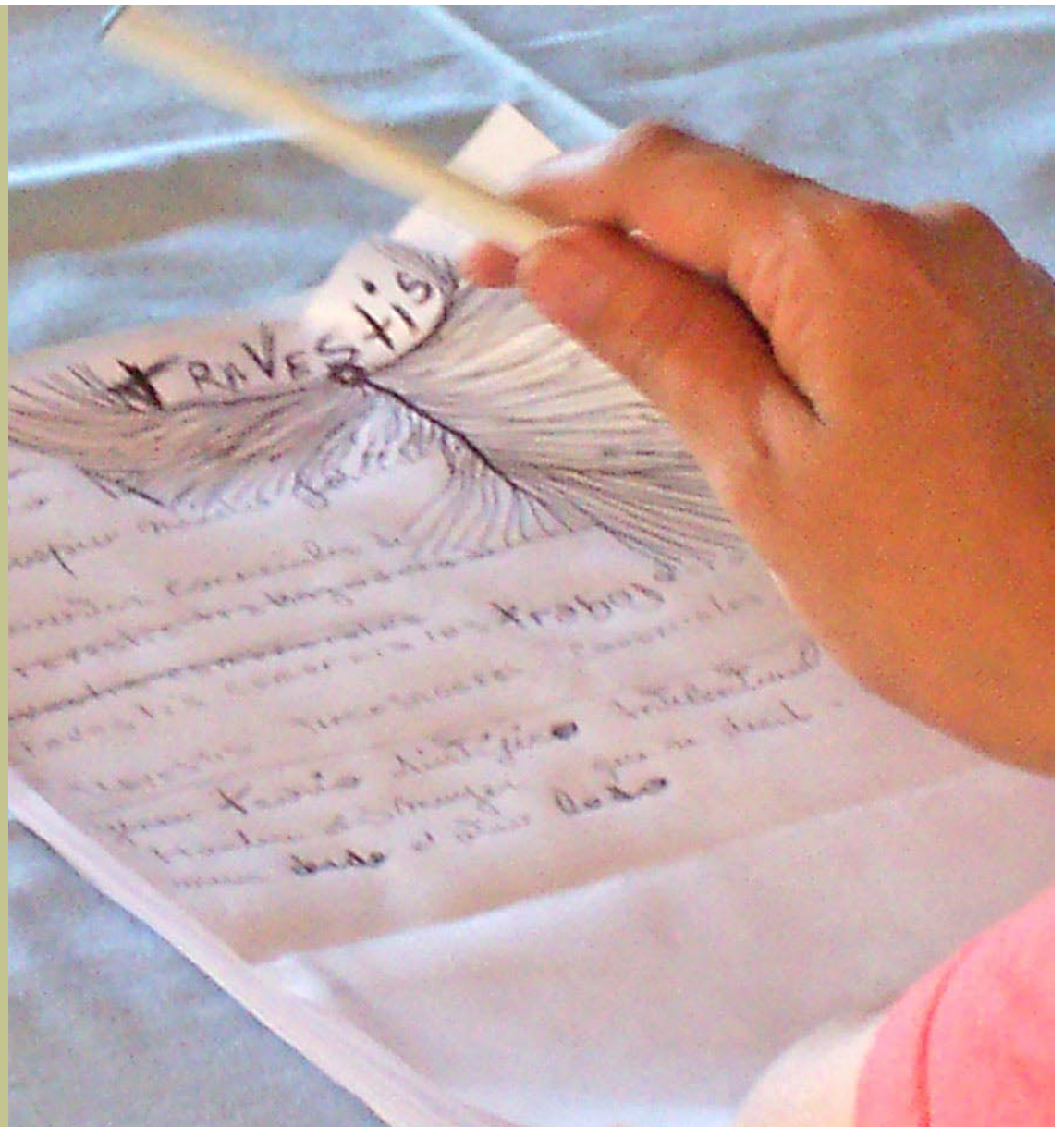


INSTITUTIONAL MEMOIR OF THE 2005 INSTITUTE FOR TRANS AND INTERSEX ACTIVIST TRAINING



I G L H R C

International Gay and Lesbian Human Rights Commission





How to avoid, while at the same time undermining, the generic determination that language places not just upon the subjects and their possibilities to find themselves in language but also on the way we conceive and name the world? One strategy that might be used is the one we have set at work while writing this Memoir, through using the asterisk (*). We have resorted to this “textual strategy” in three specific situations: (1) For plurals, when alluding to individuals of different gender identities; (2).for naming a subject whose gender identity we ignore and on whom we do not want to impose a pre-determined gender assignation, and (3) when referring to a subject who does not identify with any of the options afforded by the male-female binary.

The asterisk was chosen for several reasons. The “at sign” (@) is usually read as “male and female”. The letter “x” could be mistaken as referring to ‘intersexed individuals’, as it has been used by some authors. We prefer the asterisk because of how it looks, almost suspended over the sentence, as a star in the horizon or a point through which it might be possible to fly away. Of course, the asterisk can not be pronounced, and we also like that because, when our tongue comes there, and staggers, it becomes quite an accurate expression of the status enjoyed by those whose existence gender ignores.

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1

Presentation of the Institute and Participants

The Institute for Trans and Intersex Activist Training, for activists from throughout the region, took place in La Falda (Córdoba, Argentina), between October 19th and November 1st, 2005.

Participants

Diana Sacayán, Argentina
 Joaquín Ibarburu, Argentina
 Gary Cristian Cordero Rodríguez, Bolivia
 Alexander Delgado Flores, Bolivia
 Daletty Di Polly, Brazil
 Alexandre Peixe Dos Santos, Brazil
 Dalia Daniela Romero Parra, Colombia
 Natasha Jiménez, Costa Rica
 Danielle Pulido Alamo, Cuba
 Andrés Ignacio Rivera Duarte, Chile
 Mabel Montesdeoca, Ecuador
 Monica Amarantha Hernandez, El Salvador
 Gabrie Mass, Honduras
 Claudia Spellmant, Honduras
 Silvia Martínez, Nicaragua
 Leslie Palmer, Paraguay

Alejandro Escobar, Paraguay
 Jana Villayzán, Perú
 Ruddy Yhajaira Marciano Bravo, Venezuela

Trainers

Lohana Berkins, Argentina
 Belissa Andía Perez, Perú
 Marlene Wayar, Argentina
 Gustavo Blázquez, Argentina
 Joseph Thompson, Costa Rica
 Arnoldo Rosenfeld, Argentina

Visual Documentation

Argelia Bravo Melet, Venezuela

Coordinating Team

Alejandra Sardá, Program Coordinator for Latin America and the Caribbean
 Marcelo Ferreyra, Adjunct Coordinator
 Rosa Posa Guinea, Institutes Coordinator
 Mauro Cabral, Coordinator of Trans and Intersex Matters

The Institute was made possible thanks to funding support from UNAIDS and UNIFEM, contributions from Alex Texeira and José Maldonado, the indispensable volunteer work of all the trainers, and the extraordinary hospitality of the Ollantay Hotel and the people of La Falda.

2

Dedication to the Participants

The idea of the Institute was a cherished, long-awaited dream that stayed alive in our illusions, fantasies, conversations and hopes. It stayed alive in our plans, both those we considered possible and those we thought, at times, could never become reality. It stayed alive, of course, in our work; the work of the individuals, of the team, the work we shared with other groups and people. That idea guided our search for a meeting place, the program design, the choice of materials...

...And then you arrived.

Of course, we were waiting for each and every one of you. We knew you from the moment we received your applications; we got to know you better through the dialogue that followed. But never could we have dreamed the meeting would be so very wonderful in its intensity, its warmth, in the willingness to share that each and everyone brought along.

This Institute, which all of us dreamed about, is your Institute above all else, built step by step with each class, conversation, look, embrace and silent pause, with the shared laughter. Its work continues wherever each and every one of you are at this moment, making other worlds possible.

3

Introduction: A History of the Initiative

In November, 2004, IGLHRC's Latin America and Caribbean Program started a new phase in the work that it had been carrying out since 1990. To our regularly programmed activities (i.e., documenting and reporting human rights violations based on sexual orientation, identity and gender expression; forming partnerships with other social movements and engaging in participatory investigation) we added two areas of work: trans and intersex issues and the Institutes, which during the first year of that new phase worked in tandem to produce the Institute that this institutional memoir documents.

Why did we decide to found the Institutes? As with so many projects, this one sprang into existence partly out of frustration and partly out of gratitude. Over the course of many years we have organized training workshops in human rights and other subjects at the regional level or beyond, and have participated as trainers or “students” in many of them. The best among these, no doubt, those that made an indelible mark on mind and spirit, shared certain characteristics

that we wanted to preserve. These characteristics speak to a deeply political form of learning and shaping oneself as an activist, a “how to go about it” that cannot be separated from the “what to do”.

The first and most important aspect is time. We wanted to forget the dizzying, quasi-industrial pace dictated by yield and productivity quotas, which covers a million subjects in ten minutes, in order to recover Time the River, which rushes when it must and other times ebbs languidly. We wanted to take and give as much time as each one might need to think, to feel, to dare to ask.

The second aspect is that of sharing, the process of learning as we build a community, coexisting over a sufficient period of time for that shared existence to groove us, to transform us. We were certain that the learning process would be ongoing, whether in the “classroom” or the dorm, at the table or on shopping trips into town (exactly what happened). We knew that we would all be “participants,” even if on occasion we might assume other roles.

The third aspect had to do with choosing “the other side” of the hierarchy, meaning the Southern Hemisphere: it would be conceptualized and coordinated by people from the Southern Hemisphere and managed by trainers from the Southern hemisphere, because we believe that this part of the world holds vast troves of knowledge, and no one is better qualified than we are to put them into circulation. We also believe that we have looked to the North as our guide and model for too long, and that we continue to do so as if we were only capable of translating, adapting and disguising ourselves like those wretched Santa Clauses -- who don winter outfits here in the furthest reaches of the south where Christmas comes during summertime, or near the equator where winter dares not even venture. We also conceived of the Institutes as spaces in which to preserve, strengthen and disseminate the various Latin American forms of activist knowledge linked to sexuality.

Time, community, identity. These were, and still are, the pillars of this project.

Why did we start out by dedicating the Institute to trans and intersex persons?

This “dedication” is part of a political choice made first by the Latin America Program and now by the entire organization. Trans and intersex persons, and their concerns, are a priority for IGLHRC. Why?

- Because they suffer the most brutal human rights violations. They own the murdered bodies whose killers no one takes the trouble to investigate. They are the ones police forces throughout the region detain, extort and visit violence upon day in day out, night after night. They, with few exceptions, experience the greatest difficulties in gaining access to schools, legitimate jobs and adequate housing. They are the ones denied the right to make decisions about their own bodies and identities. They, unlike others, must choose between possessing a document that guarantees them citizenship, or preserving their body so that that they can feel pleasure and procreate.

- Because gays and lesbians and their organizations are deeply indebted to

trans and intersex persons for their solidarity and respect, which begins with the fact that they reject the privilege implicit in having conventional identities and gender expressions. For us that privilege carries with it an obligation: the obligation to share, to open doors so that those who have no privileges can enter along with us; to place the fruits of that privilege (our college degrees, our money, the languages we speak, our captive audiences and our appearance, which does not scare people, et cetera) at the unconditional service of the Others.

- Because we believe it is indispensable to deconstruct the binary sex/gender system that shapes the Western world so absolutely that in most cases it goes unnoticed. For “other sexualities to be possible” it is indispensable and urgent that we stop governing ourselves by the absurd notion that only two possible body types exist, male and female, with only two genders inextricably linked to them, man and woman. We make trans and intersex persons and issues our priority because their presence, activism and theoretical contributions show us

the path to a new paradigm that will allow as many bodies, sexualities and identities to exist as those living in this world might wish to have, with each one of them respected, desired, celebrated.

For all the above, and for many reasons more that we surely have not yet discovered, we, as IGLHRC, have had the honor and pleasure of organizing the first Institute for Trans and Intersex Activist Training ever held in the Southern Hemisphere.

4

Structure of the Institute's Teachings

Content and Materials

The Institute for Trans and Intersex Activist Training has been structured around three main hubs: trans and intersex theory and politics, organizational development and human rights. We chose these three hubs based on an informal survey of the needs and interests of the region's trans and intersex communities and movements presented in advance to all Institute activist applicants, invited trainers and IGLHRC staff who served as members of the coordination team. All contributed their opinions to the survey.

Trans and Intersex Theory and Politics

This hub was developed based on three basic principles: the common construction of knowledge; respect for and celebration of diversity; and an acknowledgment of the specific character of trans and intersex experiences in the region and the various modalities by which their protagonists have conceptualized and continue to conceptualize such experiences.

The ground covered in the four days allotted to this work hub included the collective charting of a regional map of concepts and “names for” trans and intersex persons and the development of a broad diagnosis of the situation of trans and intersex communities and political movements in the region, among others. Topics of discussion included the diverse theoretical conceptions of gender and identity, with particular emphasis on those not founded on biological premises.

Organizational Development

This work hub was designed from the outset as a practical approach to the various challenges that trans and intersex political activist groups in the region face. The model for it therefore touched on issues related to work program designs, institutional communication and media relations, funding and others.

Human Rights

This hub was developed with an eye to intertwining two aspects: on

the one hand, a theoretical-practical introduction to the International and Inter-American human rights system; on the other, the documentation of human rights violations suffered by trans and intersex persons. Both aspects were framed within a wider discussion about the specific issue of trans and intersex persons as human rights subjects, and specifically as subjects of sexual and reproductive rights. Insectoriality is a high-priority issue included in this work hub, and its inclusion made it possible to express the differentiated and interrelated forms of discrimination and oppression that trans and intersex communities in the region experience.

Handouts

- “Money Makes Sex, o la industrialización de los sexos”. (Money Makes Sex, or the Industrialization of the Sexes). Beatriz Preciado. Published in her book *Manifiesto Contra-Sexual*. Ópera Prima, Madrid, 2002.
- “Género para un diccionario marxista” (Gender for a Marxist Dictionary). Donna Haraway. Published in her book *Ciencia, cyborgs y mujeres* (Science, Cyborgs and Women). Cátedra, Valencia, 2005.
- *Yo soy mi propia mujer* (I Am My Own Woman, excerpt), by Charlotte von Mahlsdorf. Tusquets, Barcelona, 1994.
- *Los sexos, ¿son o se hacen?* (The Sexes: Are They Born or Made?) by Diana Maffia and Mauro Cabral. Published in Maffia, Diana (comp.) *Sexualidades Migrantes*. Gender and Transgender. Feminaria, Buenos Aires, Argentina.
- *Apuntes Transgénero* (Transgender Notes), by Belissa Anday Pérez (mimeo). Lecture presented to the Regional Seminar on Health, Sexuality and Diversity in Latin America, Lima, 2005.
- “Perversión Sexual o Transensualismo” (Sexual Perversion or Transensualism). By Vernon Rosario. Published in *Revista Litoral* Vol. 33, Ediciones Literales, Córdoba, 2003.
- “Una vez más... con ganas”. (Once more... with Feeling). By Dean Spade. Published in the Morty Diamond compilation *From the Inside Out*. Manic D Press, New York, 2004. Translation by Joaquín Ibarburu.
- “Bases conceptuales, instrumentos e instituciones del derecho de los derechos humanos” (Human Rights Legal Conceptual Foundations, Instruments and Institutions) and “Protección internacional de los derechos humanos de la sexualidad y la reproducción” (International Protection of Sexuality and Reproduction Human Rights), excerpted from *Bajo la piel, derechos sexuales y reproductivos* (Under the Skin, Sexual and Reproductive Rights). By Giulia Tamayo. “Flora Tristán” Center for the Peruvian Woman. Lima, 2001.
- “Haciendo lobby”. (Lobbying). By Marcelo Ferreyra. Cuadernos de Estrategia para Activistas. Buenos Aires, 2005 (mimeo).
- “Las demandas por los derechos sexuales” (Sexual Rights Lawsuits). By Alice Miller. Published by CLADEM in *Derechos Sexuales, Derechos Reproductivos, Derechos Humanos* (Sexual Rights, Reproductive Rights, Human Rights). Lima, 2002.
- Resolutions of the United Nations Human Rights Commission (2005):

Resolution on Human Rights Defenders; Resolution on the Rights of the Child; Resolution on the Rights of All Persons to Enjoy the Best Possible Physical and Mental Health; The Resolution Against Torture and Other Forms of Cruel, Inhuman and Degrading Treatment and Punishment; Freedom of Opinion and Expression; Resolution on Extrajudicial, Summary or Arbitrary Executions; Elimination of Violence Against Women.

- Resolution on Human Rights and Sexual Orientation introduced by Brazil. *Information Compendium for Official Delegations* published by ARC International, 2005.
- “Sexual no reproductivo: explorando la conjunción y la disyunción entre derechos sexuales y derechos reproductivos”, (Non Reproductive and Sexual: Exploring the Conjunction and Disjunction Between Sexual Rights and Reproductive Rights), by Alice Miller, published in *Derechos sexuales y reproductivos, aportes y diálogos contemporáneos*, (Sexual and Reproductive Rights, Contributions and Contemporary Dialogues). “Flora

Tristán” Center for Peruvian Women. Lima, 2001.

- “International Human Rights References to Human Rights Violations on the Grounds of Sexual Orientation and Gender Identity.” Prepared by the International Commission of Jurists, 2004.
- “A Conversation on Sexual Rights in India,” produced by CREA, SANGAMA and TASHI, 2004. Translated by Alejandra Sardá (mimeograph).
- “Situación legal que en América Latina y el Caribe avala la discriminación de las personas por su orientación sexual real o aparente y por su identidad y expresión de género”, (Legal Circumstances in Latin America and the Caribbean that Further Discrimination Against Persons on the Basis of their Real or Apparent Sexual Orientation and Identity and Gender Expression.) Prepared by Marcelo Ferreyra. 2005 (mimeograph).
- “Ciudadanía (trans) sexual: apuntes críticos” (Trans) sexual Citizenry: Critical Notes. By Mauro Cabral, Córdoba, 2005 (mimeo).

All participants also received:

- One issue of *SeriAs por el Debate*, Lima, 2005.
- Two issues of the *NX Magazine Health Dossier*, Buenos Aires, 2005.
- One issue of the *Queer* dossier of *Nombres Magazine*, # 19, Córdoba, 2005.
- One issue of *Elige*.
- One issue of the book titled *Cuerpos desobedientes* (Disobedient Bodies) by Josefina Fernández, EDHASA, Buenos Aires, 2004.
- Materials related to the documentation of human rights violations, information forms for Rapporteurs, and others.
- Funding Proposal Materials.
- Materials produced by the Campaign for the Inter-American Convention on Sexual and Reproductive Rights.

5

Content, Methodology and Development of Activities

5.1. Trans and Intersex Theory and Politics

5.1.1. Map of Categories and Communities

November 19th, 2005

This first session was dedicated to presenting the Institute and introducing the participants, trainers and coordination team. Throughout the various activities during this event, the group reconstructed the overall state of the trans and intersex communities of the region in an attempt to integrate those aspects that present problems --both in the social and political arena-- while recovering the other, often invisible aspects that make it possible for trans and intersex persons in the region, and their political activism, to survive. This was also a first exercise in group communication that included tests on oral expression and critical listening skills. Alejandra Sardá and Mauro Cabral coordinated the activities.

The first round of presentations also included a reading of the expectations

that each person brought to the Institute. All participants wrote down their expectations and placed them in a box made for that purpose which would be opened again on the Institute's closing day. Shared expectations that first day included, to cite a few examples: to learn, to garner support for the communities, to share experiences, to strengthen activism and political leadership, to forge ties, to develop action plans, to construct and share a common language, to obtain tools, to open doors to change in the region, to take fresh knowledge back to one's country of origin, to become more human, to experience different cultures, to be friends, to construct other possible worlds, to turn one's body into the first safehaven for peace, to have a joyful experience, to celebrate.

Then came the second phase, this time built around a specific motto. Each participant, using his country and community as objects, would tell the entire group about the "best" and "worst" of each.

“The best” drew abundant references to family, friends and activist groups, to open public spaces in which to present projects, to antidiscrimination laws (in Ecuador), to the possibility of getting surgery and hormone treatment (in Chile), to the existence of state centers (such as the CENESEX, in Cuba). Participants’ references to “the best” included the beauty of the various countries, the shared traditions, the people, and friends.

As for “the worst,” many agreed on the lack of community organization, the loneliness and lack of contact with peers, exclusion and domestic and social violence, employment discrimination, the double standard, the marginalization



Gustavo Blázquez

of trans and intersex activists within the context of GLTB groups, and the predominance of the word of experts, particularly psychiatrists and lawyers.

One of the most shattering figures that emerged from this activity came when the group became aware of the difficulties involved in relating the experiences of trans and intersex persons in the region to a phrase like “the best.” Some participants chose to refer to elements they identified as “something good to say”, rather than referring to something as “the best”, because they couldn’t find an element in their reality worthy of describing in such terms.

For the third phase, each individual had to identify “my number one enemy” and “my number one ally”. During this final phase, non-fundamentalist feminism, other trans, bisexual and intersex communities, gay and lesbian groups and their political leaders and government agencies (including Ministries of Health and special centers) all appeared as the indispensable ally in many cases, along with family support and the possibilities afforded by anonymity. The enemies consistently

included governments, churches and the mass media, as well as gay and lesbian groups with transphobic discourse and practices and, of course, trans and intersex fundamentalism.

5.1.2.

Concepts, Theory and Policies

October 20th, 2005

Professor Gustavo Blázquez led this class. In the morning session, the educator laid the foundation for a “performative” concept of gender, meaning a concept that considers gender “a work in progress” instead of a fixed identity linked “by nature” to biology. Within this context, he introduced notions of “performativity”, “performative postulates” and “performance”, with special emphasis on the notion of “technology”. He presented gender, then, not only as a method used normatively by governments to divide society into classes, but also as a collective and individual *coming into existence* that does not predate the subjects (in other words, which comes into existence at

the moment in which it takes place, at the moment in which it happens).

Thus, the course introduced the idea that gender does not “express” a bioanatomical reality that predates it, rather gender “is made” – wherein lies its performativity -- through “performative postulates” (meaning phrases that turn what they name into facts, as when one says “I declare you man and wife”). This performative attribute of gender must be understood as something different from the “performance,” meaning the “mise-en-scène” of gender, that which takes place, for example every time we “act as” men or women following the central script of the masculine or the feminine and using various technologies. The group explored several “gender-making” technologies. These ranged from the most normative -- such as the assignation of sex at birth, the division of clothing, toys and activities into “masculine” and “feminine,” and generic institutionalized divisions such as those found in public baths, schools and hospitals, -- to the most libertarian of them all, such as technologies

involved in the production of travesti, trans and intersex genders. These include technologies that modify the body, vocal timbre, gait and other aspects. Still, emphasis was made again and again on the ambiguous nature of the aforementioned technologies as concerns their performative “gender-making.” For example, the very act of naming something can be experienced as either oppressive or liberating.

In the afternoon session, the group worked together to reconstruct a regional “dictionary.” Each group developed a list of the various given or self-applied designations current among trans and intersex communities. The collective compilation of these lists provided a mechanism for intra-regional translation and a cause to celebrate diversity, an exploration of language imposition and of the power that trans and intersex communities have to subvert it.

That evening, after dinner, the group engaged in a complementary activity the educator had suggested during class: each participant would develop

a performative postulate, that is, one which would “become fact” as soon as it had been uttered. The activity was preceded by a relaxed, festive, spur-of-the-moment fashion show organized by some local businesses.

5.1.3.

The Sharing of Experiences

October 21st, 2005

This class, coordinated by Belissa Anday, was without a doubt the most difficult and emotional class of the entire Institute curriculum. One by one each trans participant and trainer told their individual story, intermingled with their life and activist experiences.

The raw, brutal, sometimes unbearable testimonies offered throughout this session did not get bogged down in a victimization mode. All the contrary: each anecdote provided the chance to share stories of survival and celebration, stories about families, friends, activist groups, the love of others and self-love.

Family

Many told stories of domestic abuse and abandonment which included getting thrown out of the house during early adolescence. Several stories told about experiences with *machismo* in families. Again and again the stories pointed out how families thought of homosexuality or transvestitism as something bad and perverse that demands an explanation. One of the most frequently occurring phrases was “my parents asked where had they gone wrong.” The opportunity also arose to hear exceptional childhood travesti stories: “My situation was really different from that of any other travesti. I had a very lovely, sheltered childhood”.

The inclusion of family life in the telling of life stories allowed us to see a biographical dimension that usually remains hidden: “It seems good to me, this strategy we have been shaping of showing ourselves as we are, as little girls who have had violence inflicted on them. The collective catalogue of imagery makes us into tits-and-ass travestis who enjoy their silent life,

and we are abused boys and girls. As I listened to you all, I don’t see you, I see little children”.

“I feel like I’m with family here”.

Community

Many of those present shared the experience of extreme loneliness, of being alone in the world. Meeting with others, then, presents a unique opportunity:

“When I found another transman it was like an explosion for me”. The experience of loneliness paved the way for encounters that no one could have foreseen:

“I was so thirsty I stayed and pretended to prostitute myself just so I could have a group to be with”.

The social invisibility of transexuality and the stigma associated with transvestitism had conspired, in many cases, to turn that original loneliness into a positive community experience. Likewise, the social secretiveness that cloaks intersexuality had made it

difficult, if not impossible, to construct intersex communities in the region.

In many countries, people still have vivid memories of the places where they jailed travestis; in other countries, that memory continues to be a daily fact of life.

Vulnerability

The various manifestations of vulnerability that trans and intersex communities in the region experience appeared consistently throughout this session.

Transvestitism and, more generally, all those expressions of gender that go against the hetero-normative stereotype, appeared once and again as something “looked upon negatively” in society, as a reason to kick someone out of the home, to discriminate against someone at school, on the job market, and in matters of health and living, thus casting people into a state of permanent vulnerability:

“A little boy arrived at a village wearing makeup and with his eyebrows tweezed,

and they told him that he couldn't enter the village.

"I lost my teaching license on account of my homosexuality."

"When they see you they tell you you're a freak, an aberration."

"I'm an orphan who lost my father and mother and I was raised in an orphanage, where I suffered all sorts of humiliation because of what I am, such as depriving me of food for a week, not being allowed to study, etc., but I've always been a rebellious person. They forced me to wear women's clothes..."

"I've been beaten. I've been the subject of an exorcism."

"I started taking hormones at age 11, and at 15 they threw me out of my house. I didn't know any one. Even my gay friends rejected me ... I got to know other realities. I sold myself as a prostitute, and because I had no way to survive, I faced violence and drugs in the street. I didn't have any political experience yet. People are really aggressive, they attack us verbally and

physically. When I was 16, a car drove by and they threw liquid on me, then set fire to it. I realized it was alcohol. I got burned..."

"Unlike the kids here, I didn't finish school because when I was in my second year four men beat me, they raped me, and I didn't go back to school."

The stories of harassment and police persecution, of abuse and rape in police stations and jails, of torture and murder at the hands of police forces or covered up by police forces, were told again and again.

Several times, the stories people told included extreme scenarios such as attempted suicide, drug addiction and delinquency.

Both the trans and the intersex experiences frequently told of how hard it is to get access to spaces of our own where we can speak our minds, to receive acknowledgment in the first person. This situation, as told through these histories, clearly underlines the power of medicine, psychiatry and the

law to decide for and speak on behalf of trans and intersex persons.

Activism

The various anecdotes shared during this session suggested certain common axes around which all trans and intersex activism in the region revolves. One frequently occurring narrative involves both the recognition that trans activism began in gay and lesbian organizations and an indictment of the current state of affairs between groups, agendas and political movements.

"Travestis are cannon fodder, and they are the only ones who are really visible in marches, along with lesbians."

"When we seek assistance, it comes with conditions attached. The money has to be managed by gays and lesbians, and I don't want to work like that, I prefer assistance from people who don't put a price on it.

"There are no direct funds and gay discrimination is very intense. That provided a reason to found the organization."

“When they need to request funding they say they work with travestis, but it isn’t true.”

“The gay and lesbian population has crushed us.”

“I invented the term *travesti* according to the director.”

They used us, we ltb don’t exist, only gays, we educate through beauty pageants...

“We’ve been exorcised. Gays and lesbians ignore us, judge us and use us.”

“Whenever there’s a march they send me an invitation letter because they need the T, then they appear before a funder and come off looking like they work with transpersons, but they don’t know the first thing about what a transexual or transgender person is.”

“A conflict started with gays and lesbians, and we started to express the need to speak for ourselves ... we had huge problems when it came to getting funding because they consider that we travestis are not well educated, and we

had no knowledge of how to write grant proposals, but we started doing it.”

Other topics that cropped up frequently in the shared narratives include the difficulties of intra-community organization, with people coming from a place where past experiences of being used for political ends make them “distrustful,” and with a certain lack of community-wide interest in long-term political work. People also pointed out the difficulties trans groups have when seeking access to legal recognition, which conspires to make them less fundable.

“The experience of activism is very harsh, you feel it in your body.”

Empowerment

One of the more notable aspects of these shared narratives was the constant introduction of empowerment as an exercise and as a horizon.

“I study every day, that’s the first thing I do when I get up”

“I fight for my rights, and push other people to do so.”

“It’s been a great challenge for me to be in a state university. On graduation day I went the way I felt like going: I wore a tie, even though everyone looked at me and laughed, but none of that mattered to me”

“I knew I was a travesti because of the label society puts on you, but not because I decided to call myself that, and once I met other lady colleagues I started to turn what I knew upside down and to construct myself as a travesti with a different conception of it.”

“We started to break free from that paternalism or maternalism that some people wanted to exert over us.”

“The marginalization, the discrimination, the lack of understanding are also the fuel that make you start to fight for your rights.”

“People with inner pain have more strength to fight.”

“What gave us firmer footing was when we started to listen to the feminist lesbians, who gave us permission to answer back to gays...”

“We have to look for loopholes in the law, as I found out when I tried to get back into school. The director told me there were no vacancies. I threatened to take her to court if I discovered it was a case of discrimination, so I finally won admission and things worked out really well for me.”

“When we went to the human rights organisms, they turned us away because they were not well documented, and we would plant ourselves there and show up and demand to speak first (...) The government always says ‘no,’ but through sheer insistence we got them to help us. Empowerment turned us into subjects of the law. We went to meetings and we didn’t understand anything, and we would ask questions, and gather information for the next time.”

“Don’t write the letter for me, just help me to write it.”

5.2. Human Rights

5.2.1. The Concept of Human Rights. TTTI Sexual and Reproductive Rights

Saturday, October 22nd, 2005

Alejandra Sardá coordinated this topic. First the concept was introduced and then a debate was held.

WHAT ARE HUMAN RIGHTS?

They are presented as “common ideals” for all peoples and all nations that evolve as humankind evolves, meaning they incorporate the claims of emerging oppressed groups (women, indigenous peoples, travestis, etc.).

To some degree they constitute a critique of the existing order, showing what a fair world should be like, as opposed to what it is, but they also express the specific historic moment in which they emerged in their present form (the second half of the 20th century), the power relations between societies (North



Alejandra Sardá during the workshop

against South, West against East) and within them. The abstract subject of rights remains the white, heterosexual proprietor male. The incessant struggle of women, indigenous peoples, African descendants, lesbians, and gay, bisexual, trans and intersex persons has, little

by little, opened up spaces for other subjects, but that struggle continues and has a long way to go before it achieves definitive changes.

History of the Concept of Human Rights

The essence of human rights is the acknowledgment of the dignity of the person with no discrimination whatsoever: the idea that every human being, based on the mere fact of being a human being, has certain rights that nothing and no one can prevent him or her from enjoying, and that governments have the obligation to protect them. This is a relatively new idea in the history of humanity. For many centuries, the simple fact of having a human body did not guarantee anyone that he or she was a person, much less that they enjoyed any rights. For example: the serfs during the feudal period and indigenous peoples in all the territories colonized by Europe were not recognized as persons and did not enjoy the rights considered basic today. We women were until recently, up to less than a century ago in fact, considered “minors” in the eyes of

the law, with no right to vote, engage in commercial transactions, or travel alone.

When the West started talking about the rights “of men and citizens” during the period of the French Revolution, at the end of the XVIII century, the reference was literal: the only ones that had rights were male citizens, and in order to be a citizen one had to be an owner. Olympe de Gouges was decapitated by the Revolution for daring to write about the rights of women and female citizens.

Throughout the 20th century, after World War II and mainly when the decolonization process started in Asia and Africa, the idea that certain races and people were less “human” than others becomes less acceptable. The integration of the “Soviet bloc” and the advance of Communism and other ideologies that question economic inequalities make it possible, at least in theory, for people to start considering those who do not own material possessions “humans.” In the last three decades of the 20th century women, indigenous peoples and African descendants assume, or rather resume

the struggle to continue dismantling the gender and ethical privileges built into the human rights paradigm. Lesbians, gays, bisexual, trans and intersex persons, persons with HIV/AIDS, persons with a variety of disabilities, adolescents and young people and others would later join in on this struggle.

By the 20th century in Latin America, the human rights paradigm had found deep roots as a model to which one would aspire. Our continent was the first region in the world with its own Declaration of Human Rights, which preceded the Universal Declaration of Human Rights by a few months. Unlike Asia and Africa, where many sectors have resisted and continue to resist the human rights model as an imposition of the Western world, we have endowed it with our own content and have used it as a highly effective weapon in the struggle, first against the military dictatorships and then, in recent years, against economic and social violence.

Still, it is most desirable that we not take it as a finished, perfect model, rather as a human creation that can and

must change over time if it is to remain useful, if it is to keep its effectiveness and, above all, if we are to prevent it from becoming a tool of oppression.

We might ask ourselves whether that model in its current state, as the international treaties express it, has everything we need today. At first glance, it has at least one excess element: property. For property to be enshrined as a fundamental right at the same level as life or freedom of expression is extremely dangerous.

It is important to consider that all rights are equally important and that it is impossible to enjoy some if you lack the others (if someone's basic needs, such as food, shelter and others, aren't met, the right to vote is of no use, because that person would probably sell their vote in exchange for food, or may be so distressed that they don't even care about going to vote). This is what is known as the "indivisibility of human rights." An absurd debate still rages today regarding which rights are more important: no rights are more important

than others, for the exercise of each one makes it possible to exercise the others.

Another characteristic of human rights is that they are universal, in other words, they apply to all people throughout the world under all circumstances. It is a marvelous idea, but it becomes a problem when "universality" is transformed into "homogeneity," meaning when it is taken for granted that not only are all people equal, but we are also identical: we have the same needs, we want the same things, the same things hurt us. A profound debate about the "universality" of human rights and "cultural relativism" has been taking place dating from some time back, and when one culture sanctions practices that another, dominant culture finds unacceptable the debate becomes complicated. There is still much ground to cover in the construction of an ethical framework shared by all humankind, that takes all variations into account but at the same time holds common criteria regarding what must be excluded from that framework. It is quite difficult to build that common framework in the present context of inequality, in which

supposedly all countries are equal (when it comes to human rights) but in fact some countries are "more equal than others."

Sexuality in Human Rights

The human rights paradigm in its original expression excludes the body, or rather, the body's sexual dimension, because those who drafted these treaties were by overwhelming majority heterosexual white males, etc. whose dominant sexuality could be conceived of as being so "natural" that it was excluded from the rights framework. Women and feminists were the first to state that the body in its sexual dimension had rights, and also that recognized rights, as such, had or could have sexual dimensions. That is the founding principle of what we know today as "sexual rights," which the human rights system still has not fully accepted.

No "official" definition exists for these rights as of now, but we might be led to believe that they touch on every aspect of those needs related to sexuality and

In most countries sex education is only about reproduction. Sex education in high schools is like a laboratory that depicts bodies as maps. It presents maps and agendas (of heterosexual sex partaken of by men with penises and women with vaginas) which have to be modified all the same on account of the churches. You can discuss heterosexual and reproductive sex, but they (churches) do not want that. They argue that men should know and women should not, because if they are to follow that agenda, women have to be ignorant.

As for the boundaries of sexual rights, the notion of injury carries weight: I can do whatever I want as long as I don't cause injury. Not just any injury, but demonstrable and unconsensual injury. (Demonstrable to prevent people from claiming, for example, that the sight of a travesti causes them "harm").

As the debate on sexual rights concluded, a series of participatory

games on sexuality and desire were proposed.

Later, people worked in groups on the sexual rights of transpersons to be included on the Sexual and Reproductive Rights agenda. This is the list of rights that we organized by topic:

Identity without discrimination

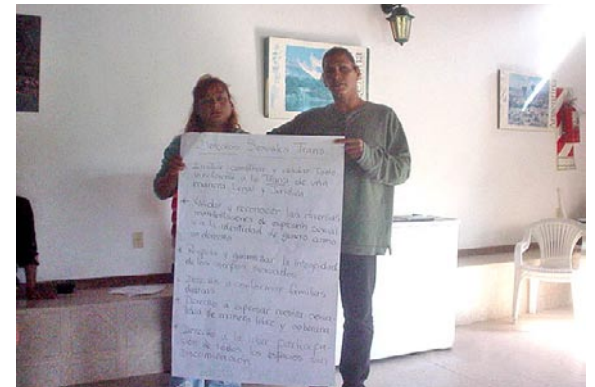
The right to:

- Gender identity.
- A name change without surgery as a prerequisite.
- Freedom of movement¹.
- Freedom to participate anywhere without discrimination.
- To legally institute, construct and validate all that refers to transpersons.
- To validate and recognize the various manifestations of sexual expression and gender identity as a right.
- To respect and guarantee the safety of the body in its sexual dimension.
- Legal recognition of gender identities.

Freedom of Expression

The right to:

- Express our sexuality freely and in sovereign fashion.
- Freely associate sexually.
- Sexual freedom.
- Privacy in sexual matters.
- Sexual equality.



¹ The right to freedom of movement is included in the notion of 'sexual citizenship'

- Sexual pleasure.
- Enjoy full sexuality.
- Freedom of Opinion.

Right to a life of dignity

- Education, good health and decent employment.
- Comprehensive sex education.

Right to have a family and reproduce

The right:

- To start diverse families.
- To exercise the right of paternity and maternity or reproduction.
- To adopt.
- To marry.
- To have access to reproductive technologies.
- To abortions for transmen.

Right to make decisions about one's own body

- To make decisions about one's own trans and intersex body.
- To sex-reassignment treatments.
- To information based on scientific knowledge.
- To freely choose an operation and complementary treatments.
- For the government to assume the cost for hormone treatment and surgery.
- To orientation, transition and medical followup.
- To not be diagnosed and subjected to clinical regimes and excessive medication².



² We are referring here to the system that oppresses and pigeon-holes us. It is not related to the right to health. On the contrary: in order to enjoy our right to health, we need doctors who are trained and able to listen and understand, for instance, how important pleasure is for us. We want medical professional who are able to take care of our health as a whole, including our sexual and reproductive health. The final choice should never be placed in the doctors' hands, should never rely on their opinion only.

5.2.2.

The Inter-American Human Rights System

October 24th

Joseph Thomson, of the Inter-American Human Rights Institute, with headquarters in San José, Costa Rica, ran the Monday, October 24th session.

We reproduce his presentation on the Inter-American System in its entirety:



Joseph Thomson during his presentation

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

I. The system within the human rights context

- Human Rights: From Philosophical Postulate to Enshrined Law
- Human Rights: From Enshrined Law to Internationalization

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

II. HISTORIC EVOLUTION

- OAS Chart 1948
- American Declaration of the Rights and Duties of Man (1948)
- American Convention on Human Rights (1969)
- From promotion to indirect protection: country reports
- Individual cases: 1965

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

II. HISTORIC EVOLUTION (cont...)

- American Human Rights Convention 1969
- Inter-American Court of Human Rights 1978
- The system in transition

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

III. THE SYSTEM'S FOUNDATIONS

- A founding instrument (the Convention) and one of derivative value (Declaration).
- Two organisms, the Inter-American Commission on Human Rights and the Inter-American Court of Human Rights
- Special procedures for: a) consultations and interpretations; b) individual cases
- Recommendations and sentences

A TWO-TIERED SYSTEM?

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

IV. PROTECTED RIGHTS

- The list of rights
- Preference for civil and political rights in the Convention
- The Protocol of San Salvador
- The topic of limitations (allusion to gay and trans issues)

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

V. How the System Works

- Before bringing a case to the system, you must remember:

The rule on exhausting internal resources

Verification of the status of the country and the competent authority

Whether the matter falls under any of the rights listed

That the case not be time-barred (6 months after the last of the events)

The American Convention creates the Inter-American Court of Human Rights.

The Commission starts issuing country reports. From 1969 to 1978, the Commission was the only body able to grant protection. After the Convention entered into force, there were two bodies: the Commission and the Court. Complaints must still be submitted to the Commission only. It is not possible to bring a case to the Court without passing through the Commission first.

It took 9 years for the Court to become functional.

You do not need to be an NGO or a lawyer to bring an individual complaint before the Commission.

In 1986, the first case was brought before the Commission.

To write a complaint, you must use the American Convention as reference.

The Inter-American Commission is based in Washington DC, while the Inter-American Court is based in San Jose, Costa Rica.

The Court has two procedures: consultations and cases. Under the

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

V. How the System Works

- For preliminary arguments bear in mind the following:
Broad Foundation for the Case
Identification of the Facts and Authorities
List of the Rights Violated
Clear Evidence to be Submitted

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

V. How the System Works

Presenting the case before the IACHR:

- Hearings, evidence, possible on-site visit*
- Amicable settlement proposal*
- Recommendations, report, send to the Inter-American Court of Human Rights*

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

V. How the System Works

Possible results of proceedings before the Inter-American Commission on Human Rights

Reinstatement
Compensation
Legal or Policy Reforms

Limitations

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

V. How the System Works

Proceedings before the Inter-American Court on Human Rights (San José):

- Restrictions on supporting evidence*
- More formal proceedings, preliminary challenges*
- Hearings, production of discovery materials*
- Resolutions (sentences)*

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

VI. Evaluation of the System

ADVANTAGES

- The system opens up new possibilities (venue)*
- Resolutions may address judicial errors*
- International hearings/judges (eliminates national factors)*
- Possibility of establishing reparations*
- Reparations can transcend the individual*

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

VI. Evaluation of the System

DISADVANTAGES

- The passage of time. Non-expeditious process*
- To gain access to the International Court on Human Rights, one must have convincing reasons to do so (admissibility)*
- No specialized counsel necessary, although it is preferable*
- Reparations must be supervised*

'consultations' procedure, general cases might be brought up –for instance, the case of Article 204 of the Nicaraguan Penal Code (stating that "all those who, in an scandalous manner, instigate, promote, advertise or practice intercourse between individuals of the same sex, commit the crime of sodomy").

The Court passes judgment, as it is a tribunal. The Commission issues recommendations.

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

What is it feasible to expect of the Inter-American System?

- Considerations made in light of humanist doctrine
- Possible international impact
- The possibility of reparations that transcend the concrete case

THE INTER-AMERICAN HUMAN RIGHTS SYSTEM

- Limited caseload experience involving sexual preferences and defense of the right to a sexual identity
- The system's potential as an instrument of change

Debate centered on several cases, such as those of Karen Atala in Chile, El Corralito in Argentina, and the case of Ecuador, Paraguay, Colombia, Nicaragua and Peru. Debate continued regarding the accessibility of the Inter-American system. Cuba is not a signatory to the Pact of San José. Human Rights reports, etc.

Handouts:

- Copies of the presentation on the Inter-American Human Rights System
- Unabridged text of The Pact of San José
- Form for presenting petitions regarding Human Rights violations
- 2 mock cases for work groups

Two groups worked on the following cases:

CASE #1

While on night watch at two in the morning on October 15th, Juan and Alfonso, two policemen from Oruña (an urban community in Southerland) head to Voltaire Park, known as a meeting place, lovers' lane and a place

for certain forms of prostitution. From a distance they glimpse the shape of Lili leaning against a dim streetlamp. With no provocation whatsoever and no grounds for intervention, the policemen approach the woman, call her “a half woman” and “an indecent transvestite” and detain her in the presence of several people, among them Lili’s friends, citing an ancient ordinance that bans prostitution but does not get enforced in fact. They place her in a holding cell full of other criminals, all of them male, and after beating her and bruising her face and thorax, they tell Lili that when

it comes right down to it, that’s what she is in biological terms. Lili becomes the object of humiliation and the beatings inflict pain on her, although she doesn’t suffer severe injuries. Her friend Marta, a lawyer with an NGO that defends the rights of GLBT persons, complains to the authorities and files a habeas corpus petition. Two days later, her petition still pending, Lili is released, although she is traumatized and fearful. Two months later, the habeas corpus petition is dismissed when the Constitutional Court rules that “all actions that attempt against morals, such as travestis

engaging in prostitution, fall outside of the protection of basic rights.” Lili has to stay home for several weeks while she recovers, but she receives medical attention provided by Marta’s NGO.

You are Marta, and are considering taking the case to the Inter-American Human Rights System because Southerland is a signatory to the American Convention and has already recognized the jurisdiction of the Inter-American Court of Human Rights, but Lilli has her doubts and comes to you in order to set the facts straight and plan strategies. Help allay her concerns:

Issues raised	Answers prepared by participants
1. Who does one resort to? How?	You can go to the Court of Human Rights.
2. Lili is scared and doesn’t want to sign a petition or document and Marta doesn’t know any of Lili’s family members. How would you bring the case to the court?	Maybe through an NGO, maybe through a group of unincorporated individuals who band together for the case.
3. Marta knows that in order to resort to the Inter-American Human Rights System one has to exhaust all internal resources. Would this include a liability lawsuit against the policemen? Or can she resort to the court now?	A liability lawsuit isn’t necessary, but it can be filed.

Issues raised	Answers prepared by participants
<p>4. Help Marta to identify:</p> <p>a. Rights Violated.</p> <p>b. Elements of Proof.</p> <p>c. Possible claims or motions.</p>	<ul style="list-style-type: none"> - Freedom of movement. - Article 7, the rights of detainees. - Article 5, no torture. - Medical certificate. - The arrest record. - Videos, recent photos of the aggression. - Ruling on the motion for habeas corpus. - Monetary damages for workdays missed. - An apology. - Accept the settlement or not.
<p>5. Marta wants to anticipate the government's defense. What is your opinion? How would you anticipate their arguments?</p>	<p>The government would argue that the officers were simply enforcing the law because there was supposed prostitution, a "suspicious" attitude, resisting arrest, and because the attitude attempts against public morals.</p>
<p>6. What are the foreseeable phases of the proceedings? If a friendly settlement is offered, under what conditions would it be worthwhile to accept?</p>	<p>To accept the settlement is to condone silence and impunity.</p>
<p>7. How would the case be different if Juan and Alfonso had been homophobic young men with no ties to the police and if, instead of sending her to a cell, they had detained her on rural property that belonged to one of them?</p>	<p>If it involved Juan and Alfonso, it would be kidnapping, not abuse of authority.</p>

CASE # 2

Joseph Thomson IIDH

Although born with female sexual organs and baptized as Francisca López, he has felt like a male since childhood and has seized upon every available chance both at home or at school to dress in clothes that are in fact “for use by males,” which has earned him more than a few instances of ridicule and harassment. Once he turns 18 (the age of legal consent in his native country, Costa Verde) he registers at the Public University under the name Francisco López, indicating his

gender as male. The University rejects his application because of a mistake, because the application for admission is inconsistent with his high school transcripts, birth certificate and entries in the civil registries, all documents that Francisco has had to present. Francisco argues and petitions for reconsideration at the offices of the Registrar and the Dean, all of whom reject his petition on the grounds that “it is not possible to change biological realities or entries in civil registries at the university level.” Francisco comes to you, as lawyer of

the NGO called Diversity is Possible, to seek assistance. You file a writ of amparo with the Constitutional Court citing the fact that the Constitution of Costa Verde enshrines the right of personal identity and the right to honor and reputation, and the writ is dismissed a few months later citing “matters of public order and morality”. The NGO considers resorting to the Inter-American system, and you must prepare the corresponding study.

Issues raised	Answers prepared by participants
1. Is this a case for the Inter-American system? How would you make your case?	Yes because all local resources have been exhausted to no avail. It's a violation of the Constitution of Costa Verde, which enshrines the rights to a personal identity and to honor and reputation.
2. What line of reasoning would you follow in determining which rights had been violated?	Violation of Articles 1.1., 3, 5.1, 11. 1, 24 and 25 of The Pact of San José.
3. What remedies would you move for?	Petition for amendment of documents, demand that the educational system be more flexible in its admissions standards and guarantee equal opportunities. <i>Moral damages.</i>

Issues raised	Answers prepared by participants
4. Think about the evidence. What would you consider introducing?	Evidence: rejection by the university, the <i>writ of amparo</i> . This case is built almost entirely on documentation, and cases built on documentation rely more on the line of reasoning.
5. Think about the possible claims the government might present and how to counteract them. To that end, analyze Articles 30 and 32 of the Convention.	Art 1.1. No law exists that justifies what they are doing to Francisco, it is a university ruling. You could argue that there is no single prevailing moral code or public order.
6. Review the proceedings. The NGO does not have a lot of funds and would rather take the case directly to the Inter-American Court of Human Rights. What would you say?	They won't take it to court because it's expensive.

At the end of the session, Joseph Thomson congratulated the participants for the work done.

5.2.3.

The International Human Rights System

October 25th, 2005

The principal objective of this meeting was to lay out the International Human Rights System, with a special emphasis on the introduction of trans and intersex issues. The work covered two phases.

The first one, coordinated by Marcelo Ferreyra and Mauro Cabral, involved an introduction to the International Human Rights System, a history of its inception after World War II and an explanation of its organizational structure and overall operations.

The presentation placed special emphasis on the description and

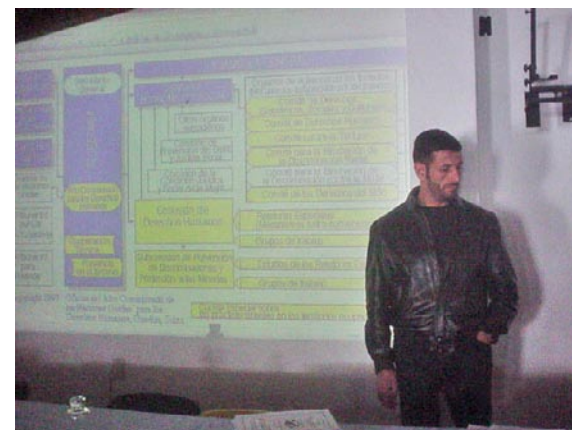
functions of the United Nations Human Rights Commission. Taking the various Resolutions included among the Institute handouts as a starting point (see above), the work of Rapporteurs and Special Rapporteurs, their mandates, and the work of trans and intersex activism—including dissemination of information, proposed vocabulary, and others-- were introduced as subjects.

The discussions included the function of the coalition of groups and individuals created in response to the need to back the Resolution on Sexual Orientation and Human Rights introduced by Brazil, and the possibilities of opening up that political space for the introduction of trans and intersex issues.

The participants repeatedly expressed their concerns over the real possibilities of gaining access to the international human rights system, for example by introducing cases of human rights violations. This concern was also expressed in relation to the cost of participating in the proceedings of the Commission on Human Rights in Geneva. One of the strong commitments expressed was the commitment to explore ways of working within the international human rights framework at the local level, urging the use of instruments such as the various Resolutions. In this sense, while the movement in general seems to favor the introduction of new Resolutions like the one introduced by Brazil, there was also an insistence on the need to introduce

fresh interpretations of those already in existence and to present innovative interpretations of the mandates of Special Rapporteurs. One example was the case of the Resolution on Violence against Women, which could be a very effective instrument for trans and intersex communities if one were to introduce a radical broadening of the number of issues it covers. For example, one might link violence against women to violence against the expression of female gender, which would also allow it to be applied, within the context of that Resolution, to violence against travestis.

Following that, Lohana Berkins and Belissa Andía Pérez shared their experience as activists working on the United Nations Human Rights Commission. Both highlighted the need to introduce trans and intersex issues into the United Nations agenda through various strategies. These include direct contact with the respective diplomatic missions, Special Rapporteurs and their aides and the High Commissioner's office, as well



Marcelo Ferreyra



Mauro Cabral

as small-scale interventions aimed at making the life circumstances of these trans and intersex persons visible (as an example Lohana told the group that she flashed the reverse of her identification badge instead of the face,

which contains her legal name, thus making explicit the violence implied in requiring travestis to provide a legal name). They also underlined the importance of forging alliances and coalitions among various groups that work at the United Nations, and the need to constantly educate people within this arena on issues related to identity and gender expression. Lohana and Belissa both pointed out how the United Nations Human Rights Commission can feel like an intimidating place, where the magnitude of the issues heard would seem to dwarf the claims of trans and intersex persons; still, as they both stated, these claims deserve to be presented and defended, and are gaining ground with each passing day.

5.2.3.1.

Documentation of Human Rights Violations

The second phase focused on one of the most important items of content for the Institute: documenting violations of the human rights of trans and intersex persons. The chosen methodology was group work.

All four groups were asked to present a specific case and divide their presentation into three parts: narration of the events, list of available documentation, and what problems you might encounter in the documentation process. These are the cases presented, all of them real-life stories:

- The death of an Argentine travesti due to medical negligence, aggravated by her detention in a men's cellblock, the abuse she suffered in the hospital, and the fact that her body stayed in the morgue for 3 days.
- Death of a travesti due to medical negligence in Costa Rica, aggravated by an HIV test without consent.
- Street murder of a travesti in Honduras, aggravated by the lack of immediate medical attention.
- Murder of a travesti in Venezuela at the hands of the police, aggravated by the disappearance of the victim's body, constant police interference in the investigation, the subsequent murder of one of the witnesses and a vicious attack on another one.

Each group's presentation made it clear that the incidents that happened in hospital environments had more exhaustive documentation because they happened within an institutional framework (with the possibility, for example, of gaining access to lists of the staff involved) and in the presence of multiple witnesses, including family members of the victims (who, in each case, collected key information such as the vital statistics of the witnesses present). The other cases, time and again, faced either the police force's complicity or indifference, roadblocks that kept them from gaining access to information, and a lack of witnesses (at least witnesses who had not been intimidated).

Using these presentations as a springboard, work began on specific intervention strategies: the activists' knowledge and application of the law and ordinances; routine requests for police identification in search and arrest procedures; immediate on-site photographic documentation; and the organization of local communication networks that include professional

specialists (particularly lawyers). Important limitations were pointed out, such as the lack of witnesses, intimidating police procedures, other aggressors and the loss of documentation over time. The importance was also pointed out of introducing in all reports documenting the human rights violation statements to the effect that the victim was a travesti, in other words pointing out those aspects of the case that might help to identify the victim as such, including any insults proffered (“transvestite shit,” for example). Thus, the documentation of any one case contributes to the unmistakable establishment of a pattern, which then allows human rights violations targeting specific communities to be identified. Those patterns can then be based on grounds such as “human rights violations based on the individual’s gender identity and/or expression”.

The visual exhibit was also pointed out as a basic tool when one attempts to reconstruct the victims of human rights violations as people. These visual exhibits should not just show

photographs that document the violence, but should also show victims when they are happy, full of life, with their family, on the job, etc. This makes the “case” personal and eliminates its abstract character.

5.2.4. Feminism

October 29th

Rosa Posa coordinated the session on feminism held on Saturday, October 29th, 2005.

A plenary was held in which a series of questions “triggered” debate. Each person drew a piece of paper with a question on it at random, from a paper bag.

1. What is feminism?
2. Do you know a feminist?
3. What do you think of feminism?
4. Is being a woman the same as being a feminist?
5. Are lesbians feminists?
6. Do you believe that feminism questions anything?
7. Have you read anything about feminism?

8. What has feminism contributed to the world?
9. Do you consider yourself a feminist?
10. What do feminists in your country do?
11. Do you work with your country’s feminists?
12. Do you know any feminist proposals?
13. Are feminists lesbians?
14. Do you know how feminism was born?
15. Do feminists work on economic issues?
16. Do feminists work on environmental issues?
17. Do feminists work on political issues?
18. Can a heterosexual man be a feminist?
19. Can a gay man be a feminist?
20. Can a transman be a feminist?
21. Can a travesti, transsexual, transgender or intersex person be a feminist?
22. Can prostitutes, people who work in prostitution or sex workers be feminists?

Ideas that arose from the debate:

The debate centered on the issues of inequality and the wielding of power that feminism questions and the concept of “woman.” Feminism mainly questions the oppression and patriarchal system upon which our society is based (though it at times may also take on the role of oppressor).

Feminism as a tool strongly questions the linking of man or woman to a biologically based fate: you aren’t born a woman, you become a woman. Feminism contributes gender as an analytical tool that bears the imprint of class, religion and others, though

you could also posit that gender as such possesses neither the breadth nor the scope for other identities such as transvestitism, to give one example. There are forms of corporality that do not coincide with gender. A woman is still a woman, and I believe that word continues to be an oppressor, as are all words created by men.

The distinction between feminism and womanism was discussed. Feminism is an instrument that frees us from prejudices.

Travesti participants that had been socialized as men spoke about the

possibility of acting as feminists from the position of travesti feminists.

Historical materialism and feminism are part of the basic tools for trans theory.

Further topics included feminist myths and stereotypical femininity, which was invented by man and not by woman because it turns the woman into an object for the pleasure of man.

In closing, Verónica Patricia Villalba Morales of Centro de Documentación y Estudios, or CDE (Paraguay) showed a Power Point presentation that she had prepared for the Second Feminist Assembly in Paraguay in 2005.

5.2.5.

Intersectoriality, Discrimination and HIV AIDS

October 31st

On Monday, October 31st 2005 the various forms of discrimination were discussed.

The following table was developed in groups:

DISCRIMINATION BASED ON	THE VICTIMS	WHO COMMITS IT	WHERE AND HOW IT OCCURS	WHAT ARE THE RESULTS	HOW TO OVERCOME THEM
Race – ethnicity	Indigenous people and African descendants, all ethnic minorities.	The government, society, xenophobic groups.	In denial of land, lack of access to justice, lack of public policies, the laws, acts of violence.	People living with no recognition of their rights.Exclusion, poverty, lack of opportunities.	Governments, NGOs and international organisms have initiatives.
Class	Sectors of society that have no resources, peasants, urban populations. The middle class.	The government, society, private companies.The haute bourgeoisie.	In salaries, in the distribution of wealth.In the lack of people-oriented public policies.	No creation of opportunities.	There are programs, but not enough of them, to overcome poverty (State, NGO, and international organisms).
Disabilities	Persons with motor or sensory disabilities.	The government, society, private companies.At school.	In the violation of human rights, thelack of inclusive public policies,and no access to employment and health care.	Marginalization and exclusion.	There are some social organizations and public policies, but not enough.
Language	Immigrants, indigenous people who speak languages both recognized and unrecognized by local governments.	The government and society.	No access to education, in employment.	Exclusion.	Bilingual education and programs in other languages, but they do not encompass everything.

DISCRIMINATION BASED ON	THE VICTIMS	WHO COMMITS IT	WHERE AND HOW IT OCCURS	WHAT ARE THE RESULTS	HOW TO OVERCOME THEM
Nationality	Immigrants.	The government, society, private companies.	Each country's immigration laws. Specific discriminatory requirements (obligatory HIV tests, for example). No access to formal employment.	Lack of access to opportunities.	Certain NGO initiatives and, in certain countries, government initiatives.
Sex- gender	Womentravestis, transsexual persons, Transpersons and intersex persons.	The government, society, churches, private companies, NGOs, families.	Violence in all its forms. Disparities in salary and access to employment, etc. Sidelineing from the educational, employment and health systems.	Marginalization, exclusion and death (by abortion, due to crime).	Public policies exist that target women, NGOs, international organisms. Advances have been made but much remains to be done. As for TTTI (Travestis, transpersons and intersex persons), gay and lesbian organizations only take half-measures.
Sexual orientation	Lesbians, gays and bisexuals.	The government, society, churches, private companies, NGOs, homophobic and lesbophobic institutions.	Violence in all its forms. Non-recognition of common-law marriages, lack of legalization. Labor, legal and education discrimination.	Exclusion.	Social organizations that work towards non discrimination.
Age	Elderly adults, children, adolescents and youth.	The government, society, the educational system, private companies.	Lack of a coherent retirement system, prejudice in the labor market. Exploitation of minors, etc.	Exclusion.	Organizations that work for youth and children, government policies, ¿How about for elderly adults?
HIV- AIDS	Persons living with HIV AIDS, family and friends.	The government, society, private companies, churches.	Violation of rights and segregation. Lack of access to medications, lack of non discrimination policies.	Exclusion and death.	Health Ministries, NGOs and international organisms that work with the issues.

This allowed us to debate the areas where the various grounds for discrimination intersect.

The second part of this session included an approach to the issue of HIV AIDS work in ttti organizations, with the debate springing from a discussion of the following issues:

1. Weak points, disadvantages.
2. Strong points.
3. Arguments against (or in favor of) of using the designation MSM, from the TTT perspective and the transmen's perspective.
4. How to work on the issue without submitting to imposed identities. What can we do to change that?

DEBATE

HIV is a real problem that affects us, which we must face and work on.

Funders impose a pre-established conception of the world, but we must transform language, educate and persuade by questioning from the gender perspective. We can intervene by questioning the term MSM (in fact, in some countries that term is no longer used to refer to travestis).





We are subjects more than just MSM's: some transmen raised the issue that each "M" might represent a variety of subjects

The concept of MSM has an anatomical foundation. It really means penis-rectum (and excludes women who engage in that practice). MSM identifies men who have sex with men that do not identify themselves as gay, thus encompassing certain persons while erasing the identities of others.

New methodologies need to be applied so that trans groups can see our community and start to make our community visible, and the work needs to be carried out by peer groups.

In several countries where fierce competition exists among organizations to secure funding for HIV AIDS work, transpersons are "the poor sisters".

5.3. Organizational Development

5.3.1. Managing TTTI Activist Groups

October 26th, 2005

This meeting, coordinated by Mauro Cabral, began with a "brainstorm," sparked by the following question: "What aim might a group of trans and/or intersex persons have in deciding to organize?"

Some of the reasons pointed out included the following: to sensitize people; to inform; to generate self-awareness; to put issues on the table; to achieve legislative reform; to forge alliances; to construct community identities and policies; to organize community support networks; to prevent HIV/AIDS and provide people with support; to make visible within each community the various forms of oppression and discrimination suffered.

With these ideas as a starting point, it was suggested that the group be divided into four, with each group in

turn grounding its work in one of the following issues:

- public opinion
- self-awareness and self-help
- construction of trans citizenry
- raise awareness about HIV and STI's.

The results of these groups' work follow:

Group #1: Taking "public opinion" as its central issue, this group set itself the task of presenting activities such as workshops, congresses, self-funding mechanisms, visualizations, participation in Pride Marches, publishing brochures, working with other NGOs, infiltration, community media, television campaigns and others.

Among other difficulties encountered, this group pointed out that the biggest ones included financial obstacles, resistance within the communities themselves, relations with government institutions, the problems trans and intersex persons face when it comes to their public visibility, community leadership and its visibility, the masking

of trans reality within the MSM formula, the lack of alliances.

Group #2: This group, which organized around creating community "self-awareness and self-help" networks, set itself the task of presenting community activities such as group brainstorming, discussion groups, radio programs, written material and others. The main difficulties this group found included internal discrimination (internalized transphobia), the lack of development of integrated trans community identities, the lack of proprietary space, the lack of financial resources, the lack of interest of the communities themselves, the concrete realities of unremunerated activist work and others.

This group's presentation laid the way for a broad discussion of certain issues, including the specificity of transvestitism (phrased in terms of identity, community, and politics) and the need to respect intra-community diversity when taking on tasks such as those this group faced. On the other hand, community empowerment was also mentioned as a high-priority

objective for trans and intersex self-awareness groups, along with the need to empower communities so they can face the constant arbitrary actions of police, for example, project self-sustainability, and gain access to legal consultancies, among others.

Group 3: This group based its work on the construction of trans citizenry, concerning itself with a proposed array of rights which, as it understood it, would constitute said citizenry. Those rights include the right to an identity, the right to a life of dignity, to be free from discrimination, to not be exiled, to have fair access to medical attention, education, banking and economic advancement, and to absolute control of our bodies.

For this group, achieving these rights implied embracing cultural changes, among them lending visibility to the diversity of trans lives and bringing them out of their “binary compartmentalization;” constructing a community consensus as to words and concepts that give an account of those lives; and working to keep surgery and

hormone treatments from becoming a legal requirement in order to gain legal recognition for gender identity.

The debate that followed this groups’ presentation centered on the possibilities of translating the varied claims it had presented into concrete legislative reforms; one aspect to consider was the tension between the sexual division of identities, in i.d. documents for example, (“oppressive”), and the “vanishing” effect that the abolition of said distinction would have on differences and discrimination. The main dilemma brought forth as a result of the issues this group discussed was the balance between a “highest ideals and minimum expectations” agenda and the various ethical and political principles that would be compromised in each case.

Group 4: This group organized its work around HIV/AIDS-related issues based on a common acknowledgment: the trans population is not, generally speaking, a part of prevention campaigns, nor does it have specific prevention instruments. The group set itself certain objectives, including: to

generate dialogue among peers; to lay claim to the terms we wish to be used when referring to us; to critique and debunk the term “MSM” because it does not include trans communities and does not respect their feelings; to generate debate among sex workers and persons in a state of prostitution; to bring into the open the set of problems faced by transmen regarding the topic of HIV; and to talk about specific practices in these populations.

This group’s presentation generated a debate that revolved around community strategies.

That afternoon we welcomed Arnoldo “Gaicho” Rosenfeld, who had been invited to share his experience in the fields of grassroots communication and activism. The meeting had the feel of an easygoing, fluid dialogue that included everyone.

The main issue that “El Gaicho” talked about throughout his presentation was the need to learn from those one seeks to teach. He made his experience working with Latin American peasant populations as a promoter of public

housing and health systems the shining example of this need. Throughout this experience, the most severe problem was the frequent cultural barriers between peasant communities and the team of promoters. They approached this problem by working on specific strategies, such as organizing meetings for the “two voices” to meet, recording those meetings on videotape and using the videos in turn to help other communities and teams of promoters communicate. Still, no doubt the best communication strategy mentioned at this meeting was that of “doing.” As “Gaucho” pointed out, “Cuban teachers in Chile didn’t talk, they started out by building a school. The main thing in those experiences was to do, and not to talk, not to arrive there as an activist saying ‘I’m here to defend the rights of these marginalized people’...” He added: “It’s important to know where each liaison sits in terms of power. Some promote urban hygiene, and there are some very good ones, because they explain how to do it to people and actually start out by working with them. Others arrive, provide the explanations

and take off, and the people then do something else with the lime they leave for them. One worked as an interlocutor and communicated, the other one just gave out information. Then you have those who give orders, those who say ‘paint the house and keep the vinchuca (the cone-nosed bug) away’ ...and the worse ones say: ‘I’ll come by tomorrow to see if you painted.’ Communication happens in small groups, and the communication is of a clandestine nature, just like the process by which the Zapatista Army took shape.”

Institute participants played an active role throughout this meeting, focusing on the issues raised from a variety of perspectives. Thus emphasis was placed, for example, on the need to identify the real needs of the communities in which one proposes to intervene from an activist perspective, and not to impose one’s own agenda instead; to work intensely on each community’s proprietary communication codes, and to respect them; to establish the various levels at which one seeks to intervene, without dismissing a single communication strategy (drawing distinctions, for example, between



Arnaldo “Gaucho” Rosenfeld

the technical language that should be reserved for dealing with professionals, and the language of the communities); how instruments of inter-cultural “translation” work, how power interferes with communication, the task of art and other means of expression, the limitations of written expression, theater...

After the talk with El “Gaucho,” an informal meeting was held with Mayra Rodríguez, a Cuban psychologist from CENESEX (Cuba) . This extracurricular activity took on the character of an informal meeting between participants, Institute trainers and Mayra. She started out by sharing the history of CENESEX, founded in 1976 and with women as its original target population; later on other communities were integrated, with a



Mayra Rodríguez

transexuality working group as the most recent addition. CENESEX provides psychological support and other support for those who wish to gain access to surgery. It serves as a space where transexual persons can meet and think, and out of that context sprang an HIV/ AIDS activist group.

Participants and Institute trainers alike asked about a range of issues: the problem of transpersons actually participating themselves in a leftist regime, whether it was the right moment for intersex interventions in Cuba, the lack of respect for people’s identity and gender -- in particular as regards the use of the MSM formula -- and the designation of travestis as “transvestite men.” They also asked her about the concrete possibilities for empowering those transpersons who participate in the CENESEX program, the role that medical and psychology experts play in defining trans agendas in Cuba, and the prospects for autonomous trans and intersex activism on the island.

Mayra responded to the questions raised about these issues by touching on

institutional problemas, in particular the lingering homophobia and transphobia in Cuban institutions. She acknowledged problems of job discrimination related to people’s gender expression, although there is some lessening of strictures, supported by sex education programs and sensitivity training of the police force, for example.

She also pointed to the economic difficulties Cuba suffers as a result of the blockade, which have an immediate impact on the possibilities for transpersons to gain access to adequate surgery and hormone treatments. Twenty-five transwomen currently await access to surgery that has already been authorized in Cuba.

One of the most interesting aspects of the discussion this dialogue generated is that of the stereotypes currently attached to transpersons, particularly those that inextricably associate transvestitism and prostitution. This seemingly indestructible association renders every transvestite “guilty” of breaking the law wherever prostitution is penalized by the mere fact of being

a travesti. It also renders the sexuality of transpersons in general, and travestis in particular, invisible by attaching them, paradoxically, to a single form of sexuality: prostitution.

5.3.2.

TTTI Project Funding

October 27th

Funding Strategies for TTTI Organizations or How to Secure Funding Without Dying in the Process.

Lohana Berkins coordinated the October 27th session.

The aim of this session was to get acquainted with funders, funding requirements and the process of writing project proposals without fear and with knowledge of how to get the groups' ideas across.

Project proposals were passed out for GFW (Global Fund for Women), Astraea, Agencia Española de Cooperación Internacional (AECI) and Seville's Ayuntamiento, or Town Hall.



Lohana Berkins

Each group took on a different proposal and aimed to solve it as one would “in the real world,” with the tools we have available.

The following project proposals were created:

- An HIV prevention campaign.
- A research project on transmen.





- Construction of a space for integrated ttti social education, promotion and placement.
- HIV Prevention in women and travestis in a state of prostitution.

A debate followed centered on frequently encountered problems, such as the difficulties in obtaining legal status, how to assign (monetary) value to volunteer work, the need to broaden gender perspective in ttti issues and explain it, and the need to combine forces with other groups either to carry out joint efforts (as in the women and travesti project), or to obtain institutional support.

Handouts were provided on funding:

- general recommendations.
- list of funders.
- requirements to obtain funding.
- steps to follow.
- drafting proposals.

5.3.3.

Communications

October 28th

Marlene Wayar coordinated the October 28th session on communications.

The work methodology proposed for using the media to communicate was creative, involving role-playing applied to a reality show along the lines of “Laura en América.” This one was called “La hora de Marlene.” The casting was announced as “the program” started, when the hostess called for each guest to come out:

A couple consisting of a transman and a transwoman who were going to have a biological son, with the transman carrying the pregnancy.

Two travestis who were going to hire a womb in order to have a child.

Two trans organization activists

One pro-lifer

One sociologist-psychiatrist

All participants molded well to their assigned characters,



Marlene Wayar

displaying impressive creativity and improvisational skills.

The rest of the group joined the program little by little urged on by “audience demand” or by characters that made appearances on the set, such as the transvestite daughter of the pro-lifer, etc., prompting a series of very funny scenes that also included strong doses of realism and media analysis.

As a result of this activity the following ideas and strategies, all of which must be taken into consideration when making media appearances, were discussed:

Visibility is a fundamental issue. To achieve it, one must possess training and skills in the art of debate, possess a well-defined political discourse, be able to keep one’s cool and be careful with body language.

The manipulation of people on TV is a constant in every country, and strategies must be crafted to avoid it by correcting conceptual mistakes on the air; by deconstructing the supposedly neutral, respectful discourse which actually proceeds from a place of power and is in fact violent; by working on creating media-worthy events; by refraining from offering opinions or arguments on all topics (if it isn’t necessary, then don’t talk about adoption, for example); and by bringing materials and documentation to newspapers.

It is also important to provide an ideological framework. For example, regarding prostitution it is not good

strategy to reply “I don’t prostitute myself.” It’s better to provide a context for the reality of prostitution as a consequence of government policies that do not grant the right to an education, to good health and employment.

At all times it is of fundamental importance to prepare one’s discourse



and provide it a context, to show conviction and confidence and to be aware that abuse in the media does exist and that certain programs can destroy all one's work as an activist. That's why it's also important to work with alternative media: community radio, the Internet and others.

The second part of the session was dedicated to the creation of collective texts about the expression of identity and desire.

5.3.4.

Intersex Activism

October 31st, 2005

At this brief meeting, coordinated by Mauro Cabral, certain attributes of contemporary intersex activism were presented, with two standing out in particular: on the one hand, the broad definition of intersexuality (assumed as “the set of variants in masculine or feminine body standards”), in other words, unmooring it from its mythological connotations; on the other, the difficulties this activism encounters in relation to human rights discourse

(in particular, with the current prevalent standard of “sexualized humanity”). The function of the “law of resemblances” in the various medical protocols prescribed and followed in cases of intersex births was explored over the course of a one and a half hour session. The exploration, in other words, touched on how the need for bodies to resemble cultural ideals of femininity and masculinity justifies, both at the medical/psychiatric level and at the judicial-normative levels, interventions that violate the human rights of intersex persons, such as genital mutilation and the covering-up of the clinical history. This logic was contrasted against another form of logic centered on a cultural change capable of introducing a celebration of the diversity of sexualized bodies, all in a context that guarantees everyone the possibility of “being in the world” no matter what corporality they embody, and in the best way possible.

5.3.5.

Trans and Intersex Agenda

This is the list of objectives, priorities and rights for a trans and intersex

agenda which all group participants helped create.

Objectives:

- To promote and defend the rights of the TTTI community.
- To create awareness about sexual diversity in the TTTI community.
- To lend visibility to TTTI persons and increase the visibility of transmen.
- To empower in the TTTI population.
- To raise consciousness about and sensitize other sectors.
- To reorganize terminologies and concepts.
- To work on specific agendas for transmen, travestis and intersex persons while forging alliances.
- To promote respect for consecrated Universal Human Rights.
- To broaden rights (which have been formulated for men and women) to include gender identity.

Rights to be worked on intensively

- Social, Economic and Cultural Rights.
 - LIFE.
 - › Transitional decisions.
 - HEALTH.
 - › Adequate and decent health care.

- › Promotion of community health.
- › Right to adequate health care.
- › Sensitivity training for physicians.
- SHELTER.
- WORK.
- CULTURE: TO PROMOTE CULTURAL CHANGE.
- Civil Rights.
 - The right to an identity: the autonomy to make decisions regarding one's name, gender, body, reproduction, and family.
 - The right to retain custody of children before having a sex change, the right not to be thrown out of the house on account of it, and the right that no one demand that you have no children as a condition for undergoing the operation.
 - For heterosexuality not to be a prerequisite for the operation.
- Sexual and reproductive rights (in addition to those named on page 19).
 - The right to preserve one's reproductive capacity regardless of the operations.

- Depathologization of sexual diversity.

STRATEGIES

- The need for country-by-country agendas.
- A “highest ideals and minimum expectations” agenda.
- Work for the repeal of Article 204 in Nicaragua.
- A couples law that also applies to transpersons.
- Work on the decriminalization of travestis.
- Place relevant information to each country in e-mails and respond to communiqués.
- Question how the invitations, funding and other perks for international meetings get divided up. To have one's own voice.
- To be included and made visible in HIV agendas: if the term MSM fits someone, they should use it.
- All resources that circulate in our name should be controlled by TTTI.

As a result of the development of the trans and intersex agenda, the Falda Declaration was drafted.

FALDA Declaration

We, the participants in the Institute for Trans and Intersex Activist Training, propose the following declaration:

1. As we come together in our commonalities and differences, we affirm and celebrate the diversity of trans and intersex experience in the region (travestis, transexual and transgender persons).
2. Recognizing the various circumstances of vulnerability that trans and intersex communities in the region face, we affirm and defend the right of all trans and intersex persons to fully enjoy their fundamental rights, including not only the right to life, but also the right to good health, education, work and shelter.
3. Taking into account the specific needs expressed by the various trans and intersex gender corporalities,

- sexualities, expressions and identities, we affirm the need to reformulate and/or broaden current judicial and biomedical concepts applied to the following:
- a. the autonomy to make decisions regarding one's own body,
 - b. maternity or paternity,
 - c. legal recognition for the identity that each person feels is their own,
 - d. socially recognized expressions of masculinity and/or femininity,
 - e. Categorization of persons according to gender at institutions, including the educational, health and prison systems, among others.
4. Recognizing that all real political change takes place within a context of cultural change, we affirm the need to collectively construct cultural representations of trans and intersex communities and persons through education, professional instruction, the media, recreational activities and the arts.
 5. Based on our similar life histories and observation of their recurrence in the various countries of the region, we demand public policies that take into consideration, recognize, care for, include and preserve trans and intersex childhoods.
 6. Recognizing the marginalization that trans and intersex activism has suffered in many instances throughout the region, as well as the difficulties trans and intersex communities have experienced in gaining access to participation in the public domain by virtue of their intrinsic right, we demand their full recognition as subjects of human rights with full capacity for public participation in conditions of equality, which includes our unqualified demand for the protection of trans and intersex activists as human rights defenders, their access to specific funding channels and the drafting of proposals that target trans and intersex communities.
 7. With full knowledge of the various forms of discrimination, oppression and violence experienced by trans and intersex communities, we condemn all discourses and practices that propose and establish exclusionary regimes based on corporality, sexuality, gender expression and identity, and call for the active dismantling of such regimes. Likewise, we pledge to struggle together against all forms of government violence and paragonment violence, and aim for the repeal of all current laws and ordinances in various countries of the region that criminalize prostitution, sodomy and the wearing of "opposite sex" clothing.
 8. We affirm our aim of forging alliances with other social movements, as well as with the transformative feminist movement, to seek a fair and inclusive society free of all forms of discrimination.

9. While affirming the Institute's educational character and multiplying effect, we commit to transform this experience into an open venue for permanent exchange.
10. In celebration of the dialogue held, the reciprocal learning process and the shared experiences, we affirm the need to orient our trans and intersex activist agendas toward successfully claiming our rights and those principles that transcend the rights framework: a life of dignity, pleasure and happiness.

La Falda, November 1st, 2005.

6.

Institutions and Individual Collaborators

- UNIFEM SOUTHERN CONE
- UNAIDS, SOUTHERN CONE
- UNAIDS PERU
- FONDO GLOBAL HIV AIDS
EL SALVADOR
- Joseph Thomson of the IIDH
(Inter-American Human Rights
Institute of Costa Rica)
- Lohana Berkins, ALITT or Asociación
de Lucha por la Identidad Travesti y
Transexual (Association of Struggle
for Travesti and Transexual Identity)
Argentina
- Belissa Andía Pérez, (Asociación
Claveles Rojos, Instituto Runa de
Desarrollo y Estudios de Género,
ILTGALAC) Peru
- Marlene Wayar,
(Futuro Transgenérico) Argentina
- Gustavo Blázquez,
Córdoba University, Argentina
- Arnoldo Rosenfeld,
Córdoba University, Argentina
- Argelia Bravo, visual and
audiovisual artist, Venezuela

7.

Evaluation

The final session was dedicated to an overall oral and written evaluation of the Institute. Based on the responses provided by participants and trainers alike, we present the following summary:

- The very fact of the Institute, with its open meeting space, dialogues, exchanges and reciprocal learning process was, without a doubt, the most positive aspect singled out in the evaluations.
- The communal experiences, the possibility of recognizing ourselves as sharing in Otherness and the construction of respect for diversity figure prominently, again and again, as positive aspects. The sharing of life and activist experiences provided many participants the chance to imagine a possible community (in the political and in the affectational sense) and the opportunity for reciprocal and transformative learning.
- The acquisition of practical and conceptual tools was singled out as a positive aspect worth noting. In this sense, the work that revolves around the Inter-American and international human rights systems and access to funding for trans and intersex groups figured most prominently.
- The work of the trainers was ranked highly, both in terms of their prior preparation and development and their relationship with participants. From the trainers' perspective, the Institute was a unique educational experience revolving around trans and intersex issues.
- Institute materials were rated overall as positive and appropriate.
- Institute logistics (including the La Falda location and the hotel where the Institute was held), transportation and travel were repeatedly rated as positive.
- The aspects rated as negative in the evaluations include the inadequate treatment, both in scope and in depth, of certain obligatory topics for trans and intersex communities and movements, including (for example) the specifics pertaining to each community and the political issues

that link HIV/AIDS and the MSM formula with trans movements in the region.

- Another negative aspect included the lack of specific materials to cover the educational needs brought to the table upon discussion of certain topics.
- Another aspect that bears improvement is communication at the various levels: first, the lack of interpreting services for Portuguese speakers and of materials translated into Portuguese caused problems for participants from Brazil and those who wanted to communicate with them more fluently; second, the use of technical language made it more difficult to discuss certain topics; and third, certain given facts regarding identity that varied from individual to individual and were not dealt with explicitly from the outset made group communication more difficult throughout the Institute's duration.

It might be possible to summarize the experience of participants, trainers and the team of coordinators in this

paragraph, included in one of the evaluations, which states:

“The activity allowed me to order certain concepts and rethink them. It raised my consciousness about how useful it is to go back to certain issues that somehow one turns into automatic things. As always, the most enriching aspect of it was everyone's opinions”.

8

Conclusions

The Institute for Trans and Intersex Activist Training was, without a doubt, a unique experience. As many participants defined it, and as we felt it, it was an “historic event.” Its organization and execution represented the overcoming of important challenges; its legacy, which must be extended from here on out, also implies the assumption of unique commitments.

Of primary importance, the Institute set its sights on a singular challenge from the outset: the communities and movements that it had expressly and specifically targeted. Any activity with these characteristics, dedicated exclusively to collaborating with the emergence and strengthening of trans and intersex political activism in the region, would find itself obligated to take on the commitments and difficulties implicit in its very objective. A primary and fundamental responsibility: from its early stages the Institute was conceived of as an equitable transfer of resources, a “working with” instead of a “working for” or a “working on behalf of.”

This ethical position implied a firm assumption of the commitment to dismantle our own individually held privileges (of class and of gender), and an acknowledgment at every step of the way that the experience of each participant is *knowledge*. Thus, the Institute was conceived as an educational space that made no distinction between “those who offer testimony” and “the experts,” as a space organized around a shared ideal of the collective construction of knowledge. In this sense the Institute’s pedagogical experience went beyond the use of participatory techniques and became a space for growth, exchange and group creation.

Perhaps the most persistent difficulty we faced right up until the Institute’s opening was the extremely limited space trans and intersex communities occupy on the international funding agenda, as well as the habitual character of that space: that of “target population.” This project, which aims to contribute to the empowerment of trans and intersex movements, was ignored several times. Nevertheless, after an extremely rich

and valuable from all angles, we have proven that investing in the trans and intersex movement means contributing to societies, to the advancement of these movements, and to a thousand other things.

The need to assume critical positions regarding the dynamics of certain “traditional” alliances -- such as those between gay-lesbian and trans-intersex movements, which are presented as almost natural – and the need to approach certain exclusionary discourses and practices produced by other social movements (among them certain branches of feminism and of the left) with a critical sense, emerged clearly again and again throughout the Institute’s duration. Running this Institute, then, forced us to face the contradictions and limitations of our “colleagues” and allies, as well as identifying the phobias present in government and in church institutions and those that haunt progressive movements in the region from the beginning to the end.

The Institute established the need to face the tensions between those frameworks that structure our political work. The most powerful tension made evident over the course of the sessions held in La Falda may be that which places the generic definition of humanity as conceived by the human rights system in conflict with a world inhabited by subjects who refute that selfsame generic definition and denounce it as exclusionary and oppressive. How can one defend the human rights of those whom the paradigm of human rights itself does not even contemplate? If humankind and human rights only includes women and men, what instruments guarantee the right to live and to lead lives of dignity to those who are not now and shall not ever be women and men? To imagine these and make them possible is one of the pending tasks the Institute bequeaths us.

Another tension present from the beginning to the end is that which links pain and struggle, testimony and knowledge, victim and celebration. Over and over, throughout the Institute’s sessions, we had to acknowledge that

despite the brutal experiences of trans and intersex persons in the region, it’s impossible to build the foundation for transformation upon that which has been denied and that which has been lost. On the contrary: only if we honor the lives and struggles of those who have died and celebrate the lives and struggles of our peers can the transformations we yearn for come to be.

This material has been produced by the Latin American and Caribbean Program Team at the International Gay and Lesbian Human Rights Commission (IGLHRC)

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