# WIN WITH WOMEN GLOBAL ACTION PLAN

México Country Report



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# **ABOUT NDI**

Founded in 1983, the National Democratic Institute for International Affairs (NDI / www.ndi.org) is an international nonprofit organization headquartered in Washington, D.C., with offices in nearly 65 countries, whose mission is to work in partnership around the world to strengthen and safeguard democratic institutions, processes, norms and values to secure a better quality of life for all. Thanks to a worldwide network of experts, NDI offers technical assistance to strengthen political and civic organizations, monitor elections, promote citizen participation, and ensure openness and accountability in government.

Additionally, one of the focuses of NDI's work is to support women to overcome the barriers to their equal and active political participation; democratic resilience requires that political systems and processes take account of the voice and agency of all populations. Including women as equal participants in the decision-making that affects their lives and communities is both a rights issue and an issue of democratic integrity.

## **ACKNOWLEDGMENTS**

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## **PRESENTATION**

After World War II, within forums such as the United Nations (1945) and the Organization of American States (1948), Mexico ratified multiple international and regional human rights instruments. However, it was not until the constitutional amendment of 2011 that the following was recognized in Article 1: "In the United Mexican States, all persons shall enjoy the human rights recognized in this Constitution and in the international treaties to which the Mexican Government is a party, as well as the guarantees for their protection." It also obliged all authorities to promote, respect, protect, and guarantee human rights, following the principles of universality, interdependence, indivisibility, and progressiveness.

In turn, the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted by the United Nations General Assembly in 1979 and signed by Mexico in 1981, has become the most extensive and progressive instrument on the human rights of women and girls worldwide. CEDAW promotes equality between men and women by ensuring equal access to development, particularly in the political, social, economic, and cultural spheres. In CEDAW, Mexico found the starting point for various reforms and actions to promote women's political participation, first through quotas and later through parity.

Later, in Article 17 of the Quito Consensus (2007), the concept of parity was defined as a democratic principle, which constitutes "one of the key driving forces of democracy, that it aims to achieve equality in the exercise of power, in decision-making, in mechanisms of social and political participation and representation, in diverse types of family relations, and social, economic, political and cultural relations, and that it constitutes a goal for the eradication of women's structural exclusion." In response to this regional proposal, Mexico approved three legislative amendments to implement gender quotas (1996, 2002, and 2007) with an understanding of the need to promote the empowerment of Mexican women and increase their effective participation in the public sphere. In addition, the 2007 electoral reform also established that political parties must dedicate at least 2% of their ordinary resources to training, promoting, and developing women's political leadership (a proportion that was increased to 3% in 2014).<sup>1</sup>

<sup>1</sup> INE. (2015). Protocolo para la Implementación de Buenas Prácticas en el Ejercicio de los Recursos del Gasto Programado: Capacitación, Promoción y Desarrollo del Liderazgo Político de las Mujeres. Available online: https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/98447/CGex201809-12-ap-19-a1.pdf?sequence=2&isAllowed=y

In 2014, a thorough amendment was made to the Political Constitution of the United Mexican States (CPEUM) in political and electoral matters, which included, among several substantive changes, a mandate for parity in nominating candidates for elected legislative offices.

Subsequently, in 2019, the amendment known as "Parity in All" was approved, which provides for parity as a principle and as a right of all citizens that applies to all elected offices and appointed positions in the Executive, Legislative, and Judicial Branches and autonomous constitutional bodies. In addition, progress was made in recognizing parity among indigenous peoples and communities.

Following this legislative transformation, the thirty-two states have harmonized their laws to ensure that the parties comply with the mandate to nominate candidates based on parity for popularly elected offices to form new state congresses and city councils according to the logic of vertical and horizontal parity.<sup>3</sup>

Similarly, progress has been made on the issue of violence against women in politics (VAW-P), or gender-based political violence, which has had a widely documented impact in limiting the exercise of women's political and electoral rights in Mexico, and even global initiatives have emerged to make this problem visible, such as NDI campaign "#NotTheCost: Stopping Violence Against Women in Politics."

The reform of April 2020, which amended eight laws in electoral, administrative and criminal matters, granted various bodies that administer justice the jurisdiction to hear cases of VAW-P, including the corresponding bodies within the political parties. Furthermore, it criminalized this type of violence in Article 20 Bis of the General Act on Women's Access to a Life Free of Violence.<sup>5</sup>

<sup>2</sup> Diario Oficial de la Federación. (June 6, 2019). Decreto por el que se reforman los artículos 2, 4, 35, 41, 52, 53, 56, 94 y 115; de la Constitución Política de los Estados Unidos Mexicanos, en materia de Paridad entre Géneros. Available online: https://dof.gob.mx/nota\_detalle.php?codigo=5562178&fecha=06/06/2019

<sup>3</sup> Horizontal parity means that, for the total number of offices available, the candidates running must be 50% women and 50% men. In contrast, vertical parity applies to the lists for the composition of municipal councils or seats based on proportional representation. These lists must not only be headed by 50% men and 50% women (horizontal) but their members must be listed in an alternating manner, i.e., in a list headed by a woman, a man must follow, then a woman, etc., until the number of offices is exhausted; while in a list headed by a man, the next office will be go to a woman, then a man, etc. until the number of offices is exhausted.

<sup>4</sup> https://www.ndi.org/not-the-cost

<sup>5</sup> Diario Oficial de la Federación. (October 18, 2022). Ley General de Acceso de las Mujeres a una Vida Libre de Violencia. Available online: https://www.diputados.gob.mx/LeyesBiblio/pdf/LGAMVLV.pdf

Finally, one of the most recent actions to prevent violence against women from affecting their political participation was the enactment at the federal level in 2023 of the "3 out of 3 against violence" law, 6 which bars persons convicted of offenses involving family/domestic violence, sexual violence and persons with alimony or child support arrearages from running for elected offices.

Against this backdrop, in the interest of learning about the needs and barriers that women face within political parties, NDI has commissioned this report so that the information compiled and presented can help to influence the existing parity system to be made more effective in enhancing the leadership and the numerical, effective and sustained empowerment of Mexican women in politics.

<sup>6</sup> Diario Oficial de la Federación. (May 29, 2023). DECRETO por el que se reforman y adicionan los artículos 38 y 102 de la Constitución Política de los Estados Unidos Mexicanos, en materia de suspensión de derechos para ocupar cargo, empleo o comisión del servicio público. Available online: https://www.dof.gob.mx/nota\_detalle.php?codigo=5690265&fe cha=29/05/2023#gsc.tab=0

# **GLOSSARY**

### Abbreviation Definition CEDAW Convention on the Elimination of All Forms of Discrimination against Women CPEUM Political Constitution of the United Mexican States FISEL Special Prosecutor's Office for Electoral Crimes LGIPE General Act on Electoral Institutions and Procedures LGPP General Political Parties Act IEPAC Electoral and Citizen Participation Institute of Yucatán IMPEPAC Institute of Electoral Processes and Citizen Participation of Morelos **INE National Electoral Institute** MAS Social Alternative Movement MC Citizens' Movement MORENA National Regeneration Movement NAY New Alliance Yucatán NDI National Democratic Institute for International Affairs PAN National Action Party PAT Annual Work Plan PRI Institutional Revolutionary Party ONMPRI National Organization of Women in the PRI OPLE Local Public Electoral Body ONU MUJERES United Nations Entity for Gender Equality and the Empowerment of TEPJF Electoral Court of the Federal Judiciary

VAW-P Violence Against Women in Politics

# INTRODUCTION

In recent years, women's political participation and representation in decision-making spaces have increased in Mexico, first with the application of gender quotas and later with the approval of gender parity at the constitutional level in 2014 for the Legislative Branch, and again in 2019 with the amendment known as "Parity in All."

The legal evolution of affirmative action to achieve parity in everything has advanced slowly but steadily since the 1953 amendment that granted women the right to vote. In the twenty-first century, one of its highest points was achieved in 2021 in the 64th Legislature, which secured parity throughout the composition of the federal legislative chambers.<sup>7</sup> This journey represents a great step forward for women's equal representation in Mexico, which continues to lay the groundwork for full recognition of substantive equality between women and men.

In four sections, this document provides a country analysis of the situation of women in political parties in Mexico, based on two case studies involving the states of Morelos and Yucatán. The first section, titled "Context: Mexican women's political and participatory rights," aims to provide an overview of the relevant aspects related to the topic under investigation; it is intended as a brief general review of the historical evolution of women's political participation and the affirmative actions implemented up to the achievement of "Parity in All."

The second section is titled "Mexico's legal framework on gender parity and violence against women in politics (VAW-P)." This section reviews the legal framework on human rights in Mexico, recalling the relevant international instruments signed and ratified by Mexico, as well as various provisions of the Political Constitution of the United Mexican States (CPEUM), and general laws and the state laws of Morelos and Yucatán that govern the principle of parity and address VAW-P.

The third section, titled "Party system in Mexico: gender parity and VAW-P rights and obligations," begins with an analysis of some of the political parties registered nationally (PAN, PRI, MORENA) and the parties registered only in the states being studied, namely Morelos and Yucatán (MAS and NAY). It also reviews the General Act on Electoral Institutions and Procedures (LGIPE) and the General Political

<sup>7</sup> Aguilar Rodríguez, Aurora. (March 2022). PARIDAD EN TODO. Recuento histórico y acciones afirmativas en México, Konrad Adenauer Stiftung. Available online: https://www.kas.de/es/web/mexiko/veranstaltungsberichte/detail/-/content/presentacion-del-kas-paper-paridad-en-todo-1

Parties Act (LGPP), which contain the main provisions on the obligations of political parties regarding women's political participation and VAW-P.

To delve into the internal information of the political parties, we have conducted a compilation, review, systematization and analysis in terms of VAW-P and parity of the basic documents of the seven national political parties registered with INE, as well as those of the local political parties registered with the Local Public Electoral Bodies (OPLEs) of Morelos and Yucatán.

The fourth section reveals the general results of the assessments of gender equality and violence against women in politics conducted on the political parties participating in the study.

#### METHODOLOGICAL NOTE

The states of Morelos and Yucatán were selected for this report. On the one hand, this selection was made because Morelos was one of the states with the lowest percentages of women governing municipalities (15% in 2020), with a clear imbalance compared to their representation in the state Legislative Branch (70%);<sup>8</sup> additionally, within the framework of the 2020-21 electoral process, three indigenous municipalities were created in the state: Coatetelco, Hueyapan and Xoxocotla. On the other hand, Yucatán was selected due to its significant indigenous population (65.4% of the total population),<sup>9</sup> which influenced the designation of 15 indigenous electoral districts by the INE for the 2020-21 electoral process.

This assessment was prepared based on the methodology and tools included in the NDI document Win With Women: Building Inclusive 21st Century Parties.<sup>10</sup> This methodology proposes the use of various information gathering tools, such as document review, key informant interviews with the party executives and heads of the gender wings of the political parties, focus groups with women party members, an online survey for both female and male party members, and finally, workshops to create action plans.

The tools used were adjusted to the reality of political parties in Mexico and implemented by the consultant in charge of the project, with the support of NDI staff. The participating political parties provided support to disseminate the survey and hold the workshops.

The parties that agreed to participate in the study were:

MORELOS
National Action Party (PAN)
Institutional Revolutionary Party (PRI)
Social Alternative Movement (MAS)
Citizens' Movement (MC)

YUCATÁN
National Action Party (PAN)
Institutional Revolutionary Party (PRI)
National Regeneration Movement
(MORENA)
New Alliance Yucatán (NAY)

<sup>8</sup> https://observatorio.inmujeres.gob.mx/mvc/view/public/index.html?ms=Mzk=

<sup>9</sup> According to INEGI's 2015 Intercensal Survey: https://www.inegi.org.mx/contenidos/productos/prod\_serv/contenidos/espanol/bvinegi/productos/nueva\_estruc/inter\_censal/estados2015/702825080051.pdf

<sup>10</sup> https://www.ndi.org/sites/default/files/WWW%20Methodology%20NDI%20LINKS%20%281%29.pdf

Likewise, as shown in Tables 1 and 2, some of these parties did not participate in all the activities described in the second paragraph of this section.

TABLE 1. POLITICAL PARTIES OF MORELOS PARTICIPATING IN THE ASSESSMENT BY STAGE

PARTY	INTERVIEWS	ONLINE SURVEY	FOCUS GROUPS	ACTION PLAN
PAN Morelos				
PRI Morelos				
MAS				
MC				

TABLE 2. POLITICAL PARTIES OF YUCATÁN PARTICIPATING IN THE ASSESSMENT BY STAGE

PARTY	INTERVIEWS	ONLINE SURVEY	FOCUS GROUPS	ACTION PLAN
PAN Yucatán				
PRI Yucatán		•		
NAY		•		
MORENA Yucatán	•	•	•	

In the different stages of participation, each party was represented as follows:

# TABLE 3. PARTICIPANTS BY POLITICAL PARTY FROM MORELOS IN THE ASSESSMENT STAGES

PARTY	KEY INFORMANT INTERVIEWS (office)	ONLINE SURVEY (# of responses)	FOCUS GROUPS (# of participants)	ACTION PLAN (# of participants)
PAN Morelos	Dalila Morales, President of the State Executive Committee (CDE)  Elizabeth Maldonado, Secretary of Political Promotion of Women	33 26 women 7 men	13 women	19 10 women 9 men
PRI Morelos	Jonathan Márquez, President of the State Executive Committee (CDE)  lovanna Ávalos, Head of the Gender Unit of the State Executive Committee (CDE)	4 women 4 men	13 women	18 10 women 8 men
MAS	Mirna Cordero, Secretary of Women of Morelos	0	0	0
MC	Lizette Ramírez, Coordinator of Mujeres en Movimiento [Women in Motion]	0	0	0

# TABLE 4. PARTICIPANTS BY POLITICAL PARTY FROM YUCATÁN IN THE ASSESSMENT STAGES

PARTY	KEY INFORMANT INTERVIEWS (office)	ONLINE SURVEY (# of responses)	FOCUS GROUPS (# of participants)	ACTION PLAN (# of participants)
PAN Yucatán	· <b>/</b>	13 (10 women, 3 men)	9 women	15 (4 women, 11 men)
PRI Yucatán	Aidé Castellanos, Secretary of Electoral Organization  Linette Escoffié, Head of the National Organization of Women in the PRI (ONMPRI)	6 (6 women)	2 women	22 (14 women, 8 men)
New Alliance Yucatán	of the State Executive	21 (16 women, 5 men)	2 women	15 (9 women, 6 men)
MORENA	Mario Mex, President of the State Executive Committee (CDE) Consuelo Velazquez, Secretary of Women	11 (10 women, 1 men)	4 women	0

# COUNTRY ANALYSIS

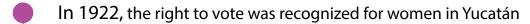
CONTEXT: MEXICAN WOMEN'S POLITICAL AND PARTICIPATORY RIGHTS

In Mexico, the political participation of Yucatecan women has been of great historical importance for the advancement of the political and electoral rights of Mexican women as a whole. The First Feminist Congress was held in January 1916 in Mérida, Yucatán; more than 600 delegates from around the country discussed, among other issues, women's participation in elected office and public service.

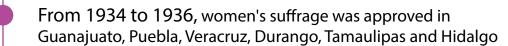
This Congress was organized by Yucatecan feminists Consuelo Zavala Castillo, Elvia Carrillo Puerto, Dominga Canto Pastrana, Raquel Dzib Cicero, Rosa Torres González, Beatriz Peniche, and Candela Ruíz. It was also promoted and financed by the then Governor of Yucatan, Salvador Alvarado, with the support of revolutionary leader Venustiano Carranza.

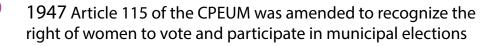
The Feminist Congress alerted the deeply conservative Mexican society that the traditional role of women as wives and mothers discussed in this space was being questioned. Thus, a series of reforms began that set the course for women's political participation at the national and local levels. The following diagram shows this process.<sup>11</sup>

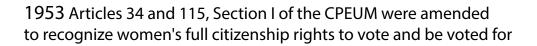
#### Diagram 1. Women's vote

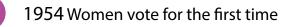












Source: Prepared by the authors.

**<sup>11</sup>** Galeana, Patricia (Coord.). (2015). Historia de las Mujeres en México. Instituto Nacional de Estudios Históricos de las Revoluciones en México: México, p-p. 245-290. Disponible en línea: https://www.inehrm.gob.mx/work/models/inehrm/Resource/1484/1/images/HistMujeresMexico.pdf https://www.segobver.gob.mx/genero/docs/Biblioteca/Historia\_de%20la%20 ciudadania%20de%20las%20mujeres.pdf

# 1.1 Affirmative actions:Gender quotas and parity

The path of progress through affirmative action is extremely enriching. Affirmative actions:

(...) are a compensatory measure for situations of disadvantage, which aims to reverse historical and de facto scenarios of inequality faced by certain groups of people in the exercise of their rights and guarantee them substantially equal footing in access to goods, services and opportunities available to most social sectors. This type of action is characterized as: temporary, because it constitutes a means with a duration conditional on the proposed end; proportional, since it requires a balance between the measures implemented with the action and the outcomes to be achieved, all without producing a greater inequality than the one it intends to eliminate; as well as reasonable and objective, since such action must address the collective interest based on a situation of injustice for a given sector.<sup>12</sup>

In general, when linked to political and electoral rights, these actions are aimed at promoting and strengthening the participation and representation of groups traditionally excluded from public office and decision-making spaces. Historically, these actions have come mainly in the form of gender quotas, which are:

(...) a form of affirmative action aimed at guaranteeing the effective integration of women into elected decision-making positions in political parties and the State. It is a mandatory measure requiring the incorporation of women into lists of candidates or lists of electoral outcomes, and it is temporary, since its term is subject to overcoming the obstacles that prevent adequate representation of women in the spaces of power and political representation.a.<sup>13</sup>

**<sup>12</sup>** TEPJF. (21 de octubre de 2013). Jurisprudencia 30/2014 "Acciones afirmativas. Naturaleza, características y objetivo de su implementación". Disponible en línea: https://www.te.gob.mx/IUSEapp/tesisjur.aspx?idtesis=30/2014&tpoBusqueda=S&sWord=30/2014

<sup>13</sup> Barreiro, Line; Clyde Soto. (2000). Cuota de género, p.1. Disponible en línea: http://iidh.ed.cr 10/11/09

In broad terms, gender quotas usually involve allocating 30% or 40% of candidacies to women as the underrepresented group compared to men. Their objective is to enable women to represent a critical mass in relation to the total number of members of decision-making bodies, primarily collegiate bodies, so that their decisions can have a real impact. In Mexico, gender quotas went through a transition, as shown in the following diagram:

#### DIAGRAM 2. HISTORIC TRANSITION FROM OUOTAS TO PARITY

#### 1993

Quotas recommended to the parties; non-mandatory

#### 1996

70/30 quota; non-mandatory

#### 2002

70/30 quota with gender alternation for proportional representation, with penalties, except for the direct selection method

#### 2008

60/40 quota with gender alternation, except for the direct selection method 2% for training, promotion and development of women's political leadership (3% in Mexico City and Zacatecas)

#### 2014

Gender parity approved in federal and state legislative offices

#### 2019

Gender parity approved in all popularly elected offices and public sector jobs.

Known as "Parity in All"

Source: Prepared by the authors based on the presentation of Peña Molina Blanca Olivia in "El Gradualismo de la Cuota de Paridad: La protección de los derechos político-electorales de las mujeres en México" for the Instituto de Iberoamérica, Universidad de Salamanca, Spain, March 2014.

Another affirmative action adopted in Mexico was the approval in 2008 of the requirement for political parties to allocate at least 2% of their regular resources to the training, promotion and development of women's political leadership.<sup>14</sup> These resources were earmarked to allow women interested in participating actively in politics through the parties to have the opportunity to increase and strengthen their skills and abilities, which in turn would contribute to increasing the number of women competing for and gaining access to popularly elected offices. However, at first, these resources were not used as intended or in a suitable way, making it necessary to regulate and supervise their use. The resources were increased to 3% in 2014.<sup>15</sup>

For the 2020-2021 electoral process, and based on the principles of cross-culturalism,<sup>16</sup> equality and inclusion, INE approved another series of affirmative actions for the nominations<sup>17</sup> of federal deputy candidates involving quotas to nominate the following traditionally underrepresented groups:<sup>18</sup>

• Indigenous people: 30 seats

• People with disabilities: 8 seats

Afro-Mexican people: 4 seats

• Sexually diverse people 3 seats

• Migrants and residents abroad: 5 seats

In turn, taking into consideration their local and population contexts, the OPLEs of the states issued their own guidelines that included affirmative actions for nominating candidates for municipal and state legislative offices.

**<sup>14</sup>** Los partidos pueden destinar dichos recursos para financiar investigaciones, organizar mesas de trabajo, conferencias, talleres y eventos sobre la incorporación de las mujeres a la vida política o bien para elaborar, publicar y distribuir libros, revistas y folletos relacionados con la paridad de género, entre otros.

**<sup>15</sup>** INE. S/f. Presupuesto para el desarrollo del liderazgo político de las mujeres. Disponible en línea: https://igualdad.ine. mx/mujeres-en-la-politica/presupuesto-para-el-desarrollo-del-liderazgo-politico-de-las-mujeres/

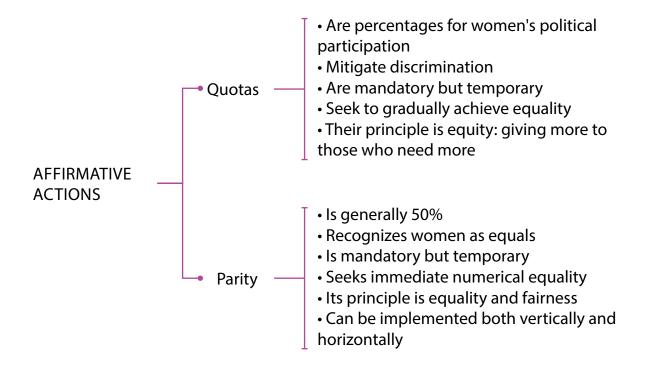
<sup>16</sup> La interculturalidad surge como una propuesta necesaria en la formación de ciudadanos y ciudadanas en un proceso de mundialización que debe garantizar la igualdad de derechos, el diálogo, la interacción y el reconocimiento entre personas de distintas procedencias culturales; se asienta en los principios de dignidad, igualdad y no discriminación. Implica que las relaciones entre dos o más culturas se entretejan de manera horizontal y equitativa.

**<sup>17</sup>** En acatamiento a las Sentencias SUP-RAP-121/2020, SUP-RAP-21/2021 y Acumulados de la Sala Superior del TEPJF se aprobaron los Acuerdos INE/CG18/2021 y INE/CG160/2021.

**<sup>18</sup>** INE. S/f. Acciones afirmativas en postulación de candidaturas. Disponible en línea: https://igualdad.ine.mx/wp-content/uploads/2021/06/INFOGRAFIA\_ACCIONES\_AFIRMATIVAS\_EN\_POSTULACIONES\_DE\_CANDIDATURAS\_PROCESO\_ELECTORAL\_20202021\_Correc9\_COMPLETO.pdf

In 2014, the Political Constitution of the United Mexican States (CPEUM) was amended with substantive changes in women's political and electoral rights; the main change being the incorporation of the principle of parity into the nomination of candidates for popularly elected offices in the Federal Legislature. The constitutional amendment also led to a legal harmonization requirement on the thirty-two states in order to standardize the mandate to run candidates based on parity for popularly elected offices to form new state congresses.

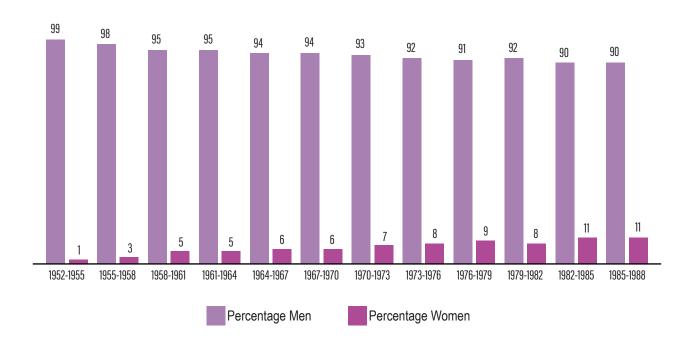
DIAGRAM 3. AFFIRMATIVE ACTIONS: QUOTAS AND PARITY



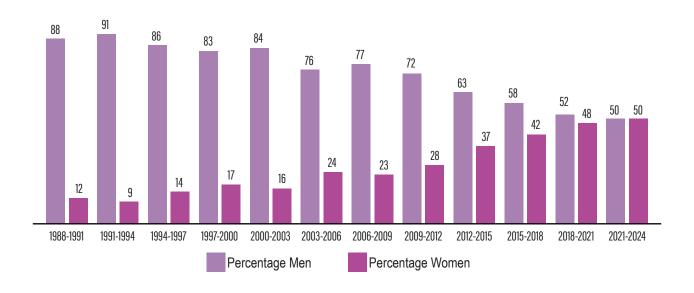
Source: Prepared by the authors.

The above-mentioned amendment enabled the Federal Congress to achieve gender parity, albeit with delays. As the following graphs show, between 1952 and 1982 (for 30 years), the percentage of women in the Chamber of Deputies, for example, did not even reach 10%. Up until 1994, when the first affirmative action quotas were implemented, growth, although slow, was progressive until the approval of the so-called "Parity in All" amendment (2019), which achieved parity (See Graphs 1 and 2).

#### GRAPH 1. CHAMBER OF DEPUTIES COMPOSITION 1952-1988



#### GRAPH 2. CHAMBER OF DEPUTIES COMPOSITION 1988-2024



Source: Prepared by the authors based on data from INE's Election Statistics Query System (Sistema de Consulta de la Estadística de las Elecciones): https://www.ine.mx/voto-y-elecciones/resultados-electorales/ and the Center for the Study for the Advancement of Women and Gender Equality (Centro de Estudios para el Adelanto de las Mujeres y la Igualdad de Género): http://archivos.diputados.gob.mx/Centros\_Estudio/ceameg/Inv\_Finales\_08/DP1/1\_19.pdf

Thus, the above-mentioned amendment of 2019 to the CPEUM provides that parity is a right of all citizens and extends it to popularly elected offices as well as to appointed positions in the Executive, Legislative and Judicial Branches and in constitutional autonomous bodies. Progress is also being made in its recognition among indigenous peoples and communities.<sup>19</sup>

In this vein, electoral gender parity was defined in the General Act on Electoral Institutions and Procedures (LGIPE) as follows: "Political equality between women and men, [which] is guaranteed by allocating 50% women and 50% men to candidacies for popularly elected offices and to appointed positions" (Article 3, Paragraph 1, d BIS).

In addition to this definition included in the 2019 amendment, the Electoral Court of the Federal Judiciary (TEPJF), through its case law,<sup>20</sup> broadens the interpretation and application of the principle of gender parity to nominations for candidacy on a plurality and on proportional representation, to the composition of representative bodies (at the federal, state and municipal levels alike), as well as to the makeup of party bodies and OPLEs; thus, the application of gender parity in Mexico is constantly evolving.

This evolution has broadened its scope across electoral processes. For example, in the 2021 elections, where 15 governorships were put to a vote, INE issued guidelines to apply horizontal parity to these offices, with each party having to nominate at least seven women candidates, resulting in six women being elected governor (in Baja California, Campeche, Colima, Chihuahua, Guerrero and Tlaxcala).<sup>21</sup> This was a historic achievement, as only nine states had elected women governors between 1979, when the first woman governor was elected in Mexico, and 2021.<sup>22</sup>

Regarding another central issue for the advancement of women's political participation, April 2020 saw the publication in the Official Gazette of the Federation (DOF) of a series of changes and additions to various general and federal laws that implemented rights, obligations and rules of application for gender parity, along with the inclusion of violence against women in politics (VAW-P) as a form of violence in the General Act on Women's Access to a Life Free of Violence and its

<sup>19</sup> Previously, in the 2014 parity amendment, this only covered the nominations of candidates by political parties for state and federal senate and deputy seats.

<sup>20</sup> These can be found at the following link: https://www.te.gob.mx/paridad\_genero/front/jurisprudencias/index#

<sup>21</sup> INE. (November 6, 2020). Acuerdo INE/CG569/2020. Available online: https://repositoriodocumental.ine.mx/xmlui/bits-tream/handle/123456789/115152/CG2ex202011-06-ap-1.pdf

<sup>22</sup> INMUJERES. Undated. Mujeres en la historia. Available online: https://observatorio.inmujeres.gob.mx/mvc/view/public/index.html?ms=Mjk=

manifestations and the acts that may constitute this offense, which are set out in 21 situations. The main acts constituting this offense are:

- Use of gender stereotypes to violate political and electoral rights.
- Forcing resignation from a candidacy or public office.
- Obstructing women's campaigns, access to justice or participation in elections governed by internal regulatory systems.
- Threats against women candidates, election winners, their families and collaborators, as well as pressures to vote or attend campaign events.
- Concealment of information to impede the exercise of political and electoral rights.
- Use of images and messages about the private life of women candidates or incumbents.
- Limiting resources and powers of women in public office.
- Denial of the right to speak and vote for women election winners or incumbents.

In addition, specific obligations were included in the electoral regulations for the electoral authorities (both administrative and judicial) and political parties to cooperate to prevent, address, punish and eradicate VAW-P, in accordance with their duties and powers. In addition, it is recognized that VAW-P may occur within or outside electoral processes, and that its commission may be punished by various means, whether electoral, criminal or administrative; at the same time, the offender's name will be registered in the National Registry of Persons Punished for VAW-P.

# 1.2 Women's political participation in Morelos and Yucatán

As regards the states included in this analysis (Morelos and Yucatán), the situation of women's political participation in the state congresses and in municipalities has been similar to that of the rest of the states, i.e., a demanding effort by no means free of institutional, cultural, community, social and individual obstacles. For example, it is instructive to recall the development of Colombian researcher Angélica Bernal,<sup>23</sup> who proposes three categories of obstacles faced by women who participate in politics: 1. Obstacles to Starting; 2. Obstacles to Entry; and 3. Obstacles to Remaining (see Table 5).

TABLE 5. OBSTACLES TO POLITICAL PARTICIPATION FACED BY WOMEN

OBSTACLES TO STARTING	OBSTACLES TO ENTRY	OBSTACLES TO REMAINING
<ul> <li>Little experience in the exercise of power.</li> <li>Economic situation.</li> <li>Insufficient political preparation and training.</li> <li>Difficulty of reconciling home and public life.</li> <li>Lack of leadership skills and low self-confidence.</li> </ul>	<ul> <li>High costs to run an electoral campaign.</li> <li>"Circles of friends" opposed to their nomination in the party.</li> <li>Undervaluing their abilities as leaders.</li> <li>Opposition by women in their party to their nomination.</li> <li>Difficulty in reconciling family responsibilities with the election campaign.</li> </ul>	•The "way" of doing politics usually responds to masculinized styles of negotiation and decision-making, associating these styles with greater aggressiveness than those used by women. •Political negotiation spaces that are difficult for women to access (small, informal and closed circles). •Women's private lives are more questioned and socially controlled. •Difficulty in reconciling private and public life.

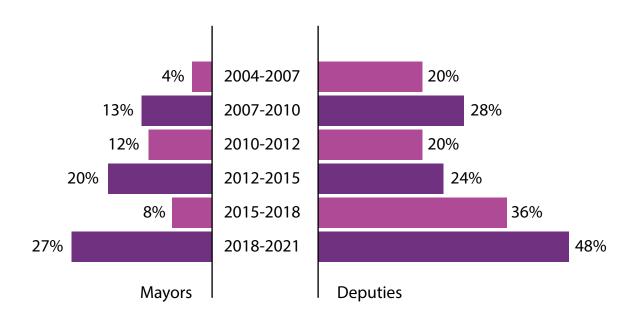
Source: Prepared by authors based on the classification of: Bernal Olarte, Angélica Fabiola. (2017). Las mujeres y el poder político: una investidura incompleta. Universidad de Bogotá Jorge Tadeo Lozano.

<sup>23</sup> Bernal Olarte, Angélica Fabiola. (2017). Las mujeres y el poder político: una investidura incompleta. Universidad de Bogotá Jorge Tadeo Lozano.

Parity in state deputy seats has also been achieved by harmonizing state legislation with federal legislation; however, the situation for mayoral seats is more complicated, as it has to do with an unequal outcome between parity in the nomination of candidates and the women who are actually elected.

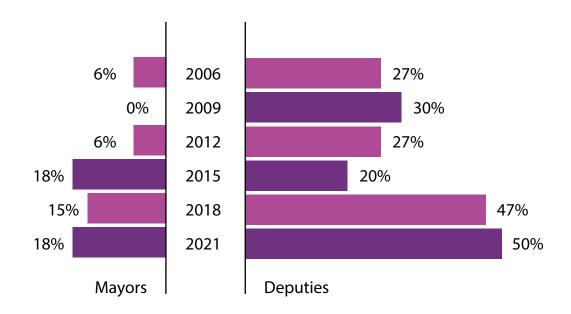
It is important to mention that, in municipal politics, which often takes place in small communities, where most people know each other and human relationships are closer, the control exercised over women who transgress gender norms by participating in politics takes on particular tones, i.e., They are accused of being licentious, easy, crazy, indecent, gossipy, etc., and they are often subject to attacks about themselves, their families and their beliefs. Graphs 3 and 4 show the situation of women's political participation and representation in the states of Yucatán and Morelos for the last electoral processes.

GRAPH 3. EVOLUTION OF WOMEN IN MAYORAL AND STATE DEPUTY SEATS. YUCATÁN 2004-2021



Source: Prepared by the authors based on data from the Gender Equality and Non-Discrimination Unit of the IEPAC, from the Protocol for Addressing Gender-Based Political Violence against Women in the State of Yucatán, and the Electoral Results published in the IEPAC's web portal.

GRAPH 3. EVOLUTION OF WOMEN IN MAYORAL AND STATE DEPUTY SEATS. MORELOS 2006-2021



Source: Prepared by the authors based on data from the Executive Secretariat of the Temporary Executive Commission for the Strengthening of Gender Equality and Non-Discrimination of IMPEPAC, Parity Analysis 2019, Cuernavaca, Morelos, 2019.

Beyond parity, which is already incorporated into the state laws of Morelos and Yucatán, the OPLEs of both states also approved additional affirmative measures or actions for the 2020-2021 electoral process to incorporate traditionally underrepresented groups into candidacies. On the one hand, Morelos incorporated quotas for people with disabilities, indigenous, Afro-Mexican, young, sexually diverse and elderly people. In turn, Yucatán approved quotas for people with disabilities, indigenous, young, sexually diverse and elderly people.

# 1.3 Legal framework applicable at the national level in Mexico on gender parity and violence against women in politics (VAW-P)

Any review of the legal framework for human rights in Mexico must consider the international, regional, national and state levels. This assessment will review international and regional treaties and conventions, the Political Constitution of the United Mexican States (CPEUM), general laws and state laws of the states of Morelos and Yucatan, which include the rights to equality between women and men, women's access to a life free of violence, and political and electoral rights.

#### TABLE 6. NATIONAL LEGAL FRAMEWORK FOR EQUALITY AND VAW-P

## INTERNATIONAL AND REGIONAL INSTRUMENTS

- •Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)
- •International Covenant on Civil and Political Rights
- American Convention on Human Rights
- •Inter-American Convention on the Prevention, Punishment, and Eradication Violence against Women ("Belém do Pará Convention")
- •Convention on the Political Rights of Women

#### FEDERAL AND GENERAL LAWS

- •Political Constitution of the United Mexican States
- •General Act on Electoral Institutions and Procedures
- •General Electoral Offenses Act
- •General Political Parties Act
- •General Act on the System of Electoral Challenges
- •General Act on Women's Access to a Life Free of Violence
- •General Act for Equality between Women and Men
- •Federal Act on the Prevention and Elimination of Discrimination
- General Victims Act
- •Organic Act for the Office of the Prosecutor
- •General of the Republic
- Organic Act for the Federal Judiciary
- •General Act on Administrative Responsibilities

Source: Prepared by the authors.

# 1.4 Legal framework on parity and VAW-P applicable to the States of Morelos and Yucatán

As regards Mexico's states, following the above-mentioned amendments of 2019 and 2020, a legislative harmonization process was advanced in the states, which was practically complete by 2022.<sup>24</sup> <sup>25</sup> In the cases of Morelos and Yucatán, Table 7 lists the relevant laws concerning parity and VAW-P as follows:

<sup>24</sup> In Morelos, harmonization with the 2019 and 2020 amendments took place through Decree Number 690, amending various articles, adding and repealing various provisions of the Code of Electoral Institutions and Procedures of the State of Morelos; and through the Act on Women's Access to a Life Free of Violence of the State of Morelos, in matters of gender-based political violence against women and parity of June 8, 2020 (See: http://periodico.morelos.gob.mx/obtener-PDF/2020/5832.pdf) and Decree Number 688, amending various provisions of the Political Constitution of the Free and Sovereign State of Morelos in order to provide for constitutional parity in all, Cabinets, Courts, Legislature, Candidacies and Governments dated June 10, 2020 (See: http://periodico.morelos.gob.mx/obtenerPDF/2020/5833.pdf). In the case of Yucatán, this occurred through Decree 264/2020, published in the Official Gazette of the Government of the State of Yucatán, amending the Act on Women's Access to a Life Free of Violence of the State of Yucatán, the Act for Electoral Institutions and Procedures of the State of Yucatán, Political Parties Act of the State of Yucatán, the Criminal Code of the State of Yucatán, the Administrative Responsibilities Act of the State of Yucatán and the Act on the System for Contesting Elections of Electoral Challenges of the State of Yucatán dated July 23, 2020 (See: https://www.yucatan.gob.mx/docs/diario\_oficial/diarios/2020/2020-07-23 2.pdf) and Decree 118/2019, amending the Political Constitution of the State of Yucatán, in matters of gender parity dated November 14, 2019 (https://www.yucatan.gob.mx/docs/diario\_oficial/diarios/2019/2019-11-14\_1.pdf). 25 Comisión Nacional de Derechos Humanos. El Panorama Legislativo en Torno a la Paridad en Cargos Públicos en las Constituciones Políticas, Apuntes para la Armonización. Available online: http://igualdaddegenero.cndh.org.mx/Content/doc/ Observancia/RML\_Paridad.pdf

### TABLE 7. LOCAL LEGAL FRAMEWORK ON EQUALITY AND VAW-P FOR MORELOS AND YUCATÁN

#### YUCATÁN **MORELOS** Political Constitution of the Free and • Political Constitution of the State of Sovereign State of Morelos Yucatán Code on Electoral Institutions and Act for Electoral Institutions and Procedures of the State of Morelos Procedures of the State of Yucatán Act for Equal Rights and Political Parties Act of the State of Opportunities between Men and Yucatán Women in the State of Morelos Act on the System of Electoral Act on Women's Access to a Life Free Challenges of the State of Yucatán of Violence of the State of Morelos Act on Women's Access to a Life Free Act on the Prevention and Elimination of Violence of the State of Yucatán of Discrimination in the State of Act for Equality between Men and Women in the State of Morelos Morelos Act on the Prevention and Elimination Act on Attention and Restitution to of Discrimination in the State of Victims of Crime and Human Rights Violations of the State of Morelos Yucatán • Municipal Organic Act of the State of Victims Act of the State of Yucatán Morelos Administrative Responsibilities Act of the State of Yucatán Act for the Office of the Prosecutor

General of the State of Yucatán

Source: Prepared by the authors.

In this vein, the revision of Yucatán's laws establishes gender parity in the Executive, Legislative and Judicial Branches, autonomous bodies, and municipalities, as well as the representation of the Maya people in them. It also notably provides for gender parity in the composition of its Superior Court of Justice, which was not the case of the federal amendment. Regarding the State of Morelos, parity in its State Constitution was partially harmonized, since it only recognizes the principle in public offices in the Legislative and Judicial Branches, in addition to autonomous bodies and municipalities, leaving out the parity-based composition of the cabinet of the Executive Branch. In addition, it recognizes the parties' obligation to achieve parity in nominating indigenous candidates for their municipalities.

With respect to the April 2020 gender parity and VAW-P reforms, Freidenberg and Gilas<sup>26</sup> note:

The reforms adopted a strong mechanism, creating what has been called a "comprehensive circle of protection" (Espinosa Silis, 2020), seeking to adhere to the standards established by the Model Act and respecting the spirit of the Protocol for Addressing Violence against Women in Politics, with a broad conceptualization of gender-based political violence, strong punishments for those who are liable for it (in electoral and criminal matters) and with a robust linkage of institutional cooperation, protective and restituting measures. Likewise, the Federal Government imposed the obligation on the states to harmonize their legal frameworks with the new national standards for the eradication of gender-based political violence.

The comparative review between the national reforms and those of the states of Yucatán and Morelos on VAW-P and gender parity found full harmonization of the criminalization of VAW-P and of the powers and duties of the electoral, criminal and administrative authorities to prevent, address, punish and eradicate VAW-P, as well as the corresponding obligations of the political parties. As for the criminalization of VAW-P, the Yucatán Act on Women's Access to a Life Free of Violence of Yucatán includes this violence as a both an offense and as a form of violence, unlike the General Act or the Morelos Act on the same matter, which include it only as a form of violence.

Freidenberg and Gilas analyzed the legislative harmonization of VAW-P in Mexico's 32 states, focusing on five areas of assessment of the level of regulatory stringency

<sup>26</sup> Freidenberg, Flavia and Gilas, Karolina M. (2020). Violencia política en razón de género y armonización legislativa multinivel en México. Instituto de Investigaciones Jurídicas de la UNAM: México, p. 12. Available online: https://archivos.juridicas.unam.mx/www/bjv/libros/13/6097/2.pdf

in the legal frameworks, to which they assigned a score of up to 1 point per criterion, for a maximum of 5 points. The areas are:<sup>27</sup>

- Conceptualization of VAW-P;
- Coordination among the responsible state agencies;
- Protective orders for victims;
- Measures for restitution;
- Punishments for those who commit VAW-P.

These authors rate both the State of Yucatán and the State of Morelos as having a high level of stringency (5 points),<sup>28</sup> which is consistent with the analysis carried out here on the adequacy of both states' laws and regulations.

<sup>27</sup> Idem, p. 14.

<sup>28</sup> Idem, p. 17.

PARTY SYSTEM IN MEXICO: GENDER PARITY AND VAW-P RIGHTS AND OBLIGATIONS

# 2.1 Political parties registered nationally and locally and their obligations

Since the creation of the Federal Electoral Institute (IFE) in 1990, a plural system of national and state political parties has become entrenched in Mexico. With the 2007 political and electoral reform, the Mexican Government granted these parties a series of prerogatives, such as public financing for their ordinary activities and political campaigns, as well as radio and television time. Likewise, political parties were the only means to access the various popularly elected offices at both the federal and local levels, but this changed with the constitutional recognition of independent candidacies in 2012.

Article 41, Section I of the CPEUM sets out the legal nature and purposes of political parties as:

(...) entities in the public interest; the law shall determine the rules and requirements for their legal registration, their specific forms of involvement in the electoral process and the rights, obligations and prerogatives that they hold. In the nomination of their candidates, the principle of gender parity shall be observed.

The purpose of political parties is to promote the participation of the people in democratic life, to foster the principle of gender parity, to contribute to the composition of the bodies for political representation, and, as citizens' organizations, to make it possible for citizens to exercise public power, in accordance with the programs, principles and ideas that they propose and through universal, free, secret and direct suffrage, as well as with the rules provided by electoral law to guarantee gender parity in candidacies for the different popularly elected offices (...).<sup>29</sup>

In Mexico, there are seven national political parties registered with the National Electoral Institute (INE): National Action Party (PAN), Institutional Revolutionary Party (PRI), Party of the Democratic Revolution (PRD), Green Ecologist Party of Mexico (PVEM), Labor Party (PT), Citizens' Movement (MC) and National Regeneration Movement (MORENA). In the state of Morelos, seven national political parties (NPPs) were identified as of February 2022 that are accredited by

<sup>29</sup> \_\_\_. (May 17, 2021). Constitución Política de los Estados Unidos Mexicanos, Diario Oficial de la Federación. Available at: https://www.diputados.gob.mx/LeyesBiblio/pdf/CPEUM.pdf

the Institute of Electoral Processes and Citizen Participation of Morelos (IMPEPAC) and five more that are registered at the state level. In Yucatán, the seven NPPs and one political party registered at the state level are accredited by the Electoral and Citizen Participation Institute of Yucatán (IEPAC), as shown in Table 8.

TABLE 8. NATIONAL AND STATEWIDE POLITICAL PARTIES IN MORELOS AND YUCATÁN

NATIONAL POLITICAL PARTIES	MORELOS	YUCATÁN
<ul> <li>National Action Party (PAN)</li> <li>Institutional Revolutionary Party (PRI)</li> <li>Party of the Democratic Revolution (PRD)</li> <li>Green Ecologist Party of Mexico (PVEM)</li> <li>Labor Party (PT)</li> <li>Citizens' Movement (MC)</li> <li>National Regeneration Movement (MORENA)</li> </ul>	<ul> <li>PAN</li> <li>PRI</li> <li>PVEM</li> <li>PT</li> <li>MC</li> <li>MORENA</li> <li>New Alliance Morelos</li> <li>Solidarity Encounter Party Morelos</li> <li>Social Alternative Movement</li> <li>Morelos Progresses</li> <li>Progressive Social Networks Party</li> <li>Morelos</li> </ul>	<ul> <li>PAN</li> <li>PRI</li> <li>PVEM</li> <li>PT</li> <li>MC</li> <li>MORENA</li> <li>New Alliance Yucatán</li> </ul>

Source: Prepared by the authors, based on information available at: https://portal.ine.mx/actores-politicos/partidos-politicos-locales/

The CPEUM, the LGIPE and the LGPP provide for rights and obligations for political parties in Mexico in terms of parity and VAW-P. On the one hand, the CPEUM provides that political parties, when nominating their candidates, shall observe the principle of gender parity, shall promote this principle, and shall observe it in their pursuit of public power through popularly elected offices (Art. 41, Sec. I, paragraphs 1 and 2). In turn, the LGIPE<sup>30</sup> also adds the specific obligation to achieve parity in

<sup>30 (</sup>March 13, 2022). Ley General de Instituciones y Procedimientos Electorales, Diario Oficial de la Federación. Available

nominating candidates for the federal and state legislative branches, as well as for municipal councils (Art. 232, Paragraph 3), which candidates will be rejected by INE and the OPLEs in case of non-compliance with this principle (Paragraph 4); it also provides that it is an infraction for political parties to fail to comply with the obligations to prevent, address and eradicate VAW-P (Art. 433, Item o). Pursuant to the same law, these infractions may be punished with public reprimands, fines, reductions of up to 50% in public funding, with the discontinuation of radio and television advertising, and even with the cancellation of the party's registration (Art. 456, Item a, Sections I to V).

Finally, the LGPP<sup>31</sup> sets out the following obligations of political parties regarding the political participation of women and VAW-P (Art. 25, Paragraph 1, Items r to w):

- Guarantee gender parity in candidacies for federal and state legislators;
- Guarantee equal participation of women and men in their internal executive bodies and decision-making spaces;
- Guarantee women the exercise of their political and electoral rights free of political violence, in accordance with the General Act on Women's Access to a Life Free of Violence (LGAMVLV);
- Punish, through internal mechanisms and procedures, all acts related to violence against women in politics;
- Prepare and submit reports on the source and use of resources for the training, promotion and development of women's political leadership; and,
- Guarantee non-discrimination on the basis of gender in the scheduling and distribution of State time.

Likewise, the LGPP indicates the basic documents for which political parties must register, which contain their doctrine, regulations, structure, operation, etc., and are relevant for awareness of the parties' implementation of parity and of the measures to prevent, address and punish VAW-P (Art. 35):

- Declaration of principles;
- Action program; and,
- Statutes.

at: https://www.diputados.gob.mx/LeyesBiblio/pdf/LGIPE.pdf

<sup>31 (</sup>April 13, 2020). Ley General de Partidos Políticos, Diario Oficial de la Federación. Available at: https://www.diputados.gob.mx/LeyesBiblio/pdf/LGPP.pdf

Table 9 presents the precepts related to women's political rights, gender parity and VAW-P that the basic documents must contain in accordance with the LGPP.

## TABLE 9. CONTENTS ON THE PARITY AND VAW-P OBLIGATIONS OF THE PARTIES, IN ACCORDANCE WITH THE LGPP

Declaration of Principles	Action Program	Statutes
(Art. 37, Items e to g,	(Art. 38, Items d and e,	(Art. 39, Items f and g,
LGPP)	LGPP)	LGPP)
•The obligation to promote political participation with equal opportunities and equity between women and men; •The obligation to promote, protect and respect the political and electoral rights of women provided for in the •Federal Constitution and in the international treaties signed and ratified by Mexico; and, •Establish punishment mechanisms applicable to those who commit violence against women in politics, in accordance with the provisions of the General Act on Electoral Institutions and Procedures, the General Act on Women's Access to a Life Free of Violence and other applicable laws.	•Promote the political participation of women party members; •Establish mechanisms for the promotion of women and their access to the party's political activity, as well as training for political leadership roles.	•The mechanisms and procedures to guarantee the integration of women's political leadership within the party; •Mechanisms to guarantee that violence against women in politics is prevented, addressed, and punished.

Source: Prepared by the authors based on the LGPP.

In addition, the LGPP governs the expenditure of resources for the training, promotion and development of women's political leadership (Art. 73, paragraphs a to f):

- The conduct of research aimed at informing the public about the evolution, development, progress, and any topic of interest related to women's political leadership;
- The preparation, publication and distribution of any form of dissemination of issues related to parity;
- The organization of all kinds of events to disseminate issues related to the development of women in their incorporation into political life;
- The creation or strengthening of mechanisms to prevent, address, punish and eradicate VAW-P; and,
- Advertising related to the development of activities on the matter.

It should be noted that these resources amount to 3% of the ordinary public resources for nationally registered parties and are replicated in the case of local political parties in Morelos (Art. 30, Item b);<sup>32</sup> meanwhile, for Yucatan, it ranges from 25% to 50% of the specific resources corresponding to each party,<sup>33</sup> which implies an actual percentage between 1.6% and 3.3% of the general resources of local parties (Art. 52, Sec. III, Item b).

In addition to the obligations provided for in the above-mentioned laws, in October 2020, the INE issued the "Guidelines for national political parties and, where appropriate, local political parties, to prevent, address, punish, make amends for and eradicate violence against women in politics" (hereinafter the "Guidelines for Parties"),<sup>34</sup> which indicate additional elements to be contained in the basic documents of the parties in terms of preventing, addressing, punishing and eradicating VAW-P (See Table 10).

<sup>32</sup> H. Congreso del Estado de Morelos. (May 26, 2017). Código de Instituciones y Procedimientos Electorales para el Estado de Morelos . Available at: http://marcojuridico.morelos.gob.mx/archivos/codigos/pdf/CIELECTORMO23.pdf
33 H. Congreso del Estado de Yucatán. (June 7, 2022). Ley de Partidos Políticos del Estado de Yucatán. Available at: https://www.iepac.mx/public/marco-normativo/leyes/legislacion-estatal/leydepartidospoliticosyuc.pdf
34 INE. (October 28, 2020). Acuerdo del Consejo General del Instituto Nacional Electoral por el que se aprueban los lineamientos para que los partidos políticos nacionales y, en su caso, los partidos políticos locales, prevengan, atiendan, sancionen, reparen y erradiquen la violencia política contra las mujeres en razón de género, INE/CG517/2020. Available online: https://repositoriodocumental.ine.mx/xmlui/bitstream/handle/123456789/115101/CGor202010-28-ap-9.pdf?sequence=1&isAllowed=y

## TABLE 10. ADDITIONAL ELEMENTS THAT THE BASIC DOCUMENTS OF POLITICAL PARTIES MUST FULFILL IN TERMS OF VAW-P

Declaration of Principles (Art. 10)	Action Program (Art. 11)	Statutes (Art. 12)
The declaration of principles of political parties shall establish the obligation to promote, protect and respect women's human rights, as recognized in the Constitution and in international treaties signed and ratified by the Mexican Government, as well as the punishment and restitution mechanisms applicable to those who exercise violence against women in politics, as provided for in the applicable laws.	The action program of the parties shall have specific and concrete plans for attention aimed at eradicating violence against women in politics, thus establishing plans aimed at promoting the political participation of women party members, as well as the mechanisms for the promotion of women and their access to the political activity of the party, thus guaranteeing gender parity.	The political parties shall establish in their Statutes the mechanisms and procedures to allow for preventing, addressing, punishing and making amends for violence against women in politics, in addition to guaranteeing the parity-based integration of women's political leadership roles within them.  Likewise, they shall incorporate provisions to guarantee non-discrimination of women on the basis of gender in the scheduling and distribution of state radio and television time corresponding to them and of the prerogatives for primary and general political campaigns, including those exercised as a coalition, as well as the mechanisms through which they will be accountable in this regard.

Source: Prepared by the authors based on the Guidelines for Parties issued by INE in Acuerdo INE/CG517/2020.

# 2.2 Analysis of the basic documents of the national political parties with respect to their gender parity and VAW-P obligations.

To further elaborate on the internal information of the political parties, the following consists of a compilation, review, systematization and analysis of the basic documents of the seven national political parties registered with INE, as well as the local political parties registered with the OPLEs of Morelos and Yucatán, in regard to VAW-P.

TABLE 11. ANALYSIS OF THE BASIC DOCUMENTS OF THE NPPS

POLITICAL	
PARTY	ANALYSIS
PAN	The PAN's last update to its Statutes—which remains in force—was in November 2017. Currently, there has been a revision that includes the gender parity and VAW-P reforms, which is being examined by INE and is expected to be approved by the INE General Council by March 2023.
	The PAN has a Regulation for the Selection of Candidates for Popularly Elected Offices, which establishes the rules and criteria for implementing gender parity in its candidacies. It also has a Protocol for Addressing Gender-Based Political Violence against Women Members of the PAN35 adopted in November 2016. Although this Protocol has yet to be updated, it is expected to be revised following the reform pending approval to be brought in line with the new mechanism of the Gender Attention Commission, whose creation has been proposed to replace the current provisional Special Commission for Addressing Gender-Based Political Violence of the PAN.

<sup>35</sup> https://almacenamientopan.blob.core.windows.net/pdfs/estrados\_electronicos/2019/06/PROTOCOLO-cvprg.pdf

#### PRI

The PRI has made substantive progress in updating its Statutes with respect to its gender parity and VAW-P obligations. It also stands out because its Statutes include quotas for the participation of young and indigenous people. Additionally, it includes not having been convicted of committing VAW-P as an eligibility requirement for candidacies and party positions. Finally, the document partially incorporates mechanisms and procedures to prevent, address, punish and make amends for VAW-P.

In contrast, no elements of harmonization were identified in its Declaration of Principles or in its Action Program with respect to the LGPP or in the Guidelines for Parties. However, it was identified that the PRI has a Protocol to Prevent, Address, Punish and Eradicate Violence Against Women in Politics36, updated in 2021, which incorporates the legislative changes approved in 2020 (VAW-P reform), but there is no mention of this in the party's basic documents, nor was it published on its official website or on the website of the National Organization of Women in the PRI (ONMPRI).

#### **PRD**

In 2022, several provisions of the Statutes were amended and reformed, which determined that not only the Unit for Attention to Victims of Gender Violence and the Intraparty Justice Body, but also the entire party structure, are required to apply the gender perspective and intersectionality to all their proceedings and resolutions. Likewise, the PRD has a Protocol to Prevent, Address, Punish and Eradicate Gender-Based Political Violence in the party,37 which dates back to 2017, but it was not officially presented until 2022, in the context of the inauguration of the Technical Unit for Attention to Victims of Gender-Based Violence.

<sup>36</sup> http://observatoriomujeresslp.org.mx/wp-content/uploads/2020/09/PARTIDO-REVOLUCIONARIO-INSTITUCIONAL.pdf

<sup>37</sup> https://historico.prd.org.mx/documentos/Protocolo\_061017.pdf

#### PT

The PT states in its Statutes that it will promote and guarantee gender parity in the nomination of candidates for elected office and in the composition of its national, state and municipal executive bodies, as well as the rules for its application. Likewise, it will guarantee women the exercise of their political and electoral rights free of gender-based political violence with continuous training and by promoting the inclusion of women's political leadership roles within the party. It establishes the commission of VAW-P as grounds for punishing party members and provides for the restitution thereof.

In November 2022, the Protocol of the Labor Party to Prevent, Address, Punish, Make Amends for and Eradicate Violence Against Women in Politics<sup>38</sup> was approved by the Ordinary National Political Council of the PT. In 2017, the Rules Governing Gender Parity for the Election of the Members of the National Executive Bodies of the PT were approved as well.

#### **PVEM**

The PVEM's Statutes make no reference to gender parity, but only to the principle of "gender participation," nor does it mention any element linked to preventing, addressing or punishing VAW-P. In addition, neither its Declaration of Principles nor its Action Planogram mentioned women's political rights or women's leadership, nor did they reference VAW-P.

The party shows a significant lag in harmonization with Mexican legislation in this area. In addition, although the Green Ecologist Party of Mexico has a Protocol to Prevent, Eradicate and Punish Gender-Based Political Violence,39 it summarizes the external mechanisms for addressing VAW-P in five pages.

#### MC

The approved amendments to MC's Statutes in December 2021 incorporated the recent harmonization of the LGPP and the Guidelines for Parties. VAW-P is defined in its Statutes, but without an explicit mention. It is also stated that half its representatives will be women, which constitutes parity. Its Action Program lists one of its priority actions as monitoring compliance with parity as a democratic principle in legislative harmonization at the national and local levels. The same document mentions gender-based violence, but not VAW-P.

Likewise, MC has a Protocol to Prevent, Address, Punish, Make Amends for and Eradicate Violence Against Women in Politics in Citizen's' Movement,40 published in 2018.

<sup>38</sup> https://partidodeltrabajo.com.mx/vpmrg/descargas.html

<sup>39</sup> https://www.partidoverde.org.mx/images/PVEM-MUJERES-PROTOCOLO.pdf

<sup>40</sup> http://observatoriomujeresslp.org.mx/wp-content/uploads/2020/09/MOVIMIENTO-CIUDADANO.pdf

#### **MORENA**

In 2022, amendments to its Statutes were approved to incorporate the updates to the LGPP and the Guidelines for Parties, establishing that the National Commission for Honesty and Justice will prosecute ex officio any act in violation of this document.

MORENA has a Regulation of the National Commission for Honesty and Justice which defines "gender-based political violence" and mentions that the registration of anyone who commits such violence will be cancelled. Both its Action Program and its Declaration of Principles propose to guarantee processes free of VAW-P.

In 2020, by unanimous vote, the Superior Chamber of the TEPJF sitting en banc41 ordered the National Executive Committee of Morena to approve and issue, as soon as possible, a protocol on preventing, addressing, punishing and making amends for damage in case of VAW-P. In compliance with this judgment, it was published under the name Protocol for Political Peace.42 This protocol was not available on the party's website.

Source: Based on a reading and analysis of the basic documents of the NPPs, available at: https://www.ine.mx/actores-politicos/partidos-politicos-nacionales/documentos-basicos/

<sup>41</sup> See: TEPJF. (August 14, 2020). Sentencia de la Sala Superior del TEPJF que resuelve sobre el expediente SUP-JDC-1332/2020. Available online: https://www.te.gob.mx/media/SentenciasN/pdf/Superior/SUP-JDC-1332-2020.pdf 42 https://mujeresalpoder.mx/wp-content/uploads/2021/04/Protocolo\_Morena.pdf

# 2.3 Analysis of the basic documents of state political parties with respect to their gender parity and VAW-P obligations

## 2.3.1 State of Morelos

## TABLE 12. ANALYSIS OF THE BASIC DOCUMENTS OF LOCAL POLITICAL PARTIES IN MORELOS

POLITICAL	
PARTY	ANALYSIS
New Alliance Morelos <sup>43</sup>	Its Statutes indicate a general obligation to respect gender parity, stating that it will "guarantee women's participation in the nomination of candidates for both popularly elected offices and party positions, in full compliance with the legal and Statutes provisions governing gender parity." It also speaks of complying with "rules of gender equity." However, none of its basic documents provide any definition or element related to preventing, addressing and punishing VAW-P, in accordance with the contents of the LGPP, the Guidelines for Parties, and counterpart laws at the state level.  Likewise, NA has a Protocol to Prevent, Address and Punish Violence Against Women in Politics,44 but this is the party's national-level document, so it is unknown whether it has also been adopted at the state level.

<sup>43</sup> The basic documents of New Alliance Morelos can be found at: https://nuevaalianzamorelos.org.mx/transparencia/

<sup>44</sup> Nueva Alianza - Instituto Nacional de las Mujeresinmujeres.gob.mxhttps://services.inmujeres.gob.mx > observatorio

### Social Alternative Movement<sup>45</sup>

Its Statutes provide some rules on gender parity in candidacies and in the composition of some executive bodies, but they do not mention VAW-P.

Its Declaration of Principles does not specifically mention women's political rights or VAW-P.

Its Action Program points out equality in political participation and the participation of women as a task to be promoted by this political organization.

## **Progresses**

Morelos | Its basic documents could not be accessed, since the party's website was down, and such information is not available on IMPEPAC's website.

> The only accessible information was that contained in IMPEPAC resolutions IMPEPAC/CEE/134/20204646 and IMPEPAC/ CEE/292/20204747, in which the party was ordered to comply with gender parity in the composition of its state executive bodies.

### Progressive Social Networks<sup>48</sup> Morelos

This party disappeared at the national level after the 2021 elections but still retains its state registration in some states, including Morelos. The basic documents of this party are almost entirely harmonized with the precepts of the LGPP and the Guidelines for Parties, in relation to gender parity, as well as to preventing, addressing, punishing, making amends for and eradicating VAW-P. However a specific version of these for Morelos could not be found. On the other hand, it was identified that its Action Program does not mention the creation of plans or protocols to eradicate VAW-P.

Source: Based on a reading and analysis of the basic documents of the local political parties in Morelos.

<sup>45</sup> The basic documents of MAS can be found at: https://movimientoalternativasocial.org.mx/somo-mas.html

<sup>46</sup> http://impepac.mx/wp-content/uploads/2014/11/InfOficial/Acuerdos/2020/08%20Agosto/ACUERDO 134 O 31-08-20. pdf

<sup>47</sup> http://impepac.mx/wp-content/uploads/2014/11/InfOficial/Acuerdos/2020/12%20Dic/ACUERDO-295-E-04-12-2020.pdf

<sup>48</sup> The basic documents of Progressive Social Networks can be found at: https://www.te.gob.mx/legislacion/media/pdf/ b48eda08bf906f2.pdf

## 2.3.2 State of Yucatán

## TABLE 13. ANALYSIS OF THE BASIC DOCUMENTS OF LOCAL POLITICAL PARTIES IN YUCATÁN

POLITICAL PARTY	ANALYSIS
New Alliance Yucatán49	Its basic documents are very similar to those of NA Morelos, as both parties emerged from the national party with the same name, which lost its registration in 2018. Its Statutes mention a general obligation to respect and guarantee the participation of women in the nomination of candida tes for elected offices and party positions, in accordance with the principle of gender parity. However, its basic documents make no mention of VAW-P, nor of measures to prevent, address and punish it. Likewise, as mentioned in the previous section, NA has a Protocol to Prevent, Address and Punish Violence Against Women in Politics, but this is the party's national-level document, so it is unknown if it has also been adopted at the state level.

Source: Based on a reading and analysis of the basic documents of the local political parties in Yucatán.

In this regard, an initial observation is that local political parties have yet to fully harmonize their basic documents with the provisions of the LGIPE, the LGPP, the Guidelines for Parties and their corresponding local laws.

<sup>49</sup> The basic documents of NAY can be found at: https://www.iepac.mx/public/documentos-del-consejo-general/acuerdos/iepac/2019/ACUERDO-C.G.015-2019.docx

3. ASSESSMENTS OF EQUALITY AND VIOLENCE AGAINST WOMEN IN POLITICS IN POLITICAL PARTIES REGISTERED NATIONALLY AND IN THE STATES OF MORELOS AND YUCATÁN The general assessment presented here, as well as the specific assessments individually submitted to each participating party, were prepared based on the information gathered from the documentary review shown in the previous sections, in addition to the interviews conducted in person and remotely with party leaders (mainly the party presidents and heads of the women's wings), focus groups with women politicians active in party politics, and the results of the online survey answered by male and female party members. Likewise, a series of recommendations are listed to improve the situation of women's participation in politics and to better address VAW-P within the political parties.

Finally, it bears mentioning that five of the political parties (the PAN and PRI in Morelos; the PAN, PRI and New Alliance Yucatán in Yucatán) that were included in the study agreed to adopt some of the recommendations made by the consultant in charge of the project and by NDI, bringing together their members and leadership in a participatory session to draw up an Action Plan and defining priority actions and routes to follow to be implemented by each party in 2023.

## 3.1 Assessment results

As a general result, the documented progress in implementing parity and in preventing, addressing, punishing and eradicating VAW-P was observed to have been highly significant for the advancement of women's political rights at all levels. The women and men who participated in the various assessment activities mentioned that they noticed increasingly more political spaces being opened up for women, throughout the different levels of the structure. While this perception varies somewhat when young women or women with other intersectionalities are consulted, they recognize that there has been progress both in their participation and in addressing VAW-P, although challenges remain.

## 3.1.1 Status of women's participation in the political parties

As previously noted, an initial finding speaks to the need for political parties to adapt their basic documents and other relevant regulations to the requirements provided for in the relevant general and local laws. An example of this is providing for parity in their structures at all levels, as well as adapting their protocols for addressing VAW-P to the legislation enacted in 2020. This will ensure that women's political rights are not left to the interpretation of the intra-party justice bodies, or to the electoral institutions and courts, as a last resort for their defense.

It was also observed that there has not been a full implementation of parity, as regards women, or of quotas, as regards other traditionally underrepresented groups. For example, the percentage of women in decision-making positions in municipal executive bodies has not reached parity. Similarly, parity also has yet to be fully achieved in the internal structures of the parties at any of the three levels, especially among secretaries or persons of similar rank, and among presidencies. Concerning the political parties analyzed, at the time of the study, out of the eight parties analyzed, only the presidents of the PAN and MC Morelos were women, while there were seven women general secretaries (except that of MC); this shows us that a glass ceiling still remains. In addition, the appointment of women as secretaries is concentrated on issues or groups such as people with disabilities, education, citizen outreach, youth, culture, gender, etc.

Another general remark made by the participants in the focus groups and on the surveys was that, although women are gaining access to more political spaces, many of them are not able to fully and knowledgeably perform these offices because they are not adequately prepared. Thus, it is necessary to improve, expand, and make more effective the trainings and learning processes offered by political parties to women and financed with the 3% of resources for promoting, training and developing women's leadership.

In general, the obstacles to participation most widely identified by the women politicians consulted were a lack of economic resources for electoral campaigns; lack of support from party leadership, other party members, their families and voters; and lack of time to devote to campaigns due to caretaking and domestic duties.

Also observed were lingering stereotypes held by men in the parties, but also by women albeit to a lesser extent, and a dismissal of women's participation as candidates and elected officials. A need was constantly mentioned for awareness-raising efforts not only within the party, but also with voters.

Finally, it was noted that there are no effective channels for communication and feedback among women party members in the various municipalities, mainly in non-urban areas, to express their needs and positions on the parties' actions in relation to the advancement of women's rights, or on internal party policies on the matter, i.e., on decisions that affect them both directly and indirectly.

## 3.1.2 Status of violence against women in politics in the political parties

Despite the criminalization of VAW-P in 2020 at the national level and consequently at the local level, as women's participation increases, it has been identified that violence against them does too, thus becoming the most latent and significant obstacle to women's full participation in the political life of the country. From the interviews with the party leaders, it was generally observed that they fail to recognize that there are cases or situations constituting VAW-P within their parties. However, they have been able to point out and identify cases in other parties, or from other parties towards the women members of their own party. Likewise, there is a general position that having protocols for addressing VAW-P is enough. In contrast, the testimony and experiences of the women who participated in the focus groups and the online survey show the opposite.

Although the documentary review corroborated that all political parties, with the exception of MAS in Morelos, have a protocol for addressing this type of violence, it was interesting to note that few female and male party members, and even members of the party leadership, were aware of its existence and/or its contents. Likewise, it was noted that this lack of knowledge is partially explained by the little or no involvement of the state executive committees, let alone the municipal ones, in activating and implementing these mechanisms. In other words, most of the cases are examined and resolved by the National Executive Committee of each party, with the exception of the PRI in Morelos, whose structure incorporates a Gender

Unit in charge of mainstreaming the gender perspective in the work of the party. Finally, it emerged mainly from the surveys that several women had suffered or witnessed situations of violence and harassment within their party, but they themselves stated that they had not reported these acts out of fear of reprisal, threats, shame, possible repercussions to their political career or a sense that the party would not take any action.

# 3.1.3 Recommendations to the political parties to promote women's political participation and address VAW-P

A specific list of individual recommendations was given to each political party for its information and as an input to create customized action plans, the content of which was defined by the parties themselves (see the next section). However, the recommendations below are of a general character and come from the results and shared areas of improvement observed in the parties based on the findings:

- 1. Improve the rapprochement and interrelationship of the national executive committees of the political parties with their state (and municipal) counterparts for better coordinated work, especially with regard to actions related to promoting women's political participation and addressing VAW-P.
- 2. Take advantage of the political capital that the parties have at the community level to attract diverse cadres of women and prepare them to compete for a candidacy. A significant percentage of the women surveyed indicated that they had begun their political participation in community activism (e.g., as block leaders), which shows the potential political capital of the parties at this level, which should be harnessed when recruiting candidates for electoral processes, but above all, with sufficient time in advance to prepare them.
- 3. Increase outreach and joint work with civil society organizations focused on equality issues. These organizations provide the parties with a real approach to the women's movement, support training and learning processes, and can be key to promote certain initiatives, for example, in the legislative arena.
- 4. In the case of local political parties or state executive committees that have the necessary powers, the creation of local protocols is recommended to address VAW-P, or alternatively to disseminate the protocols that exist at the national level. This will help women victims of political violence to identify when they are being affected and to be aware that there is a procedure they can pursue before the party, as well as to harness women's leadership roles within Yucatán and the municipal

executive committees headed by women, or any formal or informal network of party members, to widely disseminate the Protocol.

5. Encourage any women in the party who suffer VAW-P to report it to the corresponding bodies, such as the women's organization of the state-level party, and in parallel, to the competent electoral authorities.

Strengthen the already existing processes for feedback and dialogue with party members and sympathizers regarding the decisions and actions of the party, especially when they affect them in any way, since this type of action aids the empowerment of women. For example, it is suggested that meetings or forums be held to inform them about the actions taken by the party and through its elected officials in favor of women's participation and their rights.

- 6. Strengthen the processes addressed to women for training, promoting and developing their political leadership. In other words, to move from "lecture" type trainings, where one person shares information, to "workshop" type trainings that involve greater interaction between speakers and attendees and encourage attendee participation. Similarly, it is recommended to create different channels to disseminate training activities, since it was identified that many women do not receive this information in a timely manner.
- 7. Raise awareness of gender stereotypes so that women feel that they have and do indeed have the opportunity to hold any position regardless of rank or subject area. In this regard, there was a lingering notion that women have the ability or authority to make decisions only on certain issues, such as family, children, education and health. This will allow for more substantive parity.
- 8. Design advocacy actions with ordinary citizens to promote women's political participation, especially in communities and municipalities where women interested in participating as candidates have faced instances of rejection. It will also be key to train party members and raise their awareness of gender issues, specifically to challenge stereotypes.

## 3.1.4 Action Plans on equality and non-violence

Based on the recommendations provided specifically to each participating party, sessions were held to create an Action Plan, with the participation of various party leaders and officials, to define which recommendations they could adopt in the short term, how they would implement them and which areas of the party would be involved. The following table sets out generally the recommendations adopted by each of the five parties that participated in this final stage.

TABLE 14. RECOMMENDATIONS ON EQUALITY AND NON-VIOLENCE ADOPTED BY THE POLITICAL PARTIES

PARTY	RECOMMENDATIONS
PAN Morelos	Tradicissing derider based i ontical violence against violinen
	Strengthen its training processes aimed at the promotion, training and leadership of women.
PRI Morelos	Improve the dissemination of the contents of its Protocol to Prevent, Address, Punish and Eradicate VAW-P.  Strengthen its training processes aimed at the promotion, training and leadership of women.

PAN Yucatán	
PRI Yucatán	
NAY	Create a Protocol for addressing VAW-P that is adapted to the local context and to the conditions of the party in the state.  Strengthen its training processes aimed at the promotion, training and leadership of women.

## CONCLUSIONS

Progress in parity and preventing, addressing, punishing and eliminating VAW-P has been crucial for improving the guarantee and access to women's rights to political participation and representation at all levels. However, the functioning of gender quotas and now parity does not only entail amending laws, but also their implementation based on well-designed policies and concrete actions.

By their nature as public interest entities to access and exercise popularly elected offices, political parties are key institutions to measure and improve the functioning of parity and thus to ensure that women occupy spaces in politics, not only numerically but also substantively. For this reason, NDI's objective with this study was to understand gender dynamics within the parties in order to work to change those that contribute to gender-based discrimination, based on the commitment of the leadership of these institutions with the women involved in them, and of the general populace, as well as of each person belonging to their structures. With this, we recognize that it is the political parties themselves where most women politicians begin their careers, receive training, strengthen their skills and knowledge about leadership, and express their aspirations to hold positions within the structures and popularly elected offices; therefore, it is essential to bolster the work with the parties.

With this objective in mind, a proposal is made for recommendations that can serve political parties, regardless of the state where they are located, to continue to review and strengthen the work they do in terms of equality and non-violence. This will require not only technical knowledge, but above all, political will.

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