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MEX106340.E

Mexico: Situation of sexual and gender minorities, including in Mérida (Yucatán) and Monterrey (Nuevo León), including legislation, treatment by authorities and society; state protection and support services available (2017-August 2019)
Research Directorate, Immigration and Refugee Board of Canada

1. Legislation

1.1 Legislation Regarding Discrimination

The Federal Law to Prevent and Eliminate Discrimination (Ley Federal para Prevenir y Eliminar la Discriminación) provides protection against discrimination based on sex, gender and sexual preferences (Mexico 2003, Art. 1). In 2011, the first article of the constitution was updated to include discrimination based on sexual preference (Mexico 29 June 2018, 4; ILGA Mar. 2019, 110).

1.2 Legislation on Same-Sex Marriage and on the Right to Adoption

According to sources, Mexico City legalized same-sex marriage in 2009 (ILGA Mar. 2019, 110; Pew Research Center 17 May 2019). Sources indicate that, in 2015, Mexico's Supreme Court (Suprema Corte de Justicia de la Nación, SCJN) issued a ruling that bans on same-sex marriage were unconstitutional (ILGA Mar. 2019, 110, 278; Jones Day 21 Sept. 2015). The same sources note that marriages performed in a state with legalized same-sex marriage must be recognized by other states (ILGA Mar. 2019, 110, 278; Jones Day 21 Sept. 2015). Similarly, the Pew Research Center, a "nonpartisan fact tank" conducting "data-driven social sciences research" on "issues, attitudes and trends shaping the world" (Pew Research Center n.d.), reports that the decision permitted same-sex couples to "seek a court injunction against state laws banning gay marriage" (Pew Research Center 17 May 2019).

According to the Mazatlán Post, a news website, same-sex marriage is "not allowed" in the state of Yucatán (The Mazatlán Post 12 Feb. 2019). Similarly, the Yucatan Times, an English language news website based in the Yucatan peninsula (The Yucatan Times n.d.), states that Article 94 of the state constitution provides that in "Yucatán, only heterosexual couples can get legally married" (The Yucatan Times with Notimex 12 Apr. 2019). On 10 April 2019, the local Congress of Yucatán voted against reforming the constitution of the state to allow same-sex marriage (The Yucatan Times with Notimex 12 Apr. 2019; Diario de Yucatán 10 Apr. 2019). Sources state that Mexico’s Supreme Court ruling of 2015 requires all states to recognize same-sex marriages, but that in states where legislation does not provide for same-sex marriage (ILGA Mar. 2019, 278; Jones Day 21 Sept. 2015), same-sex couples must request an amparo ("special injunction") to have their marriage recognized in (Jones Day 21 Sept. 2015) or receive decisions on a "case-by-case" basis (ILGA
Sources state that the amparo process works, but that it takes time (Austrian Red Cross and ACCORD May 2017, 6; The Mazatlán Post 12 Feb. 2019) and costs money (Austrian Red Cross and ACCORD May 2017, 6; Notimex 12 June 2019; The Mazatlán Post 12 Feb. 2019). Sources state that the amparo process costs approximately US$1,000 (Austrian Red Cross and ACCORD May 2017, 6) or 20,000 to 50,000 Mexican pesos (MXN) [approximately C$1376 to C$3440] (Notimex 12 June 2019). Regarding the prevalence of access, the Mazatlán Post reports that in the past five years, 90 couples have used the amparo process in Yucatán (The Mazatlán Post 12 Feb. 2019). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

In February 2019, Mexico’s Supreme Court declared as invalid articles 140 and 148 of the civil code of Nuevo León, which define marriage as a union between a man and a woman, and legalized same-sex marriage (Mexico 31 May 2019). The newspaper Milenio reports that on 11 March 2019, the first couple registered their same-sex marriage without an amparo (Milenio 11 Mar. 2019).

Sources report that in 2011 (Stonewall Aug. 2018) or in 2015 (Jones Day 21 Sept. 2015), Mexico’s Supreme Court declared the constitutional right of same-sex married couples to adopt (Stonewall Aug. 2018, 1; Jones Day 21 Sept. 2015). However, according to Jones Day, a global law firm which publishes information on same-sex legislation around the world (Jones Day Feb. 2015), not all states recognize this right and couples may have to seek an amparo (Jones Day 21 Sept. 2015). The same source adds that an amparo is not legally binding for all Mexican courts and "same-sex couples may use the above-mentioned Mexican Supreme Court ruling in order to substantiate their petition, but judges will still be free to deviate from such ruling" (Jones Day 21 Sept. 2015). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.
1.3 Legal Process to Change the Gender on a Birth Certificate

Sources report that the administrative process to change the gender on a birth certificate is available in Mexico City, Michoacán, Nayarit (Mexico 29 June 2018, 6; Stonewall Aug. 2018; ILGA Nov. 2017, 98), Colima, Coahuila and Hidalgo (*El Universal* 2 July 2019; Centro de Apoyo a las Identidades Trans, AC 15 July 2019). In correspondence with the Research Directorate, a representative from Centro de Apoyo a las Identidades Trans, AC, an NGO that supports the human rights of the transgender population in Mexico, stated that it is not possible to legally change your gender in the state of Nuevo León (Centro de Apoyo a las Identidades Trans, AC 15 July 2019). However, in correspondence with the Research Directorate, a representative from Fundación Trans Amor, AC [2] stated that [translation] "it is possible today to change your name and your birth gender, through a simple judiciary process that does not usually take more than four weeks and requires a minimum of requirements that do not violate your rights" (Fundación Trans Amor, AC 9 July 2019). The same source added that changing your birth certificate is a necessary step to changing your school documents, banking information, social security and housing documents (Fundación Trans Amor, AC 9 July 2019).

According to sources, it costs approximately 70 MXN [C$4.82] to process the form to change the name on identity documents (*El Universal* 29 June 2019; ILGA Nov. 2017, 99). Sources report that transgender people travel to Mexico City from other states to change their birth certificate (ILGA Nov. 2017, 99; DW 23 July 2017). Sources note that Mexico’s Supreme Court ruled in favour of a transgender person from Veracruz who was then allowed to change their name and gender without having to go before a judge, as it was then required by the Veracruz state (Pink News 9 May 2019; Human Rights Watch 29 Oct. 2018). Human Rights Watch adds that, instead, the person has to undergo a "simple administrative process, based solely on their own declaration of their gender identity" (Human Rights Watch 29 Oct. 2018).
2. Treatment by Society

2.1 Discrimination and Societal Attitudes

According to sources, machismo is still embedded in Mexican culture, which increases homophobia and discrimination against sexual minorities (Mexico and Fundación Arcoiris Nov. 2018a, 27; Corral July 2018, 60). For further information on machismo and gender norms in Mexico, see Response to Information Request MEX106111 of May 2018. Sources state that in smaller towns and rural areas, there is less acceptance than in cities (US 30 May 2019; Stonewall Aug. 2018, 2). The representative from Fundación Trans Amor indicated that while there have been changes in legislative, judicial and health matters, the social situation in Monterrey has changed "very little" and that violence and discrimination are still present in society and families (Fundación Trans Amor, AC 9 July 2019). The same source indicated that Nuevo León was the last state in Mexico to pass a law that criminalizes homophobia and transphobia (Fundación Trans Amor, AC 9 July 2019). Diario de Yucatán, a newspaper based in Yucatán, reported in May 2019 that a couple was denied service at a restaurant in Monterrey for being gay; according to the source, the couple entered the restaurant holding hands and were told to leave because it is a [translation] “‘family environment’” (Diario de Yucatán 2 May 2019). El Universal, a Mexican newspaper, reported that in May 2019 a group called Strong Families United for Nuevo León (Familias Fuertes Unidas por Nuevo León) sued a group of drag queens who read stories to children, on grounds of [translation] “corruption of minors” (El Universal 25 June 2019).

Sources indicate that most sexual minorities have experienced physical acts of violence or harassment based on their sexual orientation or gender identity (Mexico and Fundación Arcoiris Nov. 2018b, 26-28; Letra S May 2019, 10). The 2017 National Survey on the State of Discrimination (Encuesta nacional sobre discriminación, ENADIS), co-authored by the CONAPRED and the National Institute for Statistics, Geography and Information (Instituto Nacional de Estadística, Geografía e Informática, INEGI), surveyed 102,245 people to identify experiences of discrimination in different social contexts and to [translation] "grasp attitudes, prejudices and opinions" that people have about distinct populations that are discriminated against (Mexico 2018a, 3). According to the survey, in Nuevo León, 72-79.4 percent of respondents, and in the Yucatán 64.3-71.9 percent of respondents, answered that they agreed [translation] “very little” or “not at all” that same-sex
A couple should be able to live together (Mexico 2018a, 17). The same source reports that 30 percent of female and 35 percent of male respondents across the country would not rent a room to a gay or lesbian person, and that 33 percent of female and 41 percent of male respondents would not rent a room to a transgender person (Mexico 2018a, 14).

The 2018 edition of the National Survey on Discrimination Based on Sexual Orientation and Gender Identity (Encuesta sobre discriminación por motivos de orientación sexual e identidad de género, ENDISOG) [3] finds that 75 percent of 9,328 respondents belonging to sexual minorities reported that they avoid showing affection to their partner in public, due to fear (Mexico 2018b, 26). The same survey states that 40 percent of parents reacted with [translation] “total support,” 33 percent “support and dislike” and 26 percent “rejection” when the respondent disclosed their sexual orientation (Mexico 2018b, 11). The source adds that 85-90 percent of respondents reported [translation] “total support” when disclosing their sexual orientation to their schoolmates, co-workers and friends (Mexico 2018b, 12).

Sources indicate that sexual minority students reported discrimination and harassment based on their gender identity or sexual orientation at school (Mexico and Fundación Arcoiris Nov. 2018a, 29; Corral July 2018, 60) and that the use of homophobic slurs in school is common (Mexico and Fundación Arcoiris Nov. 2018a, 28). In 2013, the state of Nuevo León passed the Law to Prevent, Address and Eradicate Discrimination and Harassment and Violence in Schools in the State of Nuevo León (Ley para Prevenir, Atender y Erradicar el Acoso y la Violencia Escolar del Estado de Nuevo León) (Nuevo León 2013). However, the representative from Fundación Trans Amor noted that educational institutions have refused to enforce it (Fundación Trans Amor, AC 9 July 2019). Desastre, a Mexican news website on LGBTI issues, reported a case of two lesbian students facing harassment and physical aggression at a University in Nuevo León, wherein the school responded by suspending the two victims (Desastre 28 Jan. 2019). Further and corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.
2.2 Treatment of Transgender and Non-Binary Individuals

According to the 2018 ENDOSIG, when disclosing their gender identity, respondents reported a response of [translation] “total support” 65.9 percent of the time from school mates, 66.9 percent from coworkers, and 79.9 percent from friends (Mexico 2018b, 12). When respondents disclosed their identity to their parents, the reported reaction varied between fathers and mothers: respondents reported [translation] “total support” 30.7 percent of the time from fathers and 36.9 percent from mothers, “support and dislike” 29.9 percent from fathers and 24.1 percent from mothers, and “rejection” 39.4 percent from fathers and 38.9 percent from mothers (Mexico 2018b, 11). The same source indicates that 65 to 79 percent reported [translation] “total support” when they disclosed their gender identity to their school colleagues, co-workers and friends (Mexico 2018b, 12).

The National Study on Discrimination of LGBTI People in Mexico: Rights at Work (Diagnóstico nacional sobre la discriminación hacia personas LGBTI en México: Derecho al trabajo) by the Executive Commission for Care of Victims (Comisión Ejecutiva de Atención a Víctimas, CEAV) and the Fundación Arcoiris for the Respect of Sexual Diversity (Fundación Arcoiris por el Respeto a la Diversidad Sexual, AC, Fundación Arcoiris) [4] states that transgender women reported the highest rate of employment out of all respondents with 82 percent employed at the time of the survey (Mexico and Fundación Arcoiris Nov. 2018c, 29). In comparison, bisexual respondents and transgender men have the lowest employment rate, with respectively 65 percent of bisexuals and 66 percent of transgender men having employment (Mexico and Fundación Arcoiris Nov. 2018c, 29). However, without providing further details, the Alliance for Diversity and Inclusion in the Workplace (Alianza por la Diversidad e Inclusión Laboral, ADIL) [5] also states that among LGBTI populations, transgender and non-binary people earn less on average than lesbians, gay men and bisexuals (ADIL Aug. 2018, 21).

According to the CEAV and Fundación Arcoiris, 25 percent of transgender women respondents engage in sex work (Mexico and Fundación Arcoiris Nov. 2018c, 30). The same source writes that almost all respondents who engaged in sex work were transgender, noting that this may be related to the lack of other employment options, which is caused by lack of acceptance (Mexico and Fundación Arcoiris Nov. 2018c, 30). Similarly, Asistencia Legal por los Derechos Humanos
(Legal Assistance for Human Rights, Asilegal), a civil society organization that works with individuals deprived of their liberty (Asilegal 2019, 2), states the following in their alternative report to the UN Committee Against Torture:

As a result of the discriminatory and excluding social context against LGBT persons, many trans women see their labor opportunities restricted to access ideal working conditions which allow them to have economic independence and solvency, which inclines them into doing sex labor. Regardless of the reasons behind the job performance, this activity puts them in riskier situations of suffering violence, torture and other ill-treatment. (Asilegal 2019, 26)

Mexico’s Ministry of Health (Secretaría de Salud) has guidelines on treating LGBTI people; the guidelines cover guidance for working with transgender individuals, including providing access to hormonal therapy and gender affirming surgery (Mexico 15 May 2019, 52-65). According to the representative of Fundación Trans Amor, there are very few cases in which a transgender person, who has been denied health care, has managed to carry out the applicable protocols, such as successfully requesting a consultation with an endocrinologist, a laboratory analysis, or obtaining a hormonal assessment (Fundación Trans Amor, AC 9 July 2019). Without providing further details, sources reported cases of transgender and non-binary people having to stop hormonal treatment against their will (Mexico 2018b, 18) or being denied access to gender confirmation medical treatment (Mexico and Fundación Arcoiris Nov. 2018d, 55).

According to the National Electoral Institute (Instituto Nacional Electoral, INE), sexual minorities experience prejudice, stigmatization and violence which can impact their right to vote (Mexico May 2018, 47, 49). The INE’s guide to electoral inclusion includes a section on the rights of transgender people to vote which states that all transgender people with voting credentials who are registered on the electoral list have the right to vote, and that they should not be discriminated against if their gender expression or photograph does not match their voting credentials (Mexico May 2018, 50). However, Human Rights Watch states the following:

If your gender marker contrasts with your appearance, any juncture in daily life that requires showing your identity card – a traffic stop, a financial transaction, a medical appointment – is laden with the risk of ridicule, interrogation, and even violence. (Human Rights Watch 29 Oct. 2018)
3. Access to Employment

According to the national study on LGBTI discrimination in the workplace by CEAV and Fundación Arcoiris, which was completed by 3,451 respondents across the country (Mexico and Fundación Arcoiris Nov. 2018c, 23), 30 percent of respondents reported that being LGBTI was an obstacle to employment occasionally, 21 percent said frequently, and 10 percent said always, while 30 percent estimated that it was never an obstacle (Mexico and Fundación Arcoiris Nov. 2018c, 34). The report states that some employers ask job candidates questions about sexual orientation, pregnancy, and HIV status (Mexico and Fundación Arcoiris Nov. 2018c, 33). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Sources state that the number of companies in Mexico that have adopted policies to promote LGBT equality and inclusion is increasing (Human Rights Campaign n.d.; Fundación Trans Amor, AC 9 July 2019). The UK-based LGBT organization Stonewall’s Global Workplace Briefings 2018 on Mexico, a report that “outlines the legal, socio-cultural and workplace situation for LGBT people in the specified country” (Stonewall 31 May 2016), reports that “[m]any multinational organizations have diversity and inclusion initiatives that promote LGBT equality in the workplace” (Stonewall Aug. 2018). On 8 May 2019, the government of Mexico created an LGBTI Support Network for the Public Service (Red de Apoyo LGBTI de la Función Pública), with the objective of [translation] “creating an inclusive and respectful organizational culture” (Mexico 8 May 2019). Further information on the LGBTI Support Network could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

Other sources indicate that sexual minorities experience discrimination in the workplace (Vela Barba 11 Dec. 2017, 90; Mexico and Fundación Arcoiris Nov. 2018c, 36; CE Noticias Financieras 28 June 2019a). According to Stonewall, "many" LGBTI people hide their sexual orientation or gender identity at work out of fear that it will have a negative impact on their career (Stonewall Aug. 2018, 2). Similarly, ADIL states that 56 percent of the respondents to the Survey on Diversity and LGBT Talent in Mexico (Encuesta sobre la diversidad y talento LGBT in México) do not disclose their sexual orientation or gender identity at work (ADIL Aug. 2018, 18). In the 2018 national study on discrimination of LGBTI people in the workplace by CEAV and Fundación Arcoiris, 43 percent of respondents reported being harassed, bullied or
discriminated against in the workplace, and Afro-Descendant sexual minorities reported the highest rate at 58.49 percent (Mexico and Fundación Arcoiris Nov. 2018c, 29, 38). However, 89.5 percent of respondents to the 2018 ENDOSIG survey reported [translation] "total support" from their boss when they disclosed their sexual orientation (Mexico 2018b, 12). For respondents who disclosed their gender identity to their boss, 66 percent reported [translation] “total support” and 25 percent reported “rejection” (Mexico 2018b, 12).

4. Access to Health Care and Social Benefits

In 2017, according to UNAIDS, a new Ministry of Health Code of Conduct was introduced to "guarantee effective access" to health care services for sexual minorities (UN 25 Aug. 2017). However, sources indicate that sexual minorities reported experiences of discrimination related to their gender identity or sexual orientation when accessing medical services (Fundación Trans Amor, AC 9 July 2019; Mexico and Fundación Arcoiris Nov. 2018d, 58). According to the 2018 National Study on Discrimination Against LGBTI Persons in Mexico: Right to Health (Diagnóstico nacional sobre la discriminación hacia personas LGBTI en México: derecho a la salud) by the CEAV and Fundación Arcoiris, 50 percent of the 3,451 respondents said “no,” 18 percent said “occasionally,” 6 percent said “frequently,” and 3 percent said “always” when asked about derogatory or discriminatory comments from health care providers based on their sexual orientation or gender identity (Mexico and Fundación Arcoiris Nov. 2018d, 59). The ENDOSIG survey reports that 24 percent of transgender people, 11.7 percent of lesbian women and 9.3 percent of gay men responded that they had experienced discrimination based on their gender identity or sexual orientation when accessing health care (Mexico 2018b, 22).

According to the 2018 national study on discrimination against sexual and gender minorities in Mexico, 41.8 percent of the respondents answered [translation] “No” and 31.1 percent answered “I don’t know” when asked about the existence of adequate public health services for sexual minorities (Mexico and Fundación Arcoiris Nov. 2018d, 43-44). According to the source, this denotes the absence of adequate LGBTI health services as well as a lack of knowledge of those services among sexual minorities (Mexico and Fundación Arcoiris Nov. 2018d, 43-44). Sources report that in February 2019, the federal government announced it would no longer fund
civil society organizations for activities such as outreach and HIV testing (Letra S 27 Feb. 2019; Reuters 17 Apr. 2019). Further information on the implementation of this decision could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

According to sources, same-sex couples can register as partners to receive benefits from the Mexican Social Security Institute (Instituto Mexicano del Seguro Social, IMSS) (Notimex 28 June 2019; El Universal 7 Nov. 2018), a federal institution that provides medical and social benefits to insured workers and their families (Mexico n.d.a). However, sources report that same-sex partners were denied benefits and had to seek legal recourse to access them (Animal Político 17 Nov. 2017; The Mazatlán Post 19 Aug. 2018). El Universal reports that, in November 2018, reforms to the social welfare regulations were passed to ensure same-sex couple’s equal access to social security benefits (El Universal 7 Nov. 2018). The website for the Institute of Social Security and Services of State Workers (Instituto de Seguridad y Servicios Sociales de los Trabajadores del Estado, ISSSTE) indicates that it is free for same-sex couples to register as concubinarios (civil union) without a marriage certificate, but they must confirm that they have been cohabitating for at least 5 years (Mexico n.d.b). Same-sex couples who are married can register by providing a marriage certificate (Mexico n.d.c). The ISSSTE reports that 457 same-sex couples have registered since 2014 - 400 as married couples and 57 as concubinarios (Mexico 18 May 2019).

5. Violence Against Sexual and Gender Minorities

In its annual report on extreme violence against sexual minorities, the organization Letra S, AIDS, Culture and Daily Life (Letra S, Sida, Cultura, y Vida Cotidiana, AC, Letra S) [7] indicates that more LGBT individuals were killed in 2017 and 2018 than in previous years (2013-2016), for reasons believed to be due to their real or perceived sexual or gender identity (Letra S May 2019, 21). The same source specifies that, from 2013 to 2018, 18 people from Nuevo León and 12 people from Yucatán were murdered (Letra S May 2019, 30). In some cases, there was evidence of sexual violence or torture, and the most common weapons were blunt objects and firearms (Letra S May 2019, 36-38). Without providing further details, sources report occurrences of gay men being targeted by gangs, often seducing and then robbing them (Pink News 19 May 2017; Desastre 27 Sept. 2018). News sources also reported cases of LGBT activists being targeted and murdered (Agencia EFE 18 June 2018; Pink News 13 Feb. 2019; Agencia Presentes 27 Mar. 2018).

5.1 Violence Against Transgender Individuals

According to Stonewall, transgender individuals are "regularly" victims of "violent hate crimes [that] often end in murder" (Stonewall Aug. 2018, 2). According to the CEAV and Fundacion Arcoiris, 66 percent of transgender women, 41 percent of transgender men and 41 percent of intersex people who responded to the survey on LGBTI discrimination regarding the rights to safety and to justice declared that they were victims of physical assault (Mexico and Fundacion Arcoiris Nov. 2018b, 28). In a compilation of "reported murders of trans and gender-diverse people," the Transrespect vs. Transphobia Worldwide (TvT) project, a comparative research project by the advocacy network Transgender Europe (TGEU) (TGEU n.d.), reports, without providing further details, that in 2008, 4 transgender people were murdered in Mexico while in 2017, the number was 65 (TGEU 2018).

6. Treatment by State Authorities

Sources state that sexual minorities have reported cases of violence or aggression by the police (Asilegal 2019; Nuevo León Aug. 2018, 61) and of being detained for their LGBT status (Mexico and Fundación Arcoiris Nov. 2018b, 33). According to a report on discrimination of LGBTI people regarding access to justice
and security by the CEAV and Fundación Arcoiris, 31 percent of transgender women respondents and 15 percent of homosexuals said they had been detained because of their LGBTI status (Mexico and Fundación Arcoiris Nov. 2018b, 33). In the 2018 ENDOSIG survey, 30.8 percent of respondents reported that they received [translation] "arbitrary and discriminatory treatment from police" (Mexico 2018b, 21). In Monterrey, the Nuevo León State Human Rights Commission (Comisión Estatal de Derechos Humanos Nuevo León, CEDH) received complaints of [translation] "alleged" human rights violations from same sex couples who reported physical and verbal aggression from municipal police (Nuevo León Aug. 2018, 61).

According to the CEDH, [translation] "vague terminology" in laws such as “abnormal sexual life” makes LGBT people vulnerable to the interpretation by local authorities (Nuevo León Aug. 2018, 67-68). The representative from Centro de Apoyo a las Identidades Trans indicated that there are laws in the Monterrey Penal Code that "criminalize" LGBT populations such as [translation] "article 195 that describes affronts to morality or decency (ultrajes a la moral o a las buenas costumbres)" (Centro de Apoyo a las Identidades Trans 15 July 2019).

7. State Protection

The National Justice Procurement Conference (Conferencia Nacional de Procuración de Justicia) produced a protocol for the personnel of the courts for cases involving sexual orientation or gender identity on how to interview victims and investigate crimes involving sexual minorities (Mexico Dec. 2017, 20). According to La Jornada Maya, a newspaper in Yucatán, protocols need to be expanded at the state level (La Jornada Maya 12 Dec. 2018). Conversely, the representative from the Fundación Trans Amor noted that progress has been made judicially, and that police bodies tend to follow the different protocols of action that have been issued by the federal government (Fundación Trans Amor, AC 9 July 2019).

According to sources, the government does not adequately investigate crimes against sexual minorities (US 13 Mar. 2019, 30; Mexico and Fundación Arcoiris Nov. 2018b, 39; Asilegal, et al. 2019, 71). According to the US Department of State’s Country Reports on Human Rights Practices for 2018, on 5 August 2018, a young man was beaten to death by a group of taxi drivers outside a gay bar in San Luis Potosi (US 13 Mar. 2019, 30). The source further states that local LGBTI rights
defenders argued that the young man was killed because of his sexual orientation and that homophobia in the police force led to negligence in the investigation (US 13 Mar. 2019, 30). The report on discrimination against LGBTI people regarding access to justice and security notes that [translation] “the high percentage of people who don’t report the aggressions or crimes is alarming,” and indicates that the two main reasons for not reporting are mistrust and alleged inaction of the authorities (Mexico and Fundación Arcoiris Nov. 2018b, 35).

Sources report that when sexual minorities are murdered, 8.4 percent (17 of 202 cases between 2014 and 2016) (Pink News 20 June 2018) or 10.5 percent of cases are classified as "hate crimes" (Letra S May 2019, 41). Agencia Presentes, a non-profit regional LGBTI news source for Latin America (Agencia Presentes n.d.), reports that in Mexico City, the police did not investigate the murder of a transgender woman as a hate crime because she used to be a sex worker (Agencia Presentes 24 Apr. 2019). Letra S explains that many cases are treated as [translation] “crimes of passion” or as assault or robbery, and that perpetrators often use the justification of “legitimate defense” against sexual insinuations or harassment or of a “heated emotional state” as defense strategies (Letra S May 2019, 41, 46). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

8. Community and Support Services
8.1 Mérida, Yucatán

The website of the Yucatán State Human Rights Commission (Comisión de Derechos Humanos del Estado de Yucatán, CODHEY) indicates that it provides free legal services in cases of human rights abuses at a municipal or state level (Yucatán n.d.a). According to their website, there is no formal process to initiate their services and citizens can start the process by telephone, email or [translation] “any other existing means of communication” (Yucatán n.d.b).

Yucatrans is a collective of transgender people in Mérida that promotes the human rights of transgender and non-binary people (Yucatán n.d.c). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.
The Psychological, Sexological and Educational Attention Unit for Personal Growth, AC (Unidad de Atención Sicológica, Sexológica y Educativa para el Crecimiento Personal, AC, UNASSE) provides rapid HIV testing, support group for HIV positive clients and a free semi-structured support group for transgender persons every week (UNASSE n.d.; UNASSE 3 June 2019).

In February 2019, the mayor of Mérida, Yucatán announced the formation of the Municipal Council Against the Discrimination of Sexual Diversity (Consejo Municipal Contra la Discriminación de la Diversidad Sexual), whose activities would include planning and evaluating activities aimed at fighting discrimination against sexual minorities (El Grillo 22 Feb. 2019; Yucatán en Corto 23 Feb. 2019). Further information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

8.2 Monterrey, Nuevo León

Sources indicate that there are organizations that specifically serve sexual minorities in Monterrey (MovINL n.d.; Gay Monterrey n.d.). Organizations that provide legal advocacy and legislative lobbying include:

- Litiga, AC is an organization that provides legal support for amparos related to marriage and protection of rights for LGBTTI citizens (Litiga n.d.);
- The CEDH runs a program to promote and protect the rights of LGBT persons (Nuevo León n.d.a). The CEDH website indicates that it provides support for filing cases of human rights abuses (Nuevo León n.d.b) and provides support to victims throughout the legal process (Nuevo León n.d.c);
- Gender, Ethics, and Sexual Health (Género, Etica y Salud Sexual AC, GESSAC) is a non-profit organization that [translation] “promotes the visibility of LGBTTTI people, and legal changes to grant the same rights to all people without discrimination” (GESSAC n.d);
- Fundación Trans Amor is an NGO that provides support to transgender girls, boys, and adolescents and their families in Monterrey; they offer personal, family, school, work and legal programming (Fundación Trans Amor, AC 9 July 2019);
- Acción Colectiva por los Derechos de las Minorías Sexuales, AC (ACODEMIS, AC), a civil society organization, provides rapid HIV testing and outreach services to men who have sex with men through initiatives on STI and HIV education (ACODEMIS, AC n.d.).
- Comunidad Metropolitana, AC (COMAC) provides rapid HIV testing (COMAC n.d.a) and outreach to LGBTI spaces to dispense
education and free condoms (COMAC n.d.b), as well as providing psychological services such as individual or couples counselling (COMAC n.d.c).

8.3 Educational Institutions

Educational institutions that have LGBTI student collectives include:

- Tecnológico de Monterrey’s student group Association for the Integration, Respect and Equality (Asociación por la Integración, Respeto y Equidad, AIRE) promotes community, wellness and visibility of sexual and gender diversity (AIRE n.d.a), and hosts LGBTI events on campus and in the community (AIRE n.d.b);
- Universidad Autónoma de Nuevo León’s student group University Students for Equity and a Full and Inclusive Society (Universitarios por la Equidad y una Sociedad Íntegra e Incluyente, UNESII), provides information on sexuality, and seeks to empower young LGBTI people to avoid harassment, discrimination and violence (UNESII n.d.a), and hosts LGBTI events on campus and in the community (UNESII n.d.b);
- Universidad de Monterrey’s student group Sexual Diversity Representation Community (Comunidad de Representación de la Diversidad Sexual, CREDS) promotes dialogue and inclusive education, sexual diversity representation (CREDS n.d.a.), and hosts LGBTI events on campus (CREDS n.d.b).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Notes

[1] The National Council for the Prevention of Discrimination (Consejo Nacional para Prevenir la Discriminación, CONAPRED) is a federal agency that promotes policies and measures to contribute to cultural and social development, to advance social inclusion, and to guarantee the right to equality (Mexico City n.d.). CONAPRED is responsible for receiving and investigating complaints for alleged discrimination committed by individuals or public servants (Mexico City n.d.).

[2] Fundación Trans Amor, AC is a civil society organization that supports transgender girls, boys and adolescents and their families in the city of Monterrey, Nuevo León (Fundación Trans Amor, AC 9 July 2019).
The 2018 National Survey on Discrimination Based on Sexual Orientation and Gender Identity (Encuesta sobre discriminación por motivos de orientación sexual e identidad de género, ENDISOG) was conducted by the CONAPRED and the National Commission of Human Rights (Comisión Nacional de Derechos Humanos, CNDH) and was aimed at [translation] "individuals aged 16 and older, who are residing in Mexico and who self-identify as gays, lesbians, bisexuals, trans (transgender, travestit, transsexuals) and of other non-normative sexual orientations and gender identities (SOGI)" (Mexico 2018b, 2).

The National Study on Discrimination of LGBTI People in Mexico: Rights at Work (Diagnóstico nacional sobre la discriminación hacia personas LGBTI en México: derecho al trabajo) is a study describing the situation of sexual minorities regarding their right to employment (Mexico and Fundación Arcoiris Nov. 2018c, 7). The study was conducted from 2015 to 2017 by the Executive Commission for Care of Victims (Comisión Ejecutiva de Atención a Víctimas, CEAV) and the Arcoiris Foundation for the Respect of Sexual Diversity (Fundación Arcoiris por el respeto a la diversidad sexual, AC, Fundación Arcoiris) (Mexico and Fundación Arcoiris Nov. 2018c, 8). The CEAV supports victims of federal crimes or of violation of their human rights (Mexico n.d.d). The Fundación Arcoiris is a [translation] "social organization focused on the analysis of sexuality in Latin America and the Caribbean" seeking to influence the key actors in the rights protection of people discriminated against because of their sexuality (Fundación Arcoiris n.d.).

The Alliance for Diversity and Inclusion in the Workplace (Alianza por la Diversidad e Inclusión Laboral, ADIL) is a professional group that promotes inclusion and respect towards LGBT people in the workplace, through training and communication strategies, events and studies with national and international companies (ADIL n.d.). Its members gather years of work experience with LGBT populations in different fields (agencies international, education, companies, government agencies, media and civil society organizations) (ADIL n.d.).

The American Psychiatric Association (APA) position statement on conversion therapy and LGBTQ patients states that "[s]ince 1998, the American Psychiatric Association has opposed any psychiatric treatment, such as 'reparative' or conversion therapy, which is based upon the assumption that homosexuality per se is a mental disorder or that a patient should change his/her homosexual orientation" (APA Dec. 2018).
[7] Letra S, AIDS, Culture and Daily Life (Letra S, Sida, Cultura, y Vida Cotidiana, AC, Letra S) is a "non-profit civil society organization aimed at the dissemination of information and the defense of human rights. [It] focus[es] on topics related to the trinomial of sexuality, health and society. [It particularly focuses on] topics of sexual diversity, gender, HIV, sexually transmitted diseases, and sexual/reproductive rights" (Letra S n.d.).

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**Internet sites, including:** The Advocates for Human Rights; Amnesty International; Centro Prodh; Familias por la Diversidad; Inter-American Commission on Human Rights; La Jornada de Oriente; Mexico Gay Map; Oveja Rosa; Pagina Abierta; UN – Refworld; US Social Security Administration.