

Court Orders Guanajuato, Mexico, to Recognize Trans Identities

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State Congress Should Comply, Create Legal Gender Recognition Procedure

A federal court of first instance in Mexico recently ordered the Guanajuato State Congress to create a rights-respecting legal procedure so that transgender people can modify their identity documents to accurately reflect their gender identity.

The ruling is a result of litigation initiated by [Amicus DH](#), a Guanajuato-based LGBT rights organization that represents trans people pursuing legal recognition of their identity. Under the state's current system, they must file a lawsuit (a *juicio de amparo*) to enjoin the state's civil registry to modify their documents, which can be a lengthy and expensive legal process.

The court's ruling orders Guanajuato's congress to create a simple and administrative gender recognition procedure in its next legislative period. The procedure should center self-identification per standards required under [Mexican Supreme Court](#) and [Inter-American Court of Human Rights](#) jurisprudence. [Twenty-one](#) other Mexican states already have such a procedure in place.

In 2022, Amicus DH and Human Rights Watch published a [report](#) documenting how trans people in Guanajuato experience grave rights violations due to the state's lack of legal gender recognition. In collaboration with the [Trans Youth Network](#) and [Colmena 41](#), we interviewed 31 trans people from León, Irapuato, Celaya, and Guanajuato city, who said they faced serious economic, educational, labor, legal, health, and other ramifications because they lack documents reflecting their gender identity.

Each of Mexico's 32 states has the authority to determine its laws and policies in civil, family, and registration matters in accordance with the country's constitution. It is up to each state's legislature or governor to pass a law or issue a decree that enables legal gender recognition through a simple administrative procedure at a state-level civil registry.

Guanajuato's incoming congress should comply with the court's order and join other Mexican states that already uphold the right to legal gender recognition. The new governor and congress should also prioritize consulting LGBT communities in the state to create broader public policies for this population to improve their access to education, security, health, and work.