

México 2025

# Judicial elections and electoral violence



Embajada Británica  
en México



LABORATORIO  
ELECTORAL

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# 1

## Introduction

Electoral violence is a phenomenon that, while not new to México, is increasingly finding new ways to influence and impact electoral processes. The effects of violence on elections are pernicious, including: inhibiting citizen participation, discouraging citizens from running for office freely, skewing results, and even preventing elections from taking place. Electoral violence directly impacts the freedom and integrity of elections; it erodes the legitimacy of electoral processes; it generates fear and mistrust in institutions, the political-electoral system, and the rule of law; and it fuels a culture of impunity and the normalization of violence.

The motivations for perpetrating this type of violence are not limited to securing an institutional victory, so it does not occur only during election periods and can be perpetrated by multiple actors: members of the victim's own party, opposition parties or political rivals, organized crime groups that may act as the armed wing of other actors, non-state power groups—such as economic elites, labor unions, or religious groups—public officials, or individuals and/or groups acting on their own initiative. This electoral violence can be perpetrated by virtually any actor provided they have the necessary incentives and resources to carry it out.

And it is in this context that we consider it pertinent to examine how this violence interacts in the first judicial elections held in México in 2025. It should be noted that these judicial elections were the result of a controversial reform of the Judiciary and the justice system, which generated significant polarization surrounding them. The electoral process took place within this context, marked by uncertainty stemming from the novelty of the exercise and the lack of rules, the haste with which they were conducted, as well as the scarcity of information available on the matter.

Electoral violence in the judicial election process contributed to the deterioration of the state, the weakening of democratic institutions, the erosion of governance and governability, the loss of legitimacy of the electoral system, and the progressive dehumanization of political life. That is why it is important to examine how this phenomenon affects judicial candidacies and the results, as the multiple dimensions of these elections will have consequences for us in the coming years. The best we can do is study it, analyze it, and propose improvements and recommendations.

# 2

## Electoral Violence

For years, political science has sought to define and understand the different forms of political violence that can arise. There are several types of violence encompassed by this concept, and the least developed until recently was the concept of electoral violence.

Electoral violence has been one of the topics of analysis that we at the Laboratorio Electoral have studied and monitored in recent years. In order to replicate our studies and analyses of previous electoral processes in these unprecedented judicial elections, we recall the framework of information, protocols, and monitoring results that we used to analyze this type of violence in México.

### ■ *Important Definitions*

Political violence refers to the set of acts or practices directed against individuals or social groups with the aim of influencing, disrupting, or controlling processes, decisions, or disputes related to political activities or the exercise of public power. Specifically, it refers to “any infringement upon the human right to [...] participate in political institutions, hold public office, or even be involved in the organization of [electoral] processes as officials of electoral bodies or polling stations” (Sánchez and Ramírez, 2020, p. 176).

This type of violence also includes gender-based political violence, which in México is defined in the General Law on Women’s Access to a Life Free of Violence as “[a]ny action or omission, including tolerance, based on gender and exercised within the public or private sphere, that has the purpose or result of limiting, nullify, or undermine the effective exercise of the political and electoral rights of one or more women, access to the full exercise of the powers inherent to their office, work, or activity, the free performance of public duties, decision-making, freedom of organization, as well as access to and exercise of prerogatives, in the case of pre-candidacies, candidacies, public functions, or offices of the same type.” (LGAMVLV, 2024).

We also consider digital violence, which constitutes an increasingly common mechanism in electoral processes to attack women or other vulnerable groups on digital platforms such as social media,

As established in the Agreed Conclusions of the 67th session of the United Nations Commission on the Status of Women, gender-based violence in the digital sphere is “[a]ny

act committed, facilitated, aggravated, or amplified by the use of information and communication technologies or other digital tools that results in or may result in physical, sexual, psychological, social, political, or economic harm or other violations of rights and freedoms.” (CSWG7, 2023). It is important to note that this convention emphasized that this type of violence is typically directed primarily at women and disproportionately affects them in all spheres, but especially in the political sphere.

Electoral violence, understood as a subtype of political violence, has had various definitions, but the one we have used and found to be the most comprehensive at the Laboratorio Electoral states that it is “political violence that targets the electoral process. It is aimed at winning political competition or power through violence, subverting the purposes of the electoral and democratic process (...) Electoral violence takes place not only at the time of elections, but in the periods leading up to elections, during the elections themselves, and in the period immediately following the elections, such as during the vote count” (FES and CCR, 2001).

## ***Actors and Motivations Behind Electoral Violence***

Electoral violence seeks to secure benefits in terms of power, access to resources, control of strategic spaces, or even the co-optation of other political actors and state structures; however, it can also stem from individuals or groups who, without a specific political objective, resort to exercising their power of agency as a form of symbolic reassertion against their victims; it has been shown that this particularly affects women (Edelman, 1967; Bourdieu, 1999; Collins, 2009; Bardall, 2020; Espíndola and Solís, 2020).

Some studies, such as that by Alvarado (2019), hypothesize that competition between parties and candidates is the primary cause of electoral violence, and that this is exacerbated depending on the rank of the office being contested, party affiliation, and the level of polarization among power groups in local conflicts. The author concludes that it is possible that the parties with the greatest political power are the ones most likely to commit electoral crimes, which allows them to perpetrate this type of violence with impunity. In turn, he observes that the role of organized crime and criminality can be both a primary cause of violent events and a contextual factor that ultimately disrupts electoral processes. Regarding this intra-party violence, in a study on gender-based political violence in the 2020–2021 electoral process, Schont (2022) stated that most of the female candidates who were victims had identified members of their own political parties or opposing parties as the perpetrators of the acts of violence.

Inter-party and intra-party conflicts as a possible source of electoral violence can be explained by factors ranging from the limited capacity of authorities or internal party regulatory bodies to investigate and impose effective sanctions, to the internal democracy of the parties (Espejel, 2010). This has been a topic of great interest and has fueled public debate in México<sup>1</sup>, leading to significant disagreements between electoral authorities and political parties and actors regarding the level of control that third parties may exert over their operations.

<sup>1</sup> TERPJ & INE. (2008). Training Strategy on Electoral Reform 2007–2008 for Staff of the Federal Electoral Institute and Legal Staff of the Federal Electoral Tribunal: Theoretical and Practical Refresher Workshops. Working Group 13: “Electoral Justice and Internal Party Democracy,” pp. 8–10. In National Electoral Institute. Retrieved October 25, 2025, from [https://portalanteriorine.mx/documentos/Reforma\\_Electoral/docs/M13\\_JusticiaElectoral.pdf](https://portalanteriorine.mx/documentos/Reforma_Electoral/docs/M13_JusticiaElectoral.pdf)

Electoral violence can be perpetuated through various forms of impunity or institutional negligence, the presence of polarizing narratives in the public sphere that foster confrontational environments, intra- and inter-party conflicts, and certain political-cultural structures characterized by strongly vertical and hierarchical power relations, patronage practices, and historical dynamics of exclusion and violence that allow such behaviors to become normalized and perceived as a natural part of political competition. Some consequences of this include the suppression of citizen participation, the prevention of elections under adequate conditions, the weakening of the legitimacy of electoral processes and the rule of law, and the prolonged tenure of certain political actors in high-level positions.

Victims of electoral violence include candidates, pre-candidates, campaign teams, voters, election staff, election observers, journalists, family members of political actors involved in the electoral process, and vulnerable groups—such as indigenous communities, the LGBTIQ+ community, women, and ethno-religious groups. Through interviews and dialogue sessions, we at the Laboratorio have found that the differential impact on these groups (and specifically on women) occurs primarily outside the formal stages of the electoral process, when party leaderships determine, through opaque internal negotiations, who will be eligible for candidacy, or when certain actors seek to discourage, hinder, or prevent their political participation. Various studies indicate that the risk of being targeted by attacks increases for women holding local leadership positions, particularly mayoral offices (Håkansson, 2021; Schont, 2022).

## Objective of the Analysis

This study aims to examine the phenomenon of electoral violence in the context of México's first judicial elections. The guiding question of this analysis is: *How similar are the risks faced by judicial candidates to those faced by candidates in traditional elections in México?*

This question is relevant given that the phenomenon of electoral violence in México has been a poorly addressed issue and that, election after election, it increases and hinders peaceful elections, placing not only parties and candidates but also the general public in vulnerable situations. There are many challenges and obstacles that marked the judicial elections and to which it is important to pay attention.

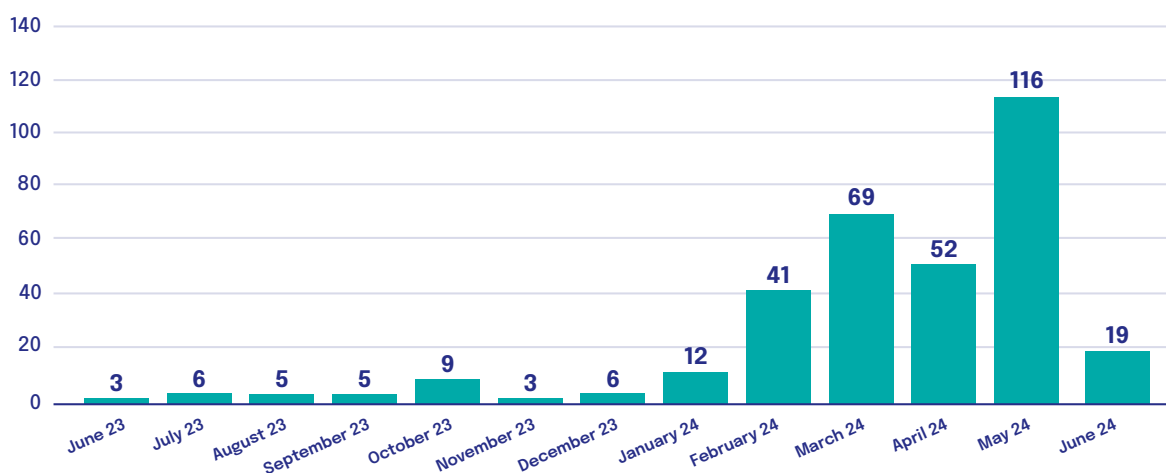
## Electoral Violence in México

In México, an electoral process begins with the solemn opening session and proceeds through successive stages: pre-campaigns, inter-campaign, campaigns, the electoral blackout period, election day, publication of results, delivery of certificates of majority, and inauguration. In federal processes, this sequence is uniformly replicated across all 32 states. In local processes, timelines and deadlines may vary—with the exception of the election

blackout period and election day. To gain an overview of the scope of this phenomenon in México, it is worth revisiting the results of the monitoring of electoral violence cases we conducted during the 2023–2024 electoral process.

In the monitoring of the 2023–2024 process, an increase in violent incidents was identified during the inter-campaign period between January and February, which in many states coincided with local pre-campaigns<sup>2</sup>, reaching its peak during the campaign period between early March and late May—the most violent month on record for each organization. Therefore, we can infer that the inter-campaign period and the final stretch of the campaigns are the stages of greatest risk for those seeking elected office.

### Total violent incidents per month



Source: Author's own analysis based on data from the Laboratorio Electoral.

This pattern suggests that between February and June—the end of the pre-campaigns and the duration of the campaigns—political actors are most vulnerable, regardless of variations in election schedules between processes. Consequently, the risk does not depend exclusively on formal candidate status: even before obtaining it—which could serve as an additional motive for committing electoral violence with impunity—those involved in an electoral process are at risk.

For the 2023–2024 electoral process, Chiapas, Michoacán, and Guerrero ranked among the three states with the highest number of victims. However, incidents occur, for the most part, at the municipal level (Ponce, 2016; Alvarado, 2019; Aguayo et al., 2024), and there is a significant dispersion of cases across the country.

<sup>2</sup> Laboratorio Electoral. (2023). Key Dates: 2023–2024 Electoral Process. In Laboratorio Electoral. Retrieved June 11, 2025, from [https://laboratorioelectoral.mx/leerdocumento/Fechas\\_relevantes\\_Proceso\\_electoral\\_2023\\_2024](https://laboratorioelectoral.mx/leerdocumento/Fechas_relevantes_Proceso_electoral_2023_2024)

While it is not possible to assert that organized crime or crime rates are the primary causes of the high levels of political-electoral violence in these states, the evidence indicates that electoral violence is linked to a broader and more complex dynamic of violence in the country (Electoral Observation Mission, 2024), and that, according to Martínez (2021), in some places it precedes the so-called “war on drugs” or even harks back to events such as the violence against PRD activists in the early 1990s. Each municipality and state has unique political and social dynamics that explain why one place is more dangerous than another during an electoral process; therefore, a differentiated analysis by state and municipality would allow for a more precise explanation of the geographic distribution of violence in México.

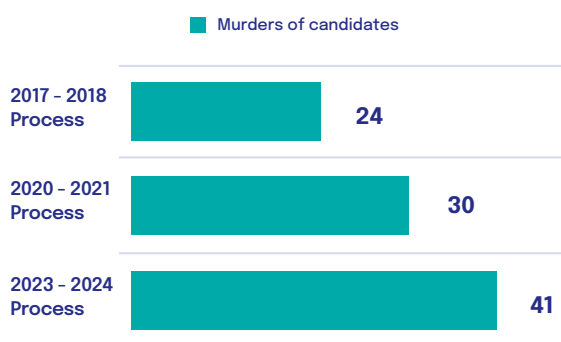
Regarding the distribution of attacks by party affiliation, for the 2023–2024 election cycle, Morena was the political party with the highest number of recorded incidents, which appears to be related to its territorial expansion and the victories it achieved in the presidency, the Congress of the Union, and state governorships. In other words, the electoral growth of a political force also increases the number of actors linked to it and, consequently, the vulnerability of its members during an election campaign.

It is important to note that we found the incidence in 2023–2024 was 77% for men and 23% for women. This should not be interpreted as the absence of gender-based political violence but rather as a different pattern; as we have discovered in subsequent interviews and outreach with victims, violence against

women in electoral processes occurs prior to the formal start of the process, and there are few incentives and little evidence of this violence.

When comparing the results of the monitoring<sup>3</sup> of electoral violence that we have conducted at the Laboratorio Electoral since the 2017–2018 electoral process—and despite the fact that both the unit of analysis and the types of events recorded differed<sup>4</sup> between each monitoring exercise—the conclusion remains the same: electoral violence in México has been a growing phenomenon in recent years. Below is a comparison of the murders of candidates/aspirants during those three electoral processes:

### Comparison with previous cases



Source: Author's own analysis based on information from the Laboratorio Electoral.

<sup>3</sup> Other organizations and joint efforts such as Noria Research, Etelekt, Integralia, and Votar entre Balas have also published their monitoring reports, albeit using different methodologies, definitions, and units of measurement.

<sup>4</sup> In the 2017–2018 election cycle, we focused specifically on murders. For the 2020–2021 and 2023–2024 election cycles, we expanded the types of attacks against candidates as well as the potential victims.

In this regard, the OAS has addressed the phenomenon in its observation reports on those three electoral processes. In all of them, a constant theme has been the denunciation of the climate of insecurity surrounding the conduct of elections, especially in 2018, and the high probability that political motivations lay behind those attacks. In 2021, it again highlighted the climate of violence and recommended the importance of incorporating a protection protocol for candidates. In 2024, it again condemned the climate of violence and the inhibitory effects it had on electoral processes, and although it acknowledged the implementation of the protocol, it noted that its implementation and dissemination had many areas for improvement.

## ***Electoral Authorities in the Face of Electoral Violence***

Due to the serious climate of electoral violence reported in recent years, and in the absence of relevant legislation, on February 2, 2024, the INE announced a mechanism for requesting protective measures within the framework of the 2023–2024 electoral process, which consisted of: 1) the INE receiving the requests, 2) forwarded them to the Secretariat of Security and Citizen Protection (SSPC) to coordinate with the Secretariat of National Defense (SEDENA) or the National Guard (GN), 3) if granted, these entities were responsible for supervising the security and escort services, and 4) candidates were to be notified of the status of their request. Attempts have been made to replicate this protocol at the local level, but with little success.

However, this mechanism was triggered only in cases of prior threats, without taking into account that, in fact, threats do not necessarily precede attacks against individuals involved in the electoral process (Aguayo et al., 2024), thereby leaving them in a state of extreme vulnerability. This mechanism is intended solely for candidates and not for their family members or campaign teams, nor does it include those in earlier stages of the process, such as aspirants or pre-candidates (Sánchez and Ramírez, 2020, p. 193). Additionally, this protocol does not appear to be widely known among candidates, and its activation is not as immediate as it should be, according to the testimony of various victims interviewed in recent months by the Laboratorio Electoral. It is important to note that these measures were replicated without any changes for the judicial electoral process.

This situation occurs to a lesser extent in the existing mechanisms for gender-based political violence, which have a relatively clear form<sup>5</sup> and reporting mechanisms<sup>6</sup>. Despite this, the measures implemented by electoral authorities can be revictimizing, unfamiliar, or difficult to understand due to their legal nature, thus requiring specialized support that is not always accessible. Added to this is the weak oversight of the partisan use of the budget allocated to strengthening women's political participation, which calls into question the effectiveness of these mechanisms.

<sup>5</sup> Igualdad INE. (n.d.). Form for filing a complaint or report regarding VPMRG. National Electoral Institute. <https://igualdad.ine.mx/mujeres-en-la-politica/violencia-politica/queja-denuncia/>

<sup>6</sup> Protocol for Addressing Political Violence Against Women. (2016). In Electoral Tribunal of the Federal Judicial Branch. [https://www.te.gob.mx/protocolo\\_mujeres/media/files/7db6bf44797e749.pdf](https://www.te.gob.mx/protocolo_mujeres/media/files/7db6bf44797e749.pdf)

Therefore, in the prevention and response to political–electoral violence, it is essential that the Mexican State assess the political and institutional costs of implementing militaristic, repressive, and equally violent strategies, as they may prove counterproductive and could themselves determine electoral outcomes (Höglund, 2009; Ponce, 2016).

It is important to note, first of all, that the roles of electoral authorities and public security institutions in the prevention, response, and mitigation of this phenomenon are distinct in nature: while security agencies are responsible for defining and executing operational strategies, electoral authorities play a key role in coordinating with them. Electoral authorities have moved from merely acknowledging the existence of electoral violence to annulling elections due to gender-based political violence and coordinating efforts to ensure the conduct of elections, in addition to other rulings that have set precedents in this area<sup>7</sup>. The three scenarios mentioned are briefly explained below:

**1** Annulment due to gender-based political violence: In 2021, the Superior Chamber of the Federal Electoral Tribunal confirmed the annulment (SUP-REC-1861-2021) of the election in the municipality of Iliatenco in Guerrero<sup>8</sup>, citing serious acts of gender-based political violence against a female mayoral candidate, which it deemed to have undermined the principle of electoral certainty. This was the first election in Latin America to be annulled on these grounds, setting an important precedent.

**2** Recognition of electoral violence as grounds for annulment: During the 2021 elections, the situation of electoral violence drew the attention of national and international actors. The Court evaluated the evidence presented regarding the state elections in Michoacán and in the municipalities of Múgica, Zamora, La Huacana, and Nuevo Urecho, and indeed found instances of electoral violence that led to the annulment of the vote in those specific locations. However, the Court considered that what occurred in those municipalities was not sufficient to annul the state elections, and it also reflected on the appropriateness of repeating them under similar conditions; therefore, despite acknowledging the electoral violence in the election, it validated the results.

**3** Inter-institutional coordination to ensure elections: the case of the elections in Pantelhó<sup>9</sup> in Chiapas highlights the importance of such inter-institutional coordination in addressing the issue. Elections had not been held in this municipality since 2020, and during the 2024 process, it had been decided to establish a Council to govern the municipality for three years. This measure was challenged by a political party that considered it an unviable solution in a democracy and one that infringed upon citizens' right to vote freely and political parties' right to compete for power. The TEPJF ruled in

<sup>7</sup> SUP-REC-057/1997 (landmark case in electoral justice), SUP-REC-009/2003 (pressure from groups), SUP-REC-1282/2018 (widespread violence), SX-JRC-229/2018 (armed individuals at polling stations to steal election documents), SX-JDC-840/2018 (widespread violence), SX-JDC-848/2018 (presence of armed groups), SX-JDC-837/2018 (assaults on election officials), SUP-REC-1271/2018 (presence of armed groups and destruction of ballot boxes), SCM-JRC-246/2021 (widespread violence), SUP-REC-09/2014 (acts of violence during vote counting), SX-JRC-99/2021 (violence in a municipality), and SUP-JIN-142/2025 (violence in judicial elections)..

<sup>8</sup> "Ruperta Out." Chronicle of a nullified election. (October 12, 2021). Animal Político. <https://www.animalpolitico.com/analisis/organizaciones/candidata/fuera-ruperta-chronica-de-una-eleccion-anulada>

<sup>9</sup> The right to free and peaceful elections: the case of Pantelhó. (October 7, 2025). Animal Político. <https://www.animalpolitico.com/analisis/organizaciones/candidata/elecciones-libres-pacificas-pantelho>

favor of the party and ordered an operation involving approximately 1,300 personnel, including members of the National Guard, local police, and even the Army, utilizing resources such as a tactical helicopter and a drone, so that finally, after many years, Pantelón could hold elections.

Additionally, we must not forget that judicial officials in general have long been targets of attacks, as reported by México Evalúa in its study *When Administering Justice Is Dangerous* (2024), which identified the risks to physical safety faced by judges. The study reports that 21% of those surveyed claim to have suffered an attack or threat to their safety over the past ten years, although it was noted that staff have, to a certain extent, normalized the violent situation they face. Of these, 39% reported the attacks, and only 24% of them received any protective measures.

It is against this backdrop of electoral violence—with electoral authorities struggling to keep pace with the situation—that legislation was passed and the implementation of judicial reform and judicial elections began.

## Judicial Independence

Judicial independence is one of the pillars of the constitutional rule of law and a fundamental guarantee, within the theory of the separation of powers, of a counterweight against the arbitrariness of the executive and legislative branches. The Mexican Constitution recognizes judicial independence and the jurisdictional functions of judges, which are confined to a defined jurisdiction within a geographical area and to powers limited to the resolution of jurisdictional conflicts and constitutional interpretation. All of this is provided for in Articles 94, paragraphs 1, 5, and 6; 100, paragraph 12; and Articles 103 through 105 of the CPEUM. Article 80, sections IV, VI, and VII, of the Organic Law of the Federal Judiciary.

According to the Institute for Comprehensive Transitions (2024), to ensure judicial independence, guarantees such as “irremovability [...], remuneration; term of office; limits on extra-judicial activities; immunity; and procedures for disciplinary sanctions, suspensions, and removals” must be established. Irremovability is fundamental to guaranteeing independence; salaries must be the highest within the judicial system for positions at the highest level and sufficient for positions at other levels to limit conflicts of interest or cases of corruption; the term of office must be clearly defined and not subject to probationary periods; extrajudicial activities must not be incompatible with their duties; and their decisions, as well as their persons, must enjoy immunity to prevent them from becoming victims of external pressure or harassment.

In this regard, the United Nations Special Rapporteur on the Independence of Judges and Lawyers, Margaret Satterthwaite, pointed out the “serious shortcomings” she observed in the implementation of the judicial reform, such as irregular nominations, inconsistent pre selection criteria, opaque procedures, and alleged links between candidates and organized

crime, warning that “the deficiencies observed in this first round of voting risk eroding institutional integrity and public confidence in the justice system”<sup>10 11</sup> has necessarily maintained that “the independence of any judge in a state governed by the rule of law must be guaranteed, and in particular that of the constitutional judge, given the nature of the matters brought before them. As the European Court has noted, the independence of any judge presupposes an adequate appointment process, a fixed term of office, and a guarantee against external pressure”; all of this is in contravention of the provisions of the Inter-American Court of Human Rights, which establishes that the removal of judges must be based on fully justified and individualized reasons.”

The Inter-American Court of Human Rights (2001, paragraph 75) maintains that the separation of powers has as its primary objective the guarantee of the independence of judges, a concept comprising a procedure for their appointment, the duration of their tenure, and effective mechanisms against the external pressures to which they are subjected. Therefore, we must bear in mind that if changes are promoted that in any way compromise judicial independence, it is necessary to speak of institutional capture.

Given this, it is worth revisiting the concept of state capture (Kaufmann, 2024), which refers to the phenomenon whereby powerful individuals or corporations exert undue influence on the formulation of laws, policies, regulations, and state institutions for their own benefit, at the expense of society. This concept initially focused on powerful actors outside the state, although we must not overlook the fact that the rules of the game can be altered from within the institutional framework, resulting in the capture of positions for partisan purposes (Ibarra, 2024) and the violation of the principle of separation of powers.

<sup>10</sup> <https://www.proceso.com.mx/nacional/2025/8/29/relatora-de-la-onu-denuncia-graves-deficiencias-en-eleccion-implementacion-de-reforma-judicial-357756.html>

<sup>11</sup> Case of the Constitutional Court v. Peru. Merits, Reparations, and Costs. Judgment of January 31, 2001.

# 3

## Judicial Elections

The presidential initiative of February 5, 2024<sup>12</sup>, was based on Article 39 of the Constitution, which provides that “National sovereignty resides essentially and originally in the people (...) (who) have at all times the inalienable right to alter or modify the form of their government<sup>13</sup>”. By subjecting the election of the judiciary to a popular vote, the aim was for the Judiciary to derive its democratic legitimacy from the very source from which power flows directly, extending this democratic principle to the three branches upon which public power is founded, and thereby ensuring that its members “are accountable to society for the decisions they make and are responsive to the issues affecting citizens...” (Chamber of Deputies, 2024, p. 2).

In his text, then-President Andrés Manuel López Obrador announced a proposal for a comprehensive reform of the justice system in México, which called for a restructuring of the Judiciary, with the fundamental premise being the removal of all judges in the country and the appointment of a new judiciary to be elected by popular vote in elections to be held democratically. Following the ruling party’s electoral victory on June 2 of that year and once it was confirmed that his party, together with its allies, would secure a legislative majority in the Congress of the Union, President López Obrador resolutely pushed forward with his reform of the Judiciary.<sup>14</sup>

### *The Legal Changes*

On September 15, 2024, the *Decree reforming, adding, and repealing various provisions of the Political Constitution of the United Mexican States regarding judicial reform* was published in the Official Gazette of the Federation<sup>15</sup>, which primarily amended Articles 94 and 96 of the Political Constitution of the United Mexican States, although the impact extended to 29 articles of the Constitution, as well as various secondary laws such as the General Law on Electoral Institutions and Procedures and the General Law on the System of Appeals.

<sup>12</sup> Chamber of Deputies (2024) Parliamentary Gazette, February 5, 2024. Year XXVII, Number 6457-15, available at: <https://gaceta.diputados.gob.mx/PDF/65/2024/feb/20240205-15.pdf>

<sup>13</sup> CPEUM, Article 39.

<sup>14</sup> A majority that emerged in the INE General Council following the allocation of seats, which pointed to a possible overrepresentation of the governing coalition in Congress and which, together with a controversial session, allowed the governing coalition to secure the votes of opposition senators to approve the constitutional reform.

<sup>15</sup> Decree reforming, adding, and repealing various provisions of the Political Constitution of the United Mexican States regarding reform of the Judiciary. Available at [https://www.dof.gob.mx/nota\\_detalle.php?codigo=5738985&fecha=15/09/2024#gsc.tab=0](https://www.dof.gob.mx/nota_detalle.php?codigo=5738985&fecha=15/09/2024#gsc.tab=0)

The reform focused on three central points: 1. Election of judges, magistrates, and justices; 2. Creation of new bodies for judicial administration and discipline; and 3. Time limits for the resolution of disputes.<sup>16</sup> The main points were:

- The complete renewal of the country's judiciary, from justices of the Supreme Court of Justice of the Nation to district judges, including circuit and electoral magistrates.
- Selecting, through popular vote, the judges who will fill the vacant positions. To this end, two electoral processes will be held: one in 2025 and another in 2027. In each, half of the judiciary will be renewed. The elections will be held periodically.
- The Supreme Court of Justice of the Nation will consist of nine justices serving twelve-year terms; the presidency will be rotational and will initially be held by the person who received the most votes.
- The Chambers of the Supreme Court of Justice of the Nation, which previously resolved most cases, have been abolished; now the Plenary will directly hear and resolve the conflicts and disputes submitted to its jurisdiction.
- The Federal Judicial Council was abolished and replaced by the Judicial Disciplinary Tribunal, which will consist of five justices elected by popular vote. The Judicial Administration Body was also created, whose members will be appointed by the Plenary of the Supreme Court of Justice of the Nation.

In the words of those who promoted the reform, the aim was for decisions made by the Judiciary to have popular and judicial legitimacy and to be aligned with federal austerity policies. The reform was justified on the grounds of democratizing the Judiciary<sup>17</sup>.

The reform has been controversial due to its impact on judicial independence and the quality of the administration of justice. It has been pointed out that the mechanism of popular vote to select judges favors inexperience and leads to the politicization of the judiciary, allowing for greater interference by the other branches (Executive and Legislative) in the selection of judges, as both branches participate in the process of evaluating and selecting candidates.

The reform was implemented immediately; on September 23, 2024, the electoral authority declared the start of the special election process to select members of the judiciary. Election Day took place on June 1, 2025, and from September 2024 to May 2025, the process of evaluating and selecting candidates, as well as campaigning and preparing for Election Day, was carried out.

The election took place without the sufficient and necessary regulatory framework, as although some amendments to secondary laws were made in October 2024, these were

<sup>16</sup> LE Studies | Judicial reform: a necessary debate. (n.d.). Laboratorio Electoral. [https://laboratorioelectoral.mx/leer/Reforma\\_judicial\\_un\\_debate\\_necesario](https://laboratorioelectoral.mx/leer/Reforma_judicial_un_debate_necesario)

<sup>17</sup> Ministry of the Interior, S. (n.d.). Judicial reform responds to the Mexican people's demand for justice: Segob. gob.mx. <https://www.gob.mx/segob/prensa/reforma-al-poder-judicial-responde-al-reclamo-de-justicia-del-pueblo-de-mexico-segob>

insufficient, and the electoral authority had to improvise various guidelines and rules on the fly—a situation denounced by civil society through the Judicial Electoral Observatory<sup>18</sup>. The unprecedented electoral process to elect judges began with a constitutional framework that merely outlined the rules, timelines, and mechanisms needed to implement the reform, without supporting laws that addressed administrative, procedural, and budgetary aspects in detail<sup>19</sup>. Legal uncertainty was a constant throughout the electoral process.

This complex and unprecedented situation placed additional pressure on election authorities at all levels, on the candidates, and on the public as a whole, as they not only had to navigate an election unlike any México or the world had ever seen, but also had to deal with uncertainty.

In addition to the above, the election presented two major challenges. On the one hand, there was a budget shortfall, and on the other, the violence that surrounded the process. Regarding the budget shortfall, although this is not a new issue for the electoral authority—as the government and the legislature have reduced the budget for electoral operations for several consecutive years—the largest reductions were those corresponding to 2019<sup>20</sup>, the 2021 elections<sup>21</sup>, and those of 2024<sup>22</sup>. For the 2025 judicial elections, with all the implications of this new process, the budget cut was the largest the electoral authority had ever faced in its history<sup>23</sup>. On this occasion, to cover the cost of these elections, the Chamber of Deputies authorized only slightly more than half of the budget, which impacted the ability to organize the elections under conditions of integrity and quality.

On the other hand, electoral violence was present in this judicial election. Although this is not a new phenomenon in Mexican elections, and despite the fact that prior to the approval of the reform it was identified as one of the risks of electing judges through popular vote, the truth is that there were some violent acts and incidents—undoubtedly to a lesser extent than in executive or legislative elections—but they did not go unnoticed.

In this regard, it should be clarified that unlike the 2024 elections, where the electoral authority had made provisions for such situations, for this judicial election process, it did not develop any protocols for addressing cases of violence against candidates. We believe this is largely due to the immediacy and unfamiliarity of the process.

18 Start of the extraordinary electoral process (Judicial Electoral Observatory). (n.d.). <https://oej.mx/report/primer-informe>

19 Secondary laws and Senate call for elections (Judicial Electoral Observatory). (n.d.). <https://oej.mx/report/segundo-informe>

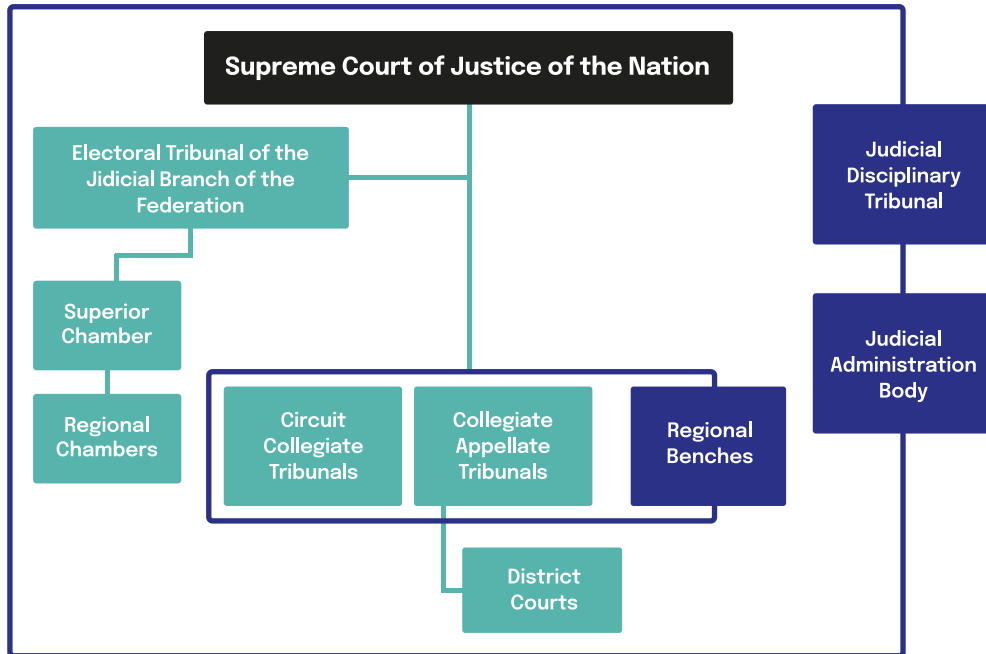
20 INE. (July 7, 2025). INE expresses concern over the 950 million peso budget cut ruled by the Chamber of Deputies' Budget and Public Accounts Committee - Central Electoral. Central Electoral. <https://centralelectoral.ine.mx/2018/12/23/ine-manifiesta-preocupacion-ante-recorte-presupuestal-950-millones-pesos-dictamino-la-comision-presupuesto-cuenta-publica-la-camara-diputados/>

21 INE. (2025a, June 24). INE adjusts 2021 budget following reduction ordered by the Chamber of Deputies - Central Electoral. Central Electoral. <https://centralelectoral.ine.mx/2020/12/07/ajusta-ine-presupuesto-para-2021-tras-reduccion-ordenada-por-la-camara-de-diputados/>

22 LE Studies | (III) Mexico 2024 Elections. The Cost of the Election. (n.d.). Laboratorio Electoral. [https://laboratorioelectoral.mx/leer/III\\_Elecciones\\_Mexico\\_2024\\_El\\_costo\\_de\\_la\\_C2%A0eleccion](https://laboratorioelectoral.mx/leer/III_Elecciones_Mexico_2024_El_costo_de_la_C2%A0eleccion)

23 Budget Deficit, Democratic Risk (Judicial Electoral Observatory). (n.d.). <https://oej.mx/report/deficit-presupuestario-riesgo-democratico>

To conclude, it is worth illustrating the new organization of the Mexican Judiciary:



## Implementation of the Reform

The rollout of the reform began in September 2024 to elect half of the federal-level positions in 2025, that is, 881 judges.

| Position                                      | Number of positions to be elected | Level                 |
|---|-----------------------------------|-----------------------|
| Justices of the SCJN                          | 9                                 | National              |
| Justices of the Superior Chamber of the TEPJF | 2                                 | National              |
| Judges of the Regional Chambers of the TEPJF  | 15                                | Regional jurisdiction |
| Judges of the Judicial Disciplinary Tribunal  | 5                                 | National              |
| Judges of Circuit Collegiate Courts           | 464                               | Circuit               |
| District Judges                               | 386                               | Circuit               |

At the local level, 1,800 positions were also elected in 19 states:



Unlike political elections, the judicial function is highly decentralized (Barceló, 2016), operating through judicial bodies distributed across the 32 states of the republic. Consequently, the INE had to harmonize<sup>24</sup> the complex judicial geography with the electoral districts in record time, which resulted in unequal voting weight and disparities in the number of positions each voter could elect. The INE created 60 judicial electoral districts by adapting the federal electoral districts designed for political elections. However, the design never achieved the expected balance, since political districts are based on population criteria, while judicial districts are designed, administratively, based on workloads, infrastructure, and jurisdiction.

Depending on their place of residence, voters cast ballots for a different number of judicial positions. The most obvious example was that, since a large number of national judicial bodies are traditionally concentrated in México City, voters residing in this district voted for a greater number of candidates, including those in specializations that, by jurisdiction, fall under national jurisdiction<sup>25</sup>.

These are just some of the aspects that both the federal electoral authority and local authorities had to anticipate prior to holding the judicial elections. To gain a thorough understanding of what occurred at each stage of this unprecedented process, it is worth consulting the work carried out by the Judicial Electoral Observatory.

<sup>24</sup> See the "Proposal for Harmonization of the Electoral Geographic Framework for the Implementation of the 2024–2025 Extraordinary Electoral Process, Election of Members of the Federal Judiciary" available at: <https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/177908/1-1-Electoral-Geographic-Framework-INE-EE-final-201124-v1.pdf>

<sup>25</sup> Judicial Electoral Observatory (2025). Preliminary results in the judicial election. Available at: <https://oej.mx/report/informe-especial-inequidad>

And although we lack a point of reference for these elections, based on what has occurred in traditional political elections, we know that the local level—especially the municipal level—is the most vulnerable and has the highest incidence of issues; so returning to our initial question, we would expect that the results of monitoring cases of electoral violence during this process would reveal a higher number of incidents at the local level—since we cannot speak of the municipal level due to the nature of the positions at stake. We would also expect to find a higher number of incidents in states where the highest peaks have previously occurred: Chiapas, Michoacán, and Guerrero, followed by Morelos, Puebla, and Jalisco.

# 4

## **Electoral Violence in Judicial Elections**

Through monitoring of various sources, primarily the media, during the period of the extraordinary judicial election process—which ran from September 2024 to October 2025—we identified 18 cases of electoral violence directed at candidates and aspirants for judicial office. During this same

period, we noted that there were 32 violent incidents against active judicial officials. We consider it important not to overlook violent incidents directed at active judges and judicial officials, as this represents a high number of assaults and attacks.

### **Methodology**

The monitoring was conducted by extracting information from websites, digital newspapers, and news sites. The period analyzed spanned from September 2024 to October 2025, as these dates were established by the bill as those pertaining to the start, conduct, and conclusion of the electoral process.

Methodologically, we face a definitional problem: at what point should a prospective candidate be classified as a candidate? This issue stems from the chaotic nature of the process for finalizing candidate lists, which was not overseen by the electoral authority but rather by the Evaluation Committees, and whose submission was the responsibility of the Senate. On February 12, 2025, the Senate submitted the candidate lists to the National Electoral Institute, but only five days later did it declare the documents received for review; it was not until February 20 that the official candidate lists were published, without the original errors they had arrived with, at which point, for the Laboratorio Electoral, we refer to candidates rather than aspirants.

The types of attacks we recorded are: assault, murder, and threats. Additional variables include: date of publication, incident, gender of the victim, the office for which the person was running, the state where the incident occurred, and the municipality where the attack was recorded. Each entry in the database is corroborated and confirmed by at least two different sources.

It should be noted that information is scarce; in most cases, these types of violent acts are not reported, and if a complaint is filed, the Attorney General's Office and local prosecutors' offices do not specifically report electoral violence but treat it as just another case under general jurisdiction. In addition to the above, it is important to note that electoral violence is not classified as an electoral offense, so prosecutors' offices specializing in electoral matters lack jurisdiction. Finally, it is important to point out that 22 information regarding the crimes, the facts, and specific details is rarely made public; information regarding the administration of justice in general is opaque and unclear. Transparency is one of the major unresolved issues in this area, so we rely on the media, electoral authorities, and the information that candidates themselves sometimes release regarding acts of violence of which they are direct victims, or of which their campaign teams and family members are indirect victims.

In a parallel monitoring effort we conducted, we noted incidents in which judges, magistrates, and judicial employees were affected. Therefore, although our primary focus is on judicial candidates who suffered a physical attack or threat that endangered their safety, we must also address cases involving judges or judicial staff who experienced violence, as we believe these incidents may be linked in some way to the election.

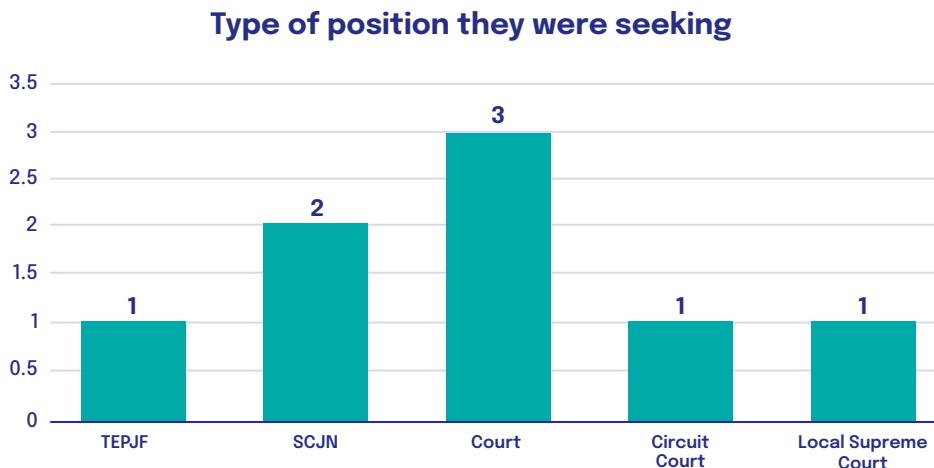
## The Data

In total, we recorded 8 cases of direct attacks against candidates, distributed as follows: 6 threats, one kidnapping, and one assault. Of these, 5 were women and 3 were men. All cases occurred in different states, distributed as follows:

### Geographical distribution of aggressions



Additionally, 5 of the cases of aggression against candidates occurred during the campaigns. Most of the attacks were directed at individuals seeking a position within a court:



Of the total 8 cases, in 3 of them, candidates requested the activation of the protocol due to the conditions of insecurity in which they believed they found themselves. The measures were granted to candidates in the State of México, Guanajuato, and Tamaulipas. Only one of the individuals who requested protection was elected.

## Other Types of Violence

Additionally, we identified 10 cases involving a different type of violence within the electoral process that cannot be categorized as described in the previous section. We are referring specifically to reports of gender-based violence, digital violence, and institutional violence.

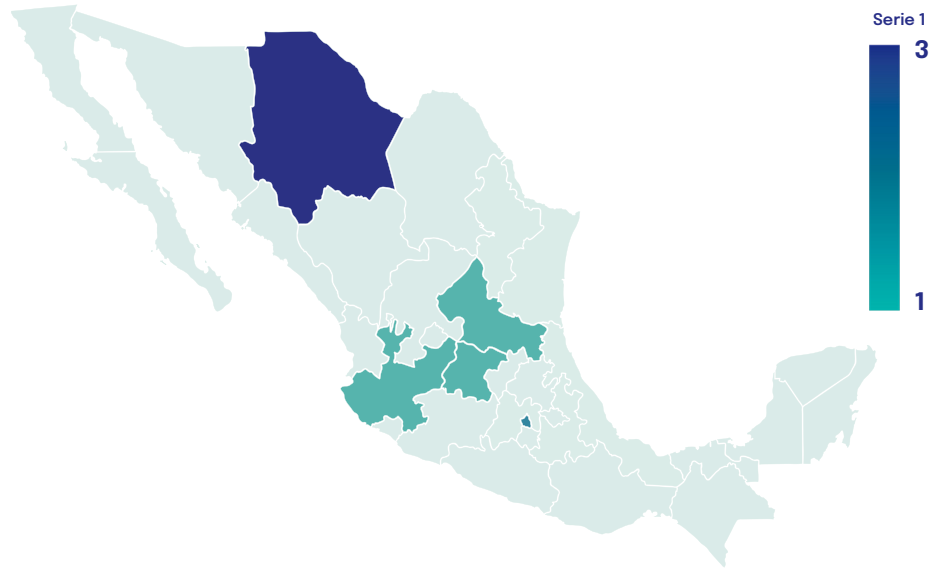
We defined institutional violence as any type of action that may be premeditated and aims to hinder a person’s enjoyment of electoral, political, or labor rights. Regarding gender-based violence, we adhere to the current legal definition in México, cited in previous sections of this text (LGAMVLV, 2024). Finally, regarding digital violence, we also include a definition at the beginning of this document (CSWG7, 2023), as both mechanisms of pressure are increasingly used against women.

The cases identified were distributed as follows:

|                                |                                 |                           |
|--------------------------------|---------------------------------|---------------------------|
| <b>3</b> Gender-based violence | <b>4</b> Institutional violence | <b>3</b> Digital violence |
|--------------------------------|---------------------------------|---------------------------|

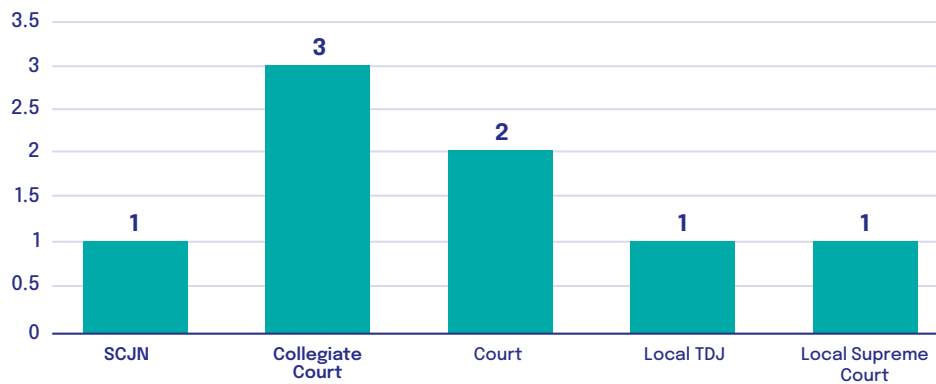
This type of violence was directed almost exclusively against women, with 8 female victims, compared to 1 man and 1 non-binary person. Furthermore, these cases were particularly concentrated in two states: Chihuahua and México City.

### Other types of violence against candidates and aspirants



None of them requested the activation of the security protocol for cases of electoral violence. Most of them were seeking a position on a Collegiate Court, followed by circuit courts. Of these individuals, only 3 were elected.

### Type of charge they were facing (other types of violence)



Regarding these cases, it is worth noting that the non-binary person publicly denounced that their gender identity was not being respected, including by the electoral authority. The design of the ballots forced them to fit into a binary category with which they did not identify, and they chose to withdraw their candidacy.

Another case worth highlighting is that of a Supreme Court candidate who, during the campaign, had intimate photos of her leaked in an attempt to sexualize her and undermine

her judicial competence. She reported the incident to the INE but felt that few, if any, measures were taken to address this case of digital violence, which, unfortunately, also occurs in traditional elections.

## Attacks Against Members of the Judiciary

In addition to candidates and nominees, during the judicial election process we observed 32 attacks against members of the Judiciary. Some of the victims were indirect—family members or staff directly linked to the Judiciary.

We found the victims to be evenly distributed between men and women, with 15 cases each, and two cases where the gender of the victims was unclear. The attacks were most frequently recorded as assaults, followed by murders and threats.

### Assaults against non-candidates



In 11 cases, there were instances of escalation, involving repeated attacks against the same person. The attacks occurred primarily in states such as Morelos and México City.

### Distribution of attacks on non-candidates/aspirants



and were directed primarily against individuals serving as judges, followed by magistrates and employees of the Judiciary. Of these, 6 requested protective measures.

### Position: Non-candidate



Some of the cases stand out for involving pressure on judges to rule one way or another, demands to financially support campaigns for SCJN candidacies, or even for the judicial decisions they made. This may be a phenomenon that repeats and intensifies with each new electoral process because, although some judges claim to have received threats throughout their careers, the obligation to participate in the political arena makes it difficult to maintain their independence from partisan and illegal influences.

## Relevant Cases

There are two cases we have decided to examine in greater detail due to the particular circumstances in which they occurred and the possibility that they may be replicated in the future.

Esmeralda García Santamaría was a candidate for district judge in these first judicial elections. During the final stretch of the campaign, she reported being the victim of threats and a kidnapping at her home. As a result of this situation, the candidate requested the activation of the protocol on May 28, ahead of the June 1 election; the electoral authority confirmed on June 18 that a protection detail would be sent to meet her on June 6, but the detail never arrived. Additionally, the authority notified the candidate that she would have to cover the costs incurred by the security personnel for gas and food<sup>26</sup>. This situation is not new for victims of electoral violence, but it highlights the concerns many of them have when participating in an electoral process and, above all, their confidence in the system should they become victims of any type of aggression.

Reyna Rodríguez was a district judge, and although she did not run as a candidate in the judicial elections, she was the victim of violence during the electoral process; however, in this case she was an indirect victim, as her mother and other relatives were kidnapped by more than eight armed individuals inside her mother's home. It is reported that the criminals did not steal anything from inside the residence, leading to the suspicion that the act was intended as a form of intimidation against the judge.<sup>27</sup>

In both cases, threats had been made against the victims, and there was an escalation of violence directed at them—and their family members. This highlights the importance of understanding the context in which these judicial elections take place, the multiple pressures faced by judges in general, and the difficulty of entering a political arena that is initially unfamiliar and lacks the necessary safeguards for their safety.

## Other Undesirable Practices

Due to the immediacy and scale of the reform, as well as its impact on the working lives of members of the judiciary, reactions were largely resistant to the reform, with continuous and significant work stoppages and attempts to halt its implementation through legal mechanisms, none of which had a lasting effect. This also generated significant pressure on members of the judiciary to participate in these forms of resistance or even to rule in different ways.

<sup>26</sup> Páez, S. (2025, August 30). Judge candidate loses INE protection after seeking help following kidnapping. Proceso. <https://www.proceso.com.mx/nacional/2025/8/30/candidata-jueza-queda-sin-proteccion-del-ine-al-que-pidio-ayuda-tras-secuestro-357798.html>

<sup>27</sup> Wachauf, D. (2025, June 16). Judge's relatives held at gunpoint in Guanajuato; Mexican Association of Female Judges expresses outrage. El Universal. <https://www.eluniversal.com.mx/nacion/encanonan-a-familiares-de-jueza-en-guanajuato-asociacion-mexicana-de-juzgadoras-expresa-su-indignacion/>

When judges, for example, granted injunctions to suspend the judicial reform, they became the subject of public scrutiny, including orders to hand over records of their previous decisions and other forms of intimidation. Various private and government media outlets set out to discredit those officials who openly engaged in the debate over the judicial reform.

On the other hand, judicial branch employees staged protests and work stoppages as a means of pressure directed at high-ranking officials in the judicial and executive branches. At this point, allegations also surfaced of pressure being exerted on those who had decided not to stop working to join the strike, accompanied by public ridicule and accusations of betrayal. We must also mention that during many of these strikes and demonstrations, there were instances of police aggression and physical confrontations.

This climate of tension and disparagement further exacerbated the adversity of the judicial election landscape, especially when considering the legal uncertainty faced by members of the judiciary, who did not know in advance whether their positions would be subject to election in 2025 or 2027, which authority to turn to if they believed their political and electoral rights had not been respected, or if their decisions not to participate in the electoral process had not been taken into account but their names appeared on the lists submitted to the Senate. Although these situations are not considered part of a scenario of electoral violence, they did not provide guarantees or avenues for addressing complaints or discrepancies regarding candidacies, aspirants, or even members of the judiciary.

# 5

## Findings

The judicial elections held in México represent a milestone that offers many lessons and undoubtedly also significant challenges. Democracy is undergoing a period in which it must be rethought; getting citizens to become more involved in public affairs and actively participate in the country's decisions are challenges we face. There is no doubt that the functioning of contemporary democracies requires recognizing that elections are, in essence, an institution that processes, manages, and regulates the competition for power.

On the other hand, the judicial function also requires rethinking; bringing justice closer to the public is also a challenge for any constitutional legal system. Judicial reform has generated conflicting opinions and significant polarization; therefore, appointing judges through popular vote could undermine judicial independence if an electoral process is not designed with sufficient safeguards to shield popularly elected judges from interests and interference that go beyond the rule of law and justice.

## The Relevance of Electoral Reform in Judicial Matters

Selection processes for judicial positions are typically conducted through written exams, interviews, and psychometric tests, which require a focus on identifying candidates' technical competencies to assess their ability to perform the duties of the office. This is not reinforced by the election of judges, especially if the mechanisms for determining candidacies do not follow a standardized process that pre-evaluates the candidates' technical capabilities.

The Institute for Integrated Transitions (IFIT) (2024, p. 10) states that within the procedures for appointing judges of last resort, "distinguished and impartial laypeople and members of the judiciary or legal professionals" should be included in the evaluation of candidates. Furthermore, vacancies must be published and widely disseminated to all potentially interested individuals, providing them with reasonable deadlines and clear, transparent mechanisms not only for applying but also for how they will be evaluated. We did not see these safeguards in this process.

The system has shifted from individuals who were mostly highly qualified to political judges who will focus on developing skills for the permanent electoral campaign to which they will be subjected, without ensuring that those elected possess the knowledge and competencies

required for the judicial role. It should be noted that the Electoral Observation Mission of the Organization of American States, in its Preliminary Report<sup>28</sup>, warned that the weakening of competitive examinations (as opposed to the election-based system, for example) will impact the technical level and suitability of justice officials.

In addition to the above, there has been a recognized need to create highly specialized judicial bodies to address complex issues. Beyond the electoral specialization of the Federal Electoral Tribunal (TEPJF) and the newly created Judicial Disciplinary Tribunal (TDJ), the expertise of the various subject-matter specializations within the courts and tribunals subject to election is not easily assessable by the general electorate. This did not mean they were not in the political arena for months, becoming new targets of attacks and aggression.

For all these reasons, while one might think that the election can be seen as a mechanism to democratize access to judicial offices and that the judge gains direct legitimacy by obtaining their mandate from the same electorate that elects the President of the Republic and the Legislative Branch, it was not considered that judicial independence must be ensured not only by being free from the influence of other branches in their daily actions, but also from the elites who interfere in electoral processes—that is, in the nomination process and, above all, the institutional mechanisms that influenced the vote—by co-opting the arbiters (in this case, the judges) through a constitutional amendment designed to erode the democratic order, which Landau (2013, p. 191) identifies as “abusive constitutionalism.” Not to mention the pressures and vulnerability of being viewed as potential victims of electoral violence.

This is one of the reasons why it becomes imperative to examine how electoral violence becomes or will become an important element of analysis in judicial elections, and how political violence, in the future, could be directed at actors or individuals in judicial positions, as has happened and is currently happening with other elected offices.

## Loss of Judicial Independence

Beyond the relevance or the administrative and judicial needs to ensure fair elections, conditions are needed that guarantee and promote judicial independence. Not only must the issues mentioned in the previous point be taken into account, but mechanisms must also be established to ensure that candidates are free from any type of threat or act of violence simply for being candidates—or, as some consider even more important, to ensure that candidates have no ties to criminal organizations or groups engaged in illicit activities.

This not only directly affects judicial independence but, in the context of elections—and in cases of *intra-party* violence or violence between candidates—it can intensify competition and bring in actors who are not currently as visible. For these elections, [complaints](#) were filed against candidates alleged to have ties to criminal, religious, and partisan groups, for example, so that the authorities could investigate them. The complaints were not addressed.

<sup>28</sup> Available at: [https://www.oas.org/fpdb/press/2025\\_MEXICO\\_MOE\\_Elecciones\\_Judiciales\\_-\\_Informe\\_Preliminart\\_ESP.pdf](https://www.oas.org/fpdb/press/2025_MEXICO_MOE_Elecciones_Judiciales_-_Informe_Preliminart_ESP.pdf)

## The Imminent Impact of Violence on the Judiciary

In México, electoral processes of any kind coexist with increasingly intense and complex scenarios of political-electoral violence, as demonstrated by the monitoring and analysis conducted during the 2018, 2021, and 2024 elections. All studies agree that the 2023–2024 electoral process has been, to date, the most violent on record, and that the increase in this phenomenon may be due to the manifestation of power arrangements and disputes in the political arena that operate in parallel or analogous to the formal rules of democratic competition.

However, as we mentioned at the beginning of this document, political-electoral violence stems from various motivations, including the political activities carried out by the victims, whether due to the office they hold or their role in the election. In this sense, judicial reform introduces a substantial shift in the profile of potential targets of aggression, which raises several

questions: Who might become aggressors in this new scenario, and what would be their motivations? What risks arise for judges when they submit to a popular vote? Could these motivations be linked, for example, to their rulings, to their removal from the electoral race due to power struggles, or to an interest in influencing the functioning of courts and tribunals in México?

Given that the implications of judicial reform for this phenomenon are not yet fully defined, there is a possibility that these changes will impact the configuration, escalation, and forms of violent conflict in the upcoming elections. Consequently, monitoring these processes will be key to understanding how the incorporation of new actors into the electoral system reconfigures the dynamics of violence, as well as to identifying the necessary adjustments in the institutional responses and capacities of the authorities involved.

## The Vulnerability of Judicial Candidates

The current design of protection mechanisms is focused almost exclusively on candidates, which creates conditions of vulnerability that are particularly relevant in the judicial electoral process. As outlined in the data analysis, errors in the preparation or publication of candidate lists and persistent challenges in ensuring timely compliance with the deadlines established in the Constitution can place both aspiring candidates and those who eventually obtain candidate status in a highly vulnerable situation.

Those eight days between the publication of the initial lists containing errors and the final lists were a period of uncertainty for candidates whose names were already public but who were not necessarily recognized as official candidates. During that time, not only were their names public, but also the offices they were seeking and, in some cases, certain personal details. The institutional learning curve and the novelty of the process will continue to require

adjustments and flexibility in their application, which could have direct implications for the very definition of who is considered a candidate at each stage of the process.

Added to this is the need to strengthen these mechanisms at the local level, where there are higher levels of political risk. Under this framework, it can be expected that state judicial branch judges will find themselves in a more vulnerable position compared to members of the Federal Judicial Branch (PJF), especially given the lack of guidelines that address their specific protection needs.

## **Female Judicial Candidates**

These limitations are exacerbated by the differential impact that political-electoral violence has on women. Although the Constitution stipulates that political parties may not participate in the judicial electoral process, we anticipate that practices of exclusion, institutional negligence, discretionary selection, or pressure exerted during the nomination of candidates may occur not only within political parties—where acts of electoral violence have frequently been reported—but also in the random selection and screening of candidates by evaluation committees or at other stages of the process.

This would not only affect women's participation and safety but also the autonomy and composition of the judiciary—regardless of gender—undermining confidence in justice and the legitimacy of the rule of law, fostering environments of impunity and human rights violations, and limiting the ability of judicial bodies to act independently.

## **The Upcoming Judicial Elections**

As this report has found, judicial elections in México are not merely a paradigm shift in the process of appointing judicial positions or a new electoral logic; rather, they have become a new battleground for control over one of the branches of government. Elections for executive and legislative offices have already demonstrated that in México, electoral violence has become an almost uncontrollable phenomenon permeating all spheres; judicial elections lack the mechanisms to insulate themselves from this phenomenon and ensure that violence does not interfere with their conduct.

The scenario posing the greatest risk and likelihood in areas with a high presence of organized crime is the influence of *de facto* groups to interfere in the election results, although other phenomena present in other types of elections may also be observed, such as illegal campaign financing, or political or illegal mobilization to favor one candidate or another. This could result in judges across the country who owe their positions to political, illegal, or criminal structures and who, consequently, are pressured to rule in favor of those same groups. Independence, as we mentioned earlier, is not guaranteed under an electoral framework.

Another likely scenario, especially after analyzing what happened in the 2025 judicial elections, is one of low competition and a loss of human capital due to violent pressure. This scenario could arise in areas with strong judicial authorities or strong independent candidates who may face severe pressure from violent groups, leading them to renounce not only their positions but also their aspirations to hold a judicial office. As we have seen, this pressure may come directly but primarily through indirect attacks on the candidates' inner circles and teams, to further pressure the judicial candidates.

It is to be expected that the most independent candidates will be the most subject to pressure compared to those who are directly or indirectly supported by pressure groups, or even compared to those who prefer to keep a low profile and avoid making decisions that affect these pressure groups. In any case, this can lead to a significant loss of human capital and electoral competition, and, as a result, a further weakening of the judiciary and its legitimacy.

Additional risk factors include the apparent permanent campaigning by candidates to secure their reelection, the vulnerability of local judges, the lack of protocols and adequate institutionalized responses to cases of violence, and the failure to address the countless areas for improvement that emerged in these judicial elections. The normalization of all the errors and risks observed in this first judicial process could lead to the long-term dismantling of the Mexican judicial system.

# 6

## Recommendations

Electoral violence poses a direct risk to democracy because it limits the state's ability to organize free and fair elections. When the process takes place in an environment of aggression, coercion, or incidents that could even invalidate the results, not only is its execution hindered, but public trust in the electoral authority and in the very legitimacy of the election is eroded. For upcoming judicial electoral processes, new challenges and obstacles lie ahead due to the individual nature of the candidacies and the lack of legal certainty surrounding them, given the novelty of this type of election in México.

This section addresses the need to establish preventive security measures for candidates in judicial election processes, with the aim of mitigating systemic risks of violence in all its forms. A significant part of the methodological framework is based on the study by the Office of the United Nations

High Commissioner for Human Rights in México (2023), which serves as a reference point grounded, among other things, in the observance of generally accepted principles of due diligence in the investigation of acts of violence.

One of the purposes of these recommendations is to shift standards from a reactive approach toward a proactive model of risk management regarding the integrity of candidates for judicial office, identifying vulnerabilities in institutional practices that could lead to the institutional capture of the judicial system.

The institutional obligation of due diligence is essential to prevent impunity and the recurrence of violations. In this regard, the five fundamental principles established (OHCHR, 2023) that guide the preliminary and investigative stages are mentioned:

- **Ex Officio.** Investigations must be initiated and conducted without relying on the victim's initiative. In a sense, electoral bodies must possess the necessary tools to proactively initiate risk analysis upon the nomination or the emergence of the first warning sign.
- **Timeliness.** Actions must be immediate and without undue delay. Electoral offices are an essential tool for obtaining digital evidence, the preservation of which may be limited.
- **Competence.** Establish and recognize institutional investigative bodies and provide them with adequate resources, including qualified personnel.

- Independence and impartiality. In conducting investigations, authorities must remain free from political, hierarchical, or material interference,
- Comprehensiveness. The investigation must be comprehensive, that is, it must exhaust all lines of inquiry, including an analysis of the context.

The judicial electoral process is vulnerable to co-optation by power networks seeking impunity. The risk is maximized by violence, coupled with corruption and the infiltration of candidacies within the context of poorly designed institutional procedures. The risk landscape includes candidates with ties to organized crime, property crimes involving the acquisition of illicit funds, and other powerful groups, which undermines the rule of law.

In addition to the above, the inability of prosecutors' offices to thoroughly

investigate criminal attacks—including those in which the possible involvement of state agents is suspected—creates a climate of permissiveness, legitimizing the capture of the system.

In this regard, the recommendations are presented, classified by the actor involved and those related to applicable international standards, with the aim of strengthening the prevention, response, investigation, and punishment of electoral violence, as well as ensuring freer and fairer elections.

## Electoral Authorities

Although the electoral authority played a more secondary role on this occasion, there are several areas it can address that would help safeguard electoral judicial processes.

- Develop and institutionalize a specialized unit for electoral feasibility analysis with a preventive risk management approach in areas with high rates of political violence.
- Develop a unit that seriously addresses complaints regarding candidates who may be linked to criminal organizations or have ties to illicit activities, which requires inter-institutional cooperation with other security and justice agencies such as the prosecutor's office and the Ministry of Public Security.
- Design specialized protection protocols for judicial candidates that differ from those for political elections, incorporating threat and risk intelligence analysis, the establishment of protection routes, expedited security and reporting mechanisms, priority communication with prosecutors' offices, and the safeguarding of operational personnel.
- Implement a program to safeguard the integrity of the process that provides voters with certainty regarding the security of their vote, using monitoring mechanisms to identify and sanction any attempt at mass voter coercion.

- For candidate evaluation committees, strict vetting of profiles from a gender perspective and in accordance with constitutional eligibility requirements is essential, excluding candidates with allegations of criminal ties or backgrounds that pose a risk of criminal prosecution.
  - In addition, the committees should establish a temporary window to receive evidence-based complaints regarding candidates' ties to organized crime or organizations engaged in illicit activities.
- Strengthen mechanisms for monitoring campaign financing, with special attention to detecting funds from illicit sources.

## **Federal, State, and Municipal Governments, and Justice and Security Institutions**

One of the main risks in judicial elections is the capture of the judiciary following the electoral process. The imposition of judges through violence or coercion ensures subsequent impunity for criminal groups, rendering the last barrier against the power of crime ineffective.

- Establish permanent inter-institutional security roundtables, with the participation of representatives from public security forces, prosecutors' offices, and electoral authorities.
- Create political dialogue committees to facilitate communication among municipalities, states, political parties, and relevant stakeholders to prevent the escalation of conflicts.
- Prioritize judicial investigations into electoral violence, ensuring technical expertise, sufficient material resources, and professional investigative practices, particularly regarding evidence collection, interviews, contextual analysis, and victim protection (OHCHR, 2023; CNPP, Standardized Protocol). To this end, it is essential to conduct investigations and prevention efforts based on context, due diligence, and structural analysis of violence (OHCHR, 2023; IACHR, Campo Algodonero Case).
- Include protection mechanisms for candidates, even before they formally become candidates. To this end, collaboration with CSOs and academia is key to improving the design of early warning systems, indicators, and the mapping of threats and risks.
- Ensure comprehensive measures for victims that include psychological support, timely legal counsel, procedural accompaniment, and two-way communication with the victim's active participation (OHCHR, 2023; IACHR).

- Develop risk maps that include the municipal and district levels and allow for the identification of areas of high electoral vulnerability with the aim of preventing attacks before and during election day, as well as protecting the safety of institutional staff conducting fieldwork.

## Civil Society, Academia, and the Media

- Conduct observation and monitoring during all stages of the electoral process, issuing alerts to identify and respond to violent incidents, especially in high-risk areas. This involves considering the strategic nature of the municipal level, where the majority of victims are concentrated and unique local partisan dynamics operate.
- Promote and strengthen investigative journalism specializing in electoral violence and potential criminal networks of institutional capture linked to judicial candidacies.
- Promote, especially in high-risk areas, civic education campaigns and mechanisms to encourage citizen participation, a culture of legality, and informed voting to counteract the inhibitory effect of narratives that incite collective terror.
- Integrate a gender perspective into coverage, monitoring, and analytical methodologies.
- Promote the development and operation of networks of women candidates or potential victims of electoral violence, facilitating support structures and alliances.

## Political Parties

Although judicial electoral processes are exempt from partisan activity, political parties remain key actors and must explicitly distance themselves from ties to criminal groups, making a verifiable public commitment not to endorse candidates with criminal ties, questionable backgrounds or track records, or with structures that facilitate electoral violence.

In turn, they must participate in safeguarding electoral integrity by promoting, within the scope of their authority, agreements and, where appropriate, legal reforms that strengthen transparency and oversight of the financing of judicial candidacies.

## Victims, Candidates, and Judicial Branch Employees

Individuals with the appropriate qualifications to hold positions in the Judiciary, but without party affiliation or institutional protection, may be targets of electoral violence, which can result in candidates withdrawing and a lack of real choices for the electorate.

- Formally report and issue public statements whenever feasible if electoral violence is witnessed or experienced; for this, timely adherence to institutional response protocols is essential.
- Candidates must sign public commitments to non-violence and utilize institutional mechanisms to resolve conflicts, such as those outlined in the recommendations for public security institutions.
- Promote citizen oversight networks to monitor cases of electoral violence in the judicial system, generating inputs for public policies, reforms, or future rulings.

Across the board, dignified treatment and the recognition of victims as central actors in the process are essential. Access to justice improves significantly when the victim, family members, and close professional and/or political associates are considered primary sources of information.

# 7

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