

The Strategy at Work: Two In-Depth Analyses

Arcus' Work in Mexico

Mexico is the largest (128 million people) of the Foundation's 11 focus countries outside the United States and the only one where the government is not openly hostile to LGBTQ people.

2020 Social Justice Grantee Partners Based in Mexico



Political Environment

President Andres Manuel Lopez Obrador (often known by his initials AMLO) and his governing party, Morena, are generally seen as progressive on LGBTQ issues; in June 2021, two trans women from his party were elected to Congress, a first in Mexico. AMLO speaks about equality for all, including marginalized groups, among which are LGBTQ people. He marked the International Day Against Homo-Bi-Trans-Phobias, and his party has considered taking legislative action to outlaw conversion therapy (a measure that was adopted in Mexico City in July 2020), reduce hate crimes, and recognize the human rights of LGBTQ people. For over a decade, Mexico has been a leader at the United Nations and the Organization of American States on the recognition

of LGBTQ human rights. However, AMLO's presidential bid in 2018 relied on a coalition that included a conservative evangelical party, and he believes in referenda, as opposed to legislative processes, as a means to recognize LGBTQ human rights. Also troubling is that, as president, he's taken measures that demonstrate a distrust of civil society (e.g., he cut federal funding for NGOs on the belief that government should help people directly) and was criticized for weakening democracy and the rule of law by increasing the role of the military in the economy. Grantees have also informed us that there are women in the current government who define themselves as "feminists" but do not recognize transgender women as women, which makes it difficult to advocate at the federal level for trans legal protections. As a result, many advances in LGBTQ human rights in Mexico, including federal recognition of same-sex marriage and gender-identity protections, have come through the courts.

The social environment is mixed. Compared to other regions of the world, LGBTQ Mexicans can freely form LGBTQ organizations, express themselves in the media (which features the most respectful reporting on LGBTQ people among our focus countries, according to the Arcus baseline media scan), and enter into direct dialogue with public authorities up to the highest level. In one opinion poll reported by the Williams Institute in 2021, 83% of respondents agreed that the government should enact antidiscrimination protections for trans people. However, levels of violence and discrimination are extremely high across all populations, especially impacting LGBTQ people. SOGI-motivated murders are among the highest in the world (459 LGBTQ murders documented in the last five years), and often lack proper government investigation. (A federal statistics agency quoted by the U.S. State Department estimated that, in 2020, 94% of all crimes in Mexico, including those targeting LGBTQ people, were either unreported or not investigated.) A 2019 poll by the country's National Human Rights Commission found that 6 of every 10 LGBTQ people reported experiencing discrimination in the past 12 months and more than half reported incidents of hate speech and physical aggression.

The Catholic Church is very influential (over 80% of Mexicans are Catholic) with a mixed record on LGBTQ issues. While there has been some dialogue by the Church with LGBTQ people, Church officials still make anti-LGBTQ statements. In July 2020, the National Human Rights Commission

condemned the Roman Catholic diocese of Mexicali for inciting homophobia by calling for anti-LGBTQ protests and, in March 2020, the Mexican LGBTTTTI+ Coalition repudiated the Bishop of Cuernavaca's statement that COVID-19 is a punishment from God for defending LGBTQ people's and women's rights.

Arcus' Funding Approach

Because few U.S. foundations and other donors support LGBTQ work in Mexico, Arcus helps to fill a gap in funding. This gap is more serious in comparison to the other focus countries in Central America or Africa where we fund. While the funding we provide is significant for our grantees, there are inherent risks when we are the sole institutional donor to an organization or project, most important among them is the risk to an organization's financial sustainability. Fortunately, colleagues at Wellspring have been able to co-fund several groups with us.

The LGBTQ movement in Mexico is fragmented, with many organizations staffed by volunteers and with very limited resources.

Our funding supports a large number of groups by and for those pushed to the margins, including trans people (via intermediaries) and various trans leaders (via a grant to the Mexican LGBTTTTI+ Coalition); muxe in Oaxaca (Indigenous gender variant and trans women, our first grant focused on Indigenous people outside the United States, via a grant to Mexfam; intersex people (via Astraea's Intersex Fund); refugees and migrants (via grants to Fundación Arcoiris and Human Rights Watch); lesbian and bisexual women (via Fondo Semillas as an intermediary and Las Reinas Chulas, which is focused on bisexual women); and LGBTQ people in detention (via a grant to COMCAVIS TRANS in El Salvador, with a partner group in Mexico, Almas Cautivas).

Grantees in Mexico are pursuing great opportunities for change, especially through their ability to work with government officials at all levels and in all branches. There is also support from the courts at both the federal and state levels, which have ruled favorably in individual and strategic cases (the Supreme Court of Mexico even accepted an award from the national Mexican LGBTTTTI+ Coalition in 2019, in recognition of its judgments). Arcus currently supports three groups that conduct litigation in cases that have the potential for strategic legal impact: Amicus DH and GIRE (Grupo de Información en Reproducción Elegida), both focused on trans people, and a strategic litigation network in Latin America that includes Mexico (grantee: Colombia Diversa). There is a strong government-appointed National Commission Against Discrimination (CONAPRED, by its acronym in

Spanish), with several leaders of our grantee organizations serving in its consultative assembly. A growing number of Mexican states have enacted policy protections that include LGBTQ people. However, the country's federal system is decentralized, so nationwide change takes time and resources.

Arcus contributes to increased safety and legal protections at the federal level by investing in the development of the Mexican LGBTTTTI+ Coalition, a broad coalition of diverse groups from across Mexico that have an ambitious policy agenda, prioritizing marginalized groups and particularly trans women. Arcus was the first large donor to the coalition and Wellspring Philanthropic Fund has provided additional support. A likely long-term outcome of this effort is a stronger nationally organized LGBTQ base, representing the community's views to government and society at large, with periodic reviews of federal government policies on LGBTQ human rights and a check on political parties' related platforms.

In the area of safety, support to Letra S funds documentation of hate crimes and advocacy among prosecutors and government human rights commissions against impunity. This work occurs within a multi-organization network, SinViolencia, which documents hate crimes in nine countries, including El Salvador, Guatemala, and Honduras, in addition to Mexico. The long-term potential for this network is also to document discrimination in employment, health, and education, and to advocate for policy remedies.

Another opportunity is the investment in a developing trans movement, toward an eventual national organization of trans people (currently there is no national platform for trans groups to come together and adopt national joint strategies). Our support responds to the critical needs of trans people, primarily regarding their safety, as they are the targets of much of the anti-LGBTQ violence and discrimination. (Forty-three murders of trans women, with an average age of 30, were documented in 2020 by grantee Letra S). The primary intermediary for regranteeing in Mexico, the feminist group Fondo Semillas, is committed to trans inclusivity and to funding trans groups. Our grant to Fondo Semillas is coordinated with Wellspring as a funding partner, in terms of purpose, amount, and duration.

Many Mexican activists participate in regional networks and organizations, often as leaders. Among those are groups that Arcus already supports, including the regional membership group ILGA-LAC; SinViolencia network, documenting hate crimes; the Latin American Litigation Network; Corpora en Libertad Network, supporting LGBTQ people in detention; as well as regional and international advocacy efforts, such as

the Organization of American States and the United Nations, where Mexico plays a lead role in supporting the recognition of LGBTQ human rights.

Finally, with regard to LGBTQ migrants and refugees, our funding in Mexico offers us the opportunity to support this marginalized population on both sides of the southern U.S. border and to contribute to grantees' sharing of information and strategic thinking. Mexico has a unique place in this context, as a source (Mexican migrants and refugees to the United States), a destination (many Central American and other migrants and refugees who enter Mexico on their way to the United States eventually stay in Mexico; over 40,000 Hondurans applied for asylum in Mexico in the first five months of 2021), and a way station.

Early Areas of Impact

GOAL 1 Increased Safety

- **Grantees documenting and addressing violence and discrimination.** Letra S documented 79 murders of LGBTQ people committed during 2020, with over half of them trans women. One factor in this number, which is about one-third lower than the year before, is likely pandemic-related confinement. Letra S held 18 meetings with criminal justice officials that led to follow-up in several cases and the creation of a working group with the General Prosecutor's Office to develop a special protocol to investigate crimes against LGBTQ people. In one case, advocacy by Synergía led to a proper investigation of the murder of a trans activist in Guanajuato.

COMCAVIS TRANS, partnering with Almas Cautivas, published three reports in 2020 on trans women in detention, the implications of the pandemic on LGBTQ people in detention, and the promotion of the rights of trans women in Latin America. These reports were submitted for a consultative opinion of the Inter-American Court of Human Rights on LGBTQ people in detention.

- **Protecting, empowering, advocating for those most vulnerable.** In Oaxaca State, Mexfam conducted a dialogue with and virtual training of 50 officials who have responsibilities in the administration of justice and social inclusion (including the general director of the Civil Registry and the State Human Rights Commission) regarding the safety, gender-identity recognition, and other human rights of muxe (Indigenous gender variant and trans women). In addition, after a muxe woman was arbitrarily detained, Mexfam successfully advocated for the development of an internal protocol on emergency responses

in cases of violence based on gender identity. Mexfam's muxe conference drew about 150 participants in Oaxaca.

Letra S conducted additional trainings with 36 prosecutors and 44 lawyers from across Mexico and the Central American region, and Fondo Semillas' subgrantee LEDESER conducted the "Seminar on Gender and Sexual Diversity" with the government of Michoacán State, training judges and legal operators of the Civil Registry about LBT women and specifically trans human rights.

Advocacy with health and municipal authorities by Fondo Semillas' subgrantee Colectivo Feminista Cihuatlahuolli enabled trans sex workers to gain increased access to health services in Veracruz.

Fondos Semillas' subgrantee Mujeres de UDJ was able to secure the release of a lesbian in Jalisco State from a conversion therapy center where she was being held against her will.

- **Community-defined safety initiatives.** Fundación Arcóiris is the lead organization for the National Network to Support LGBT Migrants and Refugees in Mexico consisting of 20 LGBT groups in 17 of the 32 states. The network created a map of migration routes with services available to migrants and refugees; trained 302 people from member organizations and other institutions, including shelters, in how to assist LGBT migrants; and provided direct humanitarian assistance.

Amicus DH is developing a website (identitrans.org) that will contain guides for each Mexican state and for Mexican citizens living abroad on how trans people can change their names and genders on identity documents. To date, the first guide has been finalized.

GOAL 2 Increased Protections

- **Policy advocacy.** Mexico City's legislature adopted a ban on conversion therapy, relying in part on the U.N. SOGI Expert's related report, among other types of input.

Amicus DH's assistance and advocacy has enabled trans people under 18 to change their names and gender markers on their birth certificates in the State of Jalisco. Synergía successfully advocated in three states for administrative procedures for the change of gender markers for trans individuals, either by administrative decision (Nuevo Leon) or by legislative provision (Jalisco and Sonora).

- **Impact litigation.** Colombia Diversa and Promsex have created an LGBT litigation network that held its first

meeting in Bogota, Colombia, in 2019 with 46 participants from 14 Latin American countries, including Mexico. The network published a legal analysis of the binding force of the decisions of the Inter-American Court of Human Rights, including its consultative opinion on LGBT human rights of 2017.

GOAL 3 Increased Acceptance and Inclusion

- **Fair media coverage.** As a result of efforts by Mexfam, the strengths of and challenges to muxe women in Mexico were reported in 15 local and national media reports. The work of Mexfam, Almas Cautivas (a partner of COMCAVIS TRANS), the Mexican LGBTTTI+ Coalition, and Letra S were accurately reported in the media.

Our Work in Arizona and Georgia

Arizona: Context

2020 U.S. Social Justice Grantee Partners: Arizona

ARIZONA

- Equality Arizona Foundation
- The Outlaw Project
- Trans Queer Pueblo
- Borealis Philanthropy for Transforming Movements Fund*

*In 2021, this fund changed its name to Emerging LGBTQ Leaders of Color Fund.



Arizona presents the Arcus Foundation with significant opportunities and a legacy of challenges.

The racial demographics of Arizona indicate that the state is soon likely to be one of a growing number of states with a “new American majority” population, i.e., a majority of residents of color. Currently, Arizona is 50% white, 43% Latino, and 7% Black and Asian. This type of demographic profile was originally identified as one of the attributes the Social Justice Program was considering when we identified the five states in the southern tier where we would focus. We were also looking for states demonstrating high potential to become true battlegrounds that could “flip” to a pro-LGBTQ-equality environment through both demographic change and emerging organizing infrastructure. Just a few years later, we see this happening.

Ongoing tensions on the state’s border with Mexico have exacerbated a history of explicit racism and nativism among some residents. One encouraging sign was the reaction to

the 2010 passage of SB1070, an anti-immigrant law that made it illegal to fail to carry immigration papers, barred people from hiring or knowingly transporting unauthorized immigrants, and allowed police to detain anyone suspected of being in the country illegally, among other provisions. The law galvanized a generation of Latinos to run for political office and get politically involved and gave rise to a spirit of activism among young immigrants.

These changes are evident in the growth and development of grassroots organizations in the state run by and for Latinx communities that combine service, advocacy, and organizing. These organizations meet the immediate daily needs of communities while in turn developing a base of constituents who trust them to advocate for local and state policy protections and to mobilize voters. For example, the executive director of Puente, a Phoenix-based service, advocacy, and organizing hub, won a seat in the Phoenix City Council and is helping lead major policy changes long deemed priorities by this community. He is also a longtime member of Mijente, an organizing and direct-action group that works in Arizona and other states and has been indirectly supported by Arcus through the Transforming Movements Fund (renamed the LGBTQ Emerging Leaders of Color Fund).

These groups work intersectionally on many issues, including LGBTQ rights, which has enabled a reorganized and strengthened Equality Arizona to connect into an existing ecosystem of social justice organizations. And while Arcus does not support election-related campaigning, it is important to note that elections are often opportunities to test and demonstrate the power and influence of communities on the ground. That power is built by the types of organizations Arcus supports—specifically at the local, state, and regional levels—each day, year-round through authentic non-lobbying community engagement and base building.

Despite these positive changes, the current LGBTQ policy landscape in the state remains a challenge. The Movement Advancement Project rates Arizona’s overall policy status as “low,” its sexual orientation policy as “fair,” and its gender-identity policy as “negative.”

Arizona: Early Areas of Impact

Arcus’ funding in Arizona is relatively new, most of it beginning in 2019. In addition to Equality Arizona and indirect funding of Mijente, we also support Familia, a national organization focused on trans justice, especially with regard to refugees and migrants, and Trans Queer Pueblo.

GOAL 1 Increased Safety

- **Protecting, empowering, and advocating for those most vulnerable.** Trans Queer Pueblo directly supported 49 LGBT migrants to gain their release from detention. Even though its efforts to connect with migrants in detention by regular visitation was disrupted by the pandemic, the organization was still able to make some visits and sustain letter-writing campaigns.
- **Community-defined safety initiatives.** As the pandemic impacted its state, Equality Arizona prioritized the safety both of its constituents and first responders by connecting more than 10,000 Arizonans to a statewide mutual-aid network to meet their needs during the pandemic and by providing PPE to three southern Arizona hospitals during the first wave of COVID-19.

Trans Queer Pueblo recruited and trained two volunteer lawyers to support legal-aid work and hosted one name-change clinic. The group also established an infrastructure to reach its base of members to check in on wellbeing and provide support as needed throughout the pandemic.

GOAL 2 Increased Protections

- **Base building for power and influence.** In order to make the case with elected officials for increased protections, Equality Arizona organized more than 500 community members to participate in over 100 face-to-face dialogues and interviews with elected officials and candidates for public office.
- **Policy advocacy.** Equality Arizona along with ONE Community, a coalition of socially responsible businesses in the state, contributed to the successful enactment of a nondiscrimination ordinance in the city of Mesa.

Georgia: Context

2020 U.S. Social Justice Grantee Partners: Georgia

- **GEORGIA**
 - Faith in Public Life
 - Forward Together
 - Equality Foundation of Georgia
 - Solutions Not Punishment Collaborative (SNaPCo)
 - Proteus Fund for Rights, Faith & Democracy Collaborative
 - SPARK Reproductive Justice NOW



Like Arizona, Georgia is a state in transition, moving in the 2020 election from deep red to purple. Demographically, it is 60% white, 30% Black or African American, and 10% Latinx and Asian.

But also like Arizona, the LGBTQ policy profile is challenging, receiving an overall rating by the Movement Advancement Project of “low,” a sexual orientation policy rating of “low,” and a gender-identity policy rating of “negative.”

Georgia: Early Areas of Impact

The ecosystem of Arcus grantees working in Georgia is anchored by the state equality organization, Georgia Equality. Its work on policy advocacy is supported by Arcus grantees Faith in Public Life, the Georgia Rights, Faith & Democracy Coalition (a grantee of the pooled Rights, Faith & Democracy Collaborative at Proteus), and SPARK Reproductive Justice NOW. At the local level in Atlanta is SNaPCo (Solutions Not Punishment Coalition), a grassroots group by and for trans women of color that focuses on criminal justice reform. Long-time Arcus grantee SONG is a regional organization that collaborates across social justice issues with grantees in Georgia. Finally, most recently, Forward Together, whose work in New Mexico Arcus has funded for a number of years, has begun to organize in Georgia.

GOAL 1 Increased Safety

- **Protecting, empowering, and advocating for those most vulnerable.** On May 7, 2019, Atlanta Mayor Keisha Lance Bottoms signed legislation that would close down and repurpose the Atlanta City Detention Center. SNaPCo director Toni-Michelle Williams served on the policy working group for the Reimagine ACDC Taskforce. Included was specific advocacy for the repeal of policies that criminalize trans people in Atlanta, such as arrest for disorderly conduct, solicitation, idling, and loitering. In November 2019, SNaPCo hosted over 80 Black TGNC and queer people to discuss and reimagine the use of ACDC.

SONG won a seat at the table on the Atlanta City Council task force to repurpose the city’s jail.

GOAL 2 Increased Protections

- **Base building for power and influence.** SONG’s ability to mobilize its base in 2020 contributed to the election of two new Georgia county sheriffs who, unlike the incumbents, committed to ending cooperation with the Immigration and Customs Enforcement (ICE) agency. SONG’s work in Georgia was aided by the growth of its base across

the U.S. Southeast, with 1,000 new members and 11 new chapters founded across eight states.

Georgia Equality implemented a plan to reach over 450,000 pro-equality voters in the general election and expanded this to a universe of 650,000 voters for the subsequent runoff elections. To this end, it built a volunteer base of 500 who put in 110,000 volunteer hours and made over 25,000 phone calls and sent nearly 500,000 text messages. This cohort of 650,000 pro-equality voters will be mobilized by Georgia Equality going forward, which is especially significant as Georgia is becoming increasingly more important in national elections. To aid in this effort, the organization has hired a southern regional field organizer to expand its reach to underserved areas of the state.

SPARK focused on expanding its digital organizing campaign and leadership development programs, which resulted in engaging over 700 queer and trans BIPOC and expanding its active membership base by more than 100 members. SPARK also launched its Trans Health Policy Report, which includes a virtual resource of trans-affirming services across the South, and released an updated zine to amplify member artwork. To bolster queer and trans BIPOC power building in the South, SPARK hosted a series of political education workshops and skill shares and held a zoom townhall, all led by members. As a result of this work, SPARK continued to shift political and cultural narratives around gender, racial, and reproductive justice in the South by centering the leadership of young queer and trans BIPOC. More organizations, community members, and partners have connected with SPARK around its focus on centering queer, trans, and Black liberation within the reproductive-justice movement.

- **Policy Advocacy.** Georgia Equality successfully advocated for the passage of a comprehensive hate crimes bill in Georgia. Passage of this legislation has been a goal of a multiracial and interfaith coalition for decades and represents the first time that sexual orientation and gender have been enumerated as protected categories in any Georgia law. While they were not successful in having “gender identity” explicitly named, legal scholars from the Movement Advancement Project, Lambda Legal, and the Human Rights Campaign and from within the Georgia Attorney General’s office all agree that the language passed will offer protections for individuals who identify as transgender, nonbinary, or gender nonconforming. Importantly, through this work, Georgia Equality built deeper coalition ties to Georgia NAACP and other groups working for racial justice.

Georgia Equality also helped advocate for the passage of seven local nondiscrimination ordinances, including three outside of metro Atlanta.

The Rights, Faith & Democracy Coalition working in Georgia defeated three municipal RFRA (i.e., religious refusal) ordinances and raised the total number of cities offering comprehensive nondiscrimination protections (with limited religious exemptions) to 11. The combined efforts of partners and allies statewide, including Faith in Public Life and Georgia Equality, ensured no anti-equality legislation passed in Georgia for the seventh year in a row.