



# TRANS LIVES

## IN TIMES OF PANDEMIC

First report on the human rights violations of Trans people during the COVID-19 pandemic



Executive Report



## **EXECUTIVE REPORT: “TRANS LIVES IN TIMES OF PANDEMIC”**

***First report on the human rights violations of Trans people during the COVID-19 pandemic***

**OBJECTIVE:** The objective of this report is to raise awareness about the main violations of the human rights of Trans people in Latin America and the Caribbean during the COVID-19 pandemic.

**SCOPE OF THE REPORT AND AUTHORS:** The data collection was made during the months of March and April 2020 by twenty two national Trans organizations from Argentina, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Panama, Paraguay and Peru, with the technical assistance of the Regional Secretariat of RedLacTrans. The Red Latinoamericana y del Caribe de Personas Trans (RedLacTrans) [*Latin-American and Caribbean Network of Trans Persons*] was created in 2004 and is currently made up of 26 organizations led by Trans women. RedLacTrans has launched the Centro de Documentación y Situación Trans de América Latina y el Caribe (CeDoSTALC) [*Trans Documentation Center for LAC*], where first-hand information can be obtained on reports of human rights violations and transgressions.

**RESOURCES:** The COVID-19 pandemic has made visible the social exclusion suffered by Trans people. To account for this situation, a data collection exercise was conducted including testimonies and reports from Trans victims whose rights were violated and an extensive research in social media to gather facts on acts of violence.

### **Lack of legal recognition of Trans identities**

During the pandemic, institutional violence on the part of the States - heightened in the region – worsened in countries like Colombia, Peru, Panama and Honduras, where restrictive measures of circulation by gender, such as the one called “Pico y Género” [*“Peak and Gender”*], exacerbated police brutality against Trans persons and non-binary gender identities who go out in the streets to get food or to assist those who depend on them.

This decree in Colombia followed the measures adopted in Panama and Peru. Panama was the first country to order the restrictive measure of circulation by gender. In Peru the measure lasted only a week, after video complaints went viral in social media. During the first 24 hours of the decree, more than 30 complaints were made denouncing cases of *transphobia* and gender-based violence. RedLacTrans reported these violations through public statements.

We have also registered cases of arbitrary detentions of Trans activists and human rights advocates. A witness case of this situation is the arrest and abuse suffered by the National Reference of RedLacTrans in Honduras, arrested when she was out shopping for food. We also registered the arbitrary gender-based arrest of Bárbara Delgado, a Trans woman and health promoter in Panama, detained because the “male” gender check in her identity card did not match her appearance. Another case, in Argentina, is Delfina Antonella Díaz, a 19 year old Trans



girl from the province of Jujuy, who was taken aside and abused by police officers, claiming that they “would make a man out of her”.

### **Gender violence, ideology of hate and religious morality**

There was also a significant increase in Trans feminicides. Among these, we can mention Karla Valentina Camarena del Castillo, Coordinator of the Red Mexicana de Mujeres Trans del Estado de Guanajuato [*Mexican Network Trans Women of the State of Guanajuato*], who was killed on March 29.

### **Violations of the right to health**

Trans people who are hospitalized during the COVID-19 pandemic die. There are serious health risks for Trans people, particularly for illnesses such as pneumonia or tuberculosis, which are not part of the prevention measures and protocols adopted by the States in their health services. In RedLacTrans we identified that there are no aid protocols and the drugs do not reach key populations; the National-Based Trans Organizations that make up RedLacTrans have promoted campaigns and specific actions to obtain antiretroviral drugs and non-perishables foods.

In Argentina specific protocols were created for the care of people living with HIV and it is the only country where special circulation permits were granted to this population; Peru ordered that people living with HIV were provided treatment for the following 3 months. Guatemala, Paraguay, Bolivia, El Salvador, Honduras, Costa Rica, Colombia and Panama did not develop any protocols aimed at Trans persons or people living with HIV.

### **Violations to the right to work and housing**

For the great majority of Trans women in Latin America and the Caribbean sexual work represents their main livelihood; approximately 95% of us are left out from formal economies, in addition to state and social penalization. In Argentina more than 50 cases of evictions were registered; this situation is replicated in the rest of the countries under study. RedLacTrans learned of these reports and developed and shared awareness materials on labor, housing and humanitarian aspects, where we denounce the situation and demand responses from the State.

### **Review of the communication media and recommendations**

In this first report we note that there is very little information in the media about the situation of the Trans population, making it invisible. The few news recorded are loaded with discriminatory remarks towards migrants, health personnel, patients with a positive diagnosis of COVID-19, people living with HIV, Trans people, sex workers, etc.



### **Actions and recommendations:**

RedLacTrans has launched a strategic plan that will allow us to generate favorable changes for Trans people during the pandemic. Through the struggle and by partnering with other networks and joint work we succeeded in having agencies like the OAS, ICC and UNAIDS speak out and advocate for the human rights of Trans people in the region.

RedLacTrans makes the following recommendations:

- Maintain during the pandemic and health emergency all the health care protocols for Trans people, ensuring hormonal treatment, among others.
- Induce cooperation at all levels for the creation of health and food aid programs without the risk of arbitrary arrests, as well as harassment and abuse.
- Disseminate medical and scientific evidence as part of the arguments when generating public policies, which should be developed based on human rights.
- Reinforce the financial and technical support from the agencies to the civil society organizations that will be designated to provide food, health and housing aid for vulnerable Trans people.
- To the States, the design of methods and contingency programs that allow people living with HIV to take care of their health without having to make constant visits to the health centers.
- That States express and generate measures to prevent gender-based violence, as well as programs to create awareness among people in the security forces and the health centers.
- That States adapt their laws so that Trans and non-binary people can have the right to their identity.
- Generate resolutions that mitigate the damages suffered by Trans people when they try to access the health of food aid programs because there is no Gender Identity Law.
- Recognize that Trans people develop support networks and that these become our families when we are rejected or not recognized by our family members.
- Ensure that Trans people who are renting a home are not victims of violent evictions because they lack the financial resources to comply with the payment plans.
- Protect and guarantee the human right to health; not interrupt the access to medical treatment and allow us to access new treatment if we have symptoms or a history that may be affected by the COVID-19 pandemic.



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