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GENDER-BASED VIOLENCE IMPUNITY REGIONAL STUDY: MEXICO CASE STUDY

OCTOBER 2022

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As an applied research product, this report is not intended for program design. The report may produce recommendations, which USAID and other actors will determine whether or how to address.

MEXICO CASE STUDY: GENDER-BASED VIOLENCE IMPUNITY FOR FEMICIDE AND TRANSFEMICIDE

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ACRONYMS

AVGM	Gender-based Violence Alert (Spanish acronym)
CDCS	Country Development Cooperation Strategy
CEV	Victims Executive Commissions (Spanish acronym)
CJM	Women's Justice Centers (Spanish acronym)
COVID-19	Coronavirus Infectious Disease 2019
CSO	Civil Society Organizations
DO	Development Objective
ENDIREH	National Survey on the Dynamics of Household Relationships (Spanish acronym)
ENSU	National Survey of Urban Public Security (Spanish acronym)
ENVIPE	National Survey of Victimization and Perception of Public Security (Spanish acronym)
FTF	Femicide and Transfemicide
GBV	Gender-based Violence
IACHR	Inter-American Court of Human Rights
IDI	In-depth Individual Interview
INEGI	National Institute of Statistics and Geography (Spanish acronym)
JAVA	Justice Access for Victims and the Accused
LACLEARN	Latin America and Caribbean Learning and Rapid Response
OECD	Organization for Economic Cooperation and Development
PEA	Political Economy Analysis
PROJUST	Mexico Promoting Justice Project
SESNP	National Public Security System Executive Secretariat (Spanish acronym)
SM	Women's Secretariates
SOGIE	Sexual Orientation and Gender Identity and Expression
USAID	United States Agency for International Development
VAW	Violence Against Women

EXECUTIVE SUMMARY

The Mexico country case study is one of eight case studies that form the Latin America and Caribbean Learning and Rapid Response (LACLEARN) Gender-based Violence (GBV) Impunity Regional Study. Through an intersectional gender, power, and political economy approach, the Mexico case study explores: 1) the prevalence and social acceptance of femicide and transfemicide (FTF) based on literature review and secondary statistics to provide background and context for the study; and, 2) views shared in in-depth individual interviews (IDIs) with 30 respondents including institutional actors and civil society staff who work directly with GBV victims and survivors, and GBV and FTF survivors¹. The case study diagnoses the state of FTF impunity in Mexico, identifies solutions to address impunity, and provides operational recommendations to USAID on changes needed to promote pathways to GBV and FTF accountability that center on survivors' recommendations.

DIAGNOSIS OF GBV AND FTF IMPUNITY IN MEXICO. Despite important progress in the past decade to address GBV and FTF in Mexico, and to develop necessary mechanisms for prevention, protection, and access to justice, the country still faces persistently high levels of GBV and impunity, particularly for cases of FTF. Widespread societal normalization of GBV, patriarchal, male-dominated social, economic, and political structures, corruption, and underlying impunity, persist as key factors that influence GBV prevalence generally, and FTF specifically. GBV prevention and protection programs are not equally available or accessible across the country. There is very little justice for cisgender and even less for transgender FTF survivors owing to inadequate or discriminatory response, or non-response by law enforcement and an absence of a gender perspective and survivor-centered, trauma-informed protocols and practices that do not revictimize survivors.

SOLUTIONS TO ADDRESS GBV and FTF IMPUNITY

Solutions to bolster survivor-centered pathways to accountability offer strategic, concrete suggestions to address GBV and FTF in Mexico, develop the necessary prevention policies for government institutions and civil society to change the practices and social norms that reinforce GBV, and remove economic and legal barriers for diverse GBV and FTF survivors to access justice. Changes are required in:

- survivor recovery assistance,
- law enforcement,
- legal reforms,
- access to justice,
- transparency,
- broader economic assistance,
- changing gender norms from an early age,
- strengthening municipal capacity for a rapid response in GBV cases to prevent FTF, and
- enforcing a gender, trauma-informed and human rights-perspective across all institutional levels, including an adequate defense and legal standardization.

¹ "Survivors" in this report refers to either primary (i.e., the victim themselves who survived) or secondary (i.e., family, friends, colleagues) survivors of FTF as a form of GBV. "Victim" refers to those whom FTF killed, or as a term that some survivors prefer to use in court proceedings where "victim" confers legal status as a crime victim.

Promising strategies for GBV and FTF prevention and response in different states in Mexico could be scaled up to improve accountability across the country. Examples include approval of gender identity change procedures, quick implementation of protection orders, insurance against domestic violence-related costs, inclusive shelters, comprehensive support through institutions such as the Women's Justice Centers (CJM) or Women's Secretariates (SM), courts specializing in family violence, and specialized gender diverse, inclusive, survivor-centered, and trauma-informed protocols for GBV and FTF investigation.

OPERATIONAL RECOMMENDATIONS FOR USAID

Operational recommendations highlight areas of opportunity concerning GBV and FTF prevention, protection, and justice, where the United States Agency for International Development (USAID) can continue its work against GBV and femicide impunity in partnership with Civil Society Organizations (CSOs) and government institutions include:

GBV/FTF PRIMARY PREVENTION

- 1) Primary prevention: Break cycles of GBV and FTF before they start or repeat.
- 2) Secondary and tertiary prevention. Provide GBV and FTF survivor support services including psychosocial and economic recovery assistance in the immediate, and mid- to long-term.

GBV/FTF PROTECTION AND RESPONSE

INSTITUTIONAL LEVEL CHANGE

- 3) Support and monitor ongoing training and performance evaluation, and tie licensing, certification, salary increases, and promotions of law enforcement professionals to accountable implementation for gender inclusive, survivor-centered, trauma-informed procedures for handling GBV/FTF cases.
- 4) Review, standardize, implement, monitor, and evaluate existing investigative protocols from a gender-inclusive, survivor-centered, and trauma-informed approach.
- 5) Expand and strengthen Task Forces Units to improve investigation and prevent future crimes using data.
- 6) Support, strengthen, and/or evaluate the institutions that enforce the rights of GBV/FTF survivors beyond the criminal justice system.
- 7) Redesign Gender-based Violence Alerts (AVGM).
- 8) Develop quantitative and qualitative research specifically for informing Transfemicide prevention, protection, and justice programs.

LEGISLATIVE CHANGES

- 9) Approve non-discriminatory legal gender identity change procedures in all Mexican states.
- 10) Standardize the criminal definition of *feminicidio*.

GBV/FTF JUSTICE

RIGHT TO AN ADEQUATE DEFENSE

- 11) Increase and sustain support for non-governmental organizations that directly defend GBV/FTF victims and survivors.
- 12) Create and sustain support for GBV survivor-centered, trauma-informed, specialized legal advisors.

CIVIL SOCIETY STRENGTHENING

- 13) Provide sustained support for those who deliver gender inclusive, survivor-centered, trauma-informed recovery and justice services for GBV/FTF victims and survivors.

LACLEARN BACKGROUND AND CASE STUDY METHODOLOGY

The United States Agency for International Development (USAID) funded the Latin America and Caribbean Learning and Rapid Response (LACLEARN) Task Order under the Analytical Services IV Indefinite Delivery/Indefinite Quantity contract. The Latin America and Caribbean (LAC) Bureau's Office for Regional Sustainable Development manages LACLEARN. LACLEARN contributes to improving USAID's Democracy, Human Rights, and Governance (DRG) work in the LAC region through state-of-the-art, gender-informed analytical work, assessments, research, and special studies; results management support; and training that contribute to sector learning in the region and build an evidence base for effective programming. NORC at the University of Chicago, with the support of partners Making Cents International and Development Professionals Inc., leads the "Gender-Based Violence (GBV) Impunity Regional Study," which comprises eight country case studies and regional synthesis. The regional and country case studies investigate structural barriers, enabling contexts, and social norms that perpetuate or challenge impunity for GBV. The country case studies explore the critical question, "What does accountability look like for diverse GBV survivors?" and chart survivor-centered pathways of accountability to inform USAID investments in LAC for GBV prevention, recovery, and justice. LACLEARN's, "Mexico Case Study: GBV Impunity and Femicide," is one of eight country case study reports that will inform the regional study.

CASE STUDY OBJECTIVES

Objectives of the case study included to: 1) diagnose the current state of GBV and FTF impunity and accountability rooted in structural socioeconomic and political gender inequalities, and the links between social acceptance of GBV, GBV impunity, and corruption; 2) identify GBV survivor-centered, trauma-informed pathways and examples of interventions for increasing accountability and structural gender equality; and 3) to provide grounded operational recommendations to USAID on how to bring about changes needed to promote survivor-centered, trauma-informed pathways to GBV accountability. A guiding principle throughout the study places GBV and FTF victims and survivors, and the allies and support services staff who support them directly, at the center as having forms of power to shape needed changes, and identifies how their power, resources, and influence may be bolstered.

KEY TERMS: “GBV” AND “IMPUNITY”

The GBV Impunity Regional Study and Mexico Case Study define “GBV” according to the updated 2016 “United States Strategy to Prevent and Respond to GBV Globally:”

“GBV is an umbrella term for any harmful threat or act directed at an individual or group based on actual or perceived biological sex, gender identity and/or expression, sexual orientation, and/or lack of adherence to varying socially constructed norms around masculinity and femininity. It is rooted in structural gender inequalities, patriarchy, and power imbalances. GBV is typically characterized by the use or threat of physical, psychological, sexual, economic, legal, political, social, and other forms of control and/or abuse. GBV impacts individuals across the life course and has direct and indirect costs to families, communities, economies, global public health, and development.”²

The study conceptualizes, “impunity,” both within and beyond legal definitions and attends to both formal institutional and structural lack of accountability for, and informal societal acceptance and normalization of, GBV, including femicide and transfemicide. Lack of accountability persists within and across sectors with which a GBV survivor would encounter in seeking assistance and justice, including physical and mental health services, law enforcement, legal aid, shelter, economic recovery, and other sectoral assistance initiatives.

RESEARCH METHODOLOGY

The Mexico GBV impunity case study applies an intersectional, gender, power, and political economy analytical approach to investigating GBV impunity related to femicide against cisgender and transgender women. The GBV Impunity Regional Study and Mexico case study adaptation of political economy analysis (PEA) shares core elements with USAID’s “Thinking and Working Politically through Applied Political Economy Analysis,” framework.³ To paraphrase USAID’s PEA Framework, both approaches foster reflection on foundational influences, the impact of immediate events and actors, the institutional framework, and the dynamics between these forces along with actors’ incentives and interests that shape the behaviors and outcomes observed.

The GBV impunity study adaptation of PEA goes beyond this framework by integrating an intersectional gender analysis.⁴ While the approaches share similarities, there are also important and complementary distinctions between them. “PEA explores the political and economic processes in societies to provide an in-depth analysis of the power relations between groups. Gender analysis explores the power relations between men and women [girls, boys, gender diverse, and gender-non-conforming people], and

² (2019). “United States Strategy to Prevent and Respond to GBV Globally: 2016 Update.” U.S. Department of State and the U.S. Agency for International Development. See page 7 for full definition of GBV.

³ USAID (2018) Thinking and Working Politically Through Applied Political Economy Analysis: A Guide for Practitioners. Washington, DC. See: <https://www.usaid.gov/documents/1866/thinking-and-working-politicallythrough-applied-political-economy-analysis> (last accessed March 2, 2021).

⁴ Kimberlé Crenshaw coined the sociological term, “intersectionality,” in 1989. In 1991, she expanded the concept to show how some feminist and anti-racist discourses excluded Black women and other women of color in her Stanford Law Review article, “Mapping the Margins: Intersectionality, Identity Politics, and Violence Against Women of Color,” (Vol. 43, No. 6 Jul. 1991, pp. 1241-1299). The concept of intersectionality provides an analytical framework to identify multifaceted power structures and processes that produce and sustain oppression and structural inequalities. Discrimination perpetrated based on intersecting aspects of identity, such as age, gender, biological sex, sexual orientation, ethnicity, race, religion, nationality, socioeconomic status, and other characteristics, lead to cumulative injustices, inequities, and inequalities in human development, health, and wellbeing outcomes over the life course. See also, for example: Kapilashrami, Anuj et al. (2018). Intersectionality and Why it Matters to Global Health. *The Lancet*, Volume 391, Issue 10140, 2589 - 2591.

often frames this as explicitly political [and economic].”⁵ An intersectional gender, power, and political economy approach to researching GBV impunity considers how diverse GBV survivors are agents and influencers themselves of both human rights and national development, and how institutional duty-bearers could end impunity through exposing and addressing underlying socioeconomic and political barriers, and strengthening or forging GBV survivor-centered pathways to accountability. The methodological approach sheds light on, “how the political economy impacts men and women [and gender diverse people] differently, whether men and women are differentially able to access power—including patronage networks—influence institutions, and how gender dynamics contribute to or block change.”⁶ Gender, power, and political economy analyses of GBV impunity help identify which individuals, groups, and institutions may drive change for improving accountability for GBV prevention, protection, recovery, and justice; analyzing the informal and formal power hierarchies that are used to maintain gender inequalities and harmful norms that underpin and perpetuate GBV impunity. Analyses assess GBV survivor access to prevention and response services and resources; focusing on both the harmful and protective processes and outcomes of survivor engagement with health, judiciary, and economic systems, as well as national laws, policies, and informal gender norms that facilitate either impunity or accountability.

DATA COLLECTION AND ANALYSIS METHODS

The study protocol received ethics approval and research clearance from NORC at the University of Chicago’s Institutional Review Board and three renowned GBV academic researchers from three universities across Mexico. Two Mexican GBV researchers selected contrasting, emblematic cases of GBV related to cisgender and transgender femicide—one in which perpetrators acted with judicial impunity, and another where one man was convicted for his crime—to ground the qualitative interviews exploring GBV prevalence, social acceptance, and survivor-centered pathways to accountability. The regional study leadership team conducted a training with the Mexican team covering GBV survivor-centered, trauma-informed interviewing techniques and role-plays with technical support feedback; ethics, and safety protocols; and good practices for managing trauma and stress in GBV research. Following the training, the team finalized a mapping of available GBV referral support services including psychosocial counseling, legal aid, economic recovery support, safehouses/shelters, hotlines; and developed an information sheet of verified contact details. They then field tested and finalized the interview guide. The team then employed careful ethics and safety procedures to contact and invite key informants into interviews. Over a period of three months, the team completed 30 in-depth individual interviews (IDIs) with relevant staff of institutions and civil society organizations working with GBV survivors, including of FTF, and with GBV survivors. Twenty-six respondents were women of a range of gender identities and four were cisgender men. All data collection activities were conducted online or by phone via end-to-end encryption Voice-Over-Internet-Protocol (VOIP) platforms for both privacy and adherence to COVID-19 safety protocols.

⁵ Browne, E. (2014). Gender in Political Economy Analysis. Helpdesk Research Report. Governance and Social Development Resource Centre (GSDRC). AusAID. See also: Haider, H. and Rao, S. (2010) Political and Social Analysis for Development Policy and Practice: An Overview of Five Approaches. GSDRC. AusAID.

⁶ Peterson, S. V. (2005). How (the meaning of) gender matters in political economy. *New Political Economy*, 10(4), 499-521. <http://dx.doi.org/10.1080/13563460500344468>. Cited in Browne, E. (2014). Gender in Political Economy Analysis. Helpdesk Research Report. Governance and Social Development Resource Centre (GSDRC). AusAID.

The team used an adapted qualitative data analysis Framework Method⁷ with integrated thematic analysis⁸ to identify, analyze, and interpret key themes emerging from the interview transcripts. The researchers agreed collectively on a Mexico-specific contextualized codebook for qualitative data analysis that they adapted from the regional study common codebook. The codebook retained a set of *a priori* codes to enable future synthesis with the other seven country case studies. Each team researcher then coded, analyzed, and interpreted data individually from transcripts and collectively through team interpretation discussions weekly or bi-weekly to ensure consistency and reliability in the analytic process. The team produced data reduction tables of key themes and illustrative quotes in the interview data, disaggregated by sexual orientation, gender identity, and profile of respondent (i.e., GBV survivor, CSO staff member, or government institutional staff member). The report presents the Mexico research team's analysis and interpretation, featuring several quotes from survivors and those who work daily with them to put their voices at the center.

REPORT STRUCTURE

With the GBV Impunity Case Study background and methodology established, this report proceeds through three sections in response to the case study objectives.

First, the report presents findings that build upon existing academic and gray literature and statistics to **diagnose FTF impunity in Mexico**, including:

- the history and current state of GBV impunity related to transgender and cisgender femicides;
- structural underpinnings of FTF impunity;
- power and incentives driving FTF impunity related to transgender and cisgender femicides; and
- the current state of FTF prevention, protection, and justice.

Second, the report then outlines **solutions for improving accountability** as identified by survivors and those who work most closely with them, including:

- survivor-centered pathways to FTF accountability;
- formal and informal change needed for FTF accountability; and
- examples of current good practices related to FTF prevention and protection.

Finally, the report concludes with **survivor-centered recommendations** to USAID for operationalizing needed change for improving GBV and FTF accountability in Mexico.

⁷ Steps in a Framework Method qualitative data analysis process include: Transcription; familiarization with the interview; coding; developing a working analytical framework; applying the analytical framework; charting the data (data reduction); and interpreting the data. "Used effectively, with the leadership of an experienced qualitative researcher, the Framework Method is a systematic and flexible approach to analyzing qualitative data and is appropriate for use in research teams even where not all members have previous experience of conducting qualitative research." Gale, M. Heath, M., Cameron, E., Rashid, S., Redwood, S. (2013). Using the Framework Method for the Analysis of Qualitative Data in Multi-disciplinary Health Research. BMC Medical Research Methodology 13:117. <http://www.biomedcentral.com/1471-2288/13/117>, last accessed May 18, 2022.

⁸ Terry, G., Hayfield, N., Clarke, V., Braun, V. (2017) Chapter 2: Thematic Analysis. The Sage Handbook of Qualitative Research in Psychology. Sage Research Methods. <https://dx.doi.org/10.4135/9781526405555.n2>, last accessed May 19, 2022.

DIAGNOSIS OF GBV IMPUNITY IN MEXICO

LITERATURE REVIEW AND STRUCTURAL CONTEXT

Despite important progress in the past decade to address GBV in Mexico and develop needed mechanisms for prevention, protection, and justice, the country still faces persistently high levels of GBV and impunity, particularly for cases of FTF. Societal normalization of GBV, and the underlying impunity that upholds it, are key factors that influence the prevalence of FTF among a range of types of GBV, and impacts on survivors' rights, health, socioeconomic status, and other critical human development outcomes over the life course.

Since 2016, Mexico has reported the highest prevalence of violence against women (VAW) in Latin America, where 66 out of every 100 women aged 15 and over living in the country have suffered at least one incident of violence of any kind over their lifetime.⁹ Since 2018, an average estimate of 10 women are killed daily; and since 2015, murders of 1,886 girls have been documented. Among these violent deaths, only 1 out of 4 cases are investigated as femicides.¹⁰ Mexico ranks 7th in the region on femicide, with a rate of 1.4 per 100,000 women, behind only Honduras, Trinidad and Tobago, the Dominican Republic, El Salvador, Bolivia, Brazil, and Panama.¹¹ In addition, according to the National Observatory of Hate Crimes against LGBT People, in 2021 there were 32 transfemicides reported in Mexico.¹²

Available data on missing persons is equally alarming: between 1964 and 2007, an estimated 628 women and girls were reported to have disappeared in Mexico, while between 2007 and February 2022, an estimated 81,542 disappeared, which represents more than a tenfold increase.¹³ Of the girls and women who have disappeared in Mexico, 89.7% were between 10 and 29 years old; and 76% of these disappearances were concentrated in eight states in descending order: State of Mexico, Guanajuato, Tamaulipas, Puebla, Nuevo León, Jalisco, Chihuahua, and Mexico City. Unfortunately, the data regarding missing women and girls is not yet disaggregated by all gender identities and therefore reliable recorded disappearances of transgender women and girls, or transgender men and boys, are not available.

Impunity for, “offenses against life,” including homicide, remains very high. In 2019, 9 out of 10 cases of intentional homicide (89.6%), and 5 out of 10 cases of femicide remained unsolved (51.4%), although information could not be obtained from all states.¹⁴ Monitoring data from civil society organizations (CSOs) are even less encouraging: between 2016 and July 2021, official statistics registered 9,997 cases of femicide, of which, only 1,074 cases apprehended the perpetrator, and in 7,807 cases, the perpetrators remained fugitive (78.1%).¹⁵ During this same period, 176 femicide cases resulted in a conviction, translating to 1.8% of the total number of cases registered during these years.

⁹ INEGI (2021a). Estadísticas a Propósito del Día Internacional de la Eliminación de la Violencia Contra la Mujer.

https://www.inegi.org.mx/contenidos/saladeprensa/aproposito/2020/Violencia2020_Nal.pdf (last accessed March 28, 2022)

¹⁰ Own calculations with data from Vital Mortality Statistics, General Deaths Database.

<https://www.inegi.org.mx/sistemas/olap/proyectos/bd/continuas/mortalidad/defuncioneshom.asp?s=est> (last accessed March 10, 2022)

¹¹ CEPAL. (2022). Femicidio. <https://oig.cepal.org/es/indicadores/femicidio> (last accessed, March 10, 2022)

¹² Flores, A. (2021). Transfemicidios en México 2021: Las nombramos y exigimos justicia.

<https://www.homosensual.com/lgbt/trans/transfemicidios-en-mexico-2021-las-nombramos-y-exigimos-justicia/> (last accessed, March 22, 2022).

¹³ Own calculations with data from Comisión Nacional de Búsqueda. (2022). Versión Pública RNPdNO.

<https://versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral> (last accessed, March 13, 2022).

¹⁴ Zepeda, G., Jimenez, P. (2020). Impunidad en homicidios dolosos y feminicidios. Reporte 2020.

<https://www.impunidadcero.org/articulo.php?id=142&t=impunidad-en-homicidio-doloso-y-femicidio-reporte-2020> (last accessed, March 22, 2022).

¹⁵ S/N. (2021). Los feminicidios en México.

<https://femicidiosmx.crowdmap.com/reports/index/?s=1451628000&e=1627793999&z=6&c=15&i=month> (last accessed, March 10, 2022)

In 2021, Mexico ranked 113 of 139 at the World Justice Project Rule of Law Index, regressing 5 places since the last measurement.¹⁶ The 2021 Committee to Protect Journalists' Global Impunity Index (GII) confirmed that impunity for murders of journalists remains a problem in Mexico, ranking Mexico at the top of the list with India¹⁷. The Universidad de las Américas Puebla (2018) ranked Mexico fourth in a separate Global Impunity Index with 69.2 points while in 2020, Mexico's score improved to 49.7 points.¹⁸ Mexico tops the list of countries in the Americas just behind Honduras, with the highest estimated score for impunity. An important limitation of the GI is that it does not consider impunity for crimes against people of diverse gender identities, or even by a binary measure of reported biological sex.

In recent years, USAID/Mexico has been a key player in analyzing and strengthening access to justice for women survivors of GBV. The 2012 USAID Gender Assessment identified key gender gaps across several sectors and clearly summarized the structural factors that underpin GBV in Mexico, including impunity and corruption.¹⁹ The latest USAID Gender Assessment (2020) takes up lessons learned from the 2012 Assessment and reports on the substantive progress made and the pending areas for increasing women's access to justice.²⁰ Assessment findings identify advances in laws, institutions, and information management systems that use global standards, the impact of these improvements on the lives of women has not been what was expected. The World Bank's 2021, "Mexico Gender Assessment," confirmed these findings.²¹

As part of the 2014-2018 Country Development Cooperation Strategy (CDCS) and the crosscutting incorporation of gender in the Development Objectives (DO) with clear activities, USAID/Mexico influenced and supported the development and consolidation of legal and institutional frameworks that are now considered good regional practices and include: (a) strengthening of the legal frameworks (including the following: victims' rights, disappearance, journalist protection mechanisms, Women's Justice Centers (CJM), creation and certification of legal guidelines); (b) strengthening of the prosecutor's offices (a prosecutor's office that was previously supported by USAID-Mexico) is now considered a blueprint in the investigation of FTF at the national level); and, (c) the creation of the Women's Justice Centers (PROJUST).²² In the CDCS 2020-2025, USAID-Mexico endorses that gender dimensions of security are strategic and integrated into identifying the causes of, and responses to GBV across the DO: Impunity and Violence Reduced in Targeted Regions.²³

USAID-funded projects and programs, such as Justice Access for Victims and the Accused (JAVA); Ni Un Femicidio Más; Towards a New Understanding of Femicides in Nuevo León, Improving the Effectiveness of State Justice Institutions (ConJusticia), the Prevention and Reduction of Violence

¹⁶ World Justice Project (2021). Rule of Law Index 2021. <https://www.gob.mx/cms/uploads/attachment/file/704367/wjp-index-21.pdf> (last accessed, April 27, 2022).

¹⁷ Committee to Protect Journalists (2022) Attacks on the Press: The deadliest countries in 2021. <https://cpj.org/reports/2022/01/attacks-on-the-press-the-deadliest-countries-in-2021/> (last accessed May 27, 2022)

¹⁸ UDLAP (2018). La impunidad subnacional en México y sus dimensiones IGI-MEX 2018. https://www.udlap.mx/cesij/files/indices-globales/7-IGIMEX_2018_ESP-UDLAP.pdf (last accessed, April 27, 2022).

¹⁹ USAID Mexico. (2012). Gender assessment. https://pdf.usaid.gov/pdf_docs/pnadz184.pdf (last accessed, March 24, 2022)

²⁰ USAID Mexico. (2020). Gender and inclusive development analysis: final report. https://pdf.usaid.gov/pdf_docs/PA00WHFX.pdf (last accessed, March 10, 2022)

²¹ World Bank. (2021). Mexico Gender Assessment. <https://documents1.worldbank.org/curated/en/377311556867098027/pdf/Mexico-Gender-Assessment.pdf> (last accessed, March 10, 2022)

²² USAID Mexico. (2014). Country Development Cooperation Strategy FY2014-FY2018. <https://www.usaid.gov/sites/default/files/documents/1869/Mexico%20CDCS%202014%202018.pdf> (last accessed, March 25, 2022)

²³ USAID Mexico. (2020). Country Development Cooperation Strategy FY2020-FY2025 https://www.usaid.gov/sites/default/files/documents/FOR_PUBLIC-_CDCS_Mexico-_September_2020-August_2025_v.Dec11_4.pdf (last accessed, March 10, 2022)

(PREVI), and Protection of Human Rights Defenders and Journalists (PDP)—have generated different diagnoses based on local conditions, and access to justice in the national context, with mixed methodologies, to better support activities and program sustainability. Likewise, USAID has funded various studies and national reports on the state of security, justice, and corruption. The USAID human rights program has provided support for projects dealing with disappearance through contributing to the consolidation of regulatory frameworks, supporting the development of protocols, and ongoing training.

Since the publication of USAID/Mexico's 2020-2025 CDCS, various contextual changes have occurred. One has been wide budget cuts to shelters for GBV survivors in 2019 as part of the government's austerity measures.²⁴ Less than 2% of the public budget was allocated to programs with a gender perspective in 2021 including migration and GBV prevention programs.²⁵ In addition, there has been defunding and closing of several institutions traditionally focused on highly vulnerable groups, such as girls and women GBV survivors.²⁶ Another change involves a general decrease of support to CSOs, which greatly affected GBV survivors' access to support services.²⁷ Both elements threaten the already scant progress on GBV accountability Mexico has made in the last 20 years. An example is a decline in the life expectancy of young women attributed to widespread violence.²⁸

Likewise, the COVID-19 pandemic and the measures enacted to control the spread of the virus presented additional challenges for GBV services, further reducing survivors' access to these services and increasing their vulnerability to different forms of GBV. Protests carried out by FTF survivors and CSOs in the last two years have increasingly put pressure on the authorities to demand transparency and justice, becoming more common to spark an investigation and reduce the chances of impunity and corruption. Finally, in July 2022, the Supreme Court of Justice of the Nation of Mexico presented an initiative that seeks a national legal classification of femicide and establishes national rules, standards, and procedures to deal with crimes of femicide.²⁹

FEMICIDE IMPUNITY IN MEXICO

Femicide represents the gravest violation of human rights for cis-gender and transgender women and remains one of the greatest regional challenges in LAC. In Mexico, femicide gained special visibility in the early 1990s with the first records of violent deaths of women perpetrated with extreme cruelty in Ciudad Juárez.³⁰ The paradigmatic sentence of the Inter-American Court of Human Rights (IACHR), the

²⁴ Reuters, Economic News, (2019). Mexico's budget juggling act: a need to balance weak growth, fiscal discipline, <https://www.reuters.com/article/mexico-budget-idUSL2N25X1OI>. (last accessed August 20, 2022).

²⁵ Yancuic (2021). Only 2% of the public budget is labeled with a gender perspective in 2021, <https://yancuic.com/2021/03/08/solo-2-del-presupuesto-publico-esta-etiquetado-con-perspectiva-de-genero-en-2021/> (last accessed August 20, 2022).

²⁶ For instance, there has been budget reductions impacting the Indigenous Women's Centers (Casa de la Mujer Indígena - CAMI), Arteta (2020) Casas de la Mujer Indígena cierran por cancelación de presupuesto, <https://www.animalpolitico.com/2020/05/casas-mujer-indigena-cierran-presupuesto-segob-busca-dinero-extranjero/> (last accessed, May 2, 2022); the consecutive cuts that have occurred every year to the budget allocated to equality programs, including violence against women and girls, Roldán (2022) Aprueban presupuesto para mujeres y luego recortan, <https://www.animalpolitico.com/2022/01/presupuesto-mujeres-recorte-igualdad/> (last accessed, May 2, 2022).

²⁷ Mexicanos Contra la Corrupción y la Impunidad (2021) Gobierno Federal amenaza el funcionamiento de la Sociedad Civil, <https://contralacorrupcion.mx/gobierno-federal-amenaza-funcionamiento-de-sociedad-civil> (last accessed, May 2, 2022).

²⁸ González, G. et al. (2017). Mortalidad por violencias y su impacto en la esperanza de vida: una comparación entre México y Brasil. <https://www.scielo.br/j/csc/a/x79WcD8ymHnQFtvHFLbyCvk/?lang=es> (last accessed, March 24, 2022)

²⁹ Referenced here is the General Law for the Prevention, Investigation, Punishment and Reparation of Femicide, which proposes to amend Article 73, section XXI, paragraph a) of the Constitution, to empower the Congress of the Union to issue national legislation on the matter. See: Suprema Corte de Justicia de la Nación (2022) Proyecto de Ley General para Prevenir, Investigar, Sancionar y Reparar el Femicidio, <https://www.scjn.gob.mx/sites/default/files/pagina/documentos/2022-07/Proyecto%20de%20Ley%20General%20para%20Prevenir,%20Investigar,%20Sancionar%20y%20Reparar%20el%20Femicidio.pdf> (last accessed, July 11, 2022).

³⁰ Since 1993, femicides in Ciudad Juarez have received international attention due to their level of violence and accusations of inaction from all three levels of government to prevent the murders and bring the perpetrators to justice. The victims are generally young women and

“Cotton Field Case” (2009),³¹ represented a turning point for recognizing femicides within the country’s legislative and political agendas. Further, this sentence became the most important reference for analyzing the structural weaknesses in access to justice for GBV crimes in Mexico. Following high attention drawn by the cases of Ciudad Juárez and the Cotton Field sentence, researchers reviewed previous analyses and case studies, donors funded new national diagnoses and international evaluations, while study proposals and calls for reforms from different sectors increased as an emergent pattern. As it was defined by the IACHR, however, femicide was in fact a structural, widespread, and systematic phenomenon across the country.³²

In 2007, the General Law on Women’s Access to a Life Free of Violence had incorporated the concept of *feminicidio*. Under Mexican law, *feminicidio* is understood as the violent death of cisgender women because of their gender and is classified in the criminal justice system as the most extreme form of violence against women.³³ In 2010, Guerrero became the first state to classify the crime; and, in 2012, the Federal Criminal Code codified it as a federal crime under specified circumstances. Since 2017, all Mexican states have criminalized *feminicidio* in their criminal codes. Further, states have implemented mechanisms intended to confront and eradicate GBV and femicides. One of these mechanisms is the Gender-based Violence Alert (AVGM), which allows CSOs and human rights organizations to trigger a set of emergency governmental actions in response to pervasive GBV in specific localities.³⁴

Mexico’s government is structured as a federal state. This implies that throughout the country there are differences in criminal classifications, institutional capacities and social responses, the prevalence of GBV and femicide, and the general context of criminality. Thus, despite the existence of general guidelines, national coordination systems, aggregated data mechanisms, and broad response from the regulatory sphere, as well as the creation of institutions to deal with GBV and femicide, femicide and the social and

adolescents between 15 and 25 years of age, of limited means, and who have had to drop out of high school to begin working at an early age. Before being murdered, the women are often raped and tortured. González Rodríguez, S. (2002). *Huesos en el desierto*. México: Anagrama.

³¹ The Cotton Field case in Ciudad Juárez, is key to understand the structural causes of discrimination and violence against women in Mexico. After the violent abuse and murder of three women, investigative processes were marred by institutional prejudices and inconsistencies, representing a grave failure by the Mexican government to protect women’s rights and provide adequate access to justice for the victims’ families. The case made its way up to the IACHR, which ultimately delivered a ruling ordering the government to implement actions aimed at preventing the future recurrence of these events, including changes to search and investigation protocols. IACHR. (2009). *Caso González y otras (“Campo algodonero”) vs México*. https://www.corteidh.or.cr/docs/casos/articulos/seriec_205_esp.pdf (last accessed, March 10, 2022)

³² Ibid.

³³ The Mexico case study report uses the term *femicide* as this is the standard concept used in English to denote the intentional killing of women or girls because they are female. However, it is important to highlight the distinction made between the concept of femicide and *feminicide/feminicidio* in legal terms in Mexico, as stipulated under Article 325 of the Mexican Federal Criminal Code: The crime of *feminicidio* is committed by anyone who deprives a woman of her life for gender-based reasons. Classification as a gender-based crime is applied under any of the following circumstances: 1. The victim shows signs of sexual violence of any kind; 2. The victim has been inflicted with infamous or degrading injuries or mutilations, prior or subsequent to, the deprivation of life or acts of necrophilia; 3. Precedents or data indicating violence of any type in the family, work, or school environment, by the perpetrator against the victim; 4. There was ever a sentimental, affective, or trusting relationship between the perpetrator and the victim; 5. Information that establishes that there were threats related to the criminal act, harassment, or injuries of the perpetrator against the victim; 6. The victim was isolated, regardless of the time prior to the deprivation of life; 7. The victim’s body is exposed or exhibited in a public place. Senado de la República (2022) Código Penal Federal Artículo 325, https://infosen.senado.gob.mx/sgsp/gaceta/63/3/2018-03-20-1/assets/documentos/PA_PRI_Feminicidio_Codigo_Penal.pdf (last accessed, May 2, 2022).

³⁴ The AVGM is a mechanism that must be requested by CSOs and/or national or local international human rights organizations. Based on this request, a working team is formed of institutional representatives, CSO representatives, and academics. This group carries out an exhaustive investigation within the indicated territory and generates a report that includes conclusions and proposals to prevent and address VAW. Once this report is submitted, the state has 6 months to fulfill the recommendations. Six months later, the working group assesses the compliance and impact of the recommendations indicated and determines whether to declare the AVGM. So far, 25 AVGMs have been declared in 22 states across the country, which include 643 municipalities (26% of all municipalities in the country). Of the 18 states where the alerts have been evaluated, the results indicate that 9% of the recommended measures have been fully complied with, 5% have not been complied with, and 86% are in the process of being complied with. The first AVGM was declared in July 2015 in the State of Mexico. INMUJERES (2022) *Alerta de Violencia de Género contra las Mujeres*. <https://www.gob.mx/inmujeres/acciones-y-programas/alerta-de-violencia-de-genero-contra-las-mujeres-80739> (last accessed, May 2, 2022).

institutional responses to this crime remains varied and not standardized across states.³⁵ Among the coordination mechanisms implemented since the establishment of the LGAMVLV is the National System to Prevent, Address, Punish and Eradicate Violence against Women.³⁶ Two federal institutions carry out national coordination activities: the National Institute for Women (INMUJERES), and the National Commission to Prevent and Eradicate Violence against Women (CONAVIM). Some intervention and public policy innovations include the creation of the Program to Support Women's Instances in the Federal Entities (PAIMEF), operated by the National Institute for Social Development (Indesol), through the Women's Instances in the Federal Entities (IMEF)³⁷. Innovations also include the Justice Centers for Women, which are one-stop centers operating in 31 of the 32 Mexican states bringing together a range of basic GBV care services for women victim-survivors. Additional actions include a wide range of institutions and services, such as shelters for women and their dependents fleeing violence, the Special Prosecutor's Office for Crimes of Violence against Women and Trafficking in Persons (FEVIMTRA), Women's Instances in the Federal Entities (IMEF), to mention a few, as well as the Mexican Official Standards (NOM) for the prevention and care of GBV (see NOM 046 SSA2-2005) among several different protocols.³⁸ However, as most of the FTF impunity case study interview participants pointed out, the creation of this complex institutional framework has not prevented femicide nor has it guaranteed access to justice for victims or survivors. Instead, the prevalence of femicide is on the rise, as evidenced in this report.

As mentioned, available survey data estimate that two in three women in Mexico have suffered some type of violence in their lifetime.³⁹ According to the latest national level household survey data from 2016, 49% of women aged 15 and older have experienced emotional violence at some point in their lives, 41% suffered sexual violence, 29% reported patrimonial violence, and 34% were survivors of physical violence.⁴⁰ These data show that these types of violence have been perpetrated mainly by an intimate partner in 43% of cases, 39% were perpetrated in a community or public space, 27% in a work environment, and 25% in schools. Other available national survey data from the National Survey of Victimization and Perception of Public Safety (ENVIPE), estimate that of the total crimes committed against women, approximately 11% have been sex crimes, while, among men, this proportion was an estimated 0.8%⁴¹. It is widely recognized that women and men, and transgender and non-binary people often do not report sex crimes fearing retaliation and not having resources to pursue justice.

Data from the National Public Security System (SESNSP) highlighted in 2021 that there was an unprecedented increase in most crimes committed against women in the COVID-19 pandemic period of

³⁵ INDESOL has created a map with all the services available to address GBV and provide support and attention to survivors. See: Instituto Nacional de Desarrollo Social. (2022). Servicios de Atención a Mujeres, Niñas, Niños y Adolescentes en situación de violencia. <http://www.indesol.gob.mx/paimef/georreferencia/> (last accessed, March 4, 2022); Centro Nacional de Equidad de Género y Salud Reproductiva. (2022). Servicios especializados de atención a la violencia. https://public.tableau.com/app/profile/centro.nacional.de.equidad.de.g.nero.y.salud.reproductiva/viz/ServiciosEspecializadosdeAtencionalaViolencia2021_16309577032770/ServiciosEspecializadosdeAtnalaViolencia (last accessed, March 10, 2022).

³⁶ Last session in 2018

³⁷ Due to the disappearance of INDESOL, the new provisions on how it will function through CONAVIM have not yet been established.

³⁸ See also INMUJERES (2019) Modelos de Atención. <https://www.gob.mx/inmujeres/documentos/modelos-de-atencion> (last accessed July 11, 2022) for a list of all the programs that exist at the federal and state level for the prevention, attention, punishment, and eradication of GBV.

³⁹ INEGI (2021a). Estadísticas a Propósito del Día Internacional de la Eliminación de la Violencia Contra la Mujer. https://www.inegi.org.mx/contenidos/saladeprensa/aproposito/2020/Violencia2020_Nal.pdf (last accessed March 28, 2022)

⁴⁰ INEGI. (2021b). Sesión virtual ENDIREH. Dirección General de Estadísticas de Gobierno, Seguridad Pública y Justicia. <https://genero.congresocdmx.gob.mx/wp-content/uploads/2021/06/ENDIREH.pdf> (last accessed, March 28, 2022)

⁴¹ INEGI. (2021c). Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública (ENVIPE) (2021) Principales Resultados.

https://www.inegi.org.mx/contenidos/programas/envipe/2021/doc/envipe2021_presentacion_nacional.pdf (last accessed, March 28, 2022)

2020-2021. Specifically, femicide increased by 3.3%.⁴² In its December 2021 report, the SESNSP data showed a total of 3,462 women were murdered, an average of 10.3 murders per day.⁴³ The report highlighted that 2,540 of those cases corresponded to the crime of intentional homicide, and 922 were classified as *feminicidio*, codified criminally as murder of a woman based on her legally recognized gender.

In addition to this, 2021 ended with a total of 62,362 women survivors of intentional injuries; 21,188 cases of rape; 503 human trafficking crimes in which the survivors were women; 253,736 crimes of “family violence”; and 4,186 crimes of gender violence, not including family violence.⁴⁴

Relevant to transfemicides, a 2011 revision of Article I of the Constitution of Mexico explicitly prohibits discrimination based on gender broadly among other intersecting categories of identity. The article does not articulate gender specifically in terms of gender identity, gendered self-expression, or sexual orientation. Still, staff of CSOs focused on Lesbian, Gay, Bisexual, Transgender, Queer, Intersex, plus (LGBTQI+) rights recognize the mention of gender in Article I as an important foundation for their rights. Further, this case study recognizes that being transgender is neither one gender identity or gendered self-expression, nor a sexual orientation.

Similarly to Article I, in 2014, the National Supreme Court of Justice published the Action Protocol for the judiciary to include sexual orientation and/or gender identity and expression (SOGIE) in all legal processes. In 2015, an Action Protocol for personnel of the Attorney General’s Office for cases involving violence based on sexual orientation and gender identity was published. These important advances in legislation sought to address hate crimes against the LGBTQI+ population.⁴⁵ Hate-motivated violence and expressions of transphobia, however, persist in social norms and practices throughout the country. Moreover, there is still no data disaggregation of homicide cases regarding the gender identity or sexual orientation of the victims, obscuring the specific risks that LGBTQI+ communities face and preventing the provision of timely and non-discriminatory, survivor-centered protocols and procedures.

The lack of gender identity disaggregated data makes it difficult to have a clear view of the real number of transfemicides recorded. However, data analyzed by different CSOs indicate that transgender women are the LGBTQI+ community group most affected by lethal violence, with transfemicide accounting for 46% (93/157) of homicides committed against LGBTQI+ people.⁴⁶

While case study interview participants recognized some recent progress, especially in the Mexican legal recognition of femicide, they agreed that available government data reflect a small percentage of the national annual incidence of GBV crimes, especially femicides. As one participant noted:

“There has been a relative success when prosecuting femicide based only on official numbers, however, these numbers do not mean much when you consider that in Mexico only 2-3% of homicides are solved [...] In addition, in GBV cases, only 1% of

⁴² SESNSP. (2021). Incidencia delictiva de víctimas.

⁴³ SESNSP. (2022). Información sobre violencia contra las mujeres; Incidencia delictiva y llamadas de emergencia 9-1-1; Centro Nacional de Información. Secretaría de Seguridad y Protección Ciudadana.

⁴⁴ Ibid.

⁴⁵ Observatorio Nacional de Crímenes de Odio contra Personas LGBT. (2020). Informe 2020. <http://www.fundacionarcoiris.org.mx/wp-content/uploads/2020/07/Informe-Observatorio-2020.pdf> (last accessed, March 15, 2022)

⁴⁶ Ibid.

case files are processed, meaning that 99% of cases remain in impunity. There are still GBV crimes that remain completely unaccounted for [...].”

Quote 1: Civil Society Organization staff member, woman

STRUCTURAL UNDERPINNINGS OF FTF IMPUNITY

FTF impunity is framed in a context of generalized impunity and widespread corruption across the country, which, according to the public data and the perceptions of participants interviewed for this case study, has increased in recent years.⁴⁷ However, the qualitative information obtained in this study identified elements related to discrimination against minority gender and ethnic identities that could determine varying levels of impunity. In other words, although femicides in Mexico may have less impunity than homicides, there are different factors influencing impunity, including how the identities and social status of the FTF victim-survivor or the perpetrator are perceived in their community and wider society.⁴⁸

This case study comprises a diverse range of FTF victim-survivor identities, and throughout the interview participants described multiple pathways by which social and cultural norms, economic inequalities, and legal frameworks play a role in maintaining GBV impunity in Mexico.

TYPES OF FTF AND FTF SURVIVORS

The case study qualitative data analysis identified three different types of survivors:

1. Women and girls who survived lethal violence perpetrated against them (survivors);
2. Family members of victims of femicide, which were primarily victims' mothers (secondary survivors); and
3. People who, faced with extraordinary situations, took on the defense of femicide victims because of their personal affiliation to a specific social group (for instance, members of the transgender community) or because of emotional closeness to the victim (friends).⁴⁹

In this report, we refer to survivors in general terms as FTF survivors considering these three groups.

Similarly, FTF survivors interviewed identified different types of femicides. This categorization is relevant both for the people interviewed and for this case study report because it conditions the way in which FTF is perceived beyond heteronormative GBV perpetrated against cisgender women. For example, in cases in which a cisgender woman or girl is a victim of femicide, the social response is often

⁴⁷ INEGI. (2021c). Encuesta Nacional de Victimización y Percepción sobre Seguridad Pública (ENVIPE) (2021) Principales Resultados. https://www.inegi.org.mx/contenidos/programas/envipe/2021/doc/envipe2021_presentacion_nacional.pdf (last accessed, March 28, 2022); INEGI (2016) Encuesta Nacional sobre la Dinámica de las Relaciones en los Hogares (ENDIREH) 2016. <https://www.inegi.org.mx/programas/endireh/2016/> (last accessed, April 28, 2022); INEGI (2021d) Encuesta Nacional sobre Victimización y Percepción sobre Seguridad Pública (ENVIPE), <https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2021/EstSegPub/envipe2021.pdf> (last access, April 29, 2022); INEGI (2021e). Estadísticas a Propósito del día Internacional contra la Corrupción. https://www.inegi.org.mx/contenidos/saladeprensa/aproposito/2021/EAP_Corrupcion2021.pdf (last accessed, March 24, 2022)

⁴⁸ Impunidad Cero (2020) Impunidad en homicidio doloso y feminicidio en México: reporte 2020.

<https://www.impunidadcero.org/uploads/app/articulo/142/contenido/1605024010E66.pdf> (last accessed, April 28, 2022).

⁴⁹ The classification is broadly equivalent to the Mexican General Law of Victims (2013) <https://www.diputados.gob.mx/LeyesBiblio/pdf/LGV.pdf> (last accessed, March 26, 2022); and the United Nations Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power (1985) <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-basic-principles-justice-victims-crime-and-abuse> (last accessed, March 26, 2022). Throughout the study we refer to GBV victims as cis and trans women who have been murdered, survivors as cis and trans women who survived FTF attempts, and secondary survivors to the people who have close links to the victim or survivor (mostly family members, but sometimes also allies and friends).

condemnation and support, while if the victim is a transgender woman who is a sex worker, the reaction is very different, including the complete dismissal of the victim and impunity. In femicides of cisgender women, the perception of women who are killed by their partners also generates different reactions than those who are killed by non-partner strangers.⁵⁰ In the former, social and public responses tend to ‘romanticize’ the crime, while in the latter, they criminalize it. In all forms of femicide, normative cisgender, heteronormative stereotypes commonly arise in social and public reaction narratives.

Exclusion of transgender victims and survivors also impacts how diverse survivors access justice. Most survivor interview participants followed similar paths when accessing the justice system. However, the experiences and the results varied from municipality to municipality and from case to case. In all cases, the survivors initiated their contact with the criminal justice system because of a violent death of a woman (cisgender or transgender) or to report their disappearance. In violent deaths, sometimes family members discovered the body and at other times they were notified of an investigation that had already begun. In disappearance cases, processes varied: Families and community members initially undertook some search actions, with subsequent authorities’ participation. At other times, family members filed a missing person report, which activated search protocols that led to the discovery of the FTF. Authorities initially classified violent deaths as suicides, fatal injuries, or homicides, and not FTF.

SOCIAL AND CULTURAL NORMS RELATED TO GBV

Interview participants described GBV across Mexico as rooted in patriarchal and male-dominated social norms often connected to the notion of *machismo*. Patriarchal social structures reinforce rigid gender roles for both women and men ingrained in heteronormative gender identities and in normative conceptions of masculinity upholding the social, economic, and political dominance of men. Within these social norms, there is recurrent societal normalization of GBV, reinforced within the family and across other spheres of life (e.g., at school, in religious practices, at work, in popular culture).

Social acceptance and normalization of GBV impacts all socioeconomic levels of Mexican society, as well as across different ethnic and religious groups. However, this normalization impacts diverse marginalized social groups disproportionately because of intersecting social, economic, legal, and political inequities and inequalities in life course outcomes that shape their access to justice. As an interview participant explained in Quote 2:

“On the one hand, [we need to pay attention] to the conditions in which women live on a day-to-day basis, which reinforce a scenario of impunity. Why? Because women in the mountain regions do not have access to economic resources or even transportation to get to the prosecutor’s offices, one. Two, because many of the women in the highlands speak another language and therefore the issue of the language barrier and the non-recognition of other languages in the country has been one of the obstacles. Three, obviously there is also the issue of deep abandonment of the towns, because there are no campaigns or public policies aimed at talking about violence against women in these areas, which are deeply marginalized. Just to give an

⁵⁰ The Statistical Framework for Measuring Gender-Related Homicide of Women and Girls was recently published (see https://www.cdeunodc.inegi.org.mx/unodc/wp-content/uploads/2022/03/Marco_estadistico_femicidio_2022.pdf). (last accessed, March 22, 2022).

example, if we think that there are more than 500 indigenous peoples throughout the country, we are talking about a situation that affects a lot of women.”

Quote 2: CSO staff member, woman

Many barriers to justice that participants described impact other marginalized communities often located on the peripheries of larger urban centers and rural areas, where there is little to no access to government services or programs aimed at GBV prevention, protection, and accountability.

A third group impacted by intersecting inequalities are diverse LGBTQI+ communities; for example, transgender women experience extreme forms of GBV because of a highly homophobic culture that normalizes violence against them. GBV perpetrators target transgender women for both transgressing binary male/female gender stereotypes, and for not adhering to a subordinate gender role traditionally assigned to women.

The normalization of GBV is linked to social norms of rigid and inequitable gender roles, where men are seen as the breadwinners, and thus in control decision-making over resources of the household, community, and nation. These inequitable gender roles render women who earn their own income more vulnerable to the consequences of GBV, including heightened vulnerabilities among those working in precarious conditions, such as assembly or piece work (*maquilas*), agro-businesses, informal trade, or sex work. As several participants pointed out, for many people, transgender people in the workforce are seen as undermining the accepted social order, which becomes used to justify socioeconomic exclusion among all forms of GBV against them.⁵¹

Further, as several participants noted, social acceptance of GBV also operates in government institutions, where it is common for government representatives to re-victimize GBV survivors and their family members, and to assume that GBV is a private personal matter, rather than an issue of public concern. As such, government authorities lack an inclusive and diverse gender analysis, or “gender perspective,” when dealing with cases of GBV, leading to discriminatory acts against cisgender and transgender victim-survivors who report GBV, and perpetuate assumptions that those who report are somehow at fault or failed to adhere to traditional gender roles and identities, or gendered self-expression.⁵²

Finally, an important aspect of socio-cultural processes that normalize GBV relates to the impunity that most women experience. High levels of GBV impunity across Mexico further reinforce that it is acceptable for different types of GBV to exist—in other words, perpetrators face no consequence for committing any offense under the umbrella term, “GBV.”⁵³

⁵¹ An important example of this is the case of the women working in the *maquilas* in Ciudad Juárez and the high levels of femicides that the city has experienced in the past 30 years.

⁵² Throughout the report we refer to the notion of “gender perspective” as it is described in the Program for the Institutionalization of the Gender Perspective in the Federal Public Administration, initiated in 2006 to ensure equity between men and women. This program describes gender-specific, and differential, needs of women and men to be provided by the State. Based on this, the design of policies and their execution must include an analysis of the factors that determine the differences between women and men from the biological, psychological, and social standpoints, the relationships between women and men and their social participation, to counteract situations of disadvantage.

⁵³ As the IACHR pointed out when highlighting that “impunity is related to discrimination against women.” The IACHR Rapporteur’s Report concluded that “[w]hen the perpetrators are not held accountable—as in general has happened in Ciudad Juárez—impunity confirms that this violence and discrimination is acceptable, which encourages its perpetuation.” IACHR. (2009). Caso Gonzalez et al vs Mexico. § 163. https://www.corteidh.or.cr/docs/casos/articulos/seriec_205_esp.pdf (last accessed, March 10, 2022).

THE CONTINUUM OF VIOLENCE AND LEGAL AND JUSTICE FRAMEWORKS FOR FTF

The latest Mexico Report from the United Nations on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) summarizes significant progress in the last decade in relation to GBV and FTF.⁵⁴ The report cites Mexico's inclusive and consolidated legal framework that covers the main violations of women's human rights, as well as the development of national policies, programs, and protocols. Advances include publication of analysis guidelines for cases involving women of diverse SOGIE. The new recommendations include: (1) strengthen the public security strategy to fight organized crime; (2) improve awareness of women's human rights; (3) repeal all discriminatory legislative provisions; (4) ensure systematic and mandatory capacity-building of judges, prosecutors, public defenders, lawyers, police officers, and public officials responsible for enforcing the law, (5) overcome the sexist culture and discriminatory stereotypes, and (6) develop urgent measures to prevent violent deaths, murders, and forced disappearances of women.

A key and substantive problem has been uneven law implementation due to weak harmonization at state and municipal levels of national guidelines and legal loopholes related to SOGIE cases. According to SESNSP data, criminal investigations begin with opening an investigatory file for a specific type of crime and, as an investigation progresses, the facts that motivated an investigation may be reclassified into a different crime if no classification for the crime even exists.⁵⁵ Therefore, in addition to the application of the criterion of an investigation by crime, this also implies that municipal authorities and state prosecutors do not necessarily apply a gender analytical perspective, survivor-centered approach, or follow lines of investigation in femicide cases. Moreover, cases of intentional murders of women are often not classified as femicide, which contributes to low estimates of total number of femicide annually. For example, in 2021, 3,821 violent deaths of women aged 15 years and older were reported as homicides on death certificates according to government data. However, data from police investigations indicate that 26% or 1,004 of these cases were investigated as femicides in the same year, yet only 26% of them were investigated as femicides.⁵⁶ In the case of transgender women, as explained above, the lack of a gender perspective when handling their cases—i.e., no recognition of gender identity, no disaggregation of data by gender and gender identity—contributes to rendering lethal crimes against transgender women as invisible to the public.

Interview participants echoed these findings, reflected on Mexican legal system intricacies, and signaled a lack of standardization of GBV crimes as one of critical obstacles they found in victim-survivors' access to justice. For example, interview participants mentioned how the lack of knowledge and understanding of Mexico's criminal justice system that FTF survivors have makes it easier for public officers to not pursue cases with due diligence or to simply dismiss them. In the case of lack of standardization, for example, the Olimpia Law, which criminalizes technology enabled GBV, has different criteria and evidence requirements in each state, which makes it more difficult to prosecute.⁵⁷ The same applies for protection order implementation.

⁵⁴ CEDAW. 2018. Noveno informe. https://hchr.org.mx/wp/wp-content/themes/hchr/images/doc_pub/N1823803.pdf (last accessed, March 10, 2022)

⁵⁵ SESNSP. (2022). Información sobre violencia contra las mujeres; Incidencia delictiva y llamadas de emergencia 9-1-1 Centro Nacional de Información. Secretaría de Seguridad y Protección Ciudadana.

⁵⁶ Own calculations with data from Vital Mortality Statistics, General Deaths Database. <https://www.inegi.org.mx/sistemas/olap/proyectos/bd/continuas/mortalidad/defuncioneshom.asp?s=est> (last accessed August 29, 2022), and SESNSP, 'Incidence of Crime Reports' with information up to December 31, 2021.

⁵⁷ Gobierno de México (2021). Ley Olimpia. <http://ordenjuridico.gob.mx/violenciagenero/LEY%20OLIMPIA.pdf> (last accessed, April 28, 2022)

For transgender women, case study participants viewed legal resources for victims' to be limited and believe there are not enough legal resources to be able to defend themselves in cases of GBV and FTF.⁵⁸ Limited legal resources combine with the normalization of transphobia, to create conditions for yet greater impunity. A related gender inequity and driver of impunity remains that Mexican law has not yet defined transfemicide as a crime, and therefore it has not been recognized yet as a specific hate crime against transgender women.

ECONOMIC INEQUALITY AND FTF

Economic inequalities systemically obstruct FTF survivor-centered pathways of prevention, protection, and accountability. Participants described three main ways in which economic inequalities affect impunity. First, many survivors depend on men partners for financial and material support, which makes it much more challenging for women to file a criminal complaint and risk losing the only household income source. According to a 2020 report from the National Institute of Statistics and Geography (INEGI), 55% of women (15 years and older) do not have sole control over their own monetary resources, and among this group, 35.4% reported having no income at all. Factors correlated with having less or no economic resources include belonging to an indigenous group, having little to no formal education, younger age, unmarried, widowed or divorced, or having three or more children.⁵⁹

Second, economic inequalities affect impunity in relation to direct and indirect, tangible, and intangible costs of reporting a crime. As many interview participants noted, the process to seek justice can be extremely bureaucratic, where specialized lawyers are usually a prerequisite for the cases to move forward. As one government staff member noted in Quote 3:

“[...] the criminal justice system is not democratic; you cannot handle your own case in Mexico even if the Constitution says you can. If you do not have the money to hire a lawyer, better not start a criminal process.”

Quote 3: Government agency staff member, woman

Informants noted itemization of legal defense services, with costs at every step of the process, making it expensive and time-consuming. Many justice institutions are in cities, adding travel costs for women in peri-urban, rural, and marginalized areas as another obstacle in accessing, and following through a criminal justice process. As an FTF survivor described in Quote 4:

“Yes, unfortunately it is one of the factors that has more to do with impunity. Because it is not the same for a woman to be murdered here in the periphery, in the place where our daughters are murdered, than to be murdered in the city. Simply because of the media coverage that the cases get; how organizations arrive and offer them help to get a good lawyer. It is not the same, it will definitely never be the same

⁵⁸ For example, only 12 states have incorporated in their criminal codes the criminalization of physical and/or psychological aggressions and/or homicides against the LGBTQ+ community. Observatorio Nacional de Crímenes de Odio contra Personas LGBT. (2020). Informe 2020. <http://www.fundacionarcoiris.org.mx/wp-content/uploads/2020/07/Informe-Observatorio-2020.pdf> (last accessed, March 15, 2022)

⁵⁹ INEGI. (2020). Panorama nacional sobre la situación de la violencia contra las mujeres. https://www.inegi.org.mx/contenido/productos/prod_serv/contenidos/espanol/bvinegi/productos/nueva_estruc/702825197124.pdf (last accessed, March 8, 2022); Castro, Roberto, ed. (2020) De parejas, hogares, instituciones y espacios comunitarios: violencias contra las mujeres en México. http://cedoc.inmujeres.gob.mx/documentos_download/ENDIREH%202016%20web.pdf.

as here in the periphery, where nobody talked about her [my daughter], nobody said anything at all.”

Quote 4: FTF Survivor, woman

Third, economic inequalities shape impunity in relation to the socioeconomic status of victim-survivors. Cases are less likely to be prosecuted if the victim comes from a poor or impoverished background. According to informants, the cases that are more likely to be investigated are those where the victims come from cities, have higher economic status, or when cases are considered relevant in the media. These conditions make it easier for urban FTF survivors to access better trained and experienced lawyers and to garner more media attention. Economic inequalities are also present in cases where high socioeconomic status perpetrators use their connections to influence public institutions to stall or nullify cases against them. Interview participants said that the more economic and/or political power and capacity for corruption a perpetrator had, the more likely the case was to be dismissed.

POWER AND INCENTIVES: RELATIONSHIPS BETWEEN IMPUNITY, CORRUPTION, AND ORGANIZED CRIME

Throughout the case study, FTF survivors expressed distrust of government institutions. Distrust stems from inadequate attention and FTF case management of different government agencies. On repeated occasions, interview participants—particularly, FTF survivors—shared how prosecutor office staff do not provide due diligence in case investigation or follow up, delay the process, and are not gender inclusive or survivor-centered in case investigations of disappearance and murder. This same lack of attention, interest, or knowledge about case management procedures delays all GBV investigation and justice processes.

Two interview survivors also shared in Quote 5 that they fear authorities because of the ways in which they have used their power in the past to repress or intimidate family members and CSO staff who accompany FTF survivors.

“As soon as we begin to raise our voices we are also repressed by the authorities, as soon as we begin to [...] make visible what is happening, from that moment on there is intimidation by the authorities. When we do any mobilization, many times we see this repression: The police cars follow us, many times we have just arrived at a place where we are going to do a mobilization and the first ones to arrive are the authorities. We have been involved for some time now and we realize, even if they are dressed as civilians, that they are taking pictures of us, they are recording us. So, it is a way of further doing harm to us, because they are not giving us the right that we have to demonstrate.”

Quote 5: FTF Survivor, woman

As several interview participants discussed, there is widespread knowledge about high levels of corruption within government institutions, and how, concerning justice processes, those who have connections and the necessary money to “buy off” government representatives, can get away with impunity. Quote 6 typifies how acts of corruption often delay legal procedures and the production of necessary evidence, while well-resourced perpetrators evade accountability:

“The wealthy people. They begin to move their networks from above. And when they realize that there is an investigation file, they run away. We never find them again. And I am looking for a way to solve that. This issue of people who have money and who have relationships on a thousand sides, are the ones who commit the most crimes, they generate a lot of impunity. We cannot overlook the issue of corruption. Because if a defendant knows that he already has an opened file, that someone denounced him for rape or femicide, he will use a lawyer to do corrupt acts with some public servant, and what can I tell you? Do you think he is going to wait for me to have an arrest warrant and arrest him? He leaves, and do you know when we find him? There are still people who say: ‘Yes, OK. Well, here I earn five pesos and you are going to give me 50,’ without values, without principles. The ethical issue, we need to work on this ethical issue with a lot of public servants.”

Quote 6: Government agency staff member, woman

Corruption in Mexico continues to be one of the main drivers of impunity. In Transparency International’s Corruption Perception Index, Mexico scored 31 out of 100 points in 2021 (where 100 is the best score possible), ranking 124 out of the 180 countries evaluated. Mexico scores the lowest out of all the 38 countries from the OECD. To date, large-scale corruption cases have not yet been sanctioned. A growing number of corruption scandals involving high-ranking officials have not been clarified. Perceptions of the use of the Attorney General’s office as a political tool of corruption have grown since 2018, including increased perceptions of a lack of institutional independence.⁶⁰

Participants corroborated that organized crime stands as an important factor that allows many cases to go unpunished. Organized crime impacts cases at different levels. In many municipalities, there are still close links between organized crime and government representatives. In these cases, people often choose not to file a complaint or continue with a legal process because of fear of repercussions. Organized crime also exerts its control outside of government institutions. In some cases, perpetrators of violence create links with criminal groups to carry out violence or to ensure a certain level of protection. In these cases, FTF survivors suffer a higher level of vulnerability due to the consequences of continuing with a legal process. In other cases, as interview participants noted, those involved in organized crime are the ones who perpetuate the violence, or they are part of human trafficking networks, often a factor in FTF cases.

Finally, transgender women experience corruption, violence, and impunity disproportionately, reinforced through everyday structural gender discrimination. As interview participants explained, the high levels of discrimination against transgender women across all life spheres (i.e., education, job opportunities, health access, housing, religion, etc.), push them into deeper economic vulnerability. As one interview participant explained in Quote 7:

“For example, thinking about two types of trans[gender] women, one with a higher economic status, with an intersection that allows her to have a more stable life, in a home with a family, to be accepted, all this exposes her less to the experiences in the

⁶⁰ Transparencia Mexicana. (2022). México, sin avance en Índice de Percepción de la Corrupción: Transparencia Mexicana. <https://www.tm.org.mx/ipc2021/> (last accessed, March 18, 2022).

street, than, for example, a sex worker. Obviously, having a higher socioeconomic status also gives you more access to information. Many trans women have a very marginalized economic position and do not know where to seek help. Many do not have primary school, and many do not know what to do when these things happen. They have no idea that they have the right. Not to mention the corruption system. In the trans community I think that very few people can buy a case and that has a lot of influence also on how you are perceived, how you are treated in the institutions, how much they take you into account. At the end of the day, patriarchal pressure is also capitalist.”

Quote 7: FTF Survivor, trans woman

CURRENT STATE OF GBV/FTF PREVENTION, MITIGATION, PROTECTION, AND JUSTICE

Interview participants portrayed a dire situation where, despite some programs in the past decade, GBV/FTF prevention and protection programs and services remain scarcely available or accessible and are often under-resourced. Needed resources include political will, organizational leadership, technical resources, funding, qualified personnel, and sufficient timeframes for fully funded implementation of GBV prevention, protection and justice programs and services. Interview participants discussed the marginal to absent justice for FTF survivors, identified specific groups that face heightened vulnerabilities, and an inadequate or non-response by law enforcement. Additionally, many participants identified the COVID-19 lockdown as an inadvertent driver of deepened vulnerability and reduced access to already limited institutional services for GBV prevention, protection, and justice.

PREVENTION

Existing examples of GBV prevention initiatives in Mexico illustrate sophisticated strategies of behavior and social norm change beyond one-off trainings, including working with men over several months to reflect on and transform social norms of dominant and violent masculinities to break persistent emotional, physical, sexual, and economic patterns of GBV. One case study includes: “GENDES, a civil society organization based in Mexico City that uses a gender perspective, with a focus on masculinity to drive reflection, intervention, research, and advocacy. “Its main goal is to promote and strengthen [gender] equitable and egalitarian relationships that contribute to social development, creating a just society for all.”⁶¹ GENDES conducts re-education groups for men who have used violence against an intimate partner, fostering individual and group reflection on gender norms and skills building for identifying and responding to interpersonal, normative, and structural triggers for violence with positive strategies to build relationships based on healthy, respectful communication and gender equality. Similar programs often face resource challenges and obstacles in recruiting men to ongoing participation in the discussion sessions. “It usually takes a referral from a governmental institution, academic institution, or some other civil society organization—or an ultimatum from their partner—for a man to come to the group for the first time.”⁶²

⁶¹ Lesama, M.S. Yair Maldonado. (2019). Working with Men to Break Patterns of Gender-based Violence in Mexico,” Align Platform, Case Study, 26 September 2019. <https://www.alignplatform.org/resources/working-men-break-patterns-gender-based-violence-mexico> (last accessed June 8, 2022).

⁶² Ibid

Generally, IDI participants in the present case study agreed that, despite greater efforts at the policy level to develop programs and campaigns focused on prevention specifically, there does not seem to be sustained change at scale in Mexico transforming the societal and structural factors that continue to normalize and perpetuate GBV and FTF. As a participant explained in Quote 8:

“As such, the programs are there, but I really wonder, I mean, honestly, what is it that is affecting us, what is happening to us? Because no, I do not see any improvement. That is, if we already know where to attack or where to start, I do not understand why we are still the same. I mean, because, as I said, the programs, the workshops, the talks, everything to prevent it, it is there. I do not know if we are implementing them or, or, well, not us, [if they are] implementing them wrongly, or if it is that we as a society, as people, are not carrying them out. I do not know.”

Quote 8: FTF Survivor, woman

Participants described effective strategies that are critical to reducing the high levels of GBV and to prevent FTF and that should be further developed. Interview participants identified the need for all personnel of government institutions and first responders to be trained in gender equality and GBV and to be held accountable through human resource competencies defined for their role and integrated in their performance evaluation. Trainings combined with ongoing group personnel reflection, workplace policies for survivor-centered, trauma informed GBV response, policy implementation monitoring, human resources technical support to managers, appropriate budgeting, political will, and accountability mechanisms within an institution are needed to establish and normalize new gender and diversity inclusion practices, and survivor-centered, trauma-informed protocols for handling GBV cases correctly and comprehensively for all people of diverse gender identities without discrimination or re-traumatization. However, many of the participants also felt that there has already been a great deal of investment one-off trainings, while in many instances, there has been little to no follow up refresher training; performance evaluation; internal accountability mechanisms tying licensing, certification, salary increases, or promotions to performance on GBV cases; or external evaluation of change in how personnel of government institutions handle FTF among other GBV cases.

Interview participants, primarily from CSOs mentioned the *Violentómetro* (violentometer) as a tool for visualize how violence can escalate.⁶³ The Violentometer is a graphic and didactic tool in the form of a ruler that contains a classification of the different manifestations of violence between intimate partners. The material was developed by Mexico’s National Polytechnic Institute. The ruler shows visualizations of manifestations of violence that are hidden in everyday life or that are often confused or unknown. Other visual diagrams used widely since the 1980s in intimate partner violence prevention programs include variations of the “Power and Control Wheel,” developed by the Domestic Abuse Intervention Programs in Duluth, Minnesota, in the United States of America. The Power and Control Wheel recognize cyclical, non-linear patterns of emotional, physical, sexual, and economic violence exerted through a perpetrator’s abuse of power and control over their partner. The “Cycle of Abuse,” model developed in the 1980s by psychologist Lenore Walker in her book, “The Battered Woman,” also sought to conceptualize four non-linear stages of violence against women: 1) Building tension; 2) an incident of

⁶³ INMUJERES (2020). Violentómetro: Si hay violencia en la pareja, no hay amor. <https://www.gob.mx/inmujeres/articulos/violentometro-si-hay-violencia-en-la-pareja-no-hay-amor-234888?idiom=es> (last accessed, April 28, 2022).

abuse; 3) reconciliation; and 4) calm. To date, however, each model has been recognized as limited, as there is no single diagram that captures the complexities and shifting dynamics of intimate partner violence as a pattern of GBV and FTF among other types of GBV, such as non-partner perpetrated GBV and FTF. Case study interview participants from NGOs and civil society highlighted the importance of continuing to develop other visual and locally accessible materials for the public to raise awareness on what GBV is, the importance of changing certain socially normative patterns and attitudes to use in GBV prevention, and in demonstrating different paths available in accessing government and CSO services for GBV or FTF survivors.

PROTECTION

Data on women reporting GBV cases and seeking institutional support reflect complex barriers for survivors in accessing GBV services. In total, only an estimated 12 out of 100 women that experienced violence in Mexico presented a criminal complaint, with only 6 of them requesting some form of institutional support.⁶⁴ In terms of the quality of support, out of 2 million women that presented a criminal complaint or sought institutional support, 39% reported that their situation improved, 15% reported that it only improved for a short period of time, 25% mentioned that it did not change and 19% reported it worsened.⁶⁵ Among women that suffered physical or sexual violence, the main reasons for not making a criminal complaint or using government GBV services were fear of consequences (20%), shame (17%), not knowing how or where to file a complaint (15%), because of their children (11%), and because they did not want their family to find out.⁶⁶

While interview participants recognized that in recent years institutions specializing in GBV crimes have been created, such as the Women Justice Centers or Specialized Prosecution Offices, it was noted that these services are usually understaffed and underfunded and are unable to cope with the sheer volume of cases. Participants often viewed the quality of these government services as poor, citing human and financial resources in government institutions as the main factor affecting quality. Government informants mentioned the lack of training in GBV issues as the main barrier for effective access to justice, followed by low salaries, and excessive workloads. Participants also indicated how the previously mentioned AVGM mechanism has not produced important changes aligned with its goals to improve emergency response to FTF and GBV, though some mentioned that the AVGM has unexpectedly worked as a tool for evaluating public policy on GBV at the national level, despite that this was not the alert mechanism's objective. As an interview participant described in Quote 9:

“The AVGM declarations have not served their purpose, but they have been a great tool for the evaluation of public policy at the national level on issues of violence. In other words, the alerts were designed to address emergency situations as if they were dealing with a natural disaster, that is the spirit in which they were created. But they are very far from having served for that purpose. However, they have served as mechanisms to evaluate national public policy and to make recommendations in

⁶⁴ INEGI (2020). Panorama nacional sobre la situación de la violencia contra las mujeres. https://www.inegi.org.mx/contenido/productos/prod_serv/contenidos/espanol/bvinegi/productos/nueva_estruc/702825197124.pdf (last accessed, April 28, 2022).

⁶⁵ Ibid.

⁶⁶ Ibid.

practically all the entities of the country regarding the situation of violence against women.”

Quote 9: CSO staff member, woman

Survivors interviewed also mentioned positive aspects to available services, such as support to access death benefits, assistance with medical expenses, and public transportation.

JUSTICE

Participants consistently corroborated the low levels of access to justice for FTF survivors, which for transgender women, are almost nonexistent. Although this lack of access to justice is widespread across the country, the informants identified specific circumstances that can easily become barriers to justice for FTF survivors: for instance, socio-economic vulnerability and an inadequate or a lack of response by law enforcement. As described earlier, the COVID-19 pandemic exacerbated impunity.

SOCIO-ECONOMIC VULNERABILITIES WHEN SEEKING JUSTICE.

Throughout the interviews, participants highlighted three main groups that are more likely to face impunity because of their socioeconomic circumstances. The first group is children, adolescents, and young women. Most informants agreed that GBV violence, and specifically FTF, are crimes that lack visibility among this group because children require a parent, guardian, or adult to access the justice system. This can be particularly difficult in cases where the parent or guardian is the perpetrator of violence. As various organizational staff highlighted, children and adolescents who report having experienced one or more types of GBV and seek assistance in Mexico consistently face discrimination and retaliation. Many are revictimized, their privacy is routinely harmed, and they risk abandonment, sexual violence, disappearance, injury, and homicide following a GBV disclosure.⁶⁷

In Mexico, just in 2021, more than 27,772 crimes against children and adolescents were committed, including 2,450 national homicides, 107 femicides, and 13,758 physical injuries.⁶⁸ Further, 21% of underage disappearances that took place in the country in that same year were of girls aged 5-14 years old, and 37% were aged 15-19 years old.⁶⁹ Finally, United Nations figures estimate that 4 out of every 10 women in Mexico face sexual violence during their lifetime, although this figure may be under-reported.

A second group at risk of impunity is indigenous women and women living in marginalized areas across the country. As interview participants indicated, this group of women face the impacts of historical marginalization within their communities, find themselves in scenarios of geographic remoteness (both in rural and semi-urban/peripheral regions), do not have the minimum economic resources to deal with their legal processes, and at many times do not receive the necessary institutional support to handle their cases (for example, legal advice; professional interpreters, among other support services). Furthermore, as several FTF survivors indicated, the lack of media attention that their cases receive

⁶⁷ Save the Children. (2022). Inicia el 2022 con múltiples casos de violencia contra niños, niñas y adolescentes. https://www.savethechildren.mx/enterate/noticias/inicia-2022-con-violencia-contra-ninas.-ninos-y-ad#_edn23 (last accessed, March 14, 2022)

⁶⁸ Save the Children. (2022). Inicia el 2022 con múltiples casos de violencia contra niños, niñas y adolescentes. https://www.savethechildren.mx/enterate/noticias/inicia-2022-con-violencia-contra-ninas.-ninos-y-ad#_edn23 (last accessed, March 14, 2022); SESNSP. (2021). Incidencia delictiva de víctimas.

⁶⁹ Own calculations with data from Comisión Nacional de Búsqueda. (2022). Versión Pública RNPDO. <https://versionpublicarnpdno.segob.gob.mx/Dashboard/ContextoGeneral> (last accessed, March 13, 2022).

because of their remoteness becomes a source of impunity and makes them feel like "second class" survivors. As one interview participant explained in Quote 10:

“But there is a big difference, yes, yes there is [...] there is, I do not know if it is right to say it, but there is discrimination even among our murdered women. And that [...] it is very serious, that hurts a lot. This, it is sad to see that, although our daughters have been murdered, there are still first and second-class women. But for us [our daughters] have a lot of value and they have the same value as any other woman. My [victim's name], she is very valuable, and we love her with all our hearts, even though they are no longer physically here, we love her and we will continue to fight for her.”

Quote 10: FTF Survivor, woman

The third group that is more vulnerable to impunity are women from the LGBTQI+ community. Transgender women continue to be the most at-risk group when it comes to homicidal violence. Furthermore, as FTF survivors explained, there is a lack of clear measures by the security and justice system to develop timely response mechanisms to register these crimes, making it difficult to have access to estimated numbers. Finally, the misuse of legislation to address these crimes results in that the cases of femicide against transgender women are not properly documented and investigated, which reinforces impunity and a persistent lack of access to justice.

RESPONSE OF LAW ENFORCEMENT

Institutional response to FTF emerged in the case study interviews as a critical barrier to accountability and justice. Interview participants pointed out how in cases of disappearance or lethal violence, first responders and the prosecution offices were key actors in the first hours following a report, which are critical to prevent and investigate FTF. However, in many of these cases, participants described a persistent lack of response from government officials, or the incorrect implementation of protocols, hampering the possibilities of the victim's survival and chances of accessing justice.

Further, the lack of knowledge and understanding of the legal processes that FTF survivors have was consistently identified as a source for government officials to abuse their position of power and mishandle cases. For instance, one interview participant described how their public defender did not allow them to access the investigation file of their daughter's case until an external legal advisor pointed out to them how they were entitled to have a copy of the file. FTF survivors shared similar incidents throughout the case study interviews.

COVID-19

Participants widely identified the COVID-19 pandemic as an additional driver of GBV and a factor that impacts FTF survivors' access to justice. The National Survey of Urban Public Security with the National Institute of Statistics and Geography (ENSU-INEGI) included a module measuring acts of violence in domestic spaces and in urban areas. During the third quarters of 2020-2021, data estimated an increase in psychological and physical violence. Additionally, the INEGI and United Nations Office of Drugs and Crime (UNODC) carried out GBV monitoring between March and September 2020, a period of partial lockdown in the COVID-19 pandemic.⁷⁰ On average, 2.6 femicides occurred daily in this period; injuries

⁷⁰ There was no official confinement order at the time in Mexico.

against women decreased by 2.54%; the category of "violence against women" increased by 13.36% with an average daily occurrence of 729.8 cases; the category of "family violence" decreased by 8.76%, as well as rapes, by 21.26%. The same report suggests that decreases in registrations can be attributed to the difficulties that women faced in reporting safely and privately.

Similarly, interview participants agreed that the COVID-19 lockdown exacerbated the violence that cisgender and transgender women experienced in their homes. And, more importantly, government agency closures across many states slowed the institutional response to GBV and specifically femicides. This created a backlog and, in many cases, an increased risk for victims that needed an expedited protection order and resolution. These two factors also influenced the reporting rate, since women found it much more difficult to access justice institutions to file a criminal complaint.

INTERSECTIONS OF GBV/FTF, MIGRATION, DISPLACEMENT, AND ASYLUM SEEKING

Studies have identified GBV and FTF as a cause, aggravating factor, or consequence of displacement or forced migration across the Americas.⁷¹ In interviews for this case study, participants viewed migrants as a group that is more likely to face GBV impunity. As a government official explained in Quote 11:

“I believe that migrants in Mexico are, among the most vulnerable, the most vulnerable in terms of access to justice, because they arrive at a Public Prosecutor's Office and people think: ‘No, well, she/he is a migrant and is just passing through’. Yes, but it was a migrant who was raped or a migrant whose wife was killed and whose daughter was taken away and they are trafficking them, so of course we can support them. A migrant will never approach a public prosecutor's office, and I tell you why: for fear that they will be returned to their country of origin and so they can do whatever they want to them, right? And that is the part that has to change in our society. We must protect everyone.”

Quote 11: Government agency staff member, woman

GBV and FTF are also causes of internal displacement within Mexico, and in extreme cases, for asylum-seeking outside the country. As previously mentioned, the involvement of organized crime in cases of GBV and FTF is a source of impunity, and a source of further vulnerability for GBV and FTF survivors. As a result, GBV and FTF survivors are forced to leave their homes and migrate to a different state while going through their legal processes, and often many times in the aftermath of a case, because of death threats from the perpetrator and often the perpetrator's family members or other close contacts. One FTF survivor, whose family had to migrate to two different states because of the risks they were facing, and who sought asylum in the United States and Canada to protect her family, described how her case has not received the needed legal attention. Internal displacement can represent an additional cost to the families, or it can be due to a request before the Victims' Commissions, who might support the survivors in relocation, based on inconsistent and often discriminatory interpretation of survivors' testimonies.

⁷¹ Gonnella Platts et al (2021). No Justice: Gender-Based Violence and Migration in Central America. https://www.wilsoncenter.org/sites/default/files/media/uploads/documents/No_Justice.pdf (last accessed, April 28, 2022); UN Women (2021) From evidence to action: Tackling gender-based violence against migrant women and girls. <https://www.unwomen.org/en/digital-library/publications/2021/10/policy-brief-from-evidence-to-action-tackling-gbv-against-migrant-women-and-girls#view> (last accessed, April 28, 2022).

SOLUTIONS TO ADDRESS IMPUNITY

This section leads with an enumeration of pathways to accountability from the perspectives of FTF survivors, survivor representatives, and institutional and civil society staff who work with GBV and FTF survivors in Mexico, who participated in this case study. It then identifies the formal and informal changes needed to facilitate these pathways for FTF accountability in Mexico and highlights some existing good practices that could potentially be taken to a larger scale or adapted for new contexts.

SURVIVOR-CENTERED PATHWAYS TO FTF ACCOUNTABILITY

Critical themes outlining survivor-centered pathways to FTF accountability include survivors' own definitions of what GBV, impunity, and justice mean to them. These definitions connect with the three critical windows of intervention: GBV prevention, response, and justice.

SURVIVOR DEFINITIONS OF GBV AND ITS CONNECTIONS TO PREVENTION

Participants defined GBV as a phenomenon that affects all cisgender and transgender women. In interviews, participants often conflated GBV with VAW. They described how it impacts their integrity as well as their physical and mental health. They described how GBV stems from a culture that discriminates against women for being women—it is reflected not only in the physical acts of violence, but also in acts of social, economic, and political exclusion and subordination. Like how the CEDAW defines VAW, informants included in their definitions various forms of violence such as economic, psychological, physical, sexual, patrimonial, reproductive, obstetric, and femicidal. They explained how GBV is exerted as a power exercise and its definition should include both the actions and omissions that impact a person's life because of their gender. Many participants viewed GBV as something that is learned from an early age and is consistently reinforced by society. In this case, as one participant indicated in Quote 12, GBV should be reduced not only through the judiciary system, but also through prevention policies.

“Violence is a structural phenomenon that can be institutional, it can take place in the public transportation, in different areas, and the way to eliminate it is not always by accessing the criminal system with a punishment. It can also be through prevention, strengthening institutions or through protection orders, which do not always carry out a punishment, but protect the woman; or where there can be a comprehensive reparation. So, impunity is not only the lack of punishment. I consider that it is also the lack of public policies for prevention or comprehensive reparation to the victims.”

Quote 12: CSO staff member, woman

For transgender women, participants agreed that transgender women confront both the violence that is directed against women, and suffer the discrimination that stems from their gender identity in a highly homophobic and transphobic society. As FTF survivors indicated, the different forms of GBV that transgender women face in their everyday lives that lead to cases of transfemicide are reinforced by the lack of access that they have to the job market, to education, and to health services. Quote 13 illustrates this view:

“Violence against trans[gender] women is also reinforced by institutional violence: Violence that deprives you of a dignified lifestyle, that deprives you of a dignified life as such. Institutional violence against trans people starts with discrimination from the deprivation of jobs, deprivation of a job, deprivation of education, of health, of a myriad of opportunities.”

Quote 13: FTF Survivor, trans woman

SURVIVOR DEFINITIONS OF “IMPUNITY” AND RESPONSE AGAINST GBV AND FTF

Impunity was most often defined by case study participants as being related to the state’s negligence in GBV and FTF cases, primarily through the lack of due process and response in criminal investigations and the lack of adequate punishment or consequences for perpetrators. As one FTF survivor expressed in Quote 14:

“[Impunity] is the lack of interest from the government towards human beings. It is not serving justice because of negligence [...].”

Quote 14: FTF Survivor, woman

Interview participants also described impunity as the lack, or denial, of justice to victims. For example, one participant mentioned in Quote 15:

“On one hand, [impunity] means the lack of access to institutions, having complex laws that hinder the ability of a victim to denounce or ask for help. On the other hand, from the perpetrator’s side is the lack of due process in the cases against them. Overall, impunity is a series of obstacles and difficulties that hinder a victim’s access to justice [...].”

Quote 15: CSO staff member, woman

Other definitions of impunity included the presence of corruption in criminal processes, insufficient or absent reparation, and the existence of structural inequalities that create conditions for impunity. The words most associated with the definition of impunity were “corruption” and “economic inequalities”, especially for families of survivors, as these participants said:

“Impunity is the person who has the power or resources to do whatever they want.”

Quote 16: FTF Survivor, trans woman

“Impunity is a luxury for people with money.”

Quote 17: FTF Survivor, trans woman

“Impunity only exists for people that have no money.”

Quote 18: FTF Survivor, woman

SURVIVOR DEFINITIONS OF “ACCOUNTABILITY” AND JUSTICE

Participants defined accountability in different ways, ranging from the duty of a government to inform the citizens about its budget, activities, and results to sanctioning perpetrators of GBV and FTF. While the definitions were diverse, most informants understood accountability (*rendición de cuentas*) in GBV and FTF as transparency, meaning the duty of the government to provide accurate information about the true prevalence of and prosecutions for FTF among all forms of GBV.

Definitions of justice also differed among participants. As one informant from a CSO noted in Quote 19:

“Each person has its [his/her/their] own definition of justice. Maybe for me justice is for the perpetrator to go to jail, but for some families I work with, justice is an economic compensation, so they can help their family and they prefer a shorter sentence for the perpetrator [...], there are some people who want both, an economic compensation and jail time. Everyone understands justice differently [...].”

Quote 19: Government agency staff member, woman

Broadly, informants agreed that there are two sides of justice: one regarding the perpetrator, which involves a sanction or punishment for a crime; and the other regarding the victim, which may involve different forms and degrees of compensation. In particular, the latter is crucial in those cases in which there are orphaned children of murdered mothers.

FORMAL AND INFORMAL CHANGE NEEDED FOR FTF ACCOUNTABILITY

THE NEED FOR A PRIMARY PREVENTION-BASED APPROACH

Interview participants voiced concerns about how overwhelming and prohibitively expensive the criminal judicial system can be for most survivors to pursue formal justice. The costs include time, money, lost income, social stigmatization, re-victimization, and negative mental and physical health impacts affecting survivors’ immediate and longer-term safety and well-being. However, many participants recognized an important role played by some of the institutions that currently exist and the importance also of having dedicated institutions focused on addressing GBV and FTF. Participants agreed on the widespread need for GBV primary prevention interventions. Prevention programs are needed at all societal levels to reduce a range of interpersonal, community, collective, and structural types of GBV. Primary prevention of a range of types of GBV is vital to support de-escalation to fatal violence for FTF prevention. Some of the prevention strategies discussed included:

a) *Gender Norm Change Interventions*: Schools were constantly cited as spaces for prevention, including: the work that needs to be done with children; detection of GBV; Comprehensive Sexuality Education (CSE) integrated into the curricula; and development of programs with young men and women to change social norms that validate GBV. Participants described less effective interventions to include: brochures, general or theoretical training, and campaigns without a context for their use. Although statistics show that 44% of femicide cases are committed by intimate partners, no reference was made to the prevention of intimate partner violence. However, some participants did suggest that GBV should

be addressed differently across the institutions and included the mediation of cases where there are existing forms of GBV such as economic or psychological violence to prevent escalation of GBV to physical or sexual violence, and ultimately, femicide. Participants did not identify many prevention strategies for transfemicide, although it was agreed that school, the family, and religious spaces are sites for changing transphobic attitudes and discriminatory practices.

b) Disappearance prevention and rapid response: Disappearance preceding many femicide cases was an often-mentioned theme in interviews. However, there was no deeper discussion on how to prevent disappearances, although several informants highlighted the importance of the rapid search mechanisms of girls and women that use a gender perspective (i.e., avoid gender prejudice or stereotypes). The creation of Specialized prosecutor's offices on disappearances was an important step in this direction, but participants noted that, because these were only recently created, the window of opportunity for their full integration was very short. As some participants pointed out, it is necessary for these prosecutors' offices to show their relevance at the federal level through quantifiable results. Participants expressed a shared concern that this lack of quantifiable achievements may lead to the lack of confidence in or the elimination of such institutions.

c) The crucial role of municipalities: When it comes to FTF survivors' access to justice, most participants mentioned state and federal authorities as the main institutions to deal with their cases. However, for the prevention and support of GBV, they expressed that municipal and local authorities play a crucial role for several reasons. Municipal and local authorities are the closest to women (including in peri-urban and rural areas) and have a better understanding of local social contexts and problems; municipal police typically conduct the first proceedings in GBV/FTF cases; and search alerts are activated at the municipal level. Again, some participants indicated that the level of corruption at the municipal level is decisive for survivors to assess whether to file a complaint since this could compromise their security. Participants' solutions to these issues included: providing training on gender and applying a gender perspective for all municipal authorities; using international conventions to promote municipal accountability; implementing targeted prevention programs according to the forms of GBV perpetrated at the local level; involving citizens and mobilizing bystanders to stop GBV; and working directly with the most vulnerable, marginalized, and stigmatized communities and groups.

A worrying aspect was the lack of discussion about concrete prevention actions for cases of GBV against transgender women and transfemicide, beyond education in schools. On this point, further research is needed.

RESPONSE

Changes needed at the institutional level: For the participants, the needs for change are multi-level and multi-sector. Participants did not view FTF as an isolated event but rather the result of a pattern of previous perpetrations of different forms of violence, from the interpersonal to the social. There was a point of consensus in most interviews related to the lack of attention to daily violence, the lack of political will, the weaknesses of technical capacity, and the limited budgets. A cross-cutting theme is the lack of accountability, understood as transparency and responsiveness.

A central theme for all the participants interviewed is that GBV and FTF must be recognized and addressed at all government levels. In interviews, participants identified current tensions between a federal discourse that seems to criminalize CSOs and feminist movements and minimize violence against survivors. Participants brought attention to the budget reduction that has taken place in recent years for GBV prevention and support, and for local justice initiatives including those promoted by CSOs, municipalities, and states. Testimonies indicate, as noted, that the institutional framework for attention has grown substantially in recent years, but that little is being done to foster a safe and supportive environment in which survivors can access justice.

From bureaucratization to coordinated action: Participants indicated the need for better coordination amongst institutions. They indicated how there are procedures and coordination processes between units that become highly bureaucratic and progress slowly. In some states where this weakness has been addressed, participants explained how they are developing informal rapid-response mechanisms to address this issue, such as: case priority criteria; inter-institutional coordination lines to monitor femicide cases using WhatsApp groups that sometimes include the participation of CSOs or informal working groups; training programs between authorities to better understand the existing protocols (e.g. among judges and police officers, or with prosecutors); and organization of sessions with FTF survivors to explain what the authorities can or cannot do at each level of institutional action. Participants from states that have applied this approach indicated that these agreements are reached relatively quickly when there is both will and initiative by the heads of the institutions.

Integrating and monitoring implementation of a gender- and human rights-perspective goes hand-in-hand with building institutional transparency: Interview participants stressed the importance of implementing monitoring mechanisms to oversee government institutions and officials to ensure the integration of human rights-grounded, gender justice-oriented, survivor-centered, and trauma-informed protocols when dealing with GBV and FTF cases. In the states where there is a greater perception of impunity, case study participants indicated substantive institutional failures, from the actions of police officers to the criteria implemented by judges. Although significant institutional and economic resources have been invested in the training of police forces and prosecutors, little has been done in relation to the criteria used by judges or monitoring of their actions. Likewise, participants indicated that although there are protocols to judge with a gender perspective and the Mariana Lima Buendía Sentence was crucial for establishing the relevant criteria to investigate women's deaths, there are still no mechanisms for enforcing, monitoring, or sanctioning non-compliance. Finally, in those states participants viewed as having the lowest levels of impunity, local authorities pointed out the importance of communicating the investigation results, mainly to FTF survivors. As one interview participant pointed out, sharing the results of an investigation was one of the most satisfying aspects of their work at the state-level prosecutor's office.

LEGISLATIVE CHANGES

Interview participants discussed a range of aspects that impact FTF accountability. Most of the necessary changes were mentioned across four themes:

Regulation of CSOs: CSO staff who participated in the study agreed that there seems to be an overregulation of their work. Participants felt that current regulations create additional barriers for CSOs to carry out their work or simply require a series of documents that for many organizations is impossible to obtain, which, therefore, makes it impossible for them to access any type of donor or formal technical support, whether national or international. Associations and collectives (colectivas) that are not legally constituted as civil associations are not permitted to receive national and international donor resources to carry out activities in support of cisgender and transgender GBV and FTF survivors. As some participants involved in these organizations signaled, they often do not have the economic and legal capacity to carry out the legal process required to become a registered civil association.

Legal defense of girls, boys, and gender diverse children: Research participants indicated that at many times the law is an impediment in the defense of girls, boys, and gender-diverse victims of GBV and FTF, specifically when the perpetrator is part of the family or has custody of children, and because of the slowness of the institutions responsible for the protection and wellbeing of children. In this area, they pointed out the importance of giving judges the necessary capacities and power so that they can resolve cases expediently in favor of the best interests of children of all genders.

Law standardization on gender identity change: The regulation of the change of gender identity on identity documents is up to the local jurisdiction, therefore depending on the state, the processes that are required for this are different. Despite that in Mexico City, it is stipulated that this change is an administrative procedure that can be carried out from the age of 12 years and older, but in most states this process can only be carried out through a lawsuit, making it inaccessible for most people. However, some participants stressed how the steps that Mexico City government and its law have taken in the recognition and protection of rights of the LGBTQI+ community have provided an important blueprint for other states to follow.

Legal classification of Transfemicide: Two controversial issues without consensus among some interview participants included the legal recognition of transfemicide as a specific crime and the creation of institutions to attend exclusively to the GBV perpetrated against transgender women. There was consensus between key participants on the broad and inclusive protection of international human rights conventions, the Mexican legal framework, and the attention provided by SM (Women's Secretariat) and CEV (Victims' Executive Commissions) to address violence against transgender women. However, as transgender survivors of FTF considered, it is important to typify transfemicide as a crime, to give it legal weight and make it visible as a hate crime. One participant and law expert indicated that the crime of femicide is sufficient to protect transgender women when used with the complementary norm that works under the line of 'hate-based violence'. On this topic, the discussion is incipient and inconclusive, requiring further research.

JUSTICE AND ACCOUNTABILITY

ORGANIZATIONAL RESPONSE FROM A TRAUMA-INFORMED APPROACH

FTF survivors described the processes of justice seeking as exhausting for the families, particularly because of the constant impunity they experience. As a result, cases are often abandoned. As an FTF survivor expresses in Quote 20, the families:

“[...] do not want to continue fighting, because they do not have the means, they do not have the time, because this is a total wear and tear.”

Quote 20: FTF Survivor, woman

Furthermore, they confront this exhaustion while mourning their daughters or loved ones, knowing the forms of torture they went through.

Throughout the study, interview participants identified the existence of formal responses to support FTF survivors across different institutions—for example, security and justice institutions, specialized centers for victims and women (CEV and CJM), and institutional mechanisms for the advancement of women’s rights through Women’s Secretariats (SM). Their experiences indicate that the quality of the services and support provided depends in great measure on the type of institution, and the state or municipality where they are located. However, most participants agreed on the importance of supporting these institutions and improving their responses. In general, key informants indicated that these institutions lack understanding of a survivor-centered, trauma-informed approach in operational guidelines and the absence of institutional performance evaluation indicators. Further, they agreed that discrimination, stigma, and marginalization influence the effectiveness of services provided to survivor individuals and groups, which impacts how survivors perceive justice and their quality of life. Although there are different factors that determine whether FTF survivors continue or not with a criminal proceeding, a key factor in survivors’ decision-making process is the extent to which institutional staff practices are known to revictimize those who seek to make a report or access assistance.

RECOGNITION OF VIOLENT DEATHS OF WOMEN AS FTF AND THE IMPORTANCE OF AN ADEQUATE DEFENSE

As mentioned, FTF survivors who sought justice mentioned the difficulty they faced when trying to understand the criminal justice system. As a result, they had to learn the legal concepts and their rights, long before they started being accompanied by CSOs. In several cases, the FTF was not recognized as such in the preliminary inquiries. Survivors were forced to duplicate the investigation efforts for their cases to achieve FTF status. This was typically achieved with the support of a lawyer. All interview participants pointed out that effective access to justice is mediated by a good defense of their cases.

However, as they also indicated, the law is restrictive for those who do not have the money to pay for a ‘good’ defense and, depending on the state, the work of prosecutors or public defenders (CEAV legal advisors) is not a guarantee of justice. Survivors should have the right to a competent investigation and, if required, to an adequate defense with a gender perspective and free of charge, as is the case in a few states. Survivors’ access to justice should not depend on their capacity to pay a private lawyer’s fees to secure adequate legal representation.

Health and Mental Services: Most interview participants focused on the availability of mental health services for GBV and FTF survivors. There are different psychological services offered at the state and municipal levels through different local programs (for example, state and municipal Women’s Secretariats, Women’s Justice Centers, in the Mental Health Care Centers, etc.). Furthermore, GBV and FTF survivors can also request health and mental services through the Executive Commission for Attention to Victims. However, FTF survivors expressed how they had received deficient attention in these services, or, on repeated occasions, had to continuously claim these services for an extended period until they finally received a response in certain areas (for example, receiving a reduced number of types of therapy for psychological care). An important case is that of an FTF survivor who mentioned how the care she received at the Post-Traumatic Stress Clinic in the State of Mexico had been of great benefit, and the importance of having more centers like this throughout the country.

Economic support: These types of programs were scarcely mentioned across interviews, and mostly by government officials. There are different state programs aimed at providing economic support to children of FTF victims—however, these are only available in certain states.⁷²

Finally, interview participants mentioned the following as important changes needed at the institutional level: focus on training and specialization of government officials; better territorial coverage of both legal and judicial services (including places to file a complaint in an expeditious manner and without revictimization), as well as survivor health and counseling spaces; constant evaluation and supervision mechanisms across all sectors working in GBV; hiring of more specialized personnel (psychologists, anthropologists, forensic specialists, etc.); improvement of working conditions due to the large number of cases that exist in the prosecutor’s offices; and to improve the profiles in the selection of staff working with GBV and FTF.

CHANGES NEEDED ACROSS CIVIL SOCIETY, SOCIAL MOVEMENTS, AND COLLECTIVE ACTION

Throughout the interviews, most FTF survivors indicated how they were compelled to develop formal and informal networks for collective information sharing and support. Many of them have formed alliances with CSOs that provide them with different forms of assistance, such as psychological support, legal aid, training on legal issues, as well as a support and accompaniment network. The main activities offered by CSO could be grouped as follows:

*Delivery of complementary or substitute services which are part of the State obligations:*⁷³ This was one of the many activities that are carried out by large and small CSOs (the smaller of which are not always officially registered). It was identified as the most urgent and least funded. All the interviewees recognized the limitations that the state has when providing GBV and FTF services (i.e., legal aid, health services including physical and mental health, economic assistance, childcare services, etc.). However, in one way or another, civil society has complemented or filled these gaps, especially through psychological support, shelters, and by providing legal orientation, and referrals to institutional services. FTF survivors who often had poor experiences with the support offered by government officials and institutions (for example, when receiving legal aid, or psychological support), highlighted the relevance that CSOs had in terms of care, information, and support. These differences often result in survivors trusting government

⁷² In this regard, some of the states that were mentioned were Mexico City, Jalisco, and Coahuila.

⁷³ According to Mexican law and the conventions and treaties that Mexico has ratified, the State has the obligation to support the victims free of charge. However, according to the testimonies of CSOs that assist survivors, sometimes the organizations “replace” the responsibilities of the State. In fact, sometimes the governments with which they work send the victims to their organization instead of strengthening the State services, which generates more costs. This means that sometimes they are no longer subsidiaries but primary services providers.

institutions and the services they offer even less. In this vein, as FTF survivors expressed, the most important role CSOs lead is that of legal defense (i.e., private legal advisor), which also represents the greatest organizational challenge, due to the high financial cost and time investment.⁷⁴

Activism and strategic mobilization for change: FTF survivors pointed out how the visibility of their cases can be an effective way to advance investigations, achieve access to justice, make the judge's decisions transparent, mobilize bystanders, raise awareness about media inaction or further harm to survivors, and as a good resource for protection against retaliation by offenders, their families, or the state. Some of the mobilizations carried out by FTF survivors take place in specific cases, such as in commemoration of specific dates, as a response to negligence, to make visible relevant positive events—like the Mariana Lima Buendía Sentence—or to present legal reform initiatives. These processes of collective action and protest carried out by FTF survivors and members of CSOs may include the creation of memorials, performances, demonstrations, court dates, or press conferences. Interview participants considered these strategies to be a fundamental contribution to bring about change, since they put strong pressure on authorities to improve their work. At a minimum, these efforts reduce the chances of corruption and increase the recognition that survivors must be recognized and not criminalized.

External monitor of GBV/FTF accountability and state performance. CSOs in Mexico have increasingly taken on the role of making the government accountable in cases of femicide, through monitoring the actions taken by the government to prosecute cases. However, many times, this role is subject to the type of relationship formed between government institutions and CSOs' representatives. In other words, the better the relationship with government, the more access a CSO can have in terms of monitoring the government's actions, including its budgets. Some informants noted that this relationship is improved when CSOs understand the internal problems faced by government officials—usually, a lack of resources and personnel—and when they create spaces for collaboration and feedback. In that sense, when government officials perceive CSOs as a source of criticism, they are less likely to collaborate.

Additionally, thanks to international funding, CSOs have developed some methodologies to analyze and better understand both GBV and FTF. Part of these projects has generated diagnoses and studies that serve as policy inputs. Most interviewees identified international donors as the largest source of funding for GBV and FTF research.

As previously mentioned, interview participants echoed current tensions with the federal government, describing how the decline of funding and administrative restrictions have negatively affected their ability to perform their duties. All the CSO staff members interviewed reported that they do not have the necessary economic resources to assist GBV victims and that in many cases they must either put money from their own pockets or work without pay to continue their activities.

EXISTING GOOD PRACTICES RELATED TO FTF PREVENTION AND PROTECTION

Participants identified several good practices across different areas, including legislation and effective remedies; policies; programs; efficient institutions; and innovative mechanisms related to GBV/FTF prevention, reduction, and prosecution. They acknowledged the effective implementation of some of these mechanisms at the local level. Good practices are not specific to FTF but instead address risk and

⁷⁴ It is important to highlight how, given that all FTF survivors who participated in the study are going, or have gone, through a legal process in relation to their cases, most of the discussions they had around understandings of justice were framed by these processes and their own experiences.

protective factors that can stop GBV and/or promote the recognition of survivors, Participants highlighted how, if there is no change in certain contexts, devastating fatal outcomes will continue.

LEGISLATION AND EFFECTIVE REMEDIES

Gender identity change procedures: As above mentioned, in Mexico City this process shifted from having to undergo a trial to a simple administrative procedure. The reduced burden of obtaining these procedures serves as a promising example to other states.

Regulation of protection orders to facilitate their quick implementation: Although this measure is not uniformly implemented across the country, its regulation in the Law on Women’s Access to a Life Free of Violence in Mexico City—and in other States—was mentioned as both innovative and based on a survivor-centered approach. This regulatory mechanism makes the execution of the orders fast and effective. Furthermore, given that there is a series of authorities involved in their issuance and delivery—e.g., the police, the prosecutor, and a control or civil judge—perpetrators are further dissuaded. Civil society informants consider that they are also useful because, in many cases, victims are not ready to file a formal criminal complaint, making these protection orders a tool to prevent violence from escalating. The orders can also empower victims and, if implemented effectively, increase their trust in the institutions, and ultimately incentivize the victim to file a criminal complaint if necessary.

POLICIES

Protocols: Government informants reported that creating protocols to implement policies has been crucial for bringing about change in the institutions. Different protocols developed have included complaint procedures, case investigation, judging with a gender perspective, and specific protocols on groups in situations of vulnerability, among others. However, members of CSOs interviewed identified that, at times, the suitability and ineffective implementation of the protocols end up exacerbating weakness in practices across government institutions because the protocols “raise” the standards to investigate and judge with institutions that seem unwilling to do so. Some of the most common weaknesses would be lack of gender sensitivity, changing the crime scene so that it is not declared, or disappearing evidence such as the robbery of the victims if they were carrying valuables. In particular, if there is no effective coordination between the different institutional actors involved in cases of GBV and FTF, the protocols lose strength when staff do not implement them as a consequence of corruption and power abuse, which interview participants saw as embedded at different levels of government—mainly involving police personnel, investigative units and first responders. One government agency staff member described this in Quote 21:

“Something very important [that happens is] the contamination of the crime scene. Any crime in general; because they [the police] do not arrive, they do not secure the scene, they erase evidence. Someone picks up the gun and takes it away because 'well, I am going to sell it somewhere else'. They find the wallet and take it away because it probably has money in it. On the one hand, they erase all the traces. On the other hand, the lack of knowledge of all police officers on how to act and how to apply a protocol for certain types of crime, especially gender crimes [has significant impacts on investigation outcomes]. For example, when a report is made that a girl committed suicide, the police arrive and if they see her hanging with a rope from a window, they take her down, lay her down and leave the rope there and report it as

a suicide. Hold on, [by protocol] all the homicides of a woman in the State of Mexico, by instructions of the Attorney General, are investigated from the beginning as if it were a femicide. We start from the maximum to get to the minimum, not from the minimum to get to the maximum because then we are in the wrong and impunity will be total. There are protocols that we must follow with each and every one of the experts. And then, when a first responder enters and does not do things as they should, I assure you, it will end very badly.”

Quote 21: Government agency staff member, woman

Transparent sentences: Participants from civil society reiterated the importance of following up on the actions of judges in femicide cases and the criteria on which they form their judgment. One participant mentioned the mandatory publication of sentences as a good policy to follow, allowing access to information on how judges are currently deciding and who are the ones with the greatest gender bias. One of the judges interviewed also pointed out that this policy will support learning from how other judges are resolving cases.

PROGRAMS

Insurance against domestic violence: Women's economic dependency was a consistently cited risk factor. One of the interviewees mentioned that Mexico City government grants insurance to women who experience domestic violence that works as a monetary transfer to support survivors with their therapies and break with their economic dependency.

Shelters: Participants constantly cited shelters as necessary and important spaces for the safety of women and their children. CSO staff also discussed how the pandemic had increased the demand and how budget cuts had affected their work. They mentioned that shelters allow them to develop alternative life paths away from violence. However, limitations were also pointed out because for some women it meant breaking their routines, including work, and the decision to use a shelter or not was difficult despite the seriousness of the violence experienced.⁷⁵

Economic Support: In general, survivors did not identify a good practice related to economic support beyond the services directly provided by the CJM, the CEVs, and the SM. However, a good practice identified was the joint support between CSOs and *colectivas* for the request of budget reallocation of resources and for the delivery of economic support to the most vulnerable families. Legal counseling, advice, and support in understanding legal processes, helps bring attention from the prosecutors' offices to these less publicly known cases and increases CSOs' awareness of any injustices that might be occurring. As previously highlighted, cases that attract attention are more likely to proceed through the legal system and not languish. CSOs bring attention to social injustices and memorialize FTF victims in communities by taking actions to embed victims in the communities' collective memory as individual women, daughters, mothers, sisters, and friends. These types of activities can take many forms, such as protests with memorials or establishing 5km road races. These acts of collective memory communicate an understanding of justice.

⁷⁵ There are certain migrant shelters that focus specifically on the SOGIE population and receive people who are not in transit and who face situations of violence. However, interview participants did not mention these types of services or the availability of inclusive shelters.

EFFICIENT INSTITUTIONS

Women's Justice Centers: Informants identified Women's Justice Centers (CJMs) as one of the most effective institutions implemented in the country, given that the victims can access a series of quality services in the same place, as well as file a criminal complaint and even participate in hearings about their cases. These supports may include socio-emotional support, trauma recovery treatment, economic, and health support or referrals to health services, access to scholarships, counseling or legal advice, grief counseling, or job training, among others.⁷⁶ However, participants pointed out that in their expansion, the quality of the services varies, and it is possible to identify CJM that are extraordinary for the quality of their services compared to others that have major deficiencies.

Mechanisms for the advancement of women's rights: Civil society and government participants interviewed pointed out that Women's Secretariats (SMs) have turned out to be efficient mechanisms for impacting policies, programs, and accompanying cases. These institutions have even incorporated legal areas that have taken a proactive role of strategic defense against the actions or resolutions of other sections of the government. The case of Oaxaca was referred to as one that, despite scarce budgetary resources and institutional difficulties, had solid defense programs.

Courts Specialized in Family VAW in Coahuila: Informants consider that the experience in these courts was shown to provide integral attention not only to victims but also to their families, creating conditions to better identify the best roadmaps for damage reparation. Its function is to concentrate all legal matters related to domestic violence in a single judge so that survivors do not have to go through several court hearings or trials to assert their rights.

INNOVATIVE MECHANISMS

Online complaints and immediate response: Interview participants identified an innovative practice for filing criminal complaints at the state level, where women could make a pre-report online and fill out their data and preferred form of contact. The assigned institution contacts her to see if the woman chooses to make her complaint in person, by phone, or at a particular time in their home. According to previous evaluations, this option also exists in other states, but unfortunately, it is less effective.⁷⁷

Worktables or working groups: Named in different ways, there are few spaces for interaction and dialogue between survivors, CSOs, and authorities that facilitate the monitoring of cases, inter-institutional work, organization and communication processes, and proactive work even to develop policy documents. Quote 22 presents an illustrative view of a CSO staff member:

“And in other projects that I have participated in, for example, the Canada Fund or the UK, we have set up these inter-institutional worktables that I think also have a lot of impact, because the different institutions of the Judiciary with the Police, the Prosecutor's Office, together can gather strength, they can clarify issues. They can, just like with dialogues with civil society, I think they can make known, for example, what protection orders are for, what they are for, why they should use them and

⁷⁶ FGJ-CDMX (2022) Centros de Justicia para las Mujeres. <https://www.fgjcdmx.gob.mx/nuestros-servicios/en-linea/mp-virtual/centros-de-justicia-para-las-mujeres> (last accessed, May 2, 2022)

⁷⁷ CONEVAL. (2019). Diagnóstico y Propuesta de Atención. Programa de Apoyo a las Instancias de Mujeres en las Entidades Federativas. (PAIMEF). México: Sedesol. <https://www.coneval.org.mx/Evaluacion/Paginas/InformeEvaluacion.aspx#k=paimef> (last accessed, May 2, 2022)

who is responsible for each thing. And I think that is basic to be able to have an effective resource.”

Quote 22: CSO staff member, woman

OPERATIONALIZING CHANGE: RECOMMENDATIONS FOR USAID

Participants struggled to envision recommendations for sustainable institutional change working in the near term for FTF prevention, mitigation, and protection, in absence of addressing long-standing, systemic institutional failures that underpin GBV and precede FTF. The survivors’ main practical near-term recommendation was to address on the impacts that the FTF has on their lives and those of their families. A synthesis of survivor recommendations combined with insights and evidence available from relevant literature produced the following recommendations organized by the three windows of intervention opportunity: A) prevention, B) protection, and C) access to justice. Due to the broad spectrum of areas that need to change both within government institutions (from the federal government to local municipalities) and at the societal level in relation to the normalization of GBV and the resulting impunity, the participants did not specify USAID as the recipient of the recommendations. However, we enlist the following recommendations as areas of opportunity where USAID specifically can continue its work in partnership with CSOs and government institutions to generate important changes in the areas of FTF and GBV impunity:

A. GBV/FTF PREVENTION

1) Primary prevention: Stop cycles of GBV and FTF before they start or repeat. Participants noted the difficulty of prevention in FTF cases. Their recommendations highlight the need to start with the prevention of GBV and other types of violence in all spheres of life, including the home, school, workplace, and public spaces as sites of intervention. Particularly, participants mentioned the need to work with the media to prevent the ongoing social normalization or validation of GBV in instances such as disseminating photographs of murdered women, reproducing gender stereotypes, or narratives and images that romanticize violence. The recommendation that participants mentioned most was primary prevention in primary and secondary schools, including cross-cutting programs to reflect on and transform masculinities and gender equality, sexual violence prevention, dating and sexual consent practices, healthy relationship communication, and the use of visual educational tools such as "Violentometer," or "Power and Control Wheel," among others, as mentioned.

2) Secondary and tertiary prevention. Provide GBV and FTF survivor support services including psychosocial and economic recovery assistance in the immediate, and mid- to long-term. The survivors interviewed indicated the importance of working in the immediate to mid-term and over the long-term to achieve economic autonomy among women to break with economic dependence from perpetrators, as well as the importance of complementing these projects with psycho-emotional support. Government actors stressed the importance of psychological trauma recovery therapy and accompaniment for people facing GBV and the follow-up of these processes so that such therapies are carried out long enough to be effective for preventing ongoing negative effects of trauma on mental and physical health, education, and economic outcomes over the life course. Likewise, on this topic, participants recommended increasing greater access to information so that the public may develop positive views toward and reduce stigma against psychotherapy and survivors accessing psychological

support services Empowering women economically could also increase risks of violent retribution from an intimate partner or household member, therefore these programs must be accompanied by immediate, mid-term, and longer-term interventions engaging men as allies in women's economic empowerment and gender equality.

B. GBV/FTF PROTECTION AND RESPONSE

RECOMMENDATIONS AT THE INSTITUTIONAL LEVEL

3) Support and monitor ongoing training and performance evaluation, and tie licensing, certification, salary increases, and promotions of law enforcement professionals to accountable implementation for gender inclusive, survivor-centered, trauma-informed procedures for handling GBV/FTF cases. Although interview participants criticized current law enforcement training on GBV topics, they also highlighted the urgency of appropriate ongoing training, performance evaluation, and accountability mechanisms for professionals on implementing a gender-inclusive, survivor-centered, trauma-informed approach for all staff of institutions that interact with GBV survivors. Participants believe this training should include all levels of staff and that it should be focused on sustained and accountable behavior change with specific role competencies and performance evaluation necessary for promotions and salary increases. The training must be based on performance standards and aim to develop a survivor-centered and trauma-informed approach which takes into consideration the needs and security of the survivors, with a gender, intersectional, and cross-generational approach. Ongoing training and performance monitoring efforts should prioritize first responders in law enforcement and health sectors, and the authorities who interact with GBV/FTF victims and survivors first, including those of forensic analysis, since the outcome of many criminal trials greatly depends on gathered evidence.

4) Review, standardize, implement, and evaluate existing investigative protocols from a gender-inclusive, survivor-centered, and trauma-informed approach. This includes FTF protocols. While informants recognized that federal and state protocols have been developed, their implementation has either not responded to the needs of survivors or have not been suitable for improving authorities' performance and coordination. Protocols must serve to standardize authorities' work across all states, reduce discriminatory and stigmatizing stereotypes in investigations, measure and evaluate performance, streamline procedures, and improve GBV care support for survivors within and across law enforcement, physical and mental health, economic assistance, legal aid, shelter, and protection sectors to uphold diverse survivors' social, economic, and political human rights. Protocols must also be accessible in plain language and indigenous languages so that victim supporters and survivors may be able to monitor progress and results. Protocols should include coordination guidelines and mechanisms to reduce bureaucratic burdens and related delays. Regarding specialized prosecutors, interview participants suggest having at least standardized procedures and decision criteria at the national level, so it is important that the investigation protocols are national and not local options.

5) Expand and strengthen Task Forces Units to improve investigation and prevent future crimes using data. Continue with the implementation and strengthening of GBV investigation through the use of Task Forces or Context Analysis Investigation Groups across the country. These are specialized groups, prepared for the response to an investigation of GBV/FTF/disappearance crimes, as a way of avoiding dealing with them on a case-by-case basis. Informants discussed the need for better statistics on FTFs, mainly on gender and sexual diversity, which is often not recorded in FTF or enforced

disappearance statistics. These Task Forces should analyze existing data to inform public policies and establish focused strategies to identify FTF patterns, priority areas, procedural failures, and other areas of opportunity for improvement. These investigation groups must analyze the links between the disappearances of girls and women and FTF and use that information to improve investigations and prevent such crimes. In those cases where the Local Attorney Offices do not have established task forces or context analysis units, clear internal procedures on the collection and use of evidence and information for criminal investigation are required.

6) Support, strengthen, and/or evaluate the institutions that enforce the rights of GBV/FTF survivors beyond the criminal justice system. Women's Justice Centers (CJMs), Victims' Executive Commissions (CEVs), special prosecutors, and the Women's Secretariats (SMs) are recognized as supportive institutions. However, the quality of and funding for their work depends on the political will and budgeting decisions of the director and the state where they are implemented. The CJMs growth could be seen as positive if every CJM were to be resourced to work from an accountable, survivor-centered, trauma-informed approach. Regarding Women's Secretariats and other advancement mechanisms, they suggest supporting their work, to standardize their procedures, their activities, the development of internal policies, and evaluation mechanisms. FTF Survivors noted that CEVs have poor results because of a lack of resources to support victims and because they do not follow a survivor- and human rights-centered approach. For this reason, we find it is important to determine their purpose and to develop a path to strengthen the services they offer.

- a) **Promote their importance and the services they provide outside the criminal justice system.** Strengthen a communication strategy that promotes the services that these institutions provide and that include social work, psychological support, child support, medical support, economic empowerment, and counseling to access all the social benefits provided by the federal, state, and municipal governments, including scholarships for children and FTF survivors, post-traumatic counseling, and reintegration into the labor market, amongst others.
- b) **Support their sustainability.** The services provided by these institutions depend on the political will of the authorities. Therefore, it is important to promote a homogeneous legal framework, a clear budget for its operation, and mechanisms for the participation and accompaniment of civil society that facilitate transparency and legitimacy.

7) Redesign Gender-based Violence Alerts (AVGM). There was a consensus among participants that the AVGM do not work and have not achieved their main objective. Evaluate the effectiveness of the AVGM to identify how to improve them as a tool in strengthening accountability pathways for survivors.

8) Develop quantitative and qualitative research specifically for informing Transfemicide prevention, protection, and justice programs. In the case of transfemicide, more quantitative and qualitative studies are needed to understand the types, causes, and consequences of this violence and to design tools and programs to understand and prevent, and for attention and response, specifically tailored to combat existing misconceptions and stigmatization towards this group. This research should

be carried out by members of the transgender community to ensure that the voices of the community are included and thus avoid actions that reproduce processes of discrimination or misrepresentation.⁷⁸

LEGISLATIVE CHANGES

9) Approve non-discriminatory legal identity change procedures in all Mexican states. There are currently 13 states in the country that allow a change of name based on gender identity. Participants recommended that these changes be made nation-wide to ensure the protection of LGBTQI+ people under the law and that the procedures should be minimally burdensome instead of lengthy and onerous trials.

10) Standardize the criminal definition of *feminicidio*. USAID could encourage relevant institutional partners in the government of Mexico to ensure all femicide criminal definitions in the country are as standardized as possible, respecting the autonomy of the states.

C. GBV/FTF JUSTICE

RIGHT TO AN ADEQUATE DEFENSE

11) Increase and sustain support for non-governmental organizations that directly defend GBV/FTF victims and survivors. Participants pointed out the importance of supporting organizations that legally defend survivors, be they CSOs, private firms, schools, or *colectivas*. Supporting a broader range of organizations was considered necessary by participants with legal training, legal resources for FTF cases, psychological support for their personnel, and increased visibility of their work. Participants recommended generating *pro bono* programs in law firms or in bar associations using tax incentives; develop greater capacity of law schools and use social service programs as a tool to provide effective, gender-sensitive, and cost-free defense services to FTF survivors; and to design specific financing programs for cases that require a high technical specialization. Access to mental health services and training on vicarious trauma should be available to staff working in these organizations because of the great potential for negative effects on emotional and physical health in working with survivors and victims of GBV and FTF.

12) Create and sustain support for GBV survivor-centered, trauma-informed, specialized legal advisors. Specialized institutional legal advisers can provide support through four institutions: victim commissions,⁷⁹ women's justice centers⁸⁰ and, in cases where there are legal powers to do so, women's secretariats⁸¹ and public defenders' offices.⁸² Although the present case study was not able to

⁷⁸ Since 2021, INEGI has implemented the National Survey on Sexual and Gender Diversity (ENDISEG) with two samples, one quantitative and one qualitative (2022). According to INEGI data, during 2021, of 4.6 million people who self-defined as LGBTQI+, 908.6 thousand defined themselves as Trans+. A specific section on violence was not found. See INEGI (2022). National Survey on Sexual and Gender Diversity (ENDISEG) 2021. <https://www.inegi.org.mx/programas/endiseg/2021/> (last accessed, July 11, 2022) and Encuesta Nacional sobre Diversidad Sexual y de Género WEB (ENDISEG WEB) 2022 <https://www.inegi.org.mx/investigacion/endiseg/2022/> (last accessed, July 11, 2022)

⁷⁹ México Evalúa (2022). Repara el Estado daños a sólo el 0.30% de las víctimas. <https://www.mexicoevalua.org/repára-el-estado-danos-a-solo-el-0-30-de-las-victimas/> (last accessed, July 07, 2022)

⁸⁰ INEGI (2022). Centros de Justicia para las Mujeres en México 2021.

<https://www.inegi.org.mx/contenidos/saladeprensa/boletines/2022/especiales/CtrosJustMuj.pdf> (last accessed, July 07, 2022)

⁸¹ Secretaría de las Mujeres (2022). Abogadas de las mujeres. https://www.semujeres.cdmx.gob.mx/servicios/servicio/abogadas-de-las-mujeres_MP (last accessed, July 07, 2022)

⁸² Diario Oficial de la Federación (2021). Acuerdo General del Pleno del Consejo de la Judicatura Federal, por el que se autoriza al Instituto Federal de Defensoría Pública a realizar la representación extraordinaria de las mujeres y personas gestantes criminalizadas por ejercer su derecho a interrumpir su embarazo, así como a los familiares de víctimas de feminicidio.

https://www.dof.gob.mx/nota_detalle.php?codigo=5631328&fecha=30/09/2021&print=true (last accessed, July 07, 2022). The National Census of State Government, Public Security and Penitentiary System 2020 (INEGI, 2021) reports that 12 public defender's offices have specific personnel for legal advice. See <https://www.inegi.org.mx/programas/cngspspe/2020/#Tabulados> (last accessed, July 07, 2022)

carry out a nationally representative sampling exercise, participants pointed to the inadequate technical capacities of the legal advisors at the victims commissions (at the federal and state levels), in general, and for the need for skillful, survivor-centered, trauma-informed representation of GBV survivors, including transgender victims and survivors. Some of the main weaknesses identified were when interviewing victims, creating a case file, presenting evidence, or their general behavior during an oral hearing. Anecdotal evidence about the other institutions indicates a better perception about legal advice, depending on the state. From the perspective of survivors, legal support must be survivor-centered, trauma-informed, and comprehensive. To reduce the asymmetries of legal advice in the different institutions and achieve a better quality of justice for survivors of GBV and FTF, it is important to guarantee an adequate defense based on the best experiences of legal advice in the country, such as the Federal Public Defense Office, which, amongst other actions, has implemented a professional civil service career, mandatory specialization by area, work planning that prioritizes groups in a particularly vulnerable situation, periodic regulatory updating training, first contact referral mechanisms, own experts' services, quarterly reports, and monitoring and evaluation systems based on performance indicators.

CIVIL SOCIETY

I3) Provide sustained support for those who deliver gender inclusive, survivor-centered, trauma-informed recovery and justice services for GBV/FTF victims and survivors. CSOs directly supporting diverse GBV/FTF survivors indicated that their resources are insufficient compared to the needs and the number of cases they support. Many of them are unable to access international funds since they do not meet the legal and/or technical requirements required by these institutions. The support they require includes the payment of staff, support for defense cases, psychological support, or funding for specific activities such as temporary shelter for survivors threatened by the authorities, perpetrators, or organized crime that force them into internal displacement. Additionally, CSOs report that international aid should be diversified to include not only large CSOs, but also more local organizations, including *colectivas*.