states: Jalisco and Mexico City.

To be able to vote overseas, Mexican citizens are required to:

- Have their valid photo voting card. Ever since 2016, INE has been issuing this card at every Mexican diplomatic and consular office around the world. The procedure is made personally

and, according to the 2021 elections' schedule, the deadline for requesting the card was 12 February.

- Ask to be included in the List of Voters residing abroad (LNERE for its initialism in Spanish). This request is made electronically, and the period for registering for the upcoming elections began on 1 September 2020 and concluded on 10 March 2021.

Should they opt for postal voting, they will receive the necessary documents and materials at their registered domicile throughout May, and will have to send it back by mail. For the postal votes to be counted, they must be delivered in Mexico one day before Election Day.

Should voters choose Internet voting, they will have to provide an e-mail and a mobile number to which both the passwords and the necessary information to access the system and cast their vote will be sent no later than 7 May. Since it is an innovation, the system will be open for acquainting with it between 8 and 19 May. Then, from Saturday, 22 May, at 20:00 CDT (UTC -5) until Sunday, 6 June, at 18:00 CDT (UTC -5), the system will be available for voting.

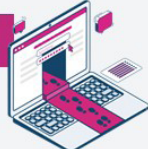
The period to request registration to vote abroad in the 11 local elections in which it is appropriate to do so in 2021, ended on March 12 and a total of 33,698 female and male voters were registered, of which 67% (almost 22,600) chose to do it via the internet, while the remaining 33% (just over 11 thousand), preferred to do it by post.

Internet voting

One of the greatest novelties of the 2021 elections is that out-of-country voters will be able to cast their vote over the Internet. Even if Mexico City was pioneer in adopting a mechanism for overseas Internet voting in 2012, this will be the first time a far-reaching programme designed by INE will be implemented. The only model IFE/INE had used before was postal voting.

Now, when registering to the LNERE, the voter will choose between postal or Internet voting.

What is electronic voting online?




It consists of casting the vote through the **Internet Electronic Voting System** for mexicans **living abroad**, which guarantees the secrecy of votes, as well as the transmission, storage and counting of such votes using electronic means.


Electronic voting is an additional modality to **postal voting** and will be implemented in 11 states:

For governor


Baja California Sur




Chihuahua




Colima




Guerrero




Michoacán




Nayarit




Querétaro




San Luis Potosí




Zacatecas






For local Congress (migrant deputy)


For local Congress (PR deputy)



Mexico city



Jalisco



14

ELECTORAL OBSERVERS AND FOREIGN VISITORS

According to the law, participation as electoral observers throughout the preparation and development of federal and local processes—as well as during any direct democracy process—is an exclusive right of Mexican citizens.

People from other countries interested in learning themselves about the development of electoral processes in Mexico are designated foreign visitors.

Electoral observers

Mexican citizens must comply with the following requirements to exercise their right to participate as electoral observers:

- Timely authorisation by the appropriate electoral authority (INE in the case of federal electoral processes).
- Submit—either personally or through an organisation of which they are members—an individual registration request where, aside of providing or attaching the necessary documents, they commit themselves to abide by the principles of impartiality, objectivity, certainty, legality, and non-partisanship or political bias.
- Attend the training, preparation or information courses imparted by the appropriate electoral authority or by the observer organisation to which they belong.

Electoral observers



Participation as electoral observers throughout the preparation and development of federal and local processes—as well as during any direct democracy process—is an exclusive right of **Mexican citizens**.

Observers can:

1

Carry out their activities in any part of the **national territory**.



2

Request the **information** they need for the better development of their activities from the appropriate electoral authority.



3

Submit **reports** before the electoral authority on their activities.



They are forbidden from...



Substituting the electoral authorities or **hindering** their activities.

Proselytising in any way or **favouring** any political party or candidate.

Expressing any kind of **offense, defamation** or **calumniation** against institutions, electoral authorities, political parties or candidates.

Declaring the victory of any political party or candidate.

They are forbidden from:

- Substituting the electoral authorities or hindering their activities.
- Proselytising in any way or favouring any political party or candidate.
- Expressing any kind of offense, defamation or calumny against institutions, electoral authorities, political parties or candidates.
- Declaring the victory of any political party or candidate.

Observers can:

- Carry out their activities in any part of the national territory.
- Request the information they need for the better development of their activities from the appropriate electoral authority.
- Submit reports before the electoral authority on their activities according to the terms and deadlines established by INE's General Council. Under no circumstances do their reports, discretion, opinions, or conclusions have any legal effects on the electoral process or its results.

Observer organisations are compelled to declare, through a report before the General Council within 30 days of Election Day, the source, amount, and destination of the funding obtained for carrying out their activities.

The deadline for registering as observers for the elections of June 2021 is 30 April.

Foreign visitors

The presence and authorisation of other countries' nationals interested in learning about the development of federal and/or local electoral processes is governed by a set of bases and criteria established in the Elections' Regulations, and is subject to the issuance of an official call from the appropriate authority's—federal or local—General Council.

The attribution to establish those bases and

criteria—for inviting, attending, and informing, as well as to issue the official call and carry out the authorisation procedures, which are extended to concurrent local elections—for each federal process is INE's General Council. In other words, the official call and authorisation by INE suffice to be present at and learn about local electoral processes taking place on the same date as federal elections.

For interested non-Mexican persons to obtain the authorisation, they ought to:

- Duly and timely complete the appropriate request format, which is available both on INE's website and at all its offices around the country, as well as at Mexico's diplomatic offices overseas.
- Seek no profit from the exercise associated to such authorisation.

Authorised foreign visitors can:

- Attend, learn about, and enquire about the different phases and stages of the electoral process.
- Request interviews or information meetings with the appropriate electoral authorities, of which they might obtain guidance or complementary information on the electoral rules, institutions, and procedures.
- Learn about the political parties', coalitions', and candidates' plans for the electoral process, and receive the appropriate documents they deem suitable.

In addition to the compliance, at all times, with Mexican laws, some of the things they must refrain from are:

- Substituting the electoral authorities or hindering their activities.
- Proselytising in any way or favouring any political party or candidate.
- Carrying out any activity that might disturb the electoral competition's equity.
- Expressing any kind of offense, defamation or calumny against institutions, electoral authorities, political parties, or candidates.

- Declaring the victory of any political party or candidate.
- Wear emblems or symbols related with any political party, coalition or candidate.

The period for foreign visitors to apply for authorisation to be present at 6 June elections started in September 2020, and will conclude on 25 May.

Foreign visitors



People from other countries interested in learning themselves about the development of electoral processes in Mexico are designated foreign visitors.

Authorised foreign visitors can:

1

Attend, learn about, and enquire about the different phases and stages of the electoral process.



2

Request interviews or information meetings with the appropriate electoral authorities, of which they might obtain guidance or complementary information on the electoral rules, institutions, and procedures.



3

Learn about the political parties', coalitions', and candidates' plans for the electoral process, and receive the appropriate documents they deem suitable.



They are forbidden from...



Substituting the electoral authorities or hindering their activities.

Proselytising in any way or favouring any political party or candidate.

Carrying out any activity that might disturb the electoral competition's equity.

Expressing any kind of offense, defamation or calumny against institutions, electoral authorities, political parties, or candidates.

Declaring the victory of any political party or candidate.

Wear emblems or symbols related with any political party, coalition or candidate.

15

LOCATION AND MAKING UP OF POLLING STATIONS

In Mexico, polling stations are called *casillas*.

The division of the national territory into electoral sections is key to establish the number and location of the polling stations to be installed for each election. One electoral section is a geo-referenced territorial unit which encompasses a minimum of 100 and a maximum of 3 thousand voters. Currently, the country is divided into 68,806 sections.

It must be highlighted that, by constitutional mandate, INE is the sole responsible—both for federal and local elections—for deciding everything related with the location of polling stations, as well as with the selection and training of polling officers. Therefore, the following rules and procedures are applicable, in essence, to all kinds of elections. However, it is worth keeping in mind that, whenever federal and local elections are simultaneous in one state, a variation takes place in terms of the designation and composition of the polling stations, which is known as joint polling station.

Location

By law, one polling station must be installed for every 750 voters, so the installation of one to four polling stations is customary within one section. Whenever two or more polling stations are installed in one section, they must be located contiguously and the voters' list must be alphabetically divided. Each registered voter in the country is assigned to a specific electoral section and, in general, must vote at one predetermined polling station located within that section.

The law establishes the precise procedure by

which the number and location of the polling stations is determined, stating that they are installed in places that meet the following requirements:

- The voters' free and easy access is possible;
- The appropriate installation of booths or modular equipment that ensure votes are cast in secrecy;
- The property must not be inhabited by second-level public servants;
- The property must not be inhabited or owned by political parties' leaders or registered candidates;
- The property must not be a factory, a temple or religious venue, or political offices;
- The location must not be a saloon, vice centre or the similar.

Additionally, it is recommended that the following considerations are factored in whenever possible:

- That security conditions are guaranteed;
- Easily identifiable by the citizenship;
- Well-ventilated and well-lighted spaces;
- Providing protection against unfavourable climate conditions; and,
- Without obstacles for easy access and transit of persons with disabilities.

Under this logic, while the installation of polling stations take place in locations that comply with the mentioned requirements and criteria, the preference order is as follows: schools, public offices, public spaces, and private residences.

Kinds of polling stations or *casillas*

Conventionally, polling stations used in an ordinary election are denominated as:

Kinds of polling stations or *casillas*

Basic



The first one to be installed in a section.

Contiguous



Those additional to the basic one to be installed in a section—adjacent to the basic polling station according to the number of registered voters and in alphabetical order.



Extraordinary



Are the ones installed in different locations—although within the same section—due to geographical, infrastructural, or socio-cultural conditions that make access of all voters to the same location difficult.

Special



Those are expressly installed to receive the votes of the so-called voters-in-transit (who need not provide any justification to access them).

- Basic: the first one to be installed in a section.
- Contiguous: those additional to the basic one to be installed in a section—adjacent to the basic polling station according to the number of registered voters and in alphabetical order.
- Extraordinary: are the ones installed in different locations—although within the same section—due to geographical, infrastructural, or socio-cultural conditions that make access of all voters to the same location difficult.

Although the general rule is for voters to cast their vote at one particular polling station according to their address, the law also considers—for federal and concurrent elections—the possibility that voters who are unable to reach those polling stations on Election Day attend to the special polling stations. Those are expressly installed to receive the votes of the so-called voters-in-transit (who need not provide any justification to access them), are limited in number—only a maximum of 10 special polling stations are allowed per electoral district—, and equipped for the rigorous verification of the voters'

registration and identification before admitting them to vote.

A 2021 elections' novelty is that INE's General Council passed an agreement by which the number of ballots available at each of these polling stations went from 750 to a thousand. This makes it possible for a greater amount of voters who might not be near their jurisdiction to cast their vote. However, it must be noted that at federal Lower Chamber elections, voters can only attend a special polling station either within their district or at any of the states within their multi-member circumscription. In the former, their vote is valid for both the single-member and proportional representation candidates; while in the latter, only for the proportional representation ones.

It is important to clarify that joint polling stations—those installed for concurrent local and federal elections and where voters cast their vote for both at the same polling station—can, if needed, adopt any of the previously described types.

Composition

One of the distinguishing features between any kind of ordinary polling station and joint polling stations is the amount of their members. While an ordinary polling station is made up of four polling officers (one president, one secretary and two scrutineers), joint polling stations—where federal and local votes are received and counted—are composed of, at least, six (one secretary and one scrutineer are added to take over the local election). In any case, three general substitutes are designated to both kinds.

Since both the federal and local legal frameworks recognise, regulate, and—if that be the case—establish the simultaneous celebration of direct democracy mechanisms and their respective electoral processes, the electoral law provides for the possibility of increasing the number of polling officers should such circumstance arise for the expedite and easy management of those instruments.

In all cases, the procedure by which the members of the so-called polling station directive boards (mesas directivas de casilla) are selected relies on an absolutely random double lottery with which the utmost impartiality and transparency is sought, and whose particularities are:

- They are citizens that ought to be registered voters of the corresponding electoral section, that is, they are neighbours of the vicinity; and is usual that voters are familiar to those in charge of receiving and counting the votes.
- Hence, the double lottery used for their selection is based on the voters' lists of each electoral section.
- At the first lottery, the criterion to draw a minimum of 50 voters from each electoral district voters' list is their birth month.
- Citizens selected in the first lottery receive a training course from INE.
- A relation of the suitable citizens who passed the training course and have no impediments to be polling officers is made by INE.
- It is through the second lottery, in which the

criterion is the initial letter of their first surname and where those of a higher level of education are preferred, that citizens are selected to be polling officers.

- INE notifies of the citizens' selection in person and administers an oath to them.

Representatives of political parties and independent candidates at the district level can observe the due development of this procedure, and, if they deem necessary, contest the selection of the citizens who might not comply with the lawful requirements to be polling officers.

It is estimated that for the purposes of the election day on June 6, around 163 thousand polls will be installed throughout the national territory.

16

ELECTION

Day

Basic references

- There is one specific ballot paper with a distinct colour for each kind of election, which makes them clearly distinguishable.
- Ballot papers—like other sensitive electoral documents—have multiple security measures that guarantee they cannot be forged.
- The order of political parties on the ballot is according to their registration date. That very order is used for all institutional or formal purposes.
- In case of electoral coalition, each colligated political parties' name and emblem are preserved and appear separately on the ballot. Coalitions made by two or more political parties have no effect in the design and format of the ballot papers, except for the name of those registered as common candidates appearing under the emblem of each colligated party.
- Although the vote for all elections is categorical or unique—in the sense that it is only valid when the preference for a party or independent candidate is express—, for a common candidacy, a vote is valid even if the preference for the different colligated parties is marked. In that case, the vote is counted as valid for the common candidacy and then a procedure is applied to ensure it is only added once to one of the colligated parties, and not multiple times.
- There is also a specific ballot box where the votes for each election are placed. While the ballot boxes are transparent, they have a stripe with a clear indication—written and by colour—of the respective election.

The electoral documents and materials that

will be used at polling stations must be delivered by INE to each of their presidents within the six previous days to Election Day. A Braille ballot guide is included in the materials to ease that persons with visual impairment can vote.

Political parties and independent candidates have the right to appoint representatives at the polling stations. In case of a concurrent election (joint polling station), one federal and one local representative—and their substitutes—can be appointed.

Throughout Election Day, presidents of the polling stations are the maximum authority on site, and must uphold order and secure the voters' free access and that votes are cast in secrecy. For that purposes, they can, at all moments, request the assistance of the security forces.

Installation of polling stations

- Polling officers must arrive at the location of the polling stations by 7:30 in the morning, when they must begin the preparations for their installation in the presence of the representatives of political parties and independent candidacies that might be there at that time.
- The necessary formalities for the installation of the polling station and commencement of Election Day can only take place once all members are present (four in the case of ordinary polling stations, and six for joint polling stations).
- In case the selected citizens are absent, the law provides alternative mechanisms that can be applied to guarantee that a polling station can be installed at 10:00 hours at the latest, for which, in the presence of a notary public, polling officers are designated from amongst the

citizens already in line to vote who are included in the corresponding electoral section voters' list.

- Under no circumstance can the representatives of political parties or independent candidacies carry out the activities of a polling officer.
- Polling stations can only be installed in a location different to the already approved for a set of express lawful reasons. In any case—and to prevent it from being a cause for annulling the votes cast—the alternate site ought to be located within the boundaries of the same electoral section.

- The representatives of political parties and independent candidacies can cast their vote at the polling station where they are appointed.
- Once the voting has begun, only a cause of force majeure can suspend it. The president of the polling station must immediately inform INE's district council of the situation, who is the only one with the attribution to decide whether the voting is resumed or not and to take any appropriate measures.
- Voting closes at 18:00 hours, although all voters still in line at that time must be allowed to vote.
- Voting can only be closed before that hour if all of the citizens in the voters' list have cast their vote.

Commencement and development of the polls

- Once all polling officers are present, a certificate containing the data common to all elections must be filled in—along with information like the amount of ballot papers received for each election and their consecutive numbers, and that ballot boxes were unfold and assembled in the presence of polling officers and representatives to verify they were empty—and signed.
- Upon the filling of the certificate, the voting begins, although not before 8:00 hours.
- Voters cast their votes in the same order they arrive to the polling station, although priority is given to persons with disabilities, the elderly and pregnant women.
- Voters must produce their photo voting card, which is collated against the voters' list.
- Voters must receive a ballot paper for each kind of election, go to the booths to mark them in secrecy, and deposit each in the corresponding ballot box.
- Voters who cannot read or who are physically unable to mark their ballots, can be accompanied and assisted by someone they trust.
- A Braille ballot guide will be available for voters with visual impairment who can use it.
- As additional measures to prevent multiple voting, a mark is made to both the voters' list and the photo voting card before returning the latter to a voter, and the voter's right thumb is impregnated with indelible ink.

17

SCRUTINY AND INITIAL TALLY OF THE VOTES

- As soon as the voting is closed, the polling officers must begin counting and tallying the votes cast.
- At joint polling stations, the federal and local scrutiny and tallying procedures are made separately, although simultaneously, in the following order:

Federal elections:

- Presidency
- Senatorships
- Deputyships
- Direct democracy mechanisms

Local elections:

- Governorship
- Deputyships
- Municipalities
- Direct democracy mechanisms

Scrutiny and tallying certificates

There must be a scrutiny and tallying certificate for each election, which has to be signed by all polling officers and the representatives of political parties and independent candidacies, and must reflect the following information:

- The amount of votes cast in favour of each political party or candidacy. If a voter marked its preference for two or more colligated parties, the already established procedure to decide for which party is the vote counted as valid must be

applied.

- The amount of unused ballot papers (which must be invalidated with a double diagonal line and deposited in a separate envelope).
- The amount of null votes.
- The amount of representatives of political parties and independent candidacies who voted at the polling station while not being in the corresponding voters' list.
- A relation of any incidents that might have arisen.
- A relation of the written objections submitted by the representatives of parties and candidates in relation with the scrutiny and tallying.
- The representatives of parties and candidates can sign the scrutiny and tallying certificates under protest, and must point out their reasons for doing so. Shall they refuse to sign the certificates; it must also be recorded.
- The representatives of parties and candidates have the right to receive a copy of the scrutiny and tallying certificates.

Invalid votes

Votes are considered null if:

- There is no mark in any of the boxes containing a political party emblem or the name of an independent candidacy. This criterion includes—in addition to the conventionally called void votes—the ballot papers marked with contents (drawings, phrases or legends) that do not allow for the voter's intent or will to be established. In this regard, it is important to highlight that the jurisprudence of the Electoral Court of the

Federal Judicial Branch favours an interpretation as broad as possible of the voters' intent when marking the ballots and prevent the annulment of votes.

- The boxes of two or more political parties that are not part of a coalition are marked; as well as if the boxes of a political party and an independent candidate are marked.

Polling officers have the power to decide the validity or nullity of the votes cast under their jurisdiction, for which they are provided with guidelines prepared by INE. Their verdict can be revised, and modified, in the ulterior counting sessions or as a result of electoral courts' resolutions.

Polling stations files

Once the scrutiny and tallying of all elections is finished, a polling station file is put together with the scrutiny and tallying certificates and the written objections. In the case of joint polling stations, there are two files, one on federal elections and another on local elections. Files are then placed inside a package, along with other complementary polling station documents—amongst which are the valid and null votes, and the unused ballot papers of each election, all of them classified in different envelopes—, to be immediately transported and delivered to the appropriate electoral management body.

For the inviolability of the documents inside the package to be guaranteed, its seals must be signed by the polling officers, as well as by the representatives of political parties and independent candidates who would so wish. Federal elections' packages must be sent to the corresponding district council venue.

18

PRELIMINARY

RESULTS

From the moment polling stations are closed and Election Day concludes, several tools and mechanisms begin to operate for the crucial function of attending the natural and legitimate expectations of contenders and stakeholders—as well as of any interested person and the public opinion as a whole—, of having information on the voting results and tendencies.

It is important to notice that, except for the posters and announcements—which the law establishes that must be displayed outside the polling stations after their closure—where the voting results at each polling station are published, the rest of the mechanisms to make the voting results, or tendencies, known can only start the public dissemination of their information after the legal time for the closing of all the polling stations (18:00 hours) installed for the respective election.

This means that, since federal elections take place throughout the national territory, any information on the voting results or tendencies obtained by any mechanism, can only start to be disseminated once the polling stations installed at the most western time zone of the country—which has a two-hour delay from that of the Central Time (CT)— have closed, and that happens at 20:00 CT of the country's capital.

In the case of local elections' information, the dissemination can begin at the time set for the closure of polling stations installed within their

jurisdiction, that is, at 18:00 hours of their own time zone.

Information sources on voting results and tendencies

On the understanding that the only official and lawful information on the elections' aggregated results is the one from the scrutiny and tallying sessions conducted by the electoral authorities—which in the case of the federal elections begin at the district level on the Wednesday after Election Day—, a distinction must be made between two unofficial and non-legally binding initial sources of information on voting results and tendencies.

Institutional

In addition to the legal mandate by which the voting results of a polling station must be displayed—upon its closure—in a visible place outside the station by the presiding polling officer, the electoral authorities have the power to operate two distinct mechanisms to provide, on the one hand, preliminary electoral results and, on the other, voting tendencies according to the polling stations' scrutiny and tallying certificates.

Preliminary electoral results programme (PREP, by its acronym in Spanish)

PREP is an institutional information mechanism which—using a software and the most recent developments on information technologies—allows for the data on the scrutiny and tallying certificates

of each polling station to be trustworthily captured, safely stored, instantly transmitted, accurately verified, and publicly disseminated to provide preliminary electoral results. As a matter of fact, since the first copy of the scrutiny and tallying certificate is exclusively dedicated to the PREP, it is expressly labelled as “Acta PREP” (PREP Certificate).

PREP’s current design and development—for it has been operating since 1994 and has undergone changes and innovations—considers the possibility of the direct capture and transmission of an image of the PREP certificates at the polling stations using a mobile application operated by the personnel INE hires and qualifies as electoral supporting and training staff. Wherever feasible, it ought to significantly ease and speed up the operation of the subsequent phases of the programme.

Alternatively, PREP certificates are received and digitalised at the so-called Centres for Data Collecting and Transmission (CATD, by their initialism) upon the delivery of the polling stations’ files and packages at the venue of the appropriate electoral authority (district councils in the case of federal elections). It is important to mention that, from the moment when polling stations are closed—and depending on their location with respect to that of the respective district council—, presiding polling officers ought to deliver the files and packages—where the PREP certificates are included inside a separate envelope—within a 24-hour period.

In any case, PREP certificates’ data and images are primarily registered and reviewed at the respective collecting centres, they are then transmitted to a centre for the reception and recording of images and data—where they are readied for their publication and dissemination—so that the principles of security, transparency, trustworthiness, credibility and integrity are guaranteed.

For these purposes:

- PREP’s dissemination of the results of federal elections—the data and images from the individual polling stations, and their aggregation

at different levels up to the national—starts at 20:00 hours CT, and is systematically updated throughout the 24 hours that follow.

- In the case of local elections, PREP’s operation begins at 18:00 hours, local time, and also through the subsequent 24 hours.

Quick counts

Even though quick counts are usually associated with mass media consortia, groups of observers, or other electoral stakeholders, in Mexico, the electoral authority has the lawful power to conduct, if deemed viable, its own quick counts.

In terms of the 2021 elections, not only has INE’s General Council decided to carry out a quick count for the 300 single-member districts of the Lower Chamber election, but—making use of its lawful power to attract functions from the local electoral authorities—has also agreed to undertake the quick counts for the 15 governorships that will also be elected that day; all of which are expected to be disclosed on Election Night.

Non-institutional

- The possibility for natural or juridical persons the disseminate their forecasts or estimations on the results of the elections is opened from the moment stated by the law for the closing of the polls—invariably on 18:00 hours local time, although a two-hour difference with the polling stations at the most-western time zone of the country must be considered for federal elections, and, therefore at 20:00 hours CT.
- Natural or juridical persons interested in carrying out any kind of exit poll or quick count must register their intention, not later than 10 days prior to Election Day, by submitting a written document before the appropriate electoral authority—in the case of concurrence between local and federal elections, like 2021’s, INE’s executive secretary. They must also integrally adopt the general scientific criteria issued for that purpose by INE’s General Council.
- A list of the registered natural and juridical

persons to conduct exit polls or quick counts must be published at the website of the appropriate electoral authority before Election Day.

- Additionally, natural or juridical persons who publish, request or order the publication of any exit poll or quick count from the official closure of the polling stations and until three days after the corresponding Election Day, must submit, within 5 days of its issuance and before the appropriate authority—either INE's or the respective local electoral management body's executive secretary—, a complete copy of the study supporting the published information.

19

OFFICIAL TALLY AND RECOUNTS OF THE VOTES

In the case of federal elections—and almost all local elections—the results are official and legally valid after the formal review, validation, and aggregation procedure, which begins on the Wednesday following Election Day. The federal procedure starts at the district level and, according to the kind of election, is extended to the state or circumscription. The procedure for local elections starts at the municipal or district level, and its extension to other levels depend on the kind of election.

It is important to note that, even if the reception of votes and initial scrutiny and tallying of the concurrent local and federal elections are parallel and happen in the same place—the joint polling station—the procedures that follow—starting with the delivery and safekeeping of the polling stations’ files and packages—take place separately and at the venues of or by the appropriate electoral authorities: INE for federal elections, and the respective OPLE for the local ones.

Moreover, even though it is generally true that the procedures applicable through the federal and local post-electoral stage—from the official tallying to the elections’ declaration of validity, and the contestation system—are inspired by the same principles, pursue the same purposes, and are notably affinitive, so that they are governed by distinct legal frameworks with some variations or differences.

Therefore, unless otherwise is expressly noted,

all mentions to regulations and procedures in this section—and those related with it in the following—will essentially refer to those applicable to federal elections, including presidential and senatorship elections, on the understanding that they are not relevant for the 2021 elections, since only the Lower Chamber will be renewed.

Should the characteristics and details of the regulations and procedures of a given local electoral process be of our readers’ interest, we would advise the consultation of the appropriate legislation.

It is important to make mention that, according to the kind and principle of the federal elections, the tallying of their results—which implies, from the administrative point of view, their formal aggregation, review, and validation—and safeguarding the resources that representatives of parties and candidates might submit to contest them, can occur in up to three differentiated moments and levels as follows:

- District tally: final for FPTP deputyship and presidential elections.
- State tally: final for FPTP senatorship elections.
- Circumscription tally: final for PR deputyship and senatorship elections.

In the case of FPTP deputyships and senatorships, the appropriate INE council—district for the former, and local for the latter—ought to verify, during the respective final tally sessions, that all electoral

legal requirements were met and that all winning candidates—and their substitutes—comply with the eligibility qualifications.

Furthermore, upon the verification of such qualifications, the council's chairperson must issue the corresponding declaration of validity, as well as the majority and validity certificates to the winning formula—FPTP deputyship's candidate and substitute—or formulae—FPTP and/or first minority senatorships' candidates and substitutes—, unless any of them would turn out to be ineligible. The declarations and certificates issued by INE can be modified because of resolutions by the Electoral Court of the Federal Judicial Branch on the contestations presented by the parties' and candidates' representatives against the tallies.

In the case of proportional representation deputyships and senatorships, it is only after the resolution of the contestations that INE's General Council issue the corresponding certificates to political parties.

The case of the presidential election is different, for it is the Superior Courtroom of the Electoral Court of the Federal Judicial Branch which, directly, issues both the report and the declaration of validity of the election, and the president-elect certificate. Notwithstanding that, INE's executive secretary must report to the General Council on the aggregate of the voting—per party and candidate—based on the certified copies of this election's district tally on the next Sunday to Election Day.

District tallies

This is the first link in the process for the results' review, validation, and aggregation. These tallies start at 8:00 hours of the next Wednesday to Election Day at each of the 300 electoral district venues, which coincide with the constituencies into which the country is divided to elect the FPTP federal deputyships.

In rigour, district tallying is the district councils' aggregation of the results stated at the scrutiny and tallying certificates of the polling stations installed

within their jurisdiction for each of the elections that took place. In consequence, should there be no discrepancies between the stated data in the certificates—or evidence of any irregularity—, the tallying is limited to the aggregation of the voting data in each of the official certificates.

Notwithstanding, there are express circumstances under which the law provides for a polling station's new scrutiny and tallying, or even for the recount of all the polling stations in a district.

New scrutiny and tallying process of the votes of a polling station

It takes place when:

- The indispensable certificates for the tallying are not available: one which ought to be in power of the council's chairperson and the one which should be part of the polling station's file.
- The results on the certificates do not match.
- Evident modifications are detected to the certificates which might cast doubts on the result.
- The amount of null votes is greater than the difference between the two most-voted candidacies.
- All the votes are cast for one single party or candidate.

Total recount of the votes at the district's polling stations

It can be decided either at the beginning or the end of the corresponding district tally session, due to the following reasons:

- At the beginning of the session: if there is any indication that the vote difference between the presumed district winner and the second most-voted candidate is equal to—or less—than one percentage point, and there is an express request from the representative of the party or candidate in the second position.
- At the end of the tallying session: if it is established that the difference between the presumed district winner and the second most-voted candidate

was equal to—or less than—one percentage point, and there is an express request from the party or candidate in the second place.

Additional information about district tallies

- The tallying of the federal elections ought to follow a specific order: firstly, the presidential; then that for deputyships; and lastly, the one of senatorships.
- At each election's tally, the votes cast at special polling stations and the out-of-country postal votes are also added.
- The law orders district tallies to be conducted uninterruptedly and to, in all cases, be concluded before the next Sunday to Election Day. Given the volume and time needed for a districtwide total recount (an average of 500 polling stations are installed in one district), due provisions—like working groups to distribute the workload—are taken to comply with those legal conditions.
- During the tally sessions, parties' and candidates' representatives before the district council can raise objections to their development and their consequent legal effects—which are duly registered in the corresponding circumstantial certificate to safeguard their right to file the impugnments they deem relevant before the Electoral Court. However, under no circumstance can the Electoral Court be asked to undertake a vote recount of the polling stations that have already been subject to this procedure at the district tallies.

Upon the conclusion of the tallying session, the chairperson of the district council must:

- Put together a file for each of the elections, although differentiating between the FPTP- and PR-deputyships and senatorships, and refer them to the appropriate authorities.
- Display the results of each election's tallies outside the councils' venues.

State tallies (non applicable for the 2021 elections)

They take place at 8:00 hours on the next Sunday to Election Day at the 32 INE's local councils' venues.

The state tally is the aggregation by INE's local councils of the results reported on the tally district certificates under their jurisdiction—from a minimum of two in the states of Baja California Sur, Campeche, and Colima, up to the forty of the State of Mexico—in relation with FPTP- and PR-senatorships.

In this case, unlike districtwide tallies, the procedure is simpler because it is carried out upon the certificates issued at the district level, and because any possible anomaly or disparity in these elections' scrutiny and tally that might have happened at the polling stations should have been repaired in the previous phase, so no scrutiny and tally procedure needs to be repeated. Notwithstanding that, the law does provide for the possibility of a vote recount, although it would be partial and automatic.

Partial and automatic recount

If, once the tally of the FPTP-senatorship certificates sent by the district councils is completed, it is determined that the difference between the winning and the second most-voted formulae is of one percentage point—or less—, the law orders the recount of only the senatorship votes from up to 10% randomly-selected—through the application of a statistical method—polling stations, for which the arrangements on INE's General Council agreement on the matter must be abode.

Since the polling stations' electoral packages are kept and safeguarded at the district level, the recount is carried out by the district councils at their own venues. In the meantime, a recess is called at the state tally session, and is resumed once the recount is concluded.

Additional information on state tallies

- Parties' and candidates' representatives can also raise objections—which must be set down in writing on the corresponding circumstantial

certificate—during these tally sessions, while safeguarding their right to submit the impugnments they deem relevant before the Electoral Court against the FPTP-senatorships tallies and their respective legal effects.

- Since three FPTP senatorships—the two most-voted party, coalition, or independent formulae, and the second most-voted party, coalition, or independent formula—are elected at each state, local councils ought to verify they all comply with the eligibility qualifications and, if that be the case, issue the appropriate declarations of majority and validity.

At the end of the tallying session, the local council's chairperson must:

- Post a visible announcement outside the council's venue with the results of the senatorships elections by both principles.
- Dispatch certified copies of the tally sessions—along with all relevant documents—to the Senate (declarations of majority), the Electoral Court of the Federal Judicial Branch (written objections and impugnments submitted), and INE's executive secretary.

Circumscription tally

For the allocation of the 200 proportional representation deputyships, the country's territory is divided into five circumscriptions or regions—composed of contiguous states with a similar electoral weight with which the equality of the vote would be guaranteed.

INE's General Council chooses one capital city in each region as the circumscription's seat, and the corresponding local council is, hence, also responsible for the regional tally—which is also carried out on the next Sunday to Election Day as soon as the state tally concludes.

In this case, the tallying procedure is strictly limited to adding up the results recorded on all the

district tally certificates of the circumscription and putting together the respective file to be dispatched to INE's executive secretary.

It is INE's General Council alone who can allocate proportional representation deputyships and senatorships to the corresponding political parties and issue the appropriate certificates, although that happens only when the Electoral Court of the Federal Judicial Branch has resolved the impugnments presented against the tallies of the deputyships and senatorships elections. In terms of the 2021 Lower Chamber elections, this ought to happen on 23 August at the latest.

CONTESTATION OF RESULTS FROM TALLY SESSIONS

The General Law on the System of Impugnation Means on the Electoral Matter expressly provides for a trial—known as motion of dissent, and whose purpose is to guarantee the constitutionality and legality of INE’s actions and resolutions—which political parties’ and candidacies’ representatives can only present, in this case, at the stage of the elections’ results and their declaration of validity to contest:

At the presidential election:

- The results recorded on the district tally certificates, due to the nullity of the balloting in one—or several—polling stations, or arithmetic mistake.
- The annulment of the whole election.

At the First-Past-The-Post (FPTP) deputyships election:

- The results recorded on the district tally certificates, the declarations of validity, and the issuance of the majority and validity certificates, due to the nullity of the balloting in one—or several—polling stations, arithmetic mistake, or annulment of the election.
- The decisions about the issuance of the majority and validity certificates.

At the proportional representation (PR) deputyships election:

- The results recorded on the district tally certificates, due to the nullity of the balloting in one—or several—polling stations, or arithmetic mistake.

At the elections of FPTP senatorships and allocation of the first minority:

- The results recorded on the state tally certificates, the declarations of validity, and the issuance of the certificates of majority and validity or of allocation of first minority, due to the nullity of the balloting in one—or several—polling stations, arithmetic mistake, or annulment of the election.
- The decisions about the issuance of the certificates of majority and validity or of allocation of first minority.
- The results recorded on the state tally certificates, due to arithmetic mistake.

At the PR senatorships election:

- The results recorded on the state tally certificates, due to the nullity of the balloting in one—or several—polling stations, or arithmetic mistake.

Deadlines and competence for their resolution

- Any claim for a motion of dissent ought to be presented within four days from the day following the conclusion of the respective district or state tallies.
- Even if only the Electoral Court of the Federal Judicial Branch can study and resolve the motions of dissent, it is important to specify that, while its Superior Courtroom is directly competent for resolving all trials related with the presidential elections in a single and definitive instance, its Regional Courtrooms are the first instance for those related with the elections of deputyships and senatorships by both principles.
- Regional Courtrooms' resolutions can be appealed through a motion of reconsideration before the Superior Courtroom, for which it is the second and definitive instance.
- Whether as a first or second and definitive instance, all contestations against the senatorships and deputyships elections' results must be resolved by the Electoral Court on 23 August at the latest—that is, a little under two months after Election Day, and one week before a new legislature of the Congress of the Union is installed.

21

ANULLMENT

CAUSES

Regarding federal elections, the General Law on the System of Impugnation Means on the Electoral Matter (LGSMIME, for its initialism in Spanish) distinguishes—and expressly lists—between the causes that can lead to the annulment of the balloting of one or several polling stations and, in consequence, affect the results of the contested tally, and those which can determine the whole annulment of the election—whether it be for a district deputyship, for FPTP and first minority senatorships, or for the presidency.

Of the votes received at the polling station

From amongst the 11 lawful causes, the following can be highlighted:

- If the balloting had been received by persons or bodies different from the lawfully authorised.
- If there were mistakes in the tallying of the votes—or it had been made in bad faith—and such errors had been determinant to the election's results.
- If persons—other than the lawfully exempted—were allowed to vote without producing their photo voting card or being registered in the voters' list, and such allowance had been determinant to the election's outcome.
- If parties' and/or candidates' representatives had been prevented from entering, or expelled from, the polling station without a justified reason.
- If physical violence or pressure had been exerted

upon polling officers or voters, and such exertion had been determinant to the election's results.

- If grave, fully proved, and irreparable irregularities had taken place during Election Day or the scrutiny and tallying sessions which might, quite evidently, cast doubt on the balloting certainty, and had been determinant to the election's results.

Of an election

In essence—and with slight variations depending on the election—, there are three annulment causes for the elections of district FPTP deputyships, state senatorships, and president:

- That any of the polling station's annulment causes was proved in at least 20% of the polling stations installed in a district (FPTP deputyships), a state (senatorships), or, in 25% of the national territory (presidential), and that they had not been corrected during the recount.
- That up to 20% of the foresaw polling stations in the district (FPTP deputyships), state (senatorships), or 25% in the national territory (presidential), were not installed and, in consequence, the votes had not been received.
- That the members—candidate and substitute—of the formula (deputyship), or formulae (senatorships) who had obtained the majority certificate, or the winning candidacy (presidential), were ineligible.

Of the federal and local elections

As a result of a reform in 2014, the Republic's General Constitution dictates that the law must establish a system of nullities—for both the federal and local elections—due to grave, intentional and determinant violations in the following circumstances:

- A campaign's expenditure ceiling is exceeded by 5%;
- Airtime on the radio and television or information coverage—other than those provided by law—are bought or accessed; and,
- Unlawful or public resources are received by or used in the campaigns.

The constitutional mandate also states that such transgressions ought to be objectively and materially proved, and that they will be assumed to be determinant to the election's result when the voting-difference between the first and second places is less than 5%. If an election is annulled on these grounds, an extraordinary election—in which the penalised persons will not take part—shall be convoked.

22

OVERSIGHT OF POLITICAL AND ELECTORAL Funding

Along with the generous public funding model, a sound and rigorous system has been developed in Mexico to control and audit the funds of different political and electoral subjects and activities. From amongst the various purposes of this oversight system, the following must be highlighted:

- To ensure that the sources of the funding political parties and candidates—as well as other obligated subjects—receive and use are lawful, and that the established limits are respected.
- To safeguard the pre-campaigns' and campaigns' respect for expenditure ceilings, as well as during the activities deployed to obtain the citizens' support by those interested in an independent candidacy to an elective post.

For that to be accomplished, the law demands exhaustive accountability from political parties and candidacies, as well as from other obligated subjects—including political groups, organisations seeking their registration as political parties, and electoral observation groups—about their funding's—whether public or private—source, management, and use or destination.

Ever since 2014 —following constitutional and legal reforms on the matter—, INE is not only the sole responsible for the oversight of the income and expenditures of national political parties, pre-candidates and candidates to federal elective posts,

and aspirants to federal independent candidacies, but also of all the previously mentioned at the local level. Furthermore, exceeding the campaign expenditure limit—at both the federal and local levels—, and the presumption that such transgression had been determinant to the election's result, was also added as an annulment cause on that year.

Since the legal provision deals with the possible annulment of the election, and not with the loss of the post, it is clear that the Electoral Court of the Federal Judicial Branch (TEPJF, by its initialism in Spanish)—which is the appropriate jurisdictional authority—must learn about any claim invoking this cause, and provide a definitive resolution, within the contestation period and before the date when the candidate is sworn in. That implies that INE must provide the TEPJF with the reports reflecting where might such a cause have occurred before the deadline for the resolution of contestations.

The double exigency of conducting the oversight of local parties and campaigns, and consolidating every candidacy's campaign income-and-expenditure reports in just a few weeks after Election Day, was the motivation for INE to exercise its powers and design, for its gradual operation since 2015, an integral oversight system—whose main components will be detailed ahead—that rests on an online accounting system into which all obligated subjects must record their every financial

and accounting operations within three days of them taking place.

Due to the nature of this document, the explanation will focus on the regulations and obligations related with the accountability of national political parties and candidates to federal posts, in particular with campaign income and expenditures; although the extent of the regulations on the matter and the fact that other actors are also subject to this oversight and must comply with the law, should not be left unnoticed.

ACCOUNTABILITY

National political parties

It is through the online accountability system, and according with the regulations issued by INE's General Council on the topic, that national political parties must submit the following income-and-expenditures reports:

- **Quarterly progress reports**

These must be submitted within 30 days of the conclusion of each calendar quarter, except for the year on which elections take place. Even if they are strictly informative, they are subject to be reviewed and are precedents for the revision of the annual report. Should anomalies, errors, or omissions be identified, INE must inform the political parties of that fact for them to make the appropriate clarifications.

- **Annual reports of ordinary expenditures**

These ought to be submitted within 60 days on the ending of the calendar year. It must be accompanied of a consolidated report on the parties' resources, where their assets, liabilities, and properties, as well as a relation of its real estate, are detailed. These reports must be sanctioned and signed by an external accountant designated by the party itself.

Upon their submission, INE has 60 days for their review, although all necessary information to attest the information in the report can be requested at all

times. Shall omissions or technical errors be found during the revision, the parties must be informed so that the appropriate clarifications or modifications be presented. After the revision deadline is met—or after the 15-day period for the rectification of errors or omissions expires—, INE has a little more than 40 additional days for the General Council to learn and decide on the corresponding resolution project.

- **Pre-campaign reports**

Political parties ought to submit an income-and-expenditure report for each of their registered pre-candidacies for each popular elective post, within 10 days of the conclusion of the pre-campaigns. Pre-candidates are jointly responsible for the submission of their own report.

INE has 15 days for the review of these reports from the deadline for their submission. In this case, also, INE must inform the political parties of any error or technical omission for them to present any clarification or modification within 7 days. Once those deadlines are met, INE has about 25 additional days for the General Council to learn and decide on the respective proposed resolution.

- **Campaign reports**

Political parties must submit, for every 30-day period counted from the beginning of the campaign and within three days of their completion, an income-and-expenditure report for each of their registered candidacies to every popularly elective post, where the respective regional disbursements of both the party and the candidate are specified. In this case, candidates are also jointly responsible for the submission of their own report.

A specialised unit at INE reviews and audits—in parallel with the development of the campaign and upon the online accountability process—the source and destination given by political parties to their campaign funds, and—once monthly reports are submitted—has a 10-day period to review the accounting under consideration and its supporting documents. Shall INE notice errors or technical omissions, the parties must be notified for them to

present the necessary clarifications or corrections within a 5-day period.

Following this very procedure, and once the last report has been reviewed, the Institute has an additional 22-day period for the General Council to learn and decide on the respective proposals of resolution where, along with other substantial elements, a determination is made on whether—and by whom—were the expenditure ceilings exceeded.

If the date of Election Day is used as reference, the period for INE to conclude the campaign oversight procedure, and put together and vote the respective resolution proposals, is of only 37 days. These means that the oversight procedure of the 6 June 2021, elections shall be completed in the first days of July's second week.

Independent candidates

In addition to the duty of submitting an income-and-expenditure report within 30 days of the conclusion of the period to gather the necessary support to seek a candidacy while being aspirants, registered independent candidates must also present, through the online accounting system, the same campaign income-and-expenditures reports required to political parties.

The review and validations of those reports is made, in essence, under the same rules and deadlines as those of the political parties.

Integral Oversight System (SIF, by its acronym in Spanish)

At the beginning of 2015, INE designed and began the operation of an integral oversight system (SIF) that would allow it to face its new accounting responsibilities—and the entailed challenges—regarding, in particular, the timely conclusion of the review processes of the federal and local electoral campaign income-and-expenditures reports.

The SIF's operation relies on an online information technology, designed for obligated subjects to register their income and expenses—along with

the supporting documents of each financial transaction—, which generates accounting reports, expenditures' distribution, and the automatic integration of the reports they are compelled to submit by law, including those related to the citizen support, pre-campaigns, and campaigns, and in the case of political parties, the quarterly and annual reports of their ordinary functioning.

The operation of the Oversight Technical Unit (UTF, by its initialism in Spanish)—which is in charge of reviewing the reports, conducting the audits to the resources, accountancy, and financial situation of political parties—is supervised by an Oversight Commission of the General Council composed of five electoral councillors. The General Council is responsible for learning about, and approving, the UTF's resolution projects—which are preliminarily sanctioned by its Oversight Commission.

INE authorises the access to the online accounting system to those expressly designated by the obligated subjects, so that they can register and document each of their operations within three days of their celebration.

During electoral campaigns, and for the deadlines to be met and the procedures to be completed as required for the elections' qualification, INE's special unit reviews and audits the source and destination of the resources used by parties and candidates in parallel with them taking place.

In any case, the SIF relies on the information of the following sources to accomplish its tasks:

Internal sources:

- Billboards and Printed Matter Monitoring System: During pre-campaign and campaign periods:
 - Inspections of avenues and streets are made to identify any posted electoral propaganda, particularly on billboards. For this purpose, a mobile application was developed by INE to ease the recording and geo-referencing of such propaganda.
 - Monitoring of electoral propaganda in print

media (newspapers and magazines).

- Monitoring of propaganda on the Internet, particularly at websites, social media, and applications related with political parties and candidacies.

- National Suppliers' Catalogue

Companies with the intention of offering products or services to—and being hired by—political parties, candidates, or other obligated subjects with accountability responsibilities before INE, ought to enter the National Suppliers' Registry and renew it yearly. Parties, candidacies, and obligated subjects can only contract the delivery of products or services from properly registered companies who are also recognised by the Tax Administration System (SAT, by its acronym in Spanish).

- Registration of Contracts

The suppliers of products and services ought to register before INE—in a specific module—their contracts with parties, candidacies, or other obligated subjects, within 30 days of their celebration.

External sources:

For the accomplishment of its responsibilities—especially those related with the verification of the origin of the resources obtained by parties, candidacies, or other obligated subjects, through the various types of private funding—of gathering financial information of transactions under the suspicion of their illegality, or of relevant or unusual cash withdrawals made by any government agency during an electoral process, INE has the power to sign agreements—and has indeed done so—with the following agencies:

- The Ministry of Finance and Public Credit (Secretaría de Hacienda y Crédito Público—SHCP by its initialism in Spanish), particularly with the Unit of Financial Intelligence (Unidad de Inteligencia Financiera—UIF by its acronym in Spanish).

- The Tax Administration Service (Servicio de Administración Tributaria—SAT, by its acronym in Spanish).
- The National Banking and Securities Commission (Comisión Nacional Bancaria y de Valores — CNBV, by its initialism in Spanish).

In this regard, it is important to add that, to fulfil its delicate and complex oversight responsibilities, INE's General Council, as the highest authority on the matter, is not limited by bank, fiduciary, or fiscal securities.

Main SIF's Components

The core of the oversight process conducted by INE is the direct consultation and systematic revision of the information on income and expenditures submitted online by the obligated subjects made by the auditing team of its specialised unit.

Notwithstanding, INE's probative attributions in this matter also include verifications, inspections, and other investigations with the purpose of obtaining evidence on the submitted transactions, balances, and reports to establish whether the obligated subjects complied or not with the provisions on the source and destination of resources.

Due to the relevance of the oversight's outcome to the elections' qualification, the process—especially during campaigns—includes a series of collation and verification procedures, amongst which the following can be noted:

- **Monitoring of print media, billboards, and other types of street and Internet propaganda.**

Not only does the outcome of this monitoring allow the collation of the information provided by parties, candidacies, or obligated subjects, but, shall it not have been reported, it is quantified and added to the respective campaign expenditure ceilings.

- **Verification visits**

Parties' and candidates' campaign venues or rallies are visited to confirm the duties' compliance and the truthfulness of the submitted reports. These visits are programmed following a sampling within a specific geographic area.

- **Cross-reference with third parties**

This is in relation with UTF's attribution to require information on transactions made with parties, candidacies, and other obligated subjects, from natural and juridical persons—whether public or private—for further collation and verification.

Deadlines for concluding the campaigns' oversight process

Regardless of the usage of the online accounting system to inform and document their income and expenditure transactions within three days of their celebration—and their systematic review by the UTF—, parties and candidates must submit—using an automatic function of the same system—consolidated campaign reports every 30 days from the beginning of the campaign and within the next three days to the conclusion of each campaign-month.

When considering that all electoral campaigns—whether federal or local—must end three days before Election Day, the deadline for submitting the last monthly income-and-expenditure report coincides with Election Day, making it a reference to point out the subsequent activities and periods in the oversight procedures.

From the next day to Election Day, the UTF has 10 days to review the information and documents presented. Shall the UTF identify any errors, or omissions, the parties or candidates must be notified to—within 5 days—be able to make the appropriate clarifications or corrections. Upon meeting that deadline, the UTF has 10 more days to put together the respective resolution projects—where all the aforementioned elements are considered—and

present them before the Oversight Commission. A six-day period then begins for this Commission to study, approve, and send them for the General Council's analysis of UTF's proposed resolution projects. INE's General Council only has a six-day period, without exception, to analyse and approve these resolution projects, which can be—as any other INE's resolution or agreement, but particularly those of its General Council—appealed before the Electoral Court of the Federal Judicial Branch.

In all cases, and resuming the topic of INE's deadline to conclude with the whole oversight process of every campaign's income-and-expenditures report, we find that—from the next day to Election Day, as is shown in the following table, until the conclusion of the oversight—INE only has a total of 37 days. This means that, in relation with the upcoming electoral processes of 6 June 2021, this deadline is set to Tuesday, 13 July.

These resolutions are indispensable inputs for the possible configuration of annulment causes of the federal and/or local elections due to exceeding campaign expenditure ceilings, receiving or using public or illegal resources, or buying or obtaining airtime or spaces for electoral publicity on the radio or television aside of those established in the law, during the campaigns. Hence, for electoral courts, and as a last instance the TEPJF, to study and resolve the annulment claims that could be presented.

23

ELECTIONS'

DECLARATION

OF

VALIDITY

In relation with the FPTP deputyships and senatorships, the elections' declarations of validity and majority certificates issued by INE at the end of the tally sessions are definitive, unless contestations are submitted. If that were the case, they can be modified according to the TEPJF's resolutions, and are only definitive once the contestations are solved following the respective sentences.

In relation with the PR deputyships and senatorships, INE's General Council is the appropriate authority to issue the corresponding certificates to political parties, which can only occur once the contestations submitted are resolved. In any case, all these procedures and decisions must conclude before 1 September, when the new federal Legislature is installed and the deputies- and senators-elect—if that were the case—are sworn in.

In the case of the presidential election, it is the Superior Courtroom of the Federal Electoral Court who issues both declarations of validity of the election and president-elect once, if that be the case, all the respective contestations submitted are resolved. This

process is foreseen to conclude on the first week of September, since the president-elect is sworn in on 1 December.

