



Report on the Human Rights Situation of Afro-Brazilian Trans Women

*“I don’t want to die like this!
Why do people have to die like this?
Why do we have to be beaten and
stabbed to death?”*

*Lohany Veras, Coordinator for the Rights of
Transvestites, Transsexuals and Intersex People,
Rede Nacional de Negras e Negros LGBT*

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Rights Situation of
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Women***

Global Rights: Partners for Justice is a human rights organization working in partnership with local activists in Africa, Asia and Latin America to build grassroots movements that promote and protect the rights of populations marginalized because of gender, ethnicity, race, socioeconomic status, gender orientation or disability.

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Some say that sexual orientation and gender identity are sensitive issues. I understand. Like many of my generation, I did not grow up talking about these issues. But I learned to speak out because lives are at stake, and because it is our duty under the United Nations charter and the universal declaration of human rights to protect the rights of everyone, everywhere.”

***— UN Secretary-General Ban Ki-Moon to
the Human Rights Council, 7 March 2012.***

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Table of Contents

I. Introduction.....	1
II. Executive Summary.....	3
III. Methodology.....	5
IV. Violations	6
1. Racial Discrimination:	6
2. Transphobic and Racial Violence:	9
3. Police violence and impunity:.....	12
4. Inadequate access to education:	15
5. Inadequate Access to Employment:	18
6. Inadequate Access to Healthcare:	20
7. Lack of Legislative Protections:.....	22
V. Conclusion.....	25
Recommendations to the President of Brazil:	27
Recommendations to the Secretariat of Human Rights:	27
Recommendations to the Secretariat for the Promotion of Racial Equality:	27
Recommendations to the National Congress:.....	28
Recommendations to the Ministry of Justice:.....	28
Recommendations to the Ministry of Education:.....	28
Recommendations to the Ministry of Health:	29
Recommendations to civil society organizations and international funders:	29
Recommendations to the Inter-American Commission on Human Rights: ..	30

I. Introduction

Recent years have seen a dramatic shift in attention directed toward vast and grave human rights abuses against lesbian, gay, bisexual, trans and intersex (LGBTI), or sexually and gender nonconforming (SGN)¹ people, across the world. Civil society, governments, and international human rights institutions are continuously increasing efforts to understand and address the unique challenges facing this population. Nonetheless, tremendous obstacles remain for fully understanding and overcoming the complex challenges faced by diverse individuals who identify as LGBTI.

Often excluded from generic references to a broader “LGBTI community,” trans² people are amongst the most vulnerable individuals subject to grave and frequent human rights abuses. Following Global Rights’ commitment to advance gender and racial equality

¹ This term has been introduced to refer to people of diverse sexual orientations and gender identities who do not necessarily identify with the limited definition of the term “LGBTI.”

² The report utilizes the umbrella term “trans” to refer to all individuals who identify as transvestite, transsexual, transgender or any other gender variant identities.

through individual empowerment and long-term advocacy partnerships, this report was developed to shed light upon the specific and often forgotten forms of discrimination against Afro-Brazilian trans women.

Representing the first-ever comprehensive study on this subject matter, the report examines the struggles of a group of individuals who are deeply marginalized from diverse economic, cultural, and political contexts, and who often remain subject to violence, sexual abuse, and murder. In addition to providing information and supporting recommendations on the status of the Afro-Brazilian trans population, the report will highlight these individuals’ daily experiences by presenting their own arduous accounts of the struggle for survival and acceptance.

We wish to provide special thanks to the fearless Afro-Brazilian trans women who so bravely shared their personal stories with us for this report, and who continue to advocate each day on behalf of the rights of the entire Afro-descendant trans population. We would also like to thank the *Rede Nacional de Negras e Negros LGBT*³, and the countless other

³ Founded in Brasília in 2005, The *Rede Nacional de Negras e Negros LGBT* is the first and only national organization dedicated to advocating and defending the rights of LGBTI Afro-Brazilians. The organization is composed of diverse affiliate groups that work in each of the country’s five regions to advance the rights and

organizations and individuals working diligently to defend and promote the rights of all LGBTI Afro-Brazilians.

visibility of LGBTI Afro-Brazilians. In addition to participating in numerous local and state councils on racially, sexually, and gender based discrimination, the organization serves as a civil society representative to both the *Conselho Nacional de Combate a Discriminação/LGBT* (National Council on LGBT Discrimination—CNCD/LGBT) and the *Conselho Nacional de Promoção da Igualdade Racial* (National Council on Racial Discrimination—CNPIR).

ii. Executive Summary

The report will examine human rights violations against the Afro-descendant trans population in Brazil as they pertain to international human rights treaties and conventions that Brazil has signed and/or ratified. These agreements include the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), the Convention on the Elimination of All Forms of Racial Discrimination (CERD), the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), and the American Convention on Human Rights (CADH).

Additional recommendations on these matters have been provided by international bodies, including the UN Office of the High Commissioner for Human Rights (OHCHR), the Joint United Nations Programme on HIV/AIDS (UNAIDS), the Inter-American Commission on Human Rights (IACHR) and the Inter-American Court of Human Rights (IACtHR).

Each of these institutions have independently called upon Member States to enact measures protecting LGBTI people, women, and Afro-descendants, including specific recommendations that have been directed toward Brazil.

Examples of such instances include, but are not limited, to the following:

OHCHR calls upon Member States to “prevent torture and cruel, inhuman and degrading treatment of LGBT persons...and to “prohibit discrimination based on sexual orientation and gender identity,” as pertaining to principles established by UDHR and ICCPR (UNITED NATIONS, 2012);”

UNAIDS’ “UN theme group on HIV/AIDS in Brazil,” calls upon Brazilian President Dilma Rousseff, members of the Brazilian National Congress, and the Brazilian Judiciary Powers to act to promote and protect the rights of LGBTI people, including passage of legislation which would criminalize acts of violence and discrimination committed against individuals on the basis of their presumed or actual sexual orientation or gender identity (UNAIDS, 2012);

The Third Committee of the United Nations General Assembly approves resolution A/C.3/67/L.36, whereas it includes “gender identity” for the first time in history in its condemnation of extrajudicial, summary or arbitrary executions (UNITED NATIONS GENERAL ASSEMBLY, 2012);

CEDAW, upon reviewing evidence of disparities in quality of and access to treatment in *Alyne da Silva Pimentel Teixeira v. Brazil* (2011), calls for improved access and healthcare services for low-income and Afro-

descendant women in Brazil (COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN, 2011);

IACHR rules in *Atala Riffo and Daughters v. Chile* (2012) that acts of discrimination committed on the basis of sexual orientation or gender identity committed by or within signatory Member States, including Brazil, qualify as a violation of the CADH (INTER-AMERICAN COURT OF HUMAN RIGHTS, 2012);

IACHR “expresses its deep concern over the homophobic and transphobic violence in the region and urges the States to adopt urgent measures to stop the homicides, attacks and acts of aggression against lesbians, gays, and trans, bisexual and intersex persons (LGTBI), and against any persons perceived as such.” The statement notes that 18 of 26 such violations reported to the Commission in September 2012 occurred in Brazil (ORGANIZATION OF AMERICAN STATES, 2012).

As a signatory to the aforementioned international agreements, Brazil must act upon these recommendations. Under President Rousseff, the State has begun to implement substantial measures to address racial discrimination and inequality. These measures include a sweeping affirmative action law that was approved by the National Congress in 2012 and later upheld by the Supreme Federal Tribunal

(CONECTAS, 2012), dramatically increasing the number of Afro-Brazilian students enrolled in public universities. Additional legislation was later approved to incorporate affirmative action policies into federal hiring practices (INSTITUTO LUIZ GAMA, 2012).

Nonetheless, despite continued public demands from diverse members of Brazilian society and the international community, the Brazilian government has taken minimal action to advance or protect the rights of LGBTI individuals. More specifically, the State has not taken sufficient action to address the needs of the trans population, nor has it committed to developing specific measures in response to the needs of LGBTI Afro-descendants. Lastly, no measures have been proposed to address discrimination and violence against the Afro-descendant trans population. Therefore, it is hoped that this report may stimulate international human rights institutions and the Government of Brazil to promote further action on these matters.

The most pressing and frequent violations facing Afro-descendant trans women in Brazil, to be discussed at length throughout the body of the report, are as follows:

1. **Racial discrimination**, in the form of verbal harassment, defamation and hate speech;
2. **Transphobic and racial violence**, including sexual harassment,

intimidation, violent attacks, and extrajudicial killings;

3. **Police violence and impunity**, including arbitrary detentions, extrajudicial and attempted extrajudicial killings, threats and extortion, and torture and cruel, inhuman or degrading treatment by police and military officials;
4. **Inadequate access to education**, due to racial and gender-based discrimination by classmates and school employees, and further exacerbated by a lack of educational programs to promote social inclusion of LGBTI students;
5. **Inadequate access to employment**, due to racial and gender-based discrimination by potential employers, and further exacerbated by a lack of public employment opportunities and legal obstacles to changing gender identity on state-issued identity documents;
6. **Inadequate access to healthcare**, including racial and gender-based discrimination by health care professionals, systematic health disparities amongst Afro-Brazilian and trans women, and severe mental health issues facing Afro-descendant trans women;
7. **Lack of legislative protections**, which guarantee State recognition and protection of gender identity and expression, and ban violent crimes and discrimination committed on the basis of sexual orientation or gender identity.

The report will close with conclusions regarding the status of the Afro-Brazilian trans population, and will provide practical recommendations for government and civil society actors to respond appropriately to the reported violations.

III. Methodology

The research collected for this report was developed over an eight-month period, from July 2012 to March 2013, and depended heavily upon qualitative sources. The decision to use qualitative data was made in light of the general invisibility of Afro-descendant trans women in media, academic and government publications on LGBTI people in Brazil. Sources include reports, articles, and documents on the situation of LGBTI and Afro-descendant people in Brazil, as well as four in-person interviews held with leading Afro-descendant trans advocates from diverse regions of the country, including Rio de Janeiro (Rio de Janeiro State), Salvador (Bahia State), and Belém do Pará (Pará State). Five additional interviews were conducted with federal government officials, academic experts, and non-trans identifying LGBTI Afro-descendant activists. All participants provided explicit verbal or written consent for use of their names and information provided in recorded interviews to be included in this report.

Additional observations were collected at the *11ª Reunião Ordinária do Conselho Nacional de Combate a Discriminação e Promoção dos Direitos de Lésbicas, Gays, Bissexuais, Travestis e Transexuais* (11th Ordinary Meeting of the National Council on LGBT Discrimination), held in Brasília in September 2012, and the *1º Seminário de Negras e Negros LGBT* (1st National Black LGBT Conference), held in Salvador, Bahia in October 2012. Information was also gathered at support group meetings and cultural events pertaining to the trans and Afro-descendant communities.

iv. Violations

1. Racial Discrimination:

Afro-descendant trans women in Brazil face numerous barriers due to racial and class-based discrimination, including aggravated acts of violence and transphobia (AVELAR & MELLO, p. 316, 2010; CARRARA, p. 245, 2006; MARCELINO, p. 72, 2012). As a result, they suffer from discrimination in seeking access to health care, education, housing, employment, legal representation, and virtually all other public services. They are also victims of frequent verbal harassment, public defamation and hate speech. Hate speech against Afro-descendants and LGBTI people is commonly committed by prominent Brazilian legislators, journalists, and intellectuals.

Moreover, rare public portrayals of Afro-descendant trans women often depict them as violent, subversive, criminal, and uneducated.

Afro-descendant women are commonly objectified in public depictions, including a recent prank coordinated by a group of students at the *Universidade Federal de Minas Gerais* (Federal University of Minas Gerais—UFMG). A photo of the incident shows a white female student impersonating a slave (PORTAL EBC, 2013). The individual is covered in black paint, has a lock and chain wrapped around her wrists, and a sign draped over her chest that reads, “Caloura Chica da Silva.”⁴ Chica da Silva is the name of a freed slave woman of mixed European and African descent who has been depicted extensively within Brazilian film and literature as a “seductress who used her African heritage and sexuality to improve her position in society,” and is viewed by experts to have served as a “simplistic [representation] of race relations in Brazil (DANTAS, p. 951, 2011).”

In addition, J.R. Guzzo, former editor-in-chief of the leading Brazilian magazine, *Veja*, released an editorial in December 2012 entitled, “Parada gay, cabra e espinafre”⁵ (ZIBELL, 2012). The editorial lists exhaustive arguments against the rights of LGBTI people in Brazil, supported by

⁴ “Freshman Chica da Silva”

⁵ “Gay parade, goat and spinach”

numerous homophobic remarks. Guzzo's article includes claims that 1) Publicly financed educational materials intended to address discrimination against LGBTI individuals in schools were an "incentive to homosexuality." 2) The near three hundred hate-motivated murders of LGBTI people in Brazil recorded in 2011 were not unique to LGBTI people. Rather, they were a mere "fact of living in Brazil," where all individuals are subjected to violence. 3) An individual who expresses dislike toward homosexuals is not committing a crime because there is no law that "requires any citizen to like homosexuals, or spinach, or whatever it may be." 4) In reference to same-sex marriage, Guzzo stated, "A man cannot marry a goat, for example; he may even have a stable relationship with one, but he cannot get married (ZIBELL, 2012)."

More recently, Federal Deputy-Pastor Marco Feliciano (Partido Social Cristão-São Paulo), current president of the Chamber of Deputies' *Comissão de Direitos Humanos e Minorias* (Committee on Human Rights and Minorities—CDHM), has made a series of racist and homophobic remarks since his appointment to chair the Committee in March 2013. At a political gathering of Evangelical leaders in late 2012, Feliciano proclaimed, "AIDS is the gay cancer (LOCATELLI, 2013)." He also posted a comment on his Twitter account in 2011 understood to have implied his belief that Afro-descendants are

cursed, stating specifically, "The curse that Noah lays on his grandson, Canaan, covers the African continent, from there the hunger, plagues, diseases, ethnic wars! (LOCATELLI, 2013)." The congressman currently faces federal criminal charges for discrimination, presented to the *Supremo Tribunal Federal* (Federal Supreme Court—STF) by Attorney General Roberto Gurgel in April 2013 (O DIA ONLINE, 2013).

Following Congressman Feliciano's confirmation to serve as president of the CDHM, numerous protests and public commenters have called for his resignation. In response to the criticisms, a video was released by an unknown producer and promoted by Congressman Feliciano on his Twitter account (PICHONELLI, 2013). The video relays images of LGBTI and Afro-descendant activists protesting against the congressman's leadership of the CDHM, and includes a clip of Afro-descendant protestors singing and playing drums, which it refers to as a "ghoulish ritual (PICHONELLI, 2013)." The clip repeatedly plays a quote by openly gay, Afro-descendant Federal Deputy Jean Wyllys (Partido Socialismo e Liberdade—Rio de Janeiro), which states; "The orixás put me in this mandate (PICHONELLI, 2013)." Following the video's release, Congressman Wyllys received repeated death threats and was subsequently provided emergency protection by federal police escorts (LIMA, 2013).

Racism is a thing that traverses all strata of society. Well, racism exists in the words, in the actions, in the way that you act with another person, and within prejudice against LGBT [people]. That is to say, these are biases that are fostered in the heart of the family context. A person already grows up knowing that black is ugly, that black smells, and black is not worth anything—these are the pillars. It's that to be a faggot is to be something bad. And so, these prejudices exist, with blacks against LGBTs and with white LGBTs against blacks. And so, what I am trying to say is that it is very difficult because the prejudice exists in the society as a whole.

Yeah, that's the problem, you know. We have the institutional prejudice. And this institutional prejudice affects all of us. And it just increases, you know. Black women receive different treatment in hospitals, as black women, as I was saying in the courts throughout the country, in every institutional service the government provides. If there is a prejudiced or racist person, they are gonna treat you with racism, you know. And that's the problem with Brazil, you know, in all the senses. And for black transsexuals, it would be even greater the problem. And if she doesn't have the looks of a woman, the problem, it would be even greater because she causes... [nausea] in people, you know.

And I think [black] people are, we are the non-desirables...It's the non-desirables, we are the non-desirables.

Everything, we learn that are not, we don't want among us, we don't want a black woman among us, only at Carnival, only at Carnival. We don't want, and even at Carnival, we are changing that, because of Carnival is so white right now, completely different than it used to be in the 80s, 70s, 60s. And we don't want homosexuals, especially if they are flamboyant, you know, if they are camp, you know, effeminate. They don't want that.

—Alessandra Ramos, Coordinator, Grupo Pela Vidda Rio de Janeiro

Yes. From the side of prejudice, to say, "Oh, she's black," right?" Because I've always heard people say that. Oh, she's black, and she is a transsexual or a transvestite, and she wants to be called Joana, but her name is João. It's a terrible process. In the job market, to be black and to think that you don't fit the mainstream beauty standards, with blue eyes and such, not having good hair, and they are pushed aside, because of the racial question. Because today, the racial question is considered a crime. And so, that helped minimize the situation. But does racial discrimination exist? It does exist, and much more so in the case of transvestites and transsexuals.

—Karol Ferreira, Program Associate, Rio Sem Homofobia

2. Transphobic and Racial Violence:

Afro-descendant trans women face a broad range of physical, sexual, verbal, and psychological abuses, resulting from deeply institutionalized and intersecting forms of racial and gender-based violence and discrimination. These include, but are not limited to, daily incidents of intimidation, violence, sexual harassment, rape, and murder. Pervasive violence against LGBTI people occurs as a result of frequent police abuse, limited legal protections for LGBTI people, and minimal effort by the Brazilian government to prevent violence against LGBTI people. Recent examples of crimes against Afro-descendant trans women include the murder of a 25-year-old Afro-descendant transvestite named Sheila, who died after being run over by an off-duty police officer in Moema, São Paulo (G1 SÃO PAULO, 2012). Another emblematic case is seen in the murder of Jocivaldo Alves, a 26-year-old Afro-descendant transvestite who died in Ubatã, Bahia after being stabbed repeatedly by her attacker (GRUPO GAY DA BAHIA, 2010).

A number of studies speak to the high frequency with which hate crimes are committed against Afro-descendant trans women. Although trans women represent an estimated 10 percent of the total LGBTI population in Brazil (FRANKEL, 2012), they accounted for a disproportionate 50.5 percent of the nearly 300 murders of LGBTI people

recorded in a 2012 report by the Federal Secretariat for Human Rights on violence against LGBTI people in Brazil (SECRETARIA DE DIREITOS HUMANOS DA PRESIDÊNCIA DA REPÚBLICA, p. 55, 2012). The report gathered data from media accounts and complaints directed to public hotlines administered by the Federal Secretariat for Human Rights, the Federal Secretariat of Women, and the Ministry of Health, regarding human rights violations committed against LGBTI people.

The report accounted for important demographic indicators, including sexual orientation, gender identity, age and region. However, it provided minimal information regarding the racial identity of LGBTI victims of violence and discrimination. Specifically, government hotlines did not record the racial identity of complainants, and 74.5 percent of media accounts included in the data collection process did not identify victims' race (SECRETARIA DE DIREITOS HUMANOS DA PRESIDÊNCIA DA REPÚBLICA, p. 68, 2012).

Nevertheless, black- and brown-identified individuals were estimated to account for 52 percent of LGBTI murder victims included in the report (SECRETARIA DE DIREITOS HUMANOS DA PRESIDÊNCIA DA REPÚBLICA, p. 23, 2012). This figure was attained by analyzing the 25.5 percent of media accounts or photographs which identified victims'

racial identity. It does not, however, provide a precise figure for the 74.5 percent of murder victims identified by media accounts which did not account for racial identity, or for any of the victims who reported violations to government hotlines and whose racial identity was not recorded. Furthermore, the racial identity estimates were made in reference to the collective group of LGBTI murder victims, but the figures did not disaggregate racial statistics by sexual orientation or gender identity.

In addition to these findings, an annual report by *Grupo Gay da Bahia* (Gay Group of Bahia—GGB), a leading national organization dedicated to combating violence against LGBTI Brazilians, stated that there was a 21-percent increase in murders of LGBTI people between 2011 and 2012, raising the total number of victims from 266 to 338 (AFFONSO, 2013). Research has also demonstrated an increase in the number of homicides of Afro-Brazilians during recent years. Specifically, a comparative study on homicide rates amongst black and white populations showed a 5.6 percent increase in the number of Afro-descendants murdered between 2002 and 2010. This figure was contrasted by a 24.8 percent decline in homicides of white Brazilians committed during the same period (CEBELA, FLACSO, SEPP/PR, p. 38, 2012, 2012).

The difficulty to collect disaggregated data on violence against Afro-

descendant trans women is due in part to the limited scope of sources that provide data on violence against LGBTI people. As noted, government officials do not account for racial identity when recording reported human rights violations committed against LGBTI people. A select number of non-profit organizations also provide information on anti-LGBTI violence, based on data collected from media and activist reports. Nevertheless, under-reporting or failure to report hate crimes to non-profit and government entities is common amongst victims and their families who fear “outing” and/or persecution from their perpetrators. Furthermore, research on media bias in Brazil notes that media outlets do not sufficiently account for or problematize race as an aggravating factor in acts of violence committed against Afro-descendants (ANDI, p. 79, 2012). The media’s failure to address race as it pertains to hate crime victims further inhibits non-profit and government entities from collecting more comprehensive information on both racial and anti-LGBTI violence.

In addition, acts of violence against Afro-descendant trans women encounter vast impunity due to the fact that virtually no federal legislation exists to prohibit acts of violence committed on the basis of sexual orientation or gender identity. In response to increasing rates of anti-LGBTI violence, the Minister of Human Rights has called for Congressional approval of PLC 122/2006, a proposed

law that would criminalize acts of violence and discrimination based on sexual orientation and gender identity (BRAGA, 2012). In addition, the Secretariat of Human Rights recently approved an accord which demands the creation of state government committees to address anti-LGBTI violence in all Brazilian jurisdictions (AMADO, 2012). However, according to a 2013 study on state governments conducted by the *Instituto Brasileiro de Geografia e Estatística* (Brazilian Institute of Geography and Statistics—IBGE), only five of Brazil's twenty-seven states (Pará, Rio de Janeiro, São Paulo, Mato Grosso do Sul and Goiás) currently possess such organisms (BERALDO, 2013).

And when she is black, it's worse! It is worse when she is black. She gets really badly beaten up, and they hit her silicone implants, to puncture them. One time there were some thugs that would put nails in sticks, to hit them, with the nails, which was to puncture, to drain the silicone implants. They were from the military. Yeah, it affects the black trans women more, it affects the blacks more. And they ban them from the streets more than they do the white trans women. They hit them more because they are black. In addition to being transvestites—they are still—in addition to being black, they are faggots. Beyond just being black, they are faggots.

—Lohany Veras, Coordinator for the Rights of Transvestites, Transsexuals

and Intersex People, Rede Nacional de Negras e Negros LGBT

And this kind of violence, and this violence in the streets, you know, I went to the streets and I saw that violence. I was beat up by twelve guys, I got beat by twelve guys, you know, for nothing. I was just hanging out, I was just standing in the street. I wasn't doing anything, I wasn't even dressed in a way that could, you know, be offensive to people somehow. And just because I was standing there, just because of that. And I didn't have much of the looks that I have now, natural, that I have now. I looked like a travesti, and because of that, just because of that, I got beat up. And this is, this is horrible, and you can feel the hatred, you know, in these people. It's something that you cannot even, I cannot even bear to think of, you know, because I don't understand hatred. But I've seen it and I've felt it in my own skin, whatever, how can I, what can I say.

—Alessandra Ramos, Coordinator, Grupo Pela Vidda Rio de Janeiro

Of course it's complicated! Think of it like this: the probability of a black youth, from the periphery, being murdered. The probability is much higher than for a white youth, from the middle class, from the South Zone of the big cities? It's even much crueler if the individual is a transvestite. If the transvestite is black, from the periphery—if the transvestite is black, and lives in the favela—of course it will be much more difficult. If they will

murder a man that is heterosexual or black, imagine a transvestite that they already see as a nobody! Because transvestites, for much of the population, are nothing, they are null! If they already murder black men, and there are many people who will not investigate—many judges, many police do not investigate, but imagine with a transvestite! They wouldn't anything else.

–Keila Simpson, Former President, Conselho Nacional de Combate a Discriminação/LGBT (National Council on LGBT Discrimination—CNCD/LGBT)

The limited research that we have that attempts to map violence, human rights violations, of diverse segments of the LGBT population, does not address the ethnic specificities. Do they try to talk about the black LGBT population, or about the poor LGBT population? No, they do not specify, gender, ethnicity, or even class. These are more generic data, and so much more could be done to improve data collection. I think that the research institutions, government agencies like SEPPIR, the Secretaria da Igualdade Racial (Secretariat for Racial Equality), and the Secretaria de Direitos Humanos (Secretariat for Human Rights), and the Secretaria das Mulheres (Secretariat for Women) should be sensitive to the specificity of each individual identity. They should consider each individual's social status—not just sexual orientation, but also ethnicity, class, and gender identity.

Sexual orientation alone is not sufficient to account for the phenomenon of homophobic violence. Homophobic violence is always combined with other forms of discrimination. It is crueller and more lethal when it is combined with other marginalized identities, including an individual's ethnicity, class, or gender. A black lesbian who lives in the city's poor outskirts is more likely to be affected by violence than, for example, a middle class, white man who lives in the South Zone of Rio de Janeiro.

–Jean Wyllys, Federal Deputy (Partido Socialismo e Liberdade—Rio de Janeiro), Coordinator of the Mixed Parliamentary Caucus for LGBT Citizenship and Member of the Parliamentary Caucus in Defense of Human Rights

3. Police Violence and Impunity:

Police violence against Afro-descendant trans women is frequent, and is often exacerbated by fear of victims to report crimes, refusal by police officials to investigate crimes, discrimination against Afro-descendant trans women in access to judiciary and other punitive measures, and a lack of legislative protections against crimes committed on the basis of sexual orientation and gender identity. Such instances include arbitrary detentions, extrajudicial and attempted extrajudicial killings, threats and extortion, and torture and cruel, inhuman or degrading

treatment of Afro-descendant trans women. Afro-descendant trans women in the North and Northeast regions of Brazil, where levels of racial violence are elevated (CEBELA, FLACSO, SEPIR/PR, p. 14, 2012), reported the highest levels of police violence.

Arbitrary detentions of trans women are common throughout Latin America, most often affecting trans sex workers (REDLACTRANS, p. 16, 2012). Afro-descendant trans women in Brazil provide supporting accounts in which police excessively target trans women for drug possession, theft, and other minor infractions. Activists also report frequent police coercion of trans women intended to warrant criminal charges and arbitrarily detentions. For example, activists reported instances in which police officials provided trans women with illicit substances such as marijuana, and later arrested them for drug possession, in addition to joint police participation in criminal activities with trans women, such as theft and robbery. Finally, activists report instances in which police enter nightclubs and arbitrarily arrest trans women for unfounded motives.

Afro-descendant trans women in Brazil also report frequent extrajudicial and attempted extrajudicial killings by police officers. These instances are often committed in response to a trans person reporting a murder committed by police officers, and/or when police do not wish to pay for sexual services

provided to them by trans sex workers (REDLACTRANS, p. 14, 2012). In addition, threats and physical attacks are often made to dissuade or prevent trans women from reporting incidences of police abuse. Police also frequently rob Afro-descendant trans women, and refuse to pay them for sexual services provided to them by trans sex workers. Finally, activists report that police attacks target Afro-descendant trans women more often than other trans women, often forcing them to avoid gathering in public spaces and leaving them unable to practice sex work—one of their limited means of attaining economic stability.

Afro-descendant trans activists in Brazil also report frequent instances of torture and cruel, inhuman or degrading treatment by police officers, all of which are commonly reported by trans women throughout Latin America (REDLACTRANS, p. 15, 2012). Afro-descendant trans women are frequently humiliated, attacked, insulted, and murdered by police officials in public spaces. Activists also report incidents in which police and military officials exert excessive physical force by closing police car doors on their arms and legs, as well as using batons to puncture and leak silicone deposits in their bodies.

Finally, Afro-descendant trans women are subject to degrading treatment and humiliation by being forced to strip naked in public, being called racial, homophobic, and transphobic

epithets, and being transported in closed physical spaces, such as police car trunks.

Following a trend common amongst trans women in Latin America, many Afro-descendant trans women fear and decline to report abuses to public authorities due to pervasive police violence and intimidation (REDLACTRANS, p. 19, 2012). The issue is further exacerbated by police refusal to investigate crimes, limited police engagement in state forums such as state government committees on violence and discrimination against LGBTI people, racial and transphobic discrimination within the Brazilian judiciary system, and a lack of protective legislative measures which prohibit acts of violence and discrimination committed on the basis of sexual orientation or gender identity.

A recent case, which exemplifies the insufficient police commitment to fully investigate violent crimes committed against LGBTI people in Brazil, may be seen in the November 2012 murder of a prominent gay activist, Lucas Fortuna. Fortuna was found dead on a deserted beach in Pernambuco state, wearing only his underwear, and presented with wounds from repeated stabbings and beatings (G1 PERNAMBUCO, 2012). Police denied accusations from federal officials, including Federal Minister of Human Rights Maria do Rosário, that the incident had been motivated by Fortuna's sexual orientation (BRAGA,

2012). Rather, police officials claimed that the crime should be investigated as an act of assault and battery, and that the attackers, one of whom Fortuna had previously engaged in sexual relations with, did not possess any homophobic motives in murdering the victim (R7, 2012). Police officials in Brazil often deny hate-motivated bias without supporting evidence when investigating violent crimes committed against Afro-descendant trans women and other LGBTI individuals.

So this violence with transvestites, which I speak of, and that I can attest to...how many years have I been working on the streets with these girls? Five years, six years. It is the police that kill them. It is the police that ban them [from the streets]. They even went on horseback once to expelled the girls from Rio Duto. They invades nightclubs just to take out the travestis. And when they picked up a black girl, well then, they were just bound to kill her. Sometimes they kill them. And so I think to myself, and I have been rejected by the police because they've asked me to do things I refused to do because they would have harmed the girls. And when [the girls] said, "Lohany, if you go there, I will tell [the police] you are lying." And so, they disarm me. The girls disarm me...It was two weeks ago today that they murdered a transvestite in Belem, they tied up her feet, they tied her hands, they put the [inaudible] in her mouth, and then they shot her in the head and the neck.

They threaten the girls so much...I went back and I saw a girl crying in the street because they humiliated her— she was standing right next to the police. She said that the police were right, because of I don't know what, she was defending the son of a bitch! I said, my Lord! What did these people do to this girl? They threaten, they were able to intimidate these girls so much, that they are afraid. They put so many things in their heads that we have no way of removing, it is difficult. Travestis fight with the police. But if they start arguing, it is only because they've already been so badly abused. And the police still threaten them, they say, "I'm going to kill you, faggot!"

–Lohany Veras, Coordinator for the Rights of Transvestites, Transsexuals and Intersex People, Rede Nacional de Negras e Negros LGBT

So the very agenda of violence, the people who go out there to kill them, beat them, and such—this requires a response, a public safety plan, which is sensitive to their needs. In other words, we have broader security policies for the general population, but we also have to consider the needs of the most vulnerable groups. It is important to educate law enforcement officials about these vulnerabilities.

–Jean Wyllys, Federal Deputy (Partido Socialismo e Liberdade—Rio de Janeiro), Coordinator of the Mixed Parliamentary Caucus for LGBT Citizenship and Member of the

Parliamentary Caucus in Defense of Human Rights

4. Inadequate Access to Education:

Tremendous discrimination exists against trans people throughout the Brazilian educational system, including heightened levels of discrimination against Afro-descendant trans women based on their racial identity. Dr. Berenice Bento, a lead researcher on discrimination against trans women in Brazil, estimates that 90 percent of trans women are functionally illiterate due to social exclusion in school settings (CONEXÃO FUTURA, 2012). Similarly, a 2012 study by the *Faculdade Latino Americana de Ciências Sociais* (Latin American University on Social Sciences—FLACSO) found that a combined 26.7 percent of brown- and black-identifying Brazilians are fully illiterate, while 51.1 percent are functionally illiterate (FUNDACIÓN CAROLINA, p. 34, 2012). Thus far, no institution has developed specific findings on educational attainment levels of Afro-descendant trans women. However, these figures and the report's qualitative findings suggest that they are comparably high.

Despite widespread discrimination and violence against Afro-descendant trans women in schools, the Brazilian government has made no effort to address discrimination against LGBTI people within the Brazilian

educational system. Notably, a study conducted by the *Instituto Brasileiro de Geografia e Estatísticas* (Brazilian Institute of Geography and Statistics–IBGE) found that only 8.7 percent of federal municipalities currently possess educational initiatives directed toward LGBTI students, in contrast with 93.7 percent of municipalities which have similar programs aimed at retaining other minority groups, such as indigenous and Afro-descendant students (WERNECK & PITA, 2012). Furthermore, the study found that only 1.8 percent of federal municipalities possess educational programs aimed at reducing anti-violence against LGBTI students (WERNECK & PITA, 2012).

A set of educational materials, guidelines, and videos intended for distribution in all Brazilian public schools was developed by the Ministry of Education and the Ministry of Health and in May 2011. The material were intended to educate students on same-sex relations, bisexuality, and gender identity (FORMENTI, 2013). However, President Rousseff vetoed the distribution plan days before the materials were released after receiving political pressure from members of the Congressional Evangelical Caucus who accused the materials of “incentivizing homosexuality (FORMENTI, 2013).” In President Rousseff’s public statement to cancel the plan, she called it a source of “propaganda for sexual preference (FLOR, 2011).” The federal

government has not introduced an alternative plan to address discrimination against LGBTI people within the Brazilian public school system since the project’s cancellation. However, the Ministry of Education signed an accord in November 2012 to develop research in collaboration with the *Conselho Federal de Psicologia* (CFP–National Council of Psychology), in an effort to better understand the nature of anti-LGBTI violence and discrimination in public schools (WYLLYS, 2012).

In a separate incident, a set of sexual health educational materials that were developed in 2010 in a partnership between the Brazilian Ministry of Health, the United Nations Children’s Fund (UNICEF), the United Nations Educational, Scientific and Cultural Organization (UNESCO), and the United Nations Population Fund (UNFPA), were recently vetoed by Brazilian Minister of Health, Alexandre Padilha, in March 2013 (SASSINE, 2013). The materials, which addressed homophobia, same-sex relations, adolescent pregnancy, and condom use as part of a broader discussion on HIV and sexually transmitted infections (STIs), were vetoed and recalled by Minister Padilha after an estimated 15,000 copies had been provided to thirteen state governments in Brazil’s North and Northeast regions (SASSINE, 2013). The programs’ proponents accused Minister Padilha of vetoing it due to personal political aspirations and fears of retaliation amongst conservative

and religious legislators (FORMENTI, 2013). Specifically, UNAIDS Brazil Coordinator, Pedro Chequer, expressed disappointment upon learning of the plan's cancellation, claiming that Minister Padilha was "restrict[ing] his actions in virtue of religious dogma. (FORMENTI, 2013)."

One time, I was around 16 years old, when I was already in my last year of high school. And the teacher asked me to leave the classroom because she could not accept a girl like me in the classroom, dressed in a skirt, blouse, and sneakers. She wouldn't accept that I was a transsexual, because the school didn't accept it either.

–Karol Ferreira, Program Associate, Rio Sem Homofobia

There is no law that prohibits transsexuals from accessing the educational system. But the problem is that black transsexuals, they have even more problems in school because of the prejudice from teachers and students. So, they themselves quit this whole educational system. And the problem for black transsexuals...if we look at it that through the law, we are equal to everybody. But we are not, we know that this is not true...You know, from the time they start the body changes, they quit school to avoid a lack of acceptance. They are generally not expelled from school. In certain cases, they are, but they are, you know, they quit. If they are not expelled, they quit. And the murders, this is also another problem for black transsexuals. You can

see, half, or more than half than half of travestis killed in the last few years were black.

On the first day of class, the teacher made two lines of boys and girls, and I went to the girls' line. The teacher came and pulled me away by my ear three times. And I had no idea why she was doing that, because I was raised in a military family, I was raised by my aunts, by a group of women. I was my own woman, I did not have a male role model. When you grow up, I was six years old when I first went to school, I started to see the difference between boys and girls, I noticed that people would say that I was a boy and that I had to conform to that.

–Alessandra Ramos, Coordinator, Grupo Pela Vidda Rio de Janeiro

So we need to guarantee, at a municipal level, a state level, and a federal level, an education that is inclusive and that promotes diversity. One that prevents, for example, transvestites and transsexuals from having to quit school, and then ending up functionally illiterate or semiliterate or illiterate. And, when they are illiterate, semiliterate, or functionally illiterate, they lose the opportunity to succeed in the job market, and then, unfortunately, their only option left for survival is prostitution.

–Jean Wyllys, Federal Deputy (Partido Socialismo e Liberdade—Rio de Janeiro), Coordinator of the Mixed Parliamentary Caucus for LGBT Citizenship and Member of the

5. Inadequate Access to Employment:

Due to limited access to education and pervasive employment discrimination against trans women and Afro-descendants, Afro-descendant trans women encounter severe obstacles to securing stable employment opportunities. Parallel to the experience of trans women throughout Latin America who are excluded from diverse economic opportunities, many Afro-descendant trans women pursue sex work as a sole option for economic survival (REDLACTRANS, p. 25, 2012). The UNAIDS 2012 Global Report estimates that 44 percent of trans people worldwide are involved in sex work due to “inadequate access to information, services and economic opportunities (UNAIDS, p. 76, 2012).” A 2012 report on the rights of trans human rights defenders in Latin America notes that trans sex workers are subject to the most frequent and severe human rights abuses committed against trans people, including violence, economic instability, sexual abuse, sexually transmitted infections, drug and alcohol use, and severely limited access to mental health services (REDLACTRANS, p. 25, 2012).

Provided the limited employment opportunities available to trans

women in Brazil, select municipal governments, including Rio de Janeiro (SECRETARIA MUNICIPAL DE DIREITOS HUMANOS, 2012) and Salvador (COUTINHO, 2013), have developed job-skills training programs for trans women. Nonetheless, the programs are all locally operated, and generally only provide entry-level or administrative skills and opportunities. The federal government has not offered any such program on a national level, nor has it proposed expanding existing affirmative action policies targeted at ethnic minorities and low-income individuals to incentivize the hiring of LGBTI people.

In addition to lacking any policy on employment discrimination committed on the basis of individuals’ sexual orientation or gender identity, a vast majority of Brazilian jurisdictions require trans people to use state-issued identity documents with their birth-assigned gender names, rather than allow them to use the names by which they identify themselves. A 2012 study by the *Instituto Brasileiro de Geografia e Estatísticas* (Brazilian Institute of Geography and Statistics–IBGE) found that only one percent of federal municipalities currently allow trans people the right to legally change their name on identity documents without undergoing reconstructive gender surgery or psychological examinations (WERNECK & PITA, 2012). This presents tremendous obstacles to trans job-seeking candidates, who are required to present potential employers with

state-issued identity documents which display names that are contrary to their gender identity and expression. This process further institutionalizes stigma against trans people and often results in unjustified firings and a refusal to hire qualified trans candidates.

It was difficult, it is difficult for a transsexual woman to find a job. I speak six languages, I speak six languages. I speak French as well, Italian, I speak sign language, I was a secretary. I am a person with advanced skills...I sent hundreds and hundreds of emails and resumes, and nobody calls me, nobody calls me. And people call me, but when I go there, and show them my paperwork, because they hadn't realized that I was a transsexual, they hadn't noticed that. The few times that I was called in for a job interview, after they found out about me, they just, you know, they made something up, they made something up and told me that I wasn't accepted for the position. And plus the fact that I'm a black person. You know, this is also, this is also terrible.

I went to work with a guy named Claudio Nascimento, in the State of Rio, and the first thing he did, after a week, was to announce in a very famous social column, in a very famous newspaper, that the government had invited the first transsexual to work as a secretary, and it was me. And after I had been working there for a week, everybody was very nice to me because they didn't notice that I was a

transsexual person, because it's not noticeable. I pass as a woman, I'd say that. And after that first week, everybody just tried, just started to treat me very differently than they had treated before.

—Alessandra Ramos, Coordinator, Grupo Pela Vidda Rio de Janeiro

But people don't realize that the transvestite or transsexual that was waiting in line to apply for that job was called blackie and monkey—it's just not seen. And so, is it just gender? No. There is the question yes, of race, of gender, of a lack of opportunity... So when she is excluded from the job market, she is automatically excluded from family life, she is excluded from culture, from leisure, and even education.

—Karol Ferreira, Program Associate, Rio Sem Homofobia

We increase the chances for opportunities and we raise the alternatives, above all, for the trans population, which today, is practically forced into prostitution. The constitution defines individual choice, not impositions, even if it is a socially constructed imposition. Prostitution should only be an option for someone who is capable, conscientious, and who has other alternatives. If you don't have other alternatives, it's not a matter of choice.

—Jean Wyllys, Federal Deputy (Partido Socialismo e Liberdade—Rio de Janeiro), Coordinator of the Mixed

Parliamentary Caucus for LGBT Citizenship and Member of the Parliamentary Caucus in Defense of Human Rights

6. Inadequate Access to Health Care:

Afro-descendant trans women suffer from increased health risks, disparate access to physical and mental health services, and racial and gender-based discrimination within the Brazilian public health care system. As mentioned above, sex work is a leading cause for compromising the sexual and mental health of many Afro-descendant trans women. The UNAIDS 2012 Global Report estimates that 68 percent of trans people worldwide are infected with HIV, attributing the figure to gender-based violence, high unemployment, and discrimination (UNAIDS, p. 76, 2012). An additional report by *Criola*, a leading Afro-Brazilian women's rights organization, cites institutionalized racism and cultural insensitivity within the public health care system as primary causes for drastic healthcare disparities amongst Afro-descendant women (CRIOLA, p. 5, 2010).

In addition to statistical disparities and risk factors, cultural insensitivities amongst health care professionals further exclude Afro-descendant trans women from accessing adequate healthcare services. Due to the legal obstacles associated with name changes, the Ministry of Health has

existing statutes which require health care professionals to address trans people by their self-identified names (MINISTÉRIO DA SAÚDE, 2011). Nevertheless, trans people report that public health officials often incorrectly refer to them by their legally defined birth names, in addition to frequently expressing or acting based upon transphobic attitudes. Repeated mistreatment and medical bias often lead Afro-descendant trans women to postpone or avoid seeking adequate medical services.

Due to this trend, trans people who wish to undergo hormonal treatments, reconstructive surgeries, or other gender transition procedures, often have to do so without necessary medical supervision. Common informal practices used in place of supervised medical procedures include injection of highly toxic, industrial silicone by non-medically trained professionals, and use of non-prescription cross-gender hormones (KULICK, p. 64, 1998). Medical experts warn against the injection of industrial silicone, stating that its use is extremely dangerous and may lead to infection from use of un-sanitized needles and dislocation of injected silicone into the heart and/or throughout treated areas (KULICK, p. 77, 1998). Medical research also suggests that unsupervised use of non-prescription cross-gender hormones may lead to serious health risks, including high blood pressure, blood clots, pancreatitis hepatitis, and other conditions (KULICK, p. 66, 1998;

WINTER & DOUSSANTOUSSE, p. 6, 2009).

The Ministry of Health offers free reconstructive surgeries to trans people through the *Sistema Único de Saúde* (Brazilian Public Healthcare System—SUS). However, current regulations require patients to receive a stigmatizing psychiatric diagnosis of Gender Identity Disorder, in addition to having to receive approval from a public judge (CARVALHO, p. 120, 2010). The process contributes to the continued psychiatric misclassification of trans people who seek medical interventions as mentally ill (OPEN SOCIETY FOUNDATIONS PUBLIC HEALTH PROGRAM, p. 23, 2013), and subjects them to a number of unnecessary barriers to attaining optimal standards of mental and physical health (OPEN SOCIETY FOUNDATIONS PUBLIC HEALTH PROGRAM, p.14, 2013).

Those who choose to undergo this process wait years to receive governmental approval, and are subjected to extensive logistical delays due to the select number of Brazilian hospitals that have medical practitioners trained to conduct reconstructive surgeries (AMORIM, 2012). A small percentage of wealthier trans women are able to travel abroad or pay for reconstructive surgeries with private physicians, estimated to cost approximately R\$30,000 Brazilian reais or \$15,000 U.S. dollars (AMORIM, 2012). Nonetheless, Afro-descendant trans women who wish to undergo reconstructive surgeries rarely

possess the economic means to pursue such operations, and therefore more frequently undergo unsupervised medical procedures.

Lastly, research indicates that Afro-descendant trans women are also subject to severe disparities in terms of access to mental health services. A report by the *Red Latinoamericana y del Caribe de Personas Trans* (Latin American and Caribbean Network of Trans Persons—REDLACTRANS) on trans human rights defenders in Latin America highlighted mental health as a primary challenge for the region's trans population, resulting from pervasive social exclusion, discrimination and violence (REDLACTRANS, p. 18, 2012). Furthermore, psychological experts in Brazil note that the general Afro-descendant population is subject to increased mental health issues, resulting from discrimination, economic marginalization, and limited access to public mental health services (SILVA, p. 130, 2004).

Although very limited research has been conducted on trans mental health issues in Brazil, psychological studies in the United States have shown that trans people of color are at an increased risk for various mental health issues due to the compounded effects of racial and gender-based discrimination and violence (GOLDBLUM, ET AL, p. 469, 2012). For example, the 2011 *National Trans Discrimination Survey* identified elevated levels of mental health issues and medical illnesses amongst African

American trans respondents when compared to white trans respondents. These included increased rates of attempted suicide, HIV infection, smoking, drug and alcohol use, and refusal to seek medical attention due to medical bias (NATIONAL CENTER FOR TRANS EQUALITY, pp. 81-84, 2011).

I suffer every day, I have problems, I [developed] bipolar disorder [after facing daily discrimination], you know, and I have depressed feelings. And I used to say that I'm a caviar in a can of sardines, you know, because it's like, it's like. I suffer every day, every day I see people's looks. As I said, I really don't understand hatred! And it makes me cry sometimes, because I don't want it, I don't like it, and I don't understand it. I don't, I cannot bear it. I cannot, I don't know. I don't know why, I don't know how, I don't know, I don't know.

No, there is no health system. What exists today is the SUS sex reassignment process, and even then, there isn't adequate endocrinological research. The hormones don't produce adequate results. So for the girls, homemade remedies prevail, and they are even more effective. Because, I mean, these things come from years and years of people and people conducting hormonal treatments, and I trust them. I began undergoing these in-home treatments, even though at the time I could have accessed contraceptives and hormones from the pharmacy.

–Alessandra Ramos, Coordinator, Grupo Pela Vidda Rio de Janeiro

So, that's the way it is. We do not have access to health care... that is also not right. So I tell myself, 'It's the right thing to do. I will take my treatments, take my little medicine, and visit the doctor. That's it!' But you schedule an appointment this year, or another year, that's how the appointments are. You schedule something this week, it will be next week. No, it's a month, two months—maybe you'll finally get an appointment after three months. Then it it'll take another three months to get your test results. And then you realize, it's been a year already, two years, and you still haven't done the damn exam. Because you didn't go that day since you didn't have money for the bus, right. And the girls who, the transvestites, the ones that "battle" (engage in sex work), they don't take hormones! They get oil to put in their bodies, because they need to work, you know. They use their bodies, they need to fix up their bodies. They can't wait for hormones.

–Lohany Veras, Coordinator for the Rights of Transvestites, Transsexuals and Intersex People, Rede Nacional de Negras e Negros LGBT

7. Lack of Legislative Protections:

The Brazilian Constitution outlaws racial discrimination and protects the cultural and religious rights of ethnic minorities, granting Afro-descendant

trans women important protections. The law also grants the federal government the authority to condemn individuals who commit acts of racial violence and discrimination to prison sentences (SECRETARIA ESPECIAL DE POLÍTICAS DE PROMOÇÃO DA IGUALDADE RACIAL, p. 8). However, despite its progressive stance and legal protections for the promotion of racial equality, Brazil does not possess any federal legislation to protect the rights of LGBTI people. Specifically, no law exists to recognize and protect gender identity or expression. Moreover, there is currently no legislation which prohibits acts of discrimination or violence committed on the basis of sexual orientation and gender identity.

This legal vacuum permits vast abuse, impunity, violence, discrimination, and extensive legal and medical obstacles for Afro-descendant trans women and the general LGBTI population. A series of legislative proposals have been introduced to the National Congress to address these issues, yet they are often faced with strong opposition and excessive bureaucratic barriers which inhibit their passage and implementation. Most notably, the recent appointment of Deputy-Pastor Marco Feliciano (Partido Social Cristão—São Paulo) as chair of the Chamber of Deputies' *Comissão de Direitos Humanos e Minorias* (Committee on Human Rights and Minorities—CDHM), is seen as a direct obstacle to the advancement of any

legislation to promote the rights of Afro-descendants and LGBTI people.

Legislation entitled PL 5002/2013 seeks to establish a comprehensive gender identity law, and was introduced to the Chamber of Deputies in February 2013 (CÂMARA DOS DEPUTADOS, 2013). The law would guarantee public recognition and protection of gender identity and gender expression, permit individuals to legally change their name in all public registries and identity documents without requiring medical or psychological evaluations, and grant free access to desired surgical and hormonal interventions through the *Sistema Único de Saúde* (Brazilian Public Healthcare System—SUS), without requiring judicial approval or psychological evaluations (WYLLYS & KOKAY, pp. 1-4, 2013). The legislation currently awaits a committee assignment from Congressional leadership, and has no projected timeline for a full vote within the Chamber of Deputies.

Additional legislation, PLC 122/2006, seeks to criminalize acts of violence and discrimination committed on the basis of sexual orientation and gender identity, by expanding existing constitutional provisions on racial discrimination (SENADO FEDERAL, p. 1, 2011). In a 2012 national survey on penal code reform, 77 percent of respondents said they were in favor of the bill's provisions (GOMIDE, 2012). The bill has been pending approval since its introduction to the National

Congress in 2006, yet it has never received a committee vote from the *Comissão de Direitos Humanos e Legislação Participativa do Senado* (Senate Committee on Human Rights—CDH). Committee members have opposed a vote in citing concerns of infringement upon religious freedoms. Senator Paulo Paim, Senate Human Rights Committee President and the bill's lead sponsor, plans to bring the legislation to a committee vote in 2013 (GOMIDE, 2012). Nonetheless, the bill continues to face strong opposition from several committee members, and there is no projection of when a full Senate vote may be held.

Furthermore, several proposals have been introduced to extend legal protections to trans women and sex workers. Specifically, PLS 658/2011 would permit trans individuals to change their name on identity documents without requiring them to receive judicial approval. Under the law, individuals would be required to undergo reconstructive surgeries and to provide corresponding medical documentation in order to be granted permission to legally change their name on identity documents (SENADO FEDERAL, p. 1, 2012). The bill has been approved by the *Comissão de Direitos Humanos e Legislação Participativa do Senado* (Senate Committee on Human Rights—CDH), but still awaits approval from the *Comissão de Constituição, Justiça e Cidadania* (Senate Committee on

Constitution, Justice and Citizenship—CCJ)(BRANDÃO, 2012).

Additional legislation, known as PL 4211/2012, would legalize collective sex work practices, guarantee payment for sexual services granted to clients, prohibit sexual exploitation of minors and sex workers, and extend existing employment and retirement benefits to sex workers (WYLLYS, 2012). The bill currently awaits evaluation and sponsorship assignment from the *Comissão de Direitos Humanos e Minorias* (Chamber of Deputies' Committee on Human Rights and Minorities—CDHM), and there is no projected timeline for when it may be granted a full vote in the Chamber of Deputies.

In addition to the barriers to passing protective legislative measures, a number of proposals which seek to infringe upon the limited rights of LGBTI individuals have recently been introduced or approved on both state and federal levels. Introduced in 2011 and debated by the Chamber of Deputies' *Comissão de Seguridade Social e Família* (Committee on Social Security and Families—CSSF) in December 2012, legislative decree PDC 234/11 seeks to revoke a 1999 provision established by the *Conselho Federal de Psicologia* (CFP—National Council of Psychology), which bans practitioners from conducting sexual “conversion” therapies on LGBTI patients (NEVES, 2012). The Council's president, Humberto Costa Verona, defended the existing provision,

noting that it adheres to international standards established by the World Health Organization, which revoked homosexuality from its classification as a mental illness in 1991. Furthermore, Verona referenced Law 5766/71, which established the Council and granted it “unique, supreme power” to define norms and regulations for psychological practitioners (NEVES, 2012). If passed by Congress, the decree would directly violate Law 5766/71 by overturning an independent provision enacted by the Federal Council on Psychology via Congressional decree, and it would also oppose existing international mental health standards regarding sexual identity.

Local and state governments have begun to introduce public decency and morality laws, identified by the REDLACTRANS report on trans human rights defenders as a tool “used for making arbitrary arrests on grounds of sexual orientation or gender identity or expression (REDLACTRANS, p. 16, 2012).” Recently, Governor Sérgio Cabral of the State of Rio de Janeiro enacted a “Morality and Good Customs Law,” with the intention of “promot[ing] the rescue of citizenship, strengthening of human relations, and the [appreciation] of family, schools and communit[ies] (VASCONCELLOS, 2013).” Questioned on how the law would be implemented, Rio de Janeiro State Secretary for Social Assistance and Human Rights, Zaqueu Teixeira, responded that he was unsure how it

would be regulated and executed. Although it remains unclear how the law may be enforced, it is important to monitor its implementation, as well as the introduction of similar statutes in other jurisdictions throughout Brazil.

Due to the prejudice against them, this group is the most vulnerable. LGBT rights cannot be exclusively about outlawing [acts of violence and discrimination committed on the basis of sexual orientation and gender identity]. We can't assume that our rights will simply be guaranteed once homophobia has been criminalized and because we all face the daily effects of homophobia. No, we have to demand other rights, which guarantee our civic participation. The Executive has to develop and coordinate policies across the state and municipal levels. Black transvestites have a place in society and our policies need to reflect that.

—Jean Wyllys, Federal Deputy (Partido Socialismo e Liberdade—Rio de Janeiro), Coordinator of the Mixed Parliamentary Caucus for LGBT Citizenship and Member of the Parliamentary Caucus in Defense of Human Rights

V. Conclusion

Countless challenges continue to face Afro-Brazilian trans women, but their struggles will no longer go unheard. Advocates such as the brave women who selflessly shared their personal

accounts for this report have made tremendous progress in advancing their rights and those of others. Despite their tireless efforts, a response to the specific challenges facing Afro-Brazilian trans women remains severely underdeveloped.

Discrimination and violence against Afro-descendant trans women exist as a culmination of deeply seated intersections of racism and transphobia. They manifest themselves in particularly brutal forms, represented by the near-constant flows of violence, humiliation and exclusion that Afro-descendant trans women are constantly subjected to. Acts of violence committed against this population are particularly cruel, often involving psychological abuse and sexual violence, and they are frequently manifested in public spaces where they are showcased to the general public.

Despite the severe abuses facing Afro-Brazilian trans women, their struggle remains largely invisible. There is currently no political movement dedicated exclusively to the promotion and defense of the rights of Afro-Brazilian trans women. In addition, the general Afro-descendant LGBTI population remains severely marginalized within Brazilian political activism, and enjoys tepid support from both the mainstream LGBTI and Afro-Brazilian movements. The Afro-descendant LGBTI movement is a small and nascent effort that lacks the funding, public support, and resources to sufficiently advocate and defend the

rights of its constituents without broader government and civil society support. A comprehensive response to these issues will require the creation of an Afro-descendant trans women's movement, and the strengthening of existing intersectional efforts aimed to promote and protect the rights of Afro-descendant LGBTI people.

The Brazilian government has also provided negligible support to ensure that the rights of Afro-descendant trans women are upheld. Officials are notably constrained by the increasing political influence of fundamentalist religious groups which vehemently oppose the rights of LGBTI people and often undermine the rights of Afro-descendants. Nevertheless, they operate with severely limited knowledge of the experiences of Afro-descendant trans women, and have done little to promote the rights of LGBTI Afro-descendants.

It is our hope that the findings developed in this report may serve to better inform the efforts of all individuals working to address the rights of Afro-descendants and LGBTI people in Brazil, and to encourage a deeper commitment to promote and defend the rights of Afro-descendant trans women. Specifically, we hope for increased collaboration between Afro-descendant, women's, and LGBTI groups, as well as a more engaged government response in advancing the rights of Afro-descendant trans women.

Protected under domestic and international laws, Afro-descendant trans women are legally entitled to the rights to express gender identity, access health care, employment, and education, and to be protected against violence and discrimination. The Brazilian government must act to guarantee, promote, and protect these most basic freedoms. Below, we provide specific recommendations to both the Brazilian government and civil society on how these objectives may be feasibly achieved.

VI. Recommendations

Recommendations to the President of Brazil:

- Condemn all incidents of discrimination, violence, and human rights violations against Afro-descendant trans women and LGBTI Afro-descendants.
- Coordinate federal agencies to develop a revised federal inter-agency plan to address discrimination and human rights violations against LGBTI people. Include specific objectives to address issues facing Afro-descendant trans women and LGBTI Afro-descendants.

Recommendations to the Secretariat of Human Rights (SDH/PR):

- Record, investigate, and publicly condemn all human rights

violations against LGBTI people.

- Develop concise actions to respond to human rights violations against Afro-descendant trans women and Afro-descendant LGBTI people.
- Collect information on victims' race, sexual orientation and gender identity in all public surveys, hotlines and forums.

Recommendations to the Secretariat for the Promotion of Racial Equality:

- Include specific objectives for Afro-descendant trans women and LGBTI Afro-descendants in all initiatives to address racial and gender-based discrimination.
- Provide educational trainings to federal officials on issues pertaining to Afro-descendant trans women and LGBTI Afro-descendants.
- Develop public campaigns and educational materials to inform the Brazilian public on issues of discrimination and violence against Afro-descendant trans women and LGBTI Afro-descendants.
- Conduct research on discrimination and violence against Afro-descendant trans women and LGBTI Afro-descendants.
- Create a permanent category for organizations representing LGBTI Afro-descendants within the *Conselho Nacional de Promoção da Igualdade Racial* (National Council on Racial Discrimination—CNPIR).

Recommendations to the National Congress:

- Pursue immediate passage of PL 5002/2013 and PLC 122/2006 to guarantee State recognition and protection of gender identity and gender expression, and to prohibit acts of discrimination and violence committed on the basis of sexual orientation and gender identity.
- Evaluate passage of additional legislation which would provide fundamental protections to Afro-descendant trans women, sex workers, and the general LGBTI population, including PLS 658/2011 and PL 4211/2012.
- Prevent passage of legislative decree PDC 234/11 which would directly violate Brazilian Law 5766/71 and reverse existing mental health standards.
- Prevent passage of “morality laws” and other provisions which would infringe upon the constitutional freedoms of LGBTI people.

Recommendations to the Ministry of Justice:

- Investigate, condemn and prosecute all incidents of discrimination, violence, and human rights violations against Afro-descendant trans women and LGBTI people.
- Provide comprehensive trainings to officials at all levels of the judiciary and public security systems on the rights and identities of trans people.

- Collaborate with state and municipal public security entities to train police officers on how to adequately prevent, respond to, and investigate human rights violations against LGBTI people.
- Collaborate with state and municipal public security entities to develop specialized police units for the protection of LGBTI people.
- Permit trans women in public housing institutions, including hospitals, mental health institutions, prisons, and shelters, to be accommodated in women’s facilities to prevent discrimination and physical and/or sexual harassment.

Recommendations to the Ministry of Education:

- Develop and distribute educational materials to schools, educators and students on violence and discrimination against LGBTI people; include specific information on discrimination against LGBTI Afro-descendants.
- Incorporate educational materials on the history and culture of LGBTI Afro-descendants into school curricula.
- Provide incentives to develop academic research on Afro-descendant trans women and LGBTI Afro-descendants within educational grants pertaining to issues of race, gender, and sexuality.
- Provide continuing education, vocational training, and adult

literacy training opportunities to Afro-descendant trans women.

Recommendations to the Ministry of Health:

- Provide training to health care providers on how to effectively communicate with and provide treatment and follow-up to trans women.
- Educate health care professionals on use of, and facilitate access to, gender transition procedures, including cross-gender hormonal treatment, non-industrial silicone applications, and reconstructive surgeries.
- Include specific objectives to improve the health standards of Afro-descendant trans women within efforts to address health disparities amongst Afro-descendant women.
- Expand and improve access to mental health services for Afro-descendant trans women, and the broader Afro-descendant and LGBTI populations.
- Create specialized health care centers for LGBTI people.

Recommendations to civil society organizations and international funders:

- Support the creation of an Afro-descendant trans women's movement to promote, defend, and protect the rights of Afro-descendant trans women.

- Encourage and train the Afro-descendant women's movement to promote, defend, and protect the rights of Afro-descendant trans women.
- Encourage and train the LGBTI movement to promote, defend, and protect the rights of Afro-descendant trans women.
- Promote collaboration between organizations working to defend the rights of Afro-descendants, women and LGBTI people. Train these organizations to develop advocacy on issues pertaining specifically to Afro-descendant trans women and LGBTI Afro-descendants.
- Present documentation of human rights violations and recommendations regarding Afro-descendant trans women and LGBTI Afro-descendants to the *Conselho Nacional de Combate à Discriminação/LGBT* (National Council on LGBT Discrimination—CNCD/LGBT), the *Conselho Nacional de Promoção da Igualdade Racial* (National Council on Racial Discrimination—CNPIR), the Inter-American Commission on Human Rights (IACHR) and the UN Office of the High Commissioner for Human Rights (OHCHR).
- Provide training to media personnel on how to appropriately provide coverage of acts of discrimination and violence committed against LGBTI people and Afro-descendants.
- Advocate inclusion of sexual orientation and gender identity

within federal affirmative action employment and educational policies.

- Provide assistance to Afro-descendant LGBTI victims of grave human rights violations who wish to seek political asylum.

Recommendations to the Inter-American Commission on Human Rights:

- Direct the Rapporteurship on the Rights of Women to incorporate the rights of trans women, including Afro-descendant trans women, into all reports, investigations, and resolutions.

- Direct the Rapporteurship for the Rights of Afro-descendants and against Racial Discrimination to incorporate the rights of LGBTI Afro-descendants, including Afro-descendant trans women, into all reports, investigations, and resolutions.
- Direct the Unit on the Rights of Lesbian, Gay, Bisexual, Trans, and Intersex Persons to incorporate the rights of LGBTI Afro-descendant, including Afro-descendant trans women, into all reports, investigations, and resolutions.
- Release a comprehensive report on the status of LGBTI persons in the Americas.

References

Affonso, Julia. "Brasil tem uma morte de homossexual a cada 26 horas, diz estudo." *UOL10* January 2013. Web.

ANDI. *Imprensa e racismo: uma análise das tendências da cobertura jornalística*. Brasília: ANDI Comunicação e Direitos, 2012. Print.

Amado, Aécio. "Secretaria de Direitos Humanos e OAB firmam parceria para combater a homofobia." *Agência Brasil* 13 November 2012. Web.

Amorim, Maíra. "Empresa dá crachá em branco para transsexual." *O Globo* 17 December 2012. Web.

Avelar, Rezende Bruno de, Walderes Brito, and Luiz Mello. "A (in)segurança pública que o Estado brasileiro oferece à população LGBT: mapeamento crítico preliminar de políticas públicas." *Ser-Tão, Núcleo de Estudos em Gênero e Sexualidade* (2010): 309-356. Print.

Beraldo, Lílian. "Apenas cinco estados brasileiros têm conselhos sobre a questão LGBT, diz pesquisa." *Agência Brasil* 15 March 2013. Web.

Braga, Isabel. "Ministra diz que motivação de crime contra ativista homossexual foi homofobia." *Agência O Globo* 6 December 2012. Web.

Brandão, Gorette. "CDH aprova projeto que permite a transexuais mudança de nome em documentos." *Agência Senado* 21 November 2012. Web.

Brazil. Ministério da Saúde. Gabinete do Ministério. *Portaria Nº 2.836, de 1º de dezembro de 2011*. Brasília: 2011. Web.

Brazil. Secretaria de Direitos Humanos da Presidência da República. *Relatório sobre Violência Homofóbica no Brasil: ano de 2011*. Brasília: Secretaria de Direitos Humanos, 2012. Print.

Brazil. Secretaria de Políticas de Promoção da Igualdade Racial. *Política Nacional de Saúde Integral da População Negra*. Brasília: Secretaria de Políticas de Promoção da Igualdade Racial, 2007. Print.

Brazil. Secretaria de Políticas de Promoção da Igualdade Racial. *Negros e Negras, Lésbicas, Gays, Bissexuais, Travestis e Transexuais (LGBT): construindo políticas*

públicas para avançar na igualdade de direitos. Brasília: Secretaria de Políticas de Promoção da Igualdade Racial, 2011. Print.

Brazil. Secretaria Especial de Políticas de Promoção da Igualdade Racial. *Política Nacional de Promoção da Igualdade Racial*. Brasília: Secretaria Especial de Políticas de Promoção da Igualdade Racial. Print.

Brazil. Senado Federal. Comissão de Direitos Humanos e Legislação Participativa. *Relatório PL 122*. Brasília: 2011. Print.

Brazil. Senado Federal. Comissão de Direitos Humanos e Legislação Participativa. *Relatório PLS 658*. Brasília: 2012. Print.

Carrara, Sérgio, and Adriana R.B. Vianna. “‘Tá lá o corpo estendido no chão...’: a Violência Letal contra Travestis no Município do Rio de Janeiro.” *Saúde Coletiva* 16.2 (2006): 233-249. Print.

Canal Futura. “Conexão Futura - Políticas Públicas 24/10/2012 Entrada 2.” *Canal Futura*. Canal Futura, 2012. Web.

Carvalho, Mario Felipe de Lima. “Que mulher é essa? Identidade, política e saúde no movimento de travestis e transexuais.” MA thesis, Universidade do Estado do Rio de Janeiro, 2011. Print.

CEBELA, FLACSO, SEPIR/PR. *Mapa da violência 2012: a cor dos homicídios no Brasil*. Rio de Janeiro & Brasília: Julio Jacobo Waiselfisz, 2012. Print.

Committee on the Elimination of Discrimination against Women, 49th session “Views of the Committee on the Elimination of Discrimination against Women under article 7, paragraph 3, of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women concerning Communication No. 17/2008,” *Annexes*, Official Record. Geneva, 2011.

Conectas Direitos Humanos. “STF decide que cotas no Ensino Superior são constitucionais.” *Conectas Direitos Humanos*. Conectas Direitos Humanos, 2012. Web.

Coutinho, Genilson. “Secretaria de Direitos Humanos promove curso de auxiliar administrativo destinados a travestis e transexuais em Salvador.” *Dois Terços*. Dois Terços, 2012. Web.

Criola. *Saúde da População Negra. Passo a Passo: Defesa, Monitoramento e Avaliação de Políticas Públicas*. Rio de Janeiro: Criola, 2010. Print.

Dantas, Mariana L. R. "Chica da Silva: A Brazilian Slave of the Eighteenth Century (review)." *Journal of Social History* 44.3 (2011): 950-952. Print.

Flor, Ana. "Kit escolar é "propaganda de opção sexual", diz Dilma." *Folha de São Paulo* 27 May 2011. Web.

Formenti, Lígia. "Governo suspende kit educativo sobre aids." *O Estado de S. Paulo* 16 March, 2013. Web.

Formenti, Lígia. "UNAIDS critica suspensão de kit educativo sobre doença." *O Estado de S. Paulo* 18 March, 2013. Web.

Frankel, Adam. "Afro-LGBT Advocates Lead the Struggle for Equality in Brazil." *Americas Quarterly*. Americas Quarterly, 2012. Web.

Fundación Carolina. *Educação e população afro descendente no Brasil: avanços, desafios e perspectivas*. Brazil: Pablo Gentili, Mary Garcia Castro, Miriam Abramovay, and Shayana Busson, 2011. Print.

Goldblum, Peter, Rylan J. Testa, Samantha Plum, Michael L. Hendricks, Judith Bradford, and Bruce Bongar. "The Relationship Between Gender-Based Victimization and Suicide Attempts in Trans People." *Professional Psychology: Research and Practice* 43.5 (2012): 468-475. Print.

Gomide, Silvia. "Paulo Paim é novo relator de projeto que criminaliza a homofobia." *Agência Senado* 17 December 2012. Web.

Global Rights: Partners for Justice. *Racial Violence: A reading on homicide data in Brazil*. Washington: Global Rights, 2009. Print.

Grupo Gay da Bahia. "Lista homossexuais assassinados 2010 no Brasil - Dados básicos relativos aos crimes que tiveram origem a partir da homofobia." *Grupo Gay da Bahia*. Grupo Gay da Bahia, 2010. Web.

Inter-American Court of Human Rights. *Case of Atala Riffo and Daughters v. Chile. Judgment of February 24, 2012*. 24 February, 2012. Official Record.

Joint United Nations Programme on HIV/AIDS (UNAIDS). *Global report: UNAIDS report on the global AIDS epidemic 2012*. Geneva: United Nations, 2012. Print.

“Jornalista foi morto após ser roubado e não por homofobia, diz polícia.” *R7 Notícias* 6 December 2012. Web.

“Jornalista goiano morto no Litoral Sul de Pernambuco foi vítima de latrocínio.” *G1 Pernambuco* 6 December 2012. Web.

Kulick, Don. *Travesti: sex, gender and culture among Brazilian transed prostitutes*. Chicago: The University of Chicago Press, 1998. Print.

Lima, Ana Cora. “Jean Wyllys vai ganhar proteção policial 24 horas por dia.” *UOL Notícias* 9 April 2013. Web.

Locatelli, Piero. “FHC diz que indicação de Marco Feliciano é “um absurdo”.” *Carta Capital* 12 March 2013. Web.

Magalhães, João Carlos & Nery, Natuza. “Dilma vai criar cota para negro no serviço public.” *Folha de São Paulo* 14 Oct. 2012. Web.

Marcelino, Sandra Regina de Souza. “Mulher Negra Lésbica: a fala rompeu o seu contrato e não cabe mais espaço para o silêncio.” MA thesis, Pontífica Universidade Católica do Rio de Janeiro, 2011. Web.

“Marco Feliciano diz que direitos das mulheres atingem a família.” *Jornal O Globo* 20 March 2013. Web.

Milani, Luciano. “Madame Satã.” *Portal Capoeira* 4 February 2005. Web.

National Center for Trans Equality and National Gay and Lesbian Task Force. *Injustice at Every Turn: A Report of the National Trans Discrimination Survey*. Washington, DC: Jaime M. Grant, Lisa A. Mottet, Justin Tanis, Jack Harrison, Jody L. Herman, and Mara Keisling, 2011. Print.

Neves, Maria. “Debatedores divergem sobre abordagem psicológica da homossexualidade.” *Câmara Notícias* 27 November 2012. Web.

Open Society Foundations Public Health Program. *Transforming Health: International Rights-Based Advocacy for Trans Health*. New York: Open Society Foundations, 2013. Print.

Organization of American States. “IACHR Urges the States to Adopt Urgent Measures against Homophobic and Transphobic Violence in the Region.” *Inter-American*

Commission on Human Rights. Washington: Organization of American States, 2012. Web.

Pichonelli, Matheus. "O vídeo de Feliciano e a desonestidade intelectual." *Carta Capital* 19 March 2013. Web.

"Policial civil é suspeito de matar travesti na Zona Sul de SP." *G1 São Paulo* 10 September 2012. Web.

Prefeitura do Rio de Janeiro. Secretaria Municipal de Assistência Social. "Projeto Damas." *Secretaria Municipal de Assistência Social*. Secretaria Municipal de Assistência Social, 2012. Web.

"Procuradoria entra com parecer contra Marco Feliciano." *O Dia Online* 9 April 2013. Web.

REDLACTRANS. *Impunity and violence against trans women human rights defenders in Latin America*. Buenos Aires: Monica Leonardo, 2012. Print.

Sassine, Vinícius. "Governo federal recolhe kit educativo anti-homofobia." *Jornal O Globo* 17 March 2013. Web.

"Taxa de homicídios de negros cresce 5,6% em oito anos, enquanto a de brancos cai 24,8%." *Folha Vitória* 29 November 2012. Web.

"UFMG vai investigar trote do curso de direito e pode punir alunos." *Portal EBC* 18 March 2013. Web.

UNAIDS no Brasil. *Posicionamento do Grupo Temático Expandido em HIV/AIDS no Brasil sobre o enfrentamento à violência e discriminação por orientação sexual e identidade de gênero*. Brasília: UNAIDS no Brasil, 2012. Print.

United Nations General Assembly, 67th Session. Third Committee. Agenda item 69 (b). *Promotion and protection of human rights: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms. Extrajudicial, summary or arbitrary executions*. 9 November 2012 (A/C.3/67/L.36). Official Record.

United Nations. Office of the High Commissioner. *Born Free and Equal: Sexual Orientation and Gender Identity in International Human Rights Law*. New York and Geneva: United Nations, 2012. Print.

Vasconcellos, Fábio. "Cabral aprova lei da moral e dos bons costumes." *O Globo* 17 January 2013. Web.

Vianna, Adriana R.B, and Sérgio Carrara. "Sexual Politics and Sexual Rights in Brazil: A Case Study." *Sexual Policy Watch* (2009): 27-51. Print.

Werneck, Felipe & Pita, Antonio. "Municípios não adotam políticas contra a homofobia." *Estado de São Paulo* 13 November 2012. Web.

Wyllys, Jean. "Jean Wyllys (PSOL/RJ) e sociedade civil discutem PL que visa regulamentar a prostituição e fortalecer a cidadania de profissionais da área." *Jean Wyllys*. Jean Wyllys, 2012. Web.

Wyllys, Jean. *Lei Gabriela Leite – PL 4211/2012*. Brasília: 2012. Print.

Wyllys, Jean. "MEC responde RI de Jean Wyllys sobre o Kit Anti-Homofobia." *Jean Wyllys*. Jean Wyllys, 2012. Web.

Wyllys, Jean, and Érika Kokay. *PL 5002/2013 – Lei João W Nery/ Lei de Identidade de Gênero*. Brasília: 2013. Print.

Zibell, Gunter. "O mais recente delirio de Veja." *Luis Nassif Online* 11 November 2012. Web.



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