



## RESPONSES TO INFORMATION REQUESTS (RIRs)

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19 October 2009

### MEX103304.E

Mexico: Whether transgender persons can get their identity documents re-issued to reflect their gender change  
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

News articles reported in August 2008 that the Legislative Assembly (Asamblea Legislativa) of the Federal District (Distrito Federal, DF) approved reforms to the Civil Code and Civil Procedures (Código Civil y de Procedimientos Civiles) for the DF that would allow transgender and transsexual persons to change their names on their birth certificates and official documents to reflect their new identity (*El Universal* 29 Aug. 2008; AFP 29 Aug. 2008).

According to information gathered by Agence France-Presse (AFP), for a person to legally modify his or her gender identity and name, the transgender or transsexual person will need to obtain a special ruling from a family judge (*ibid.*). This judicial procedure consists of having to present a "report" (*dictamen*) issued by two specialists outlining that the person has undergone a sexual reassignment process (*ibid.*). The AFP further reported, without providing details, that with this legal reform, a transgender or transsexual person may obtain a judgment, valid for about five to six months, to acquire a new birth certificate showing the new name and sexual identity (*ibid.*). With the new birth certificate, a transgender or transsexual person can modify official documents such as passports, driver's licences, and electoral cards (*ibid.*). Once the process of sexual identity and name change is complete, the DF authorities will notify various government departments including the Ministry of the Interior (Secretaría de Gobernación), the Electoral Federal Institute (Instituto Federal Electoral), and Ministry of Foreign Affairs (Secretaría de Relaciones Exteriores) to avoid duplications of identity in official documents (*ibid.*).

On 11 May 2009, Mexico City-based newspaper *Milenio* reported that gay and lesbian representatives were set to launch an information campaign to educate transgender and transsexual persons on where to go in order to begin the process for obtaining official documents with their new gender identity. Among other things, the Civil Code reportedly allows for persons not born in the DF, but who have been living in the DF for "several years," (*varios años*) to apply for the change to their sexual identity (*Milenio* 11 May 2009). This information could not be corroborated among the sources consulted by the Research Directorate.

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.

#### References

Agence France-Presse (AFP). 29 August 2008. "Aprueba Ciudad de México cambio de nombre de transexuales y transgéneros." <[http://www.elperiodicodemexico.com/nota\\_impresion.php?sec=&id=190579](http://www.elperiodicodemexico.com/nota_impresion.php?sec=&id=190579)> [Accessed 15 Oct. 2009]

*Milenio* [Mexico City]. 11 May 2009. Georgina Pineda. "Transexuales agilizarán los trámites para documentos." <<http://www.milenio.com/node/212869>> [Accessed 15 Oct. 2009]

*El Universal* [Mexico City]. 29 August 2008. Ella Grajeda. "Aprueba ALDF que transexuales cambien nombre en documentos oficiales." <[http://www.eluniversal.com.mx/notas/vi\\_534039.html](http://www.eluniversal.com.mx/notas/vi_534039.html)> [Accessed 15 Oct. 2009]

#### Additional Sources Consulted

**Internet sources, including:** Amnesty International (AI), Human Rights Watch (HRW), *La Jornada*.

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