



RESPONSES TO INFORMATION REQUESTS (RIRs)

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Mexico: The situation of transgender people, particularly in Mexico City, Cancún, Guadalajara and Acapulco, including how they are treated and the support services available to victims of ill treatment
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

According to a report on lesbian, gay, bisexual and transgender (LGBT) people in Mexico, published in 2010 by Global Rights and other organizations, although the government has created the National Council for the Prevention of Discrimination (Consejo Nacional para Prevenir la Discriminación, CONAPRED), an organization responsible for dealing with complaints of discrimination in the public and private sectors that has been active in the field of LGBT rights, "LGBT persons continue to face discrimination and human rights violations" (Global Rights et al. Mar. 2010, 4). The report also indicates that Mexican society "remains highly repressive in its attitude towards LGBTI [lesbian, gay, bisexual, transgender/transsexual and intersex] persons" and that LGBTs "face a serious threat of violence" (ibid.).

Mexico City (Federal District)

With the aim of contributing to the elimination of all kinds of discrimination, the Office of the Attorney General of the Federal District (Procuraduría General de Justicia del Distrito Federal, PGJDF) sent correspondence to its employees in November 2009 that asked them to treat transsexuals and all other non-heterosexual people with dignity and respect (*Reforma* 11 Nov. 2009).

According to an article published on 19 February 2009 by Universo Gay, a Spanish portal for LGBTs, under an order from family court, the Office of the Civil Registrar of the Federal District (Registro Civil del Distrito Federal) issued the first birth certificate to a person who was born male, but who had undergone sexual reassignment. According to the same source, the birth certificate indicating the bearer's new gender was issued as a result of a series of reforms made to the Civil Code (Código Civil), the Penal Code (Código Penal) and the Federal District Health Law (*Ley de Salud para el Distrito Federal*), which were approved on 29 August 2008 by local elected officials (Universo Gay 19 Feb. 2009).

An article posted on the information portal for transsexuals, Diario Digital Transsexual, indicates that because of lengthy delays and high costs, changing one's name after sexual reassignment is [translation] "unattainable" for most applicants, even though it is legal in Mexico City (22 Feb. 2010). In fact, at least six months and approximately 70,000 pesos [1 peso = \$0.08 Canadian dollars (XE.com 3 Feb. 2010)] are required to complete a name change (Diario Digital Transexual 22 Feb. 2010). Moreover, completing the change seems to depend on the [translation] "good will" of some civil servants (ibid.). The same source notes that, previously, a transsexual's former identity was indicated in the margin of the original birth certificate, but that since the reform of the Federal District Civil Code, that practice has been abolished (ibid.). Since the reforms came into effect on 13 March 2009 (ibid.), applicants can change some of the information that appears on their birth certificate, such as their name or gender (ibid.; Global Rights et al. Mar. 2010, 13).

An article published by Notimex, a news agency in the State of Mexico, indicates that the PGJDF, according to Agreement A/02/2010, plans to launch a special agency dedicated to investigating homicides of women and people with a sexual orientation or preference other than heterosexual (Agencia Especializada de Investigación del Delito de Homicidio doloso, cometido en agravio de mujeres y personas con orientación o preferencia sexual y por identidad o expresión de género) (Notimex 8 Mar. 2010). The agreement stipulates that the agency's staff will undergo training provided by the PGJDF's Professional Training Institute (Instituto de Formación Profesional de la PGJDF) that will address gender equality and human rights (ibid.). Additional information on the creation of this new agency could not be found among the sources consulted by the Research Directorate.

Cancún

According to the Global Rights report, in April 2008 and December 2009, approximately 40 sex workers were robbed, beaten and arrested by police in the surrounding areas of the municipality of Supermanzana 63 (Global Rights et al. Mar. 2010, 12). The president of the municipality acknowledged the police action and justified it as "cleaning garbage from the streets" (ibid.).

Guadalajara

During a 13 April 2010 telephone interview with the Research Directorate, a representative of the Jalisco State Human Rights Commission (Comisión Estatal de los Derechos Humanos de Jalisco, CEDHJ) stated that transvestites, lesbians, gays and transsexuals are among [translation] "vulnerable groups" that [translation] "face discrimination and are sometimes assaulted by police officers." He also stated that those groups [translation] "live together" and that they respect each other and are united in their fight because they are all in the same vulnerable situation (Jalisco 13 Apr. 2010). He noted that although the State of Jalisco is [translation] "very conservative," it has shown some progress over the years in protecting human rights (ibid.). He added that many services are available to that community and, particularly, that victims can file complaints with the CEDHJ by presenting evidence (ibid.). He stated that, in addition to that, the Commission offers help and training and organizes workshops and forums (ibid.).

Acapulco

Information on the situation of transgender people in the City of Acapulco could not be found 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

Diario Digital Transexual. 22 February 2010. "Cambio de nombre y sexo en Mexico DF; un derecho inalcanzable por alto coste económico." <<http://www.carlaantonelli.com/notis-22022010-cambio-nombre-sexo-mexico-df-derecho-inalcanzable-por-alto-coste.htm>> [Accessed 13 Apr. 2010]

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Jalisco. 13 April 2010. Comisión Estatal de los Derechos Humanos de Jalisco (CEDHJ). Telephone interview with a representative.

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Universo Gay. 19 February 2009. Andrés Bacigalupo. "México concede la primera acta de reasignación de identidad a una transexual." <http://noticias.universogay.com/mexico-concede-la-primera-acta-de-reasignacion-de-identidad-a-una-transexual__19022009.html> [Accessed 12 Apr. 2010]

XE.com. 13 April 2010. "Résultats du convertisseur universel de devises." <<http://www.xe.com/ucc/convert.cgi?Amount=1&From=MXN&To=CAD&image.x=48&image.y=15>> [Accessed 3 Feb. 2010]

Additional Sources Consulted

Oral sources: Representatives of the Comisión de Derechos Humanos del Estado de Quintana Roo (CDHEQROO), the Comisión de Defensa de los Derechos Humanos del Estado de Guerrero (CODDEHUMGRO) and the Comisión de Derechos Humanos del Distrito Federal (CDHDF) could not provide information within the time constraints of this Response.

Internet sites, including: 365gay, Amnesty International (AI), Anodis, Centro de Estudios y Proyectos para el Desarrollo Humano Integral (CEPRODEHI), Consejo Nacional para Prevenir la Discriminación (CONAPRED), Freedom House, GAYGDL.com, Human Rights Watch, International Lesbian and Gay Association (ILGA), Mexico - Secretaría de Desarrollo Social (SEDESOL), Mexico - Sistema Nacional para el Desarrollo Integral de la Familia (DIF) Cancún, Quintana Roo - Procuraduría General de Justicia, Transsexuallegal, United States (US) Department of State, *El Universal* [Mexico], Washington Office on Latin America (WOLA).

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