



CENTRO DE  
RECONOCIMIENTO  
DE LA DIGNIDAD HUMANA

**GENDER-BASED VIOLENCE  
PREVENTION AND INTERVENTION  
PROTOCOL**



**Tecnológico  
de Monterrey**

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## Preface

To achieve a permanent culture of respect and free of gender-based violence, Tecnológico de Monterrey® considers it necessary to adopt this protocol to set a transparent and collegiate process that ensures the integrity of the university community.

As a non-profit private upper secondary and higher education institution with campuses and facilities in a part of the Mexican territory, the purpose of this document is to seek and ensure an environment of respect for human dignity and human rights within our community and with those who come from other Universities within the International Exchange Program, or any type of exchange, collaboration or relationship with the Institution.

Tecnológico de Monterrey® must contribute to the eradication of inappropriate conduct that violates human dignity. By following the submission of compelling evidence of conduct that violates this dignity, the Institution will act firmly through the process established for such purposes within a framework of respect for all the parties involved.

This document proposes an immediate action plan by our institutional instances to prevent gender-based violence, which includes violence against the LGBTIQ+ community, to provide fair and transparent care to reported cases. This action plan is consistent with internal regulations and human rights.

Likewise, this document integrates principles that attend to the specific nature of cases of gender-based violence, which is different from other types of violence. Avoiding revictimization and prioritizing testimonial information are its guiding principles.

Thus, this protocol seeks to improve the quality of life of possible victims by offering them a safe environment in their living, studying, or working environment. This environment encompasses interpersonal relationships and the interactions that the diverse community of Tecnológico de Monterrey®

builds every day, therefore, includes students, graduates, faculty, and academic collaborators, in addition to managers of all the Tecnológico de Monterrey® Campuses and their Work Centers. Since this originates within the Institution, ethical or moral values will establish its competence in identifying inappropriate behavior. It will not issue legal judgments on criminal acts that supersede a legal process. Thus, whoever decides to use this Protocol is urged to report cases of gender-based violence suffered to the competent authorities in parallel within the Tecnológico de Monterrey® and its Work Centers.

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**SECTION I  
GENERAL PROVISIONS**

**Sole Chapter  
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**Article 1. Subject of the Protocol**

This Protocol is of general observance to the Tecnológico de Monterrey® community and its Work Centers. To uphold the principles and values established in the vision of the Institution, the purpose of this document is to prevent, attend to, investigate, and punish acts of gender-based violence perpetrated among members of the university community and Work Centers. While handling reports, an ethical-moral perspective will guide the analysis and assessment of gender-based violence behaviors.

The behaviors assessed will be those contained in this Protocol; the competent disciplinary authorities of the Institute will handle all other unforeseen behaviors for the analysis of the root cause, and they will evaluate and eventually impose, where appropriate, disciplinary consequences, as established in the General Student Regulations, or according to the provisions of Talento.

**Article 2. Institutional policy**

Tecnológico de Monterrey® assumes the commitment to eliminate violence, harassment, discrimination, and inequality based on gender and identity, as well as to promote equal opportunities among people through affirmative and forceful actions, such as the design and development of training plans and programs, research and outreach about equality and non-gender-based violence, which will add to the values of innovation, integrity, collaboration, empathy, inclusion, and global citizenship to guarantee a harmonious environment that promotes the free personal and professional development of its members.

**Article 3. Conceptual framework**

When, under the provisions of this Protocol, there is a concurrence of disciplinary conduct and violent conduct for reasons of gender, identity, or discrimination of LGBTIQA+ people, this Protocol will guide the analysis, monitoring, and conclusions.

#### **Article 4. Compliance**

I. Given the nature of this Protocol, its recognition and compliance are mandatory for all members of the Tecnológico de Monterrey® Community and its Work Centers. Students visiting from other universities within the International Exchange program or any other exchange, collaboration, or relationship with the Institution, are included. In the case of underage students, awareness of this Protocol is mandatory for whoever exercises parental authority over them, who must promote its compliance by the underage person. Ignorance of the Protocol or any institutional norm to exempt oneself from compliance or avoid the corresponding application of the sanctions should not be contemplated.

II. Those third parties who interact directly with Tecnológico de Monterrey® should conduct themselves in line with this Protocol, inside or outside the Institution or at any Tecnológico de Monterrey Work Center®.

III. The articles of the Protocol apply to events occurring in

The universities or educational institutions attended by the Tecnológico de Monterrey® Community who participate in academic mobility programs and national or international exchanges, according to the nature of the pertinent agreements.

The Tecnológico de Monterrey® work centers, any facility owned or controlled by it and its related work centers, including areas for teaching on campus, administrative offices, liaison offices, headquarters, and international offices of the Institutions related to Tecnológico de Monterrey®.

Any facility owned by or under the control of Tecnológico de Monterrey®, including areas for teaching on Campus, as well as work and service centers.

Any official, academic, co-curricular, or work activity held inside or outside the Tecnológico de Monterrey® campus.

Any activity organized by a student group or collaborators of Tecnológico de Monterrey®.

Activities outside of Tecnológico de Monterrey® when the behavior of the members of the Tecnológico de Monterrey® Community damages the prestige of the Institution or their person.



## Article 5. Protocol operational definitions

For this Protocol, the following definitions will apply:

**Minute.** Recommendation document prepared by the Gender Advisory Committee and addressed to the Gender Office, responsible for issuing a ruling.

**Accompanying person.** A person of legal age voluntarily assigned by either party who provides support during the process described in this Protocol; their role is to provide moral support and listen, so they will not partake fully in the process. Since the process is educational and addresses gender-based violence from an ethical-moral point of view, the accompanying person can only be a father, mother, or friend who is a Tecnológico de Monterrey® student.

**Aggrieved outsider.** A person who bears no relationship with the Institution and who claims to have been affected by an act or conduct of gender-based violence on the part of an active member of the Tecnológico de Monterrey® community.

As a general rule, a report by an aggrieved outsider will not be received or accepted for processing since it is outside the scope of this Protocol. By exception, in case a report is received by a Service Point:

1. It will be turned to the Gender Office. No one will have the power to replace the Gender Office's functions, even if it only responds that it is inappropriate to process the report.
2. To process the report, it must be accompanied by some uncontroversial, tangible, or notoriously public evidence that leaves no room for doubt about the fact reported.

Judicial ruling condemning the person designated as responsible for the affected person. The complaint submitted to the Prosecutor's Office will not

- a) be enough, as it is a document that opens the investigation and does not resolve the fact.

**Aggrieved party.** Member of the Tecnológico de Monterrey® community who, individually or collectively, suffers damage, physical injury, or emotional distress directly as a consequence of actions or omissions of any act or conduct of gender-based violence committed by another member of the Tecnológico de Monterrey® Community and that decides to file a report with the Gender Office. Please note that once the report is submitted, the person filing the report will be considered a victim, in agreement with the provisions of this Protocol.

**Alternative measures to solve the case.** Mechanisms suggested and supported by the Gender Office. These alternative measures can be requested voluntarily by the people involved to seek a satisfactory solution, as a consequence of the report, derived from a conduct considered a gender-based act of violence. The parties may request these alternative measures at any stage before the hearing; they will not apply to the conduct of sexual violence.

**Associate.** Any person with an employment relationship or under any contractual relationship, whether of an academic, administrative, operational, or collaborative nature, with Tecnológico de Monterrey®.

**Campus and work centers.** Physical space, property, land owned or legitimately used by Tecnológico de Monterrey®, in its facilities or under its control, for use by the Institution and its work or service centers, whether of an academic, sports, or cultural nature or administrative. Among other elements, streets, walkways, sidewalks, gardens, parking lots, buildings, and adjacent streets that constitute the facilities where the Institution carries its activities are included. It will apply, under equal circumstances, to the physical space occupied by the liaison offices, headquarters, and national and international offices of Tecnológico de Monterrey®.

**Charged party.** Member of the Tecnológico de Monterrey® Community whom the aggrieved party identifies and has allegedly engaged in one or more gender-based violent acts or behaviors. The violent acts must have occurred to the detriment of any other person in the Tecnológico de Monterrey® community, by an employment relationship, or under any contractual relationship. This identification entails the presumption of responsibility on the part of the charged party once the aggrieved party formally files a report.

**Evidence.** Necessary proof to demonstrate the veracity of the facts, the accusations, and the circumstances regarding the participation of the charged party that allows to complement the testimonies related to the reported fact and that, voluntarily, the aggrieved party and the charged party can offer to the Service Point to support their arguments. The Gender Advisory Committee participates in the analysis process of a case through the use of evidence.

**Gender Advisory Committee.** Group of people linked to the Institution by their positions and functions, who meet at the request of the Gender Office to review all the evidence included in a file to formulate recommendations so that the Service Point issues the corresponding ruling to each report.

**Forbidden.** Conduct not permitted by the laws and regulations applicable to the place of the facts.

**Hearing.** A procedure carried out separately by the aggrieved party and with the charged party at the Service Point. Separation of testimonies is required to avoid re-victimization. If necessary, according to the principles of gender perspective, will be requested contextual information and evidence related to the fact or conduct reported.

**Infringement of the Law.** An unlawful act committed by a person who violates the law. A competent government authority should qualify it and issue a ruling for the conduct to be considered an infringement of the Law.

**Leader.** Direct or indirect leader of the employees, academic or administrative staff in the workplace, and, in the case of students, the student success mentor.

**Member of the LGBTIQA+ community.** Lesbian, gay, bisexual, transsexual, transgender, transvestite, intersex, queer, asexual community; the first 3 (LGB) are sexual orientations/preferences, the following correspond to gender identities; the following (T) corresponds to a gender expression, and intersex (I) corresponds to a biological condition, in addition to all the groups that are not represented by the previous acronyms.

**National Office of Gender and Safe Community, Gender Office or Office.** The -designated organizational unit responsible for developing the strategy for prevention and action against gender-based violence in the Community of Tecnológico de Monterrey® and its Work Centers. Grouping quantitative and qualitative indicators, monitoring, and overseeing Service Points is the responsibility of this office. In summary, it receives, investigates, and carries out the procedure established in this Protocol.

**Of legal age.** Under Mexican law, a person who has reached eighteen years of age.

**Parental authority.** Power or authority the father, mother, or legal guardians have over the non-emancipated children.

**Report.** The mechanism through which an aggrieved party requests the intervention of the Gender Office in case of gender-based violence conduct or event. The aggrieved party must submit the report in writing to provide the Gender Office with first-hand knowledge of the circumstances, place, and timing.

**Ruling.** Document issued by the Gender Office that identifies the consequence derived from the prohibited gender-based violent conduct carried out by the charged party.

**Student.** Any person who is enrolled in any face-to-face or online course, an academic extension, or diploma program, with or without curricular value, at the secondary and higher education levels, school, campus, extension school, postgraduate or division, liaison office, headquarters or international office of the Institutions related to the Tecnológico de Monterrey®. In national and international exchange programs that involve double enrollment, jurisdiction over the student's conduct must be determined in consultation with the authorities of both academic institutions who enrolled the student according to the established agreements. A member of any officially registered student group at Tecnológico de Monterrey® and its related work centers should be considered a student.

**Service Point or Human Dignity Service Point.** Representatives of the Gender Office in the regions, campuses, and workplaces of Tecnológico de Monterrey®. These are spaces created by the National Office for Gender and Safe Community to deal with the receiving and handling of cases and behaviors classified as gender-based violence by this Protocol. The National Office for Gender and Safe Community will establish and send its guidelines to maintain active communication with the Service Points. Therefore, for this Protocol, any mention of the Gender Office must include Service Points.

**Supplier.** Third-party interacting directly with Tecnológico de Monterrey®. It is usually a physical or legal person dedicated to supplying, providing, or delivering goods or services for the benefit of Tecnológico de Monterrey®.

**Tecnológico de Monterrey®.** The term Tecnológico de Monterrey means, for all purposes, Instituto Tecnológico y de Estudios Superiores de Monterrey. Tecnológico de Monterrey is a Free University School with its own legal personality, established by presidential decree on July 24, 1952 and with recognition of the official on September 12 of the same year, a publication that granted official validity to the studies carried out in that Institution. Subsequently, in the same Official Gazette dated March 5, 1974, agreement No. 3438 of the Secretary of Public Education was published, which provided that the studies taught by the Instituto Tecnológico y de Estudios Superiores de Monterrey anywhere of the Republic will have full official validity, in agreement with the Regulations for the Revalidation of Degrees granted by the free university schools, published in the Official Gazette of the Federation on

July 26, 1940. For all purposes of this Protocol, Tecnológico de Monterrey® includes all campuses, liaison offices, headquarters, and international offices.

**Tecnológico de Monterrey® Community.** Group of people composed of the student body and graduates participating in any group related to activities within the Institution, associated and active with the faculty, academic employers, administrative associates, operatives, suppliers, and training partners, in addition to the management staff and advisors of all the Tecnológico de Monterrey® Campuses.

**Training Partner.** Public or private agents or entities who help an academic relationship with the Institution students carry out learning challenges to support the development of their skills.

**Underage person.** Under Mexican law, a person who is not yet eighteen years of age. Following this Protocol, the person exercising parental rights or the person responsible for the underage student's tuition must accompany their participation the process under any category.

**Witness.** Person, other than the parties in the procedure, who declare truthfully and voluntarily to know the reported facts and whose participation may be crucial to resolving the merits of said procedure. The aggrieved party and the charged party can offer witness evidence. Hearsay witnesses will not be admissible because such a person recounts what other witnesses or people saw or heard.

The person aggrieved by the gender-based violent act or behavior will submit a report directly to the Gender Office to give attention to a testimony.

## SECTION II PREVENTION OF GENDER-BASED VIOLENCE

### Chapter I General provisions

#### **Article 6. Prevention strategies for gender-based violence**

The purpose of prevention strategies is to seek and foster a culture in which mutual understanding, respect for gender equality, integrity, and human dignity, and the construction of a non-violent environment, free of discriminatory attitudes, prevail through the design and implementation of strategies and programs that promote knowledge, understanding, and prevention of gender-based violence, identity and respect for the LGBTIQA+ community. Both the strategies and the programs will have the purpose of informing, raising awareness, and training all members of the Tecnológico de Monterrey® Community on gender issues. In addition, monitoring of these measures will be carried out to ensure their effectiveness.

#### **Article 7. Responsible for prevention**

The Gender and Safe Community Office and its Support Centers will be the entity that promotes and is responsible for implementing the prevention measures considered in this section.

#### **Article 8. Report, evaluation, and work plan**

The Gender Office must annually prepare a report that evaluates the prevention measures implemented. Likewise, it must coordinate an annual work plan to implement new prevention measures based on the results of the Report or continue those already executed, as well as propose the pertinent regulatory adjustments.

#### **Article 9. General preventive actions**

The Gender and Safe Community Office will establish actions to enhance awareness, sensitization, information, prevention, and care of gender-based violence for all members of the Tecnológico de Monterrey Community®.

#### **Article 10. Specific prevention actions under the responsibility of the Gender and Safe Community Office and its Support Centers**

This office will be responsible for the following actions, including but not limited to the following:

Distributing pertinent information for the prevention of acts of gender-based violence, and the reporting thereof through technological resources, printed

materials and university media and those intended for academic, operational and administrative associates.

Sensitizing the members of the Tecnológico de Monterrey® Community on issues of inequality, discriminatory attitudes regarding gender, identity, and gender-based violence.

Carrying out periodic investigations to promote the prevention of gender-based violence, as well as research projects that help monitor the status of the problem in the Tecnológico de Monterrey® Community; integrate a bibliographical collection on issues related to gender equality and equity, discrimination, sexual diversity, masculinities, and other related issues.

Organizing awareness campaigns regarding the different issues of gender-based violence present in the Community of Tecnológico de Monterrey®.

Providing advice to the Tecnológico de Monterrey® Community, Campuses, and Work Centers on gender issues, acts of gender-based violence, and the procedures described in this Protocol.

Promoting a culture of respect, gender equality, and inclusion and implementing restorative measures.

Preparing an annual report on gender-based violence in the Tecnológico de Monterrey® Community, Campuses, and Work Centers; In addition, generate indicators for:

Biannual reports on the rate of gender-based violence in the community.

Diagnosis as a reference statistical value to carry out an evolutionary analysis on the effectiveness of training and prevention measures.

Intensify, quantitatively or qualitatively, the application of other prevention, awareness, and training measures.

Statistical data and documentation for those cases that cannot be dealt with in agreement with this Protocol, so reports prepared and presented by third parties indicate gender-based violence.

The Gender Office, as a mechanism for continuous dialogue, will recognize the instances of collective organization of our student community and will convene their representatives twice a semester to discuss issues and generate agreements regarding the operation of the Protocol. Likewise, the student representations will have a space in the corresponding instances of accountability of the Gender Office

**Article 11. Report, evaluation, and work plan**

The Gender and Safe Community Office will prepare and submit an annual report to authorities and the Tecnológico de Monterrey® Community. Said report, will evaluate the prevention measures implemented and their effectiveness, including remedial plans for those measures that require it or including new measures or suggestions for modifications to internal regulations, if deemed necessary or convenient. The monitoring of the rulings, or work plans derived from the report must be executed by the Gender Office and its Support Centers.



## SECTION III ACTION BEFORE CASES OF GENDER-BASED VIOLENCE

### Chapter I General provisions

#### **Article 12. Principles of the procedure**

The case management and follow-up procedure, in line with this Protocol, will be governed by the following guiding principles:

**I. Respect for human dignity and non-discrimination.** At any time, behaviors aimed at limiting, impeding, or denying the exercise of a right to people, due to their physical appearance, religion, national or ethnic origin, nationality, disability, sexual orientation or preference, or gender identity, among others, must be avoided. The free development of the person and the principle of self-determination will be respected.

**II. Gender impact.** Methodology and mechanisms that allow us to focus, analyze, and understand the characteristics that define women and men, as well as the roles assigned to them according to the society in which they live. From this perspective, the various social relationships that exist between the two are analyzed, as well as the daily conflicts that they must face and the multiple ways in which they do so.

**III. Best interest of children.** This should be considered primarily in decision-making on a debated issue that involves children and adolescents. When different interpretations are presented, the one that most effectively satisfies this guiding principle will be chosen.

When a decision affects, individually or collectively, children or adolescents the possible repercussions must be evaluated and weighed to safeguard their best interests and their guarantees within the process.

**IV. Due diligence.** Obligation to apply the terms of this Protocol by the university authorities that comprise the Gender Advisory Committee, which include reasonable prevention, exhaustive investigation, disciplinary measures, and timely communication with interested parties to support the dignity and integrity of the members of the Institution.

**V. Help eradicate gender-based violence.** This Protocol recognizes that gender-based violence involves dimensions of abuse of power, hierarchy, and oppression.

Therefore, all members of the Tecnológico de Monterrey® Community are compelled to avoid and, where appropriate, report any form of negligence, cover-up, or omission.

**VI. Confidentiality.** All the authorities participating in the procedure since the activation of the Protocol must preserve the privacy of the information at all stages of the procedure in order not to re-victimize. The protection of all confidential information of the persons involved in the procedure will be guaranteed, as well as their personal data, exceptions made of those established in the current laws of the United Mexican States, and the need to share information with the Department of security, legal advisors or subject matter experts. Also when required formally and in writing by the competent authority.

**VII. Impartiality.** Regardless of the characterization they display in the report, every person must be treated respectfully in terms of equality and non-discrimination and should act objectively, without bias or prejudice.

**VIII. Accessibility.** The procedure must be accessible to all people and they must be able to participate on equal terms.

**IX. No re-victimization.** The aggrieved party must always be interviewed by the person in charge of the Service Point and treated with respect in their way of being, feeling, thinking, and acting, without mistreatment or differentiated treatment, preventing them from repeatedly reliving and telling their story more than once time.

Re-victimization shall be understood as actions that do not occur as a direct result of the gender-based violent fact or act but through the lack of response within the Protocol activation process.

**X. Transparency.** The entire procedure and its results must be clearly explained to the people involved.

**XI. Honesty.** The people in the process must behave and express themselves coherently and sincerely under the principles of truth and justice and with moral integrity.

**XII. Integrity.** The procedure must be carried out according to the values of honesty, transparency, respect, and truthfulness.

**XIII. Justice.** All persons involved in the procedure must respect the norms and rules established in this Protocol.

**XIV. Equality.** Every person involved in the procedure will be treated as an equal and in an impartial manner.

**XV. Good faith.** The fundamental principle of the procedure where the parties involved will be presumed to be in good faith and act with probity, honesty, veracity, and rectitude.

**Article 13. Confidentiality in the process**

The charged party and the aggrieved party will have to try to keep the facts and circumstances that are being investigated confidential, in order not to affect the results of the investigation or the process itself, so disclosure is not recommended.

**Article 14. False statements and use of information in bad faith**

A false statement shall be understood as one provided during the Protocol process by any of the parties through which facts or acts that are not true are exposed, either by affirming a falsehood, denying the truth, or hiding it. When it is considered that the falsity of the statement of any of the parties involved has been proven, as well as misusing or in bad faith the information of the process, the Gender Office will impose the corresponding sanctions on the person who has incurred in said offense.

**Article 15. Subjects**

The aggrieved party members of the Tecnológico de Monterrey® Community may present their report informing what happened and requesting the intervention of the Gender Office.

The report may be presented in person by:

- A. The aggrieved party
- B. In the case of underage students, whoever exercises the Parental authority or whoever is responsible for payment.
- C. Anyone who has been part of the Tecnológico de Monterrey® Community as long as the charged party remains a member of the same community.

Considering the nature of this Protocol, bar underage students, in agreement with what was previously said, in no case may the report be submitted to the Gender Office:

- 1) Anonymously
- 2) By third parties who have not received damage to their physical and emotional integrity as an effect or consequence of the act of gender-based violence, since they have not experienced an event that makes them aggrieved.

#### **Article 16. Deadlines**

The deadlines in days within the procedure contemplated in this Protocol will be computed in business days.

In the cases in which the end of the term is a non-business day, the date will be extended until the next first business day.

#### **Article 17. Prescriptive period**

The aggrieved party person, as long as they are an active part of the educational community, may submit the report for up to a period not exceeding 15 years if it occurred when they were an underage student, and 10 years when the affected or aggrieved person is of legal age, counted from the date on which the conduct considered as gender-based violence by this Protocol occurred or, if there are several events, counted from the last incident that occurred.

The period contemplated in this Article may be extended, as long as, in the opinion of the Gender Office, the presumed person affected, irrefutably proves the impossibility of submitting the report within the established term.

#### **Article 18. Waiver and forfeiture**

The procedure indicated in this Protocol will expire within a term of 120 days from the day after the report was submitted, in the absence of interest, will or need to continue the process. In the opinion of the Gender Office, as long as the reporting party proves with reliable evidence the impossibility of continuing the process, the term may be extended for an additional 120 days.

By virtue of the foregoing, the Gender Office will assume the lack of interest when the person reporting abandons or stops contributing to the procedure in any of the stages indicated in this Protocol.

#### **Article 19. Setting urgent care measures**

At any stage of the procedure, when the Service Point realizes that one of the parties requires modification or adjustment to their care or support measures, it will channel the person to the areas enabled to safeguard their well-being.

**Article 20. Protective measures**

The Gender Office may grant protection measures within its reach when the aggrieved party, charged party, or witness requests them directly and in writing. They will be measures that the office considers necessary to safeguard physical, emotional, or social integrity or in case there are clear elements of an attempted aggression or its consummation.

The Gender Office may determine the protection measures appropriate to ensure the physical, psychological, or social safety of the people involved in the process as long as it is aware of an obvious, undisputed, and sufficiently documented fact of gender-based violence, and notoriously known or public by any means of communication. The measures may be modified during the procedure and according to the progress of its stages.

The protection measures authorized by the Gender Office will be granted for the necessary time to guarantee the safety of the aggrieved party, charged party, or witness and to avoid hindering the process.

**Article 21. Types of Protective Measures**

One or several protection measures will be provided among which include, but are not limited to:

- I. Prohibition for the charged party to approach the aggrieved party or witness and have any type of contact, whether physical, verbal, or by any electronic or other means, within the Tecnológico de Monterrey® facilities and its Work Centers.
- II. Relocation of the charged party, the aggrieved party, or witness from their work center, if they are an associate, academic, or administrative staff of Tecnológico de Monterrey® and its Work Centers.

**Article 22. Implementation of Protective Measures**

When granting one or several protection measures, the arguments of the requesting party or of any person affected by said measures will be taken into consideration, applying the principle of justice, proportionality and equity. Circumstances to be taken into account include, but are not limited to:

- The severity or duration of the incident
- The form of aggression: verbal, gestural, physical or through electronic means

- The existence of a potential risk of repetition of the behavior or any other behavior that may physically or emotionally harm the parties involved.
- The existence of a couple, ex-partner, companionship, friendship or power relationship between the aggrieved party or witness and the charged party

### **Article 23. Evidence**

The parties may voluntarily provide all the proof they consider pertinent to prove their statements and to support the facts reported. Evidence or proof may take the form of testimonials, interviews, audio recordings, video recordings, photographs, or messages issued electronically or by any digital tool.

The parties may offer evidence other than those indicated in the previous paragraph. The Gender Office will determine the receipt of the evidence and, consequently, its acceptance.

In case the evidence implies the disbursement of resources, these must be assumed by the person offering them.

Evidence must be referred to and attached in the report and its response. Those elements that arise after the report or response may be presented in the hearing at the latest. No evidence or the presentation of witnesses will be accepted after the hearing.

### **Article 24. Gender impact assessment of evidence**

The gender impact assessment leads to the recognition of a standard of evidentiary assessment of a special nature, for which the Gender Office must consider the following elements:

Address the nature of gender-based violence, which, due to its characteristics, requires different evidence from other types of conduct.

Without being the only element, a preponderant value will be given to the testimonial information provided directly by the aggrieved party and to the context in which the gender-based violence behavior occurred, which may limit the existence of evidence of any other nature.

Consider the traumatic nature of the events, as well as other events that may arise, such as obstacles to expression, the intervention of third parties, or the use of different languages or interpretations in translations.

Take into account the subjective elements of the parties, age, social status, academic degree, or membership to historically discriminated groups, among others, to establish the possibility of an act that contradicts gender-based violent behaviors in agreement with this Protocol and the concrete facts.

### **Article 25. Rights in the proceedings**

The rights in the procedure for any of the parties involved are:

**Right to decent treatment without discrimination.** Any person who intervenes in the procedure provided for in the Protocol has the right to be treated in the same conditions, with respect for their human dignity, and to receive treatment without any discrimination.

**Right to the presumption of innocence.** Until the contrary is proven, the charged party will have the right to be considered, regarding the veracity of their statements, under the same conditions as the aggrieved party or the witness and to be treated as innocent and to request protection measures from the Gender Office.

**Right to data protection.** The protection of all confidential information of the people involved in the procedure will be guaranteed, as well as their personal data, exceptions made of those established in the current laws of the United Mexican States, and the need to share information with the security department, legal advisers or experts in the matter and when formally and in writing required by the competent authority.

**Right to integrity protection.** The Gender Office will ensure that none of the people involved in the procedure is subject to intimidation, persecution, discrimination, or reprisals. If any of the previously mentioned behaviors occur, the corresponding measures will be adopted against those who have committed them. Likewise, the aggrieved party person has the right to request the protection measures established in this Protocol, and to request referral to external specialists for medical, psychological, or legal care.

**Right to due process.** The procedure must be carried out impartially within the established deadlines and without undue delay. The parties will have to be heard on an equal footing and provided with information on the development of the procedure when they request it. The charged party must be informed about the facts that the report involves.

**Right to be accompanied.** In addition to the accompaniment by the Gender Office, both the aggrieved party and the charged party may voluntarily determine to be accompanied throughout the process by a person they trust, without the latter actively intervening or participating in it. If this person actively intervenes in any part of the process, the person who has assigned the accompanying person will lose the use of this right.

In case the accompanying person makes false statements or misuses the information, it will be subject to the provisions of Article 14 of this document.

#### **Article 26. Obligation to cooperate and negligence cases**

Those who are part of the Tecnológico de Monterrey® Community must collaborate in the procedure when necessary, always respecting their freedoms and human rights. Any case of negligence, cover-up, or omission will be treated as a case of gender-based violence and must be reported to the Gender Office.

#### **Article 27. Non-compliance**

In case there has been non-compliance, in the opinion of the Gender Office, with one or more provisions of this Protocol, non-compliance with an obligatory task or omission in any misconduct, the school, and Talento authorities will be notified, as appropriate, for all relevant purposes.

#### **Article 28. Denounce before governmental authorities**

The aggrieved party must be informed that the procedure carried out before the Tecnológico de Monterrey® through this Protocol does not replace or is comparable to the process contemplated in the applicable legislation on the matter, therefore the aggrieved party will have the right to denounce before the competent authorities the conduct prohibited by laws and regulations that could be classified as crimes committed against them. In other words, within the framework of the application of this Protocol, the rights of the aggrieved party will not be restricted to file a complaint before the competent authority.

The purpose of the procedure contemplated in this Protocol is to provide support to the affected persons, ensure their well-being, and emotional balance, and favor spaces free of gender-based violence that result in a harmonious environment within the Tecnológico de Monterrey® Community, Campuses, and Work Centers.

Since the Gender Office does not have the technical procedural capacity to determine the truth or veracity of the reported facts, the commission of a violation, or the execution of any other serious crime, the Office will focus its efforts on



guaranteeing the security and integrity of the parties within the Institution, considering the gender impact, the evidence offered, without this substituting the possibility that the aggrieved party begins a judicial process in criminal matters to determine the case.

The Tecnológico de Monterrey® and its Work Centers may, if the aggrieved party, the charged party, or the witness so wishes, guide and provide recommendations on professionals to turn to file a complaint before the corresponding judicial instance.

**Article 28bis. Scope of the procedure included in this Protocol**

When, under the observance of this Protocol, a conduct is determined to be violent gender-based, it will be qualified within the scope of the ethical or moral. If the aggrieved party person, seen from a criminal perspective in the sexual, digital, or media field, is interested in pursuing reparation for the damage, they must file the corresponding complaint so that the competent authority determines the possible commission of the crime and, in the event of issuing a conviction, decree compensation for damages based on the applicable legislation.

## **Chapter II**

### **Competent bodies for attention and sanctions of conducts classified as gender-based violence**

#### **First Section**

#### **Gender and Safe Community Office and Support Centers**

#### **Article 29. Gender Office and Support Centers Jurisdiction**

The Gender and Safe Community Office and its respective Support Centers have jurisdiction, in agreement with the provisions of this Protocol, over the stages of guidance, reporting, investigation, follow-up, imposition, and execution of the ruling, as well as the agreements derived from the alternative measures to solve the case. Likewise, it will be the representative body of this Protocol and in charge of giving maximum publicity to it, as well as carrying out strategies and work plans for preventing acts of gender-based violence.

The Gender Office is the competent collegiate body that will hear and deal with cases of alleged gender-based violence, and the provisions of this Protocol will establish it. According to the stages of the procedure, it will have the authority to impose one or more sanctions on the same charged party by issuing the corresponding ruling.

The Gender Office will recognize the collective organization of our student community and convene their representatives twice a semester to discuss issues and generate agreements regarding the operation of the Protocol. Likewise, the student representations will have a space in the corresponding instances of accountability of the Gender Office.

#### **Article 30. Gender Office powers**

The Gender Office has, including, but not limited to, the following powers:

- Notify in writing or by email the integration of the file.
- Coordinate and participate in the hearing stage and listen diligently to the presentation of the reported case.
- Resolve the matters submitted for its consideration in agreement with the principles of the procedure within the terms provided in this Protocol.
- Evaluate the evidence that constitutes the file and, where appropriate, request additional elements considered necessary and the recommendation document of the Gender Advisory Committee for the corresponding ruling.

- Prepare and notify the ruling of sanctions and consequences, ensure their execution, monitoring, and compliance jointly with the School Services Department, in the case of students, or with Talento in the case of associates, administrative, operational, or academic.
- In cases where there is not enough evidence to prove the conduct of gender-based violence, it will issue the protection measures appropriate to allow healthy coexistence between the parties and within the Tecnológico de Monterrey® Community.

## **Second Section**

### **Advisory Committee Against Gender-based Violence**

#### **Article 31. Membership and powers of the Gender Advisory Committee**

The Gender and Safe Community Office will convene a meeting of the Gender Advisory Committee, composed of five people from Tecnológico de Monterrey® and its Work Centers. Said Committee will include as follows: one person who is an expert in gender issues, two people from the academic area (high school or professional), one person representing from LiFE, and one from Talento.

Exceptionally, in case of a possible conflict of interest, the Gender Office may appoint substitutes to form part of the Gender Advisory Committee.

A Gender Advisory Committee will be established in each Service Point of each Tecnológico de Monterrey® Region, in agreement with the provisions in the previous paragraphs.

Those who make up the Gender Advisory Committee will review each case through the records, such as the report submitted to the Gender Office, the evidence contained in the file, and any other element provided by the Gender Office, so that they issue the recommendation document objectively and independently on cases of gender-based violence.

#### **Article 32. Gender Advisory Committee tour of duty**

Members of the Gender Advisory Committee associated with the academy and the high school and serving with the Committee will remain in commission for an unspecified period, with the possibility that they will receive the commission again for another equal period. The expert in gender issues must serve for two years in said assignment with the possibility of renewing it for another equal period. The replacement of the members will be staggered to guarantee that the members remain long enough to acquire experience and knowledge about the dynamics that

this collegiate body implies. Talento and LiFE will hold a four-year tenure and receive specialized training in gender and violence issues.

## Chapter III

### Inappropriate behaviors considered as gender-based violence

#### First Section

#### Definitions

**Gender.** Social and cultural construction of sexual difference. It refers to the rest of the attributes that, socially, historically, culturally, and geographically, have been assigned to men and women.

It refers to the social and cultural aspect characteristics that are considered to be identified as “masculine” and “feminine”. These characteristics can range from the functions that have historically been assigned to one or the other sex (providing vs. caring), the attitudes that are generally attributed to them (rationality, strength, assertiveness vs. emotionality, solidarity, patience), to the ways of dressing, walking, talking, thinking, feeling and relating.

**Sex.** Set of biological, physical, physiological, and anatomical characteristics to refer to the sexual body, and that allows distinguishing between men, women, and intersex people.

**Member of the LGBTIQA+ community.** Lesbian, gay, bisexual, transsexual, transgender, transvestite, intersex, queer, asexual community; the first 3 (LGB) are sexual orientations/preferences, the following correspond to gender identities; the following (T) corresponds to a gender expression, and intersex (I) corresponds to a biological condition, in addition to all the groups that are not represented by the previous acronyms.

**Gender-based violence.** Conduct carried out by students and graduates, whether or not they participate in any group that could imply their presence in activities inside or outside the Institution, faculty, academic, administrative, operational associates, suppliers, as well as management and board of directors all Tecnológico de Monterrey® campuses that participate directly or indirectly in physical or verbal acts that involve gender-based violence and that result in actual or potential physical, sexual, or psychological harm, including threats, coercion, or arbitrary deprivation of liberty, whether it occurs in public life or private life. These behaviors apply to all those related to aggressions based on sex, gender, and identity.

**Sexual consent.** Exercise of free will and, to be valid, it must be explicit, either through words or actions, affirmative, conscious, voluntary, forceful, unequivocal, or

by mutual agreement of the parties. The will must be consented to and granted without coercion, force, threat, intimidation, pressure, violence, deceit, manipulation, abuse of power, or a situation of vulnerability. Anyone has the effective right to exercise sexual freedom and autonomy: how, where, when, and with whom to have sexual relations are individual decisions that must be respected at all times.

Consent is revocable, that is, people can withdraw their consent in an intimate activity, even if they previously accepted it. For this reason, said activity must be stopped immediately when the consent has been revoked.

Consent is limited to a certain intimate or sexual activity, so it does not imply consent to other forms of intimate or sexual activity. It will be understood that the mere existence of a crush or a sentimental relationship does not presuppose sexual consent.

It will be understood that there will be no consent in the following cases:

- a) Resistance or indecision means at all times a refusal.
- b) If the aggrieved party is unconscious, intoxicated, asleep, unconscious, or has momentarily lost consciousness.
- c) If the aggrieved party is under any motor limitation or vulnerability of his emotional state.
- d) When the charged party uses some type of drug or substance to annul the will of the aggrieved party.
- e) When the consent of the aggrieved party is taken away due to a power imbalance situation or any other condition of inequality.

## **Second Section**

### **Modalities and types of gender-based violence**

#### **Article 33. Modalities of gender-based violence addressed in this protocol**

Behaviors of gender-based violence classified as inappropriate will be sanctioned in this protocol from an ethical-moral point of view. The following constitute modalities of gender-based violence:

**Workplace violence.** Behaviors or actions against another person in the work environment. These actions or behaviors can be carried out by an authority figure or by one or several associates. In addition to the fact that it can lead to the abuse of power, it implies the violation of a set of labor and human rights that are essential for the well-being and development of individuals.

**Academic violence.** Conducts that harm the self-esteem of students, faculty, or associates with acts of discrimination based on gender, sexual orientation, identity, sex, or physical characteristics. This modality occurs among people who have a student, academic, or school service association, regardless of the hierarchical relationship.

### **Article 33bis. Modalities of gender-based violence attended by the Service Point without activation of the protocol**

**Familiar.** Abusive act of power or intentional omission, aimed at dominating, subduing, controlling, or physically, verbally, psychologically, materially, economically, and sexually assaulting women, inside or outside the family home, whose aggressor has or has had a relationship by consanguinity or affinity, marriage, concubinage or maintain or have maintained a de facto relationship.

In case a member of the Tec community experiences a situation of violence in the community or family violence, they will receive guidance from the Service Point of the Campus or Region in question and will be channeled to the corresponding institutions.

From Tecnológico de Monterrey®, the person may receive general psychological and legal guidance from the Service Point. Institutionally, protection actions that favor their care may be lifted.

### **Article 34. Criteria for classifying gender-based violence behaviors**

Behaviors considered as gender-based violence and classified in this Protocol are the types commonly considered in national and international legislation that provides for regulating them and ensuring a life free of violence. In this regard, the Gender Office points out that the classification provided herein is illustrative, but not limiting, and could be expanded if, in its opinion, the conducts comply with the elements of gender-based violence determined by the Tecnológico de Monterrey® authorities and their workplaces in this Protocol: **a) Discrimination by gender and towards the LGBTIQA+ community; b) Psychological; c) Economic; d) Physics; e) Sexual: rape, attempted rape, sexual abuse, sexual harassment, sexual**

**harassment, f) Sexual conduct considered gender-based violence, g) Gender-based violence in electronic and digital media and h) Other conduct identified as gender-based violence.**

Behaviors reported in an external process that requires to be sanctioned according to the law by the competent authority may be susceptible to the activation of this Protocol from a moral ethical point of view to build a culture free of gender-based violence.

### **Article 35. Discrimination by gender and towards LGBTIQA+ community**

It is considered that there is gender identity discrimination when there is a distinction, exclusion, restriction, or preference that, by action or omission, with or without intention, is not objective, rational, or proportional and has the purpose or result of hindering, restricting, impeding, undermining or annul the recognition, enjoyment or exercise of human rights and freedoms, when it is based on sex, identities or gender, genetic characteristics, sexual orientation towards those who make up the Tecnológico de Monterrey® Community, including students, associates operational, academic, faculty, administrative, training partners, and suppliers of Tecnológico de Monterrey® and its related work centers. It may include but is not limited to, the following conducts by the charged party:

- Teasing or ridicule due to sexual orientation or identities.
- Physical, verbal, or psychological aggression motivated by sex, sexual orientation, gender, and identity, including the entire spectrum of the LGBTIQA+ community.
- Exclusionary behavior to prevent the same access to the LGBTIQA+ community, to rights inherent to individual guarantees, including academic, artistic, sports, or employment opportunities for reasons of gender.
- Phobic behaviors or attitudes related to gender diversity, identities, and the LGBTIQA+ community.
- Discrimination can be intersectional, that is, it is recognized that several categories of oppression can affect the same person and must be considered as a whole.

### **Article 36. Psychological**

Act or omission that damages psychological or emotional stability, as well as their cognitive integrity, and that is intentionally aimed at producing emotional pain in these people. It can consist of negligence, abandonment, repeated neglect, jealousy, insults, humiliation, devaluation, marginalization, indifference, destructive



comparisons, rejection, restriction of self-determination, and threats, which lead to depression, isolation, devaluation of their self-esteem, and even suicide.

The following behaviors of gender-based violence of the psychological type are provided below, including but not limited to:

- Pressure the aggrieved party to engage in an affective relationship.
- Abandoning, mistreating, repeatedly neglecting, and acting jealous in the context of an affective relationship.
- Generating fear through threats and restricting the right to act of the aggrieved party person.
- Insult, humiliate, blackmail, denigrate, and generate guilt and fear, in public or in private, of people who belong to the Tecnológico de Monterrey® Community or their workplaces.
- Wanting to exercise partial or total control over the decisions and actions of people, to the degree of violating the privacy of the aggrieved party.

#### **Article 37. Economic**

Actions or omissions of the charged party against the aggrieved party to the degree of affecting their economic survival, manifesting itself through limitations aimed at capping, restricting, removing, and controlling the income of their economic perceptions.

#### **Article 38. Physical**

Any fact that inflicts non-accidental damage, using physical force or some type of weapon or object that may or may not cause injuries, whether internal, external, or both, motivated by reasons of sex, gender identity, or belonging to the LGBTIQ+ community in a manner including but not limited to the following: hits, jerks and pushes that directly or indirectly cause an accident, including the use of weapons or objects to hit or injure.

#### **Article 39. Sexual**

Any act or conduct that degrades or damages the body or sexuality of the aggrieved party and that, therefore, threatens their freedom, dignity, and physical integrity. In some cases, this type of violence is accompanied by an abuse of power, derived from a hierarchical position exercised by the charged party over the aggrieved party.

This Protocol recognizes the following categorization of gender-based violence of a sexual nature:

**Rape.** Vaginal, anal, or oral penetration of a sexual nature of the body of another person without their consent, with any bodily part, element, instrument, or object, through the use of physical or moral violence and that places the aggrieved party in a situation in which they cannot refuse or be forced to accept out of fear. This must be reported directly by the aggrieved party before the competent judicial authority since the Gender Office does not have judicial powers or the physical or material capacity to carry out the corresponding medical evaluations and expert opinions. In this case, the Service Point will accompany the affected person at all times when they request the accompaniment. If the aggrieved party decides to activate a process by protocol, the Service Point will provide follow-up, classifying it as sexual violence.

**Attempted rape.** Failed or unconsummated conduct of sexual connotation, to penetrate vaginally, anally, or orally, through any instrument or object, without the consent of the aggrieved party. The simple physical or moral aggression and the level of physical contact between the parties will be considered fundamental elements of the conduct.

**Sexual assault.** The result of an erotic or sexual act without consent and the purpose of copulation involves the person who performs it in the presence of another person or third parties. It is also known as molesting.

**Sexual abuse.** Verbal, gestural, or physical behavior with a sexual or intimate connotation, which has the purpose of violating the dignity of a person or their physical or psychological health, in particular, when it is generated in an intimidating, degrading, or offensive environment. Sexual harassment occurs in a horizontal relationship in which there is no subordinate relationship. Therefore, it will be about aggressions between people within the Tecnológico de Monterrey® Community or its work centers.

**Sexual harassment.** Verbal, gestural, or physical behavior with a lewd, sexual, or intimate connotation that has the purpose of violating the dignity of a person or their physical or psychological health, particularly when it is generated in an intimidating, degrading, or offensive environment. Sexual harassment is the exercise of power and occurs in a vertical relationship, in which there is a relationship of subordination, hierarchy, or authority, and it can occur within the Tecnológico de Monterrey® Community or its workplaces.

#### **Article 40. Sexual behaviors considered gender-based violence**

This Protocol categorizes as prohibited gender-based violence behavior, including, but not limited to, any other that could be considered as gender-based violence:

- a. Making use of deception, blackmail, threats, physical force, and a hostile

- environment to force someone to have a sexual relationship through vaginal, anal or oral penetration, without the person's explicit consent.
- b. Consuming a sexual act with a person without their consent due to being under the influence of alcohol or some substance.
  - c. Using physical force to attempt to have a sexual relationship, touching, in such an attempt, the body of the affected person, which may include the presence of nudity, without the consent of the aggrieved party.
  - d. Using physical, gestural, visual, or verbal expressions with sexual connotations.
  - e. Making sexual advances or propositions through uncomfortable questions and references about the sexual life of the affected person.
  - f. Making phone calls or sending suggestive or sexually content text messages that are annoying to the aggrieved party.
  - g. Repeatedly visiting the aggrieved party's social networks (conduct commonly known as "stalking") and making provocative, sexual, or intimate comments.
  - h. Carrying out unwanted approaches, kisses, or caresses towards the person in an advantageous or forced manner, pinching, rubbing, or cornering, including lascivious looks at parts of their body within the facilities of the Tecnológico de Monterrey® Community and its work centers.
  - i. Practicing exhibitionism and sexual provocation on the premises of the Tecnológico de Monterrey® Community.
  - j. Share or utter sexual, obscene jokes, and flattery about the aggrieved party's physique or body image.
  - k. Insist holding sexual encounters between students, academic, operational, administrative associates, and any member of the Tecnológico de Monterrey® Community.
  - l. Making express promises to the aggrieved party to obtain a personal benefit in exchange for sexual favors in the Tecnológico de Monterrey® Community facilities and its Work Centers.
  - m. Requesting sexual favors in exchange for changing grades, passing a class, or a promise of any kind of preferential treatment
  - n. Establishing an affective-sexual bond between teachers and students of any educational level is not allowed. In the case of operational, academic, and administrative associates, Talento regulations will also be followed and will apply to people who have sexual relations when there is a vertical hierarchical relationship between associates, particularly, where the responsibility falls on the person with the highest hierarchy.

#### **Article 41. Gender-based violence in electronic and digital media**

This Protocol considers gender-based violence in electronic and digital media to be any act carried out inside or outside the facilities against the people of the Tecnológico de Monterrey® Community through the use of information technologies, any means of communication, printed or digital materials, or through

any social network, that could involve elements of gender-based violence that violate the integrity, dignity, privacy, freedom and private life of people, and that cause harm psychological, economic or sexual in the aggrieved party.

By way of example, but not limitation, the following gender-based violence behaviors that can occur in electronic, digital, social media, or any other media are listed:

- Exposing, distributing, disseminating, displaying, transmitting, trading, offering, exchanging, or sharing images, photographs, audio or video, real or simulated images, with or without sexually suggestive or pornographic objects or people in underwear with inciting intentions.
- Intimidate the aggrieved party into sending, through said means, photographs, videos, audio, or images in underwear or naked.
- Exposing, distributing, disseminating, exhibiting, transmitting, trading, offering, exchanging, or sharing images, photographs, audio or video, real or simulated, with sexual content, including the use of objects and without the consent of the person who appears in said images.
- Create, display, distribute, disseminate, display, transmit, market, offer, exchange, or share memes, gifs, images, or videos with elements that denigrate or discriminate against the aggrieved party psychologically or sexually.
- Extort the aggrieved party through electronic and digital means.
- Impersonate or spy with programs to investigate or invade the privacy of the aggrieved party.

This Protocol also mentions gender-based violence in the media as any act through any means of communication that directly or indirectly promotes sexist stereotypes, advocates violence against women, produces or allows the production and dissemination of sexist hate speech, gender discrimination, or inequality, which causes psychological, sexual, physical, and economic harm to women.

#### **Article 42. Other behaviors identified as gender-based violence**

Gender-based violence behavior classified as inappropriate will be sanctioned from the ethical-moral point of view, in agreement with the nature of this Protocol, and include but are not limited to the following:

- Use offensive verbal or non-verbal language in writing or by any means, which contains any characteristic component of gender-based violence to address any member of the Tecnológico de Monterrey® Community.
- Violating any municipal, state, federal, or international legislation in the criminal sphere related to gender-based violence. The behaviors seen as

disciplinary offenses that correspond to these numerals will first require to have been sanctioned in agreement with the Law by the competent authority and later be analyzed and, if appropriate, sanctioned within the educational field following this Protocol and other current regulations of the Tecnológico de Monterrey®. When the competent authority has issued a final ruling in acts of gender-based or sexual violence, the offense may receive additional sanctions in agreement with this Protocol.

- Using electronic media or technological facilities to produce, distribute, or access information with content such as nudity, pornography, implicit or explicit sexual violence, racism, foul language, explicit sex, offensive or inappropriate dialogue, and scatological sexuality, among other topics that result in gender-based violent acts or that affect the rights of third parties.
- Annoy, intimidate, or harass, directly or indirectly, in person or through any electronic or written means any member of the Tecnológico de Monterrey® community.
- Disrespecting any member of the Tecnológico de Monterrey® Community, when any of these conducts imply or contain any element or component that goes against human dignity and gender-based violence.
- Participate in acts that threaten human dignity or human equality or by representing gender-based violence, damage the Principles and image of Tecnológico de Monterrey®.
- Abuse the right to freedom of expression through attacks, incitement to violence, or hatred against persons or groups with specific characteristics such as physical appearance, religion, ancestry or descent, ethnic or national origin, social status, sexual orientation, gender identity, or any other.

## Chapter IV. Sanctions

### Article 43. Types of Sanctions

Sanctions related to conducts that fall within any type of gender-based violence will apply to all members of the Tecnológico de Monterrey® Community according to the following classification:

- Warning
- Corrective measure
- Suspension of services
- Probation
- Loss of rights
- Definitive dismissal
- Administrative minutes
- Disengagement or non-renewal

The Gender Office will have the power to impose one or more disciplinary consequences on a single student as applicable, operational, academic or administrative associate, as appropriate. The Gender Office must keep a record of the sanctions applied on all campuses.

### Article 44. Warning

For this Protocol, a warning made verbally or in writing. In the case of the professor and associates of Tecnológico de Monterrey® and its Work Centers, the Gender Office will be in charge of the timely involvement of Talento so that they raise and document the corresponding Warning, in the presence of the Leader of the charged party.

### Article 45. Corrective measure

A Corrective measure consists of imposing some duties or conditions on the professor, student, or associate, including any member of the Tecnológico de Monterrey® Community, to make them aware of the negative impact of the conduct carried out, classified by the Gender Office as gender-based violence. The training measure intends to transform the behavior of the charged party.

### Article 46. Suspension of services

The suspension of services is a sanction applicable only to students, who will not be able to use facilities or have access to regular services or activities offered on the Tecnológico de Monterrey® campuses and their Work Centers. The Gender Office will have the faculties, according to their own policies, guidelines or procedures, to suspend their services temporarily.

**Article 47. Probation**

Probation consists of notifying the student, professor, or associate that their continuance at Monterrey® and its Work Centers is conditional on not committing on not repeating the offense or another act considered gender-based violence. The student, professor, or administrative and academic associate will fulfill the duties or obligations imposed as a corrective measure. Notification of probation will be expressed in writing, indicating the duration of the disciplinary consequence and any other circumstances related to its fulfillment.

**Article 48. Loss of rights**

The loss of rights consists of preventing students who cause with an inappropriate behavior or with the omission of an obligation set forth in any institutional legislation, from enjoying the benefits they might have as a result of their appropriate behavior consistent with the rules and regulations of Tecnológico ® and its Work Centers. It is the consequence of inappropriate conduct considered gender-based violence or the omission of an obligation outlined in this Protocol.

**Article 49. Temporary suspension**

The temporary suspension of students implies their separation from all the activities and use of the facilities and access to the services of Tecnológico de Monterrey® and its Work Centers, except those required for the fulfillment of the disciplinary consequences set by the Gender Office in any of its campuses, during a determined period. The Gender Office must mention in the ruling, the duration of the suspension and the conditions regarding their reentry and permanence.

**Article 50. Definitive dismissal**

The definitive dismissal of the student body implies their permanent exclusion from the Tecnológico de Monterrey® and its Work Centers, so there is no possibility of their re-entering any of the Campuses.

If definitive dismissal is accepted as a sanction, the ruling must be reported to the Vice Presidency of Inclusion, Social Impact and Sustainability, LiFE, and the heads of the School Services Department, Academic Support Services, who will be in charge of communicating it to all Campuses.

**Article 51. Administrative record**

For the faculty, associates, and external third parties of the Tecnológico de Monterrey® Community, reprimands, training measures, conditioning, or any action derived from gender-based violence behaviors will be documented in administrative

minutes, which will be prepared with the purpose of record, point out and punish those behaviors and acts of gender-based violence committed by the charged party.

Talento will raise the administrative minutes in coordination with the Gender and Safe Community Office so that, together with the Leader of the charged party, due follow-up is given to the sanction and subsequent filing in the reported file.

#### **Article 52. Disengagement or non-renewal**

The Gender Office, taking into account the recommendation report of the Gender Advisory Committee, will prepare and determine the sanction or consequence consisting of the disengagement of the associate or professor, members of the Tecnológico de Monterrey® Community and their work centers. This sanction will be executed in coordination with Talento and will proceed, as the case may be, to disengage or non-renew the employment contract.

#### **Article 53. Recidivism**

Any person who has committed an act that this Protocol considers to be conduct of gender-based violence and has not deserved a temporary suspension or definitive dismissal, as the case may be, will be obliged not to engage in this type of behavior again.

In the event that the same offense is committed again or in any other of the same nature, it will be considered as an aggravating circumstance of their behavior, which may be cause for definitive separation from the Institution.

During the review and attention process of the case of recidivism, the charged party will stop receiving any distinction, award, recognition, insignia or any other from the Institution.



## Chapter V Procedure

### First Section Orientation Stage

#### **Article 54. First contact**

The orientation stage is the first contact that any person who is a member of the Tecnológico de Monterrey® Community and its Work Centers can have with the Service Point regarding the prevention, attention, and punishment of acts and behaviors that may constitute gender-based violence, in agreement with this Protocol.

#### **Article 55. Objective of the orientation stage**

1. Inform people about the facts and behaviors that are considered contrary to the institutional policies on gender and human rights and the behaviors that are considered gender-based violence.
2. Explain the procedure outlined by this Protocol to people, including the different solution alternatives within Tecnológico de Monterrey® and its Work Centers.
3. Refer people to psychological support as expeditiously as possible, if they so request or when the Gender Office and its Support Centers deem it appropriate. Identify if people require urgent protection measures.
4. Invite to make the report before the Support Centers of the Gender Office and, in parallel, before the corresponding legal instances if so required.

#### **Article 56. Means for first contact**

1. In person at the Support Centers.
2. Email through the institutional or personal email account provided, through the address or email account of the Gender Office or the Support Centers.
3. By telephone, through the TQueremos or TecServices line.
4. In the case of underage students, through the father or mother or whoever exercises parental authority over the underage student, by any of the means mentioned in the previous numerals.

#### **Article 57. No information request**

In the orientation stage, it is not necessary to collect specific information from the person requesting orientation; only the following general data will be collected:

- a. Age
- b. Gender

- c. Type of relationship with the Tecnológico de Monterrey® Academic Community or Work Center
- d. Work area or study program to which they belong
- e. Brief report on the specific gender-based violent behavior

This general information will be required for purposes of documenting gender-based violence at Tecnológico de Monterrey® and its Work Centers to design prevention programs in agreement with the provisions of this Protocol.

#### **Article 58. Systematization of information**

The Gender Office will concentrate the information of those people who attend the orientation stage in its Support Centers to keep a record of the orientations provided. Likewise, it will integrate a report with said information to be included in the annual report.

### **Second Section**

#### **Initial Stage: Presentation of the report**

#### **Article 59. Presentation of the report**

Even if the orientation stage has not been exhausted, the aggrieved party may present their report to start the procedure. All reports must be submitted, in writing or sent by institutional email or through the mail designated for such purposes, to the Support Centers within the term provided in this Protocol. The report can only be presented individually by the aggrieved party. Given that the report is the fundamental element that allows first-hand knowledge of some of the circumstances that make up the facts to be investigated, the absence of this document will make it impossible for Tecnológico de Monterrey® to initiate the procedure.

#### **Article 60. Report requirements**

Given the need for the aggrieved party, the report may be presented orally as long as, subsequently, within five business days, it is ratified in written and respectful form. The report must contain at least the following requirements:

- Full name of the aggrieved party
- Current official identification number of the aggrieved party
- Type of relationship of the aggrieved party with the Tecnológico de Monterrey® and its Work Centers
- Age
- Gender

- The aggrieved party's institutional email account and personal email account of to hear and receive notifications
- Full name of the aggrieved party
- Type of relationship of the aggrieved party with the Tecnológico de Monterrey® and its Work Centers
- Narrative of the facts that specify the place and date on which they occurred, including the evidence related to the facts and behaviors that are indicated, including the name and location of the witnesses, if any, including the offer of evidence that supports the clarification or accreditation of the indicated behaviors.
- Autograph, facsimile, or digitized signature of the aggrieved party

#### **Article 61. Report admission**

Once the report is submitted, Support Centers will have up to five business days to accept or reject the submission. The reasons for admission or rejection must be informed to the aggrieved party.

The Support Centers may request the aggrieved party, within a term of five business days following the date on which it is notified, to correct the deficiencies in the report or when there is any omission or lack of clarity in the wording of the report. If this request is not met, the report will be considered as not submitted due to lack of interest on the part of the aggrieved party; however, the aggrieved party will maintain the right to file a new report on the same matter.

The report may be rejected when, at the discretion of the Support Centers, the circumstances referred to in the report do not constitute gender-based violent acts or behaviors.

#### **Article 62. Case integration and documentation**

Service Point will carry out the integration of the case documentation and will assign a file number that will be provided to the aggrieved party, informing them of the articles related to the protection of confidentiality during the process, with the corresponding exceptions, as well as the rights that assist them and, where appropriate, the care and protection measures provided for in this Protocol to safeguard their integrity and security.

#### **Article 62 bis. File integration**

The Gender Office must open a file concerning the case, where it will draw up an agreement that contains at least the following information:

- I. Place, date, and time of integration of the file

- II. Reason for the integration of the file
- III. Full name, registration number, or payroll of the charged party
- IV. List of facts and evidence related to the case
- V. A document in which the charged party is made aware of the integration of the case, the facts that motivated its integration, and the evidence available to the Service Point; the mention of the right to provide evidence in their interest; the period that has been established to offer said evidence, as well as the place, date and time in which the Service Point will meet them to do the necessary concerning the evidence offered by the charged party.
- VI. Signature by any means, whether autograph, facsimile, or digital, of those who make up the Service Point

To conform to each of the stages of the procedure, the Service Point may meet remotely through any technological platform or, where appropriate, in the space assigned to it and with the facilities that are granted within the Tecnológico de Monterrey®.

**Article 63. Contribution to eradicating gender-based violent behaviors with prompt action in well-known, uncontroversial, and sufficiently documented facts**

In those cases where derived from the activation of the Protocol, the report shows gender-based violence conduct that implies an evident fact (well-known or public by any means of communication, uncontroversial and sufficiently documented according to the sole opinion of the Human Dignity Service Point); In this case, the Service Point may act expeditiously, since the next step after notification is to carry out the hearing so that the charged party is heard and provides evidence in their favor. After such a hearing, the Gender Advisory Committee may issue the minutes for the Service Point to prepare the corresponding ruling.

**Article 64. Possible conflicts of Interest**

If the Gender Office considers that the report of gender-based violence may present a conflict of interest for the persons involved or some risk to their integrity in the Tecnológico de Monterrey® Community, the case will be dealt with and decided outside the Protocol by five members appointed by the Management Team or by the Institutional Governance Committee; They will also have the support of specialists in gender issues, internal or external to the Institution, for the ruling of the case.

**Article 65. Protective measures order**

Once the report is accepted, the Gender Office may dictate that the requested protection measures proceed, including the implementation and monitoring that said

measures are met for the benefit of the aggrieved party, the charged party, witnesses, and all those parties that are considered relevant within the process.

### **Third Section**

#### **Notification, response, and alternative measures for conflict ruling**

##### **Article 66. Notifications**

The notifications of the procedure will be carried out personally or through the institutional email indicated by the parties or by any other way that the Service Point deems appropriate to fulfill its obligation. If the aggrieved party is an underage person, the notification will be sent to their father, mother, or whoever exercises parental authority to represent them.

The simple sending of the email to the institutional account and confirmation of sending of the computer system will suffice as a means of acknowledgment of receipt, so it will not be necessary for the notified party to confirm receipt.

If the reported party, or whoever exercises the parental authority over an underage student, does not appear at the time of being summoned to be heard despite having been notified, it will be considered that, in advance, they accept the determination reached by the Gender Office, as well as the consequences or sanctions that may be imposed on them.

It is the responsibility of the person involved to keep their email account active and with space available to receive emails. In all cases, the necessary arrangements will be made so that the responsible person, father, mother, or whoever exercises parental authority, can be present at the hearing. The ruling will be mandatory and the absence of the above cannot be used as a defense.

##### **Article 67. Report notification**

Once the report is accepted, the charged party will be notified so that they have the opportunity to present their arguments and reply to the facts expressed in the report. It must be done within five business days from the date of notification.

##### **Article 68. Response to the report**

Once the report has been notified, you must respond in writing to the Service Point. The basic content of the response, to be considered and integrated into the corresponding file, must contain the following information:

- I. Charged party's full name of the

- II. Response to facts
- III. Incorporation of the evidence necessary to support their arguments and, where appropriate, those pieces of evidence that support their statements in the clarification of the facts indicated in the report by the aggrieved party. The charged party will have to attach and present these elements to the response; they can also mention that she will present other items before the hearing. Any testimony or elements not related to the reported fact will not be valued as evidence.
- IV. Handwritten, facsimile, or digital signature of the charged party

### **Fourth Section Investigation Stage**

#### **Article 69. Investigative discretionary power**

The Gender Office and the Service Point have the discretionary power to carry out the inquiries they deem appropriate to gather the information necessary to clarify the facts indicated in the report. The Gender Office and the Service Point will resort to the institutional instances and resources necessary to complete the investigation successfully, applying here in particular the principle of compulsory collaboration with the Protocol.

#### **Article 70. Investigation period**

The Gender Office and the Service Point will have a period of no more than thirty business days to carry out the pertinent inquiries of this phase. During this time, the corresponding agreement must be issued to define whether the conditions exist for alternative conflict ruling measures or whether the procedure must be instituted until the corresponding ruling is in agreement with the case.

If, in this period, either party provides additional, extraordinary, relevant evidence or The Gender Office and the Service Point considers it appropriate, the investigation stage will be reopened; therefore, the Gender Office and the Service Point will have an extraordinary period of five business days to carry out the pertinent inquiries.

Throughout the procedure, the obligation to guarantee the rights for all parties and avoid falling into a disproportionate or defenseless situation must be uphold.

If neither party requests additional sessions, the procedure will continue its course.

#### **Article 71. Alternative measures for conflict ruling**

Service Point, according to the considerations of the case, may propose to the parties to resolve the dispute through alternative means of resolving the dispute. This kind of solution is voluntary and can only be proposed after the report has been integrated into the file and the response to it is received. Service Point will guarantee that the parties involved have the support and confidence to carry them out. The use of alternative measures is not a remedy for cases of gender-based violence classified under the category of sexual violence.

Having accepted both parties to be subject to alternative ruling mechanisms, the Service Point will define a solution route to the conflict prioritizing training processes and the flexibility necessary to facilitate the determination of agreements.

Given the lack of interest of the aggrieved party to solve the conflict through the measures or due to the lack of satisfaction with the solution by this alternative means, the procedure will continue, the investigation will be carried out and the space for hearing will be generated with each of the parties so that each of them can state what they consider pertinent.

## **Fifth Section Hearing Stage**

### **Article 72. Call to the hearing**

Service Point will notify the parties by any electronic means so that they attend the hearing on the day and time indicated. The parties must appear separately, and the office will ensure non-revictimization.

If the charged party, or whoever exercises parental authority, fails to appear at the hearing, the procedure will continue with the aggrieved party. Additionally, this absence will be understood as an acceptance of the consequences or sanctions and cannot be used as a defense to argue the ruling.

If the charged party is a professor or associate of the operational, academic, or administrative areas of the Tecnológico de Monterrey® Community, the presence of a Talento member will be requested.

### **Article 73. Hearing**

In the hearing, the parties will have the opportunity to provide all those arguments and evidence that they consider pertinent and that support their testimonies so that the Service Point integrates the file, analyzes all the records, and assesses the gender impact.

The parties may voluntarily display all the evidence they consider pertinent to prove the veracity of their statements. Before the end of the hearing, they will be allowed to issue their conclusions to the case and they will be indicated the times of the process in which they must go in person or virtually through any technological platform to the Gender Office for the ruling of the case.

The hearing will see the parties separately. During it, the aggrieved party, under no circumstances, will face the other party personally. At all times the dignity of people will be respected and they will be treated according to gender impact.

## **Sixth Section**

### **Presentation to the Committee, issuance, and notification of the ruling**

#### **Article 74. Presentation of the file to the Committee**

Once the investigation stage has been carried out and concluded and the hearing has been held, the Gender Advisory Committee will be convened to present the evidence that makes up the file, as described in this Protocol, for the issuance of the recommendation document that will serve as support to the Service Point to issue the ruling. There will be an obligation to respect the rights and principles of the aggrieved, the charged party, the witnesses, and any other party involved, for being members of the Tecnológico de Monterrey® Community.

The presentation of the file must include the report and the response to it, everything that happened within the hearing, and the evidence that has been presented or collected on the reported facts.

Except in cases in which the Gender Advisory Committee considers it necessary to request the Service Point to collect additional information will be fifteen business days from the Committee's request. Once said information is presented, the Gender Advisory Committee will issue the recommendation document.

#### **Article 75. Rulings**

With the document issued by the Gender Advisory Committee, the ruling will proceed. All rulings issued by the Service Point must be notified to the parties personally or through institutional email accounts or by the means determined by this Protocol.

All rulings must contain at least:



- a. Mention of the articles of this Protocol that establish the competence of the Gender Advisory Committee and the Gender Office
- b. A brief list of the facts and documents found in the case file
- c. Relationship and evaluative analysis of the evidence
- d. Express mention of the responsibility of the charged party, and if necessary, the consequence that their conduct deserves
- e. Provision that the ruling be notified in writing to the School Services Department, if the person charged was a student, and to Talento if it was an associate
- f. Place, date, name, position, and signatures of those who make up the Service Point

In those rulings that imply a temporary suspension as a sanction, if, during the time in which the student is suspended, a judicial ruling is issued that sentences the commission of a crime, the temporary suspension will become definitive, without it being assumed that two sanctions were received for the same conduct.

#### **Article 76. Notification of the ruling**

Service Point must notify each party about the rulings. The following persons may be present at the meeting for said purpose:

- The aggrieved and charged parties, separately, as appropriate
- The father, mother, or guardian or those who exercise parental authority over a underage student
- Service Point representatives
- Other people or authorities of Tecnológico de Monterrey® and its Work Centers required by the Service Point

The ruling is sent to the institutional account of both parties. To build a safe community, the aggrieved party may send a listening request to the Gender Office and Safe Community if they experienced revictimization during the process.

#### **Article 77. Definitiveness of rulings**

All rulings issued by the Gender Office will be final, indisputable, and binding for the parties involved.

#### **Article 78. Review appeal. Challenge mechanism for failures in the process**

In case of omission, negligence or concealment disagreement with the process carried out by the Gender Office, once the resolution is issued and sent to the institutional account, the charged party may formally file their appeal for review within a period not exceeding five business days from the day after the issuing of the resolution:

- The appeal should preferably come from the institutional account of the charged party.
- The appeal must be in PDF format and signed by the charged party.
- The appeal must be sent to the same email account the resolution was sent or to [escuchandote@itesm.mx](mailto:escuchandote@itesm.mx).
- The appeal will be addressed to the Gender and Safe Community Office, which will have the obligation to attend to the appeal filed.
- The Gender and Safe Community Office will have a maximum period of fifteen business days to resolve in conjunction with the relevant areas.
- The Gender and Safe Community Office, when it considers it necessary, will have the power for a single occasion to extend the previous term, provided that this does not exceed five additional business days.
- Once the appeal is resolved, there will be no additional challenge method, so the resolution will be final and indisputable.

This appeal will not proceed when an adjustment or change of sanction is requested.

## **Chapter VI**

### **Monitoring of compliance and closing of the procedure**

#### **Article 79. Follow-up on sanctions and consequences**

The Gender and Safe Community Office is responsible for monitoring compliance with the sanctions and for verifying their completion as well as ensuring that the aggrieved party feels safe in the Tecnológico de Monterrey® Community and its Work Centers.

## TRANSITORY Protocol

### **First Article**

This updated version of the Protocol was approved by the Presidency of the Instituto Tecnológico y de Estudios Superiores de Monterrey and its Work Centers, who ordered the corresponding publication. This Protocol will enter into force on February 15, 2023.

### **Second Article**

All the provisions that oppose or are incompatible with what is indicated in this Protocol are without effect.

### **Third Article**

Those cases that, at the time of publication of this Protocol, are in the investigation stage, will be dealt with in agreement with the provisions of this document.

### **Fourth Article**

This document is an adaptation of standardized protocols used by universities worldwide. For the preparation of this, an exhaustive analysis of different protocols was carried out in universities at a national and international level, of which the following were selected: Universidad Iberoamericana, Universidad de los Andes, Universidad Nacional Autónoma de México, Instituto Tecnológico de Costa Rica, Universidad Autónoma de Sinaloa, and Universidad Autónoma de Madrid.

Likewise, this document is the product of dialogues, consensus, and observations of the Tecnológico de Monterrey® community, as well as specialists in gender-based violence.

## ANNEX I

### Legal framework

For the preparation of this intervention Protocol, different legal provisions on the matter were taken into consideration, including but not limited to the following:

#### **National legal framework**

Constitución Política de los Estados Unidos Mexicanos de 1917 [Const]. Artículo 4to. 5 de febrero de 1917 (México).

Código Nacional de Procedimientos Penales [CNPP]. DOF 22-01-2020. Artículo 10mo. 5 de marzo de 2014 (México).

Ley Federal para Prevenir y Eliminar la Discriminación. 27 de noviembre de 2007. DOF 21-06-2018.

Ley General para la Igualdad entre Mujeres y Hombres. 2 de agosto de 2006. DOF 14-06-2018.

Ley General de Acceso de las Mujeres a una Vida Libre de Violencia. 1 de febrero de 2007. DOF 13-04-2020.

Ley General de Víctimas. 9 de enero de 2013. DOF 03-01-2017.

Ley General de los Derechos de Niñas, Niños y Adolescentes. 4 de diciembre de 2014. DOF 17-10-2019.

Ley General de Educación (LGE). 30 de septiembre de 2019. DOF 30-09-2019

Ley General de Educación Superior (LGES). 20 de abril de 2021. DOF 20-04-2021

NOM-046-SSA2-2005. Violencia familiar, sexual y contra las mujeres. 16 de abril de 2009. DOF 24-03-2016.

Directrices para elaborar e implementar mecanismos para la prevención, atención y sanción del hostigamiento sexual y del acoso sexual en las instituciones de educación superior. 11 de marzo de 2011.

#### **International legal framework**

Convención Americana sobre Derechos Humanos “Phecho de San José”. 7 de mayo de 1981.

Convención de Viena sobre los Tratados. 23 de mayo de 1969.

Convención Interamericana para Prevenir, Sancionar y Erradicar la Violencia contra la Mujer (Convención de Belém do Pará). 6 de septiembre de 1994.

Convención Internacional sobre la Eliminación de todas las Formas de Discriminación Racial. Resolución 2106 A (XX). 21 de diciembre de 1965.

Convención sobre la Eliminación de todas las Formas de Discriminación contra la Mujer (CEDAW). 20 de diciembre de 1993.

Convención sobre la Eliminación de todas las Formas de Discriminación contra la Mujer (CEDAW). Recomendación 19: Violencia contra la mujer. 29 de enero

de 1992

Convenio 111 de la Organización Internacional del Trabajo. 25 junio 1958.

Declaración sobre la Eliminación de la Discriminación contra la Mujer. Resolución 2263 (XXII). 7 de noviembre de 1967.

Declaración Universal de los Derechos Humanos. Resolución 217 A (III). 10 de diciembre de 1948.

Principios de Yogyakarta. 9 de noviembre de 2006.

### **Institutional legal framework**

Instituto Tecnológico y de Estudios Superiores de Monterrey. (2016). *Políticas y Normas Académicas Generales*. Monterrey, México: ITESM.

Instituto Tecnológico y de Estudios Superiores de Monterrey. (2018). *Código de Ética*. Monterrey, México: ITESM.

Instituto Tecnológico y de Estudios Superiores de Monterrey. (2020). *Reglamento Académico para los Estudiantes de Preparatoria*. Monterrey, México: ITESM.

Instituto Tecnológico y de Estudios Superiores de Monterrey. (2020). *Reglamento General de Estudiantes*. Monterrey, México: ITESM.

### **National court rulings**

1a. CCLII/2014 (10a.) [Primera Sala]. Acoso laboral (mobbing). Su noción y tipología. 4 de julio de 2014. Suprema Corte de Justicia de la Nación.

1a. CLX/2015 (10a.) [Primera Sala]. Derecho de la mujer a una vida libre de discriminación y violencia. Las autoridades se encuentran obligadas a adoptar medidas integrales con perspectiva de género para cumplir con la debida diligencia en su actuación. 15 de mayo de 2015. Suprema Corte de Justicia de la Nación.

1a. CLXIII/2015 (10a.) [Primera Sala]. Delitos contra las mujeres. Estrecha relación entre violencia, discriminación y subordinación por motivos de género. 15 de mayo de 2015. Suprema Corte de Justicia de la Nación.

1a. XXVII/2017 (10a.) [Primera Sala]. Acceso a la justicia en condiciones de igualdad. Elementos para juzgar con perspectiva de género. 10 de marzo de 2017. Suprema Corte de Justicia de la Nación.

P. XX/2015 (10a.) [Pleno]. Impartición de justicia con perspectiva de género. Obligaciones que debe cumplir el estado mexicano en la materia. 25 de septiembre de 2015. Suprema Corte de Justicia de la Nación.

XXI.1o. J/23 [Tribunales Colegiados de Circuito]. Valor de la declaración de la ofendida. Marzo del 2003. Suprema Corte de Justicia de la Nación.

### **International court rulings**

Fernández Ortega y Otros vs. México. CIDH-540-04. Excepción Preliminar, Fondo,

- Reparaciones y Costas. (30 de agosto de 2010).
- González y otras (“Campo Algodonero”) vs. México. CIDH-12.496, 12.497 y 12.498. Excepción Preliminar, Fondo, Reparaciones y Costas. (16 de noviembre de 2009).
- Radilla Pacheco vs. México. CIDH-12.511. Excepciones Preliminares, Fondo, Reparaciones y Costas. (23 de noviembre de 2009).
- Rosendo Cantú y otra Vs. México. CIDH-972-03. Excepción Preliminar, Fondo, Reparaciones y Costas (31 de agosto de 2010).