LGBTTTIQ+* ACTIVISM IN ARGENTINA, URUGUAY AND PARAGUAY

STATUS REPORT

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* Including but not limited to lesbians, gays, bisexuals, travestis, transsexuals, transgender, intersex, and queers. The plus sign indicates other gender identities and sexual orientations not specifically included in the other letters of the acronym.
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The list of works cited in this report can be consulted in the unabridged version.
From **August 2019 to August 2020**, we surveyed LGBTTTIQ+ organizations in Argentina, Paraguay, and Uruguay, exploring contexts, structures, demands, strategies, and challenges. When the pandemic struck the region, the public health emergency underscored structural weaknesses in terms of the rights of this community but also demonstrated the capacity of the different organizations to build networks for support, assistance, and communication. For that reason, the survey focused on areas like labor, health care access, and state assistance programs in each of the three countries surveyed.

LGBTTTIQ+ organizations in Paraguay, Argentina, and Uruguay are not equally developed; the history, legislation, government, ties to state agencies, and strategic alliances with feminist groups, trade unions, human rights organizations, and social movements vary from country to country. Argentina and Uruguay both have policies in place that recognize and provide guarantees for LGBTTTIQ+ rights. Paraguay, however, has made little headway in terms of favorable legislation and has an active opposition in pro-life and pro-family movements. The discourses of the opposition have permeated both chambers of Congress in Paraguay, preventing debate of any bills that could expand rights.

Although activism by feminist groups and LGBTTTIQ+ organizations that promote sexual diversity has helped them gain ground and expand rights and legal guarantees, tensions such as these are common in Latin America. This can be attributed to a growing faith-based opposition with links to conservative parties and strong citizen support. Groups such as these have helped get the vote out for congressional seats and lobbied to get candidates sympathetic to their causes appointed to important posts.

In 2010, Argentina was the first country in the region to legalize same-sex marriage under the Equal Marriage Act. In Uruguay, where the same law exists, couples of the same sex can also adopt. Brazil, Colombia, and certain states within Mexico have passed similar laws. In Chile, legislation to expand same-sex rights passed one of the two chambers of Congress. In an advisory opinion (OC-24/17), the Inter-American Court of Human Rights determined that states must recognize and guarantee all the rights deriving from a family bond between people of the same sex. Therefore, the 20 countries that have recognized the jurisdiction of this court should adhere to this opinion.

In terms of gender identity, under a law passed in 2012, Argentina legally recognizes a person’s self-perceived gender without any need for surgery or hormone or medical treatments of any kind. Similar legislation now exists in Uruguay, Colombia, Bolivia, Ecuador, and Peru. In Venezuela, a person must present different types of proof to obtain legal recognition of a gender status other than the one they were assigned at birth.
Brazil, a country where conservative and anti-rights movements have been growing steadily, gave trans* people ages 21 and over the right to change their name at civil registries with no need for undergoing surgery. Although changing one’s name is allowed under the Paraguayan Civil Code, it is highly controversial for trans* people to take the initiative and they do so only in exceptional cases.

Belize did not legalize consensual sex between people of the same sex until 2016. As a result of the political reconfiguration of the Latin American map by a wave of conservative, right-wing administrations, the full recognition of LGBTTTIQ+ rights has been cast into uncertainty. There is even a possibility that ex post facto laws could erase the rights gained. Fundamentalist groups have had a profound effect by broadly referring to diversity with the belittling term “gender ideology.” Administrations across the region have sat back and watched as groups such as these endorse and propagate hate speech.

The pressure of these conservative groups can be seen in staunch conservative opposition to Argentina’s Comprehensive Sexual Education Act and active participation in the congressional debates on legal abortion. In Brazil, the discourse of the current administration supports the traditional family and religious figures in favor of “therapies to cure homosexuality” have been appointed to key posts.

Tensions such as these are also evident in Uruguay and Paraguay. Despite the fact that Uruguay is largely a secular state that upholds the separation of church and state, the election of a conservative president led to a surge in both religious and secular groups openly opposed to different manifestations of feminism and LGBTTTIQ+ activism. Paraguay ceded to the pressure of groups such as these when it banned the distribution of sex education materials at schools in an order issued directly by the Ministry of Science and Education under Minister Enrique Riera in 2017.

One of the major challenges is for all countries to have a legal framework that provides full rights for LGBTTTIQ+ populations, especially trans* people, in areas such as labor integration, social security, and health care access.

Where is activism at today and what demands are being made on the state in each of the countries? These questions will be answered by drawing on the information obtained as part of our investigation.

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1 Note on the translation: Trans* is an umbrella term that refers to three different identity categories in the Southern Cone: travesti, transsexual, and transgénero. The literal translation of travesti (transvestite) does not apply; here travesti, once a derogatory term that activists appropriated long ago, has evolved into a political identity. Therefore, we have opted to use the term trans*, where the asterisk represents a “text marker of irreducible diversity,” to use the Blas Radi’s description. It is important to note that the original report was drafted in Spanish in Córdoba, Argentina, and the emphasis in on respecting whenever possible the terms activists use to refer to themselves.
ARGENTINA

Gains

The demands for safe, legal, free abortion, on the one hand, and for the labor integration of trans* people, on the other, have led to new alliances between LGBTTTIQ+ and feminist organizations. Another uniting factor is increased attention to the crimes of femicide, transfemicide, and travesticidio. The intensity of these renewed bonds became especially evident in October 2019 when the National Women’s Summit (ENM) became the Plurinational Summit of Women, Lesbians, Trans* People, and Non-Binaries.

When Alberto Fernández assumed the presidency in December 2019, the government began taking actions favorable to LGBTTTIQ+ groups after a long hiatus. The creation of the Ministry of Women, Genders, and Diversity, and of a Department of Economy and Gender, marked a promising start to the new administration. Those appointed at these institutions had years of experience as activists.

For the trans* community, there have been other meaningful gains in recent months: the introduction of a trans* person employment quota at Banco Nación, the passage of an Employment, Training, and Development Program of Trans* People by the lower chamber of Congress, and a September 2020 decree ordering a 1% trans* person employment quota for Argentina’s public sector. That same month, Senate head Cristina Fernández de Kirchner moved forward with rulemaking on the quota in the Senate.

The provinces of Buenos Aires, Santa Fe, Chubut, Río Negro, Chaco, and Entre Ríos have passed laws to establish trans* employment quotas. Chaco province has gone a step further, introducing trans-inclusive employment policies in the private sphere as well. Fourteen municipalities of the province of Buenos Aires promulgated the quota law the province passed, and two municipalities passed specific ordinances to introduce the quota. In the rest of Argentina, more than 40 municipalities passed regulations on trans-inclusive employment policies or quotas. There are plans to introduce quotas at the national universities of Mar del Plata, La Pampa, Comahue, Tierra del Fuego, and Rosario.

In 2018, the community saw two meaningful gains: in June, in the trial for the murder of the trans* woman and activist Amancay Diana Sacayán in October 2015, the

2 The term used to refer to this crime was travesticidio, differentiating this type of homicide from that of the feminicidio or transfemicidio.
court ruled that gender identity hatred constituted an aggravating circumstance for the first time in history. Since an amendment in 2012, Argentina’s Criminal Code states that the hatred of gender or sexual orientation applied to lesbians, gays, bisexuals, trans* people, intersex people, and queers, constitutes an aggravating circumstance (Article 80, Section 4).

Another step forward in terms of identity documents took place in Mendoza province where a birth certificate was modified to indicate “gender unidentified” for the first time.

Thanks to the efforts of LGBTTTIQ+ activists, Argentina’s next national census (originally scheduled for 2020 but postponed until the following year) will include specific boxes for gender and sexual orientation variables.

Setbacks, Resistance, and Challenges in Argentina

According to the 2019 numbers, violence against the LGBTTTIQ+ population has not waned: there were 110 hate-motivated attacks, 12 hate crimes, and 68 social murders of trans* people (that is, avoidable deaths caused by structural violence and the lack of access to elemental rights such as health care). In August 2020, the organizations that keep track of these deaths had confirmed an additional 62 social murders of this population.

Activists came out strongly to rebuke two incidents involving LGBTTTIQ+ individuals.

In June 2019, Criminal Court No. 26 of the city of Buenos Aires handed down a one-year suspended sentence to Mariana Gómez and ordered her to pay the court costs for the “crime of resisting authority in conjunction with aggravated physical assault resulting in minor injuries.” Mariana was accused of attempting to defend herself against city police after being violently arrested for smoking in a non-smoking area while standing with her girlfriend in a crowded area in the Constitución train station in 2017. Activists responded by creating the Marian’s Acquittal Team.

On October 16, 2016, in an attack motivated by her perceived lesbian identity, a gang of men trapped Eva Higui de Jesús inside the hallway of a house. While defending herself, she killed one of her attackers. Yet she stands accused of murder and there is no mention of the attack on her in the court papers, as the

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3 Though this was a historic achievement, in October 2020, a circuit court upheld the life sentence handed down to the defendant but declined to acknowledge gender identity hate as an aggravating circumstance. Instead, it ruled, the crime should be deemed a femicide, given it was a “homicide aggravated by gender violence” (Article 80, Section 11 of the Criminal Code). Representatives of the Attorney General’s Office filed an appeal with the hope that Argentina’s Supreme Court would agree to hear the case and rule that the crime was, in fact, a travesticidio.
prosecutor’s office declined to investigate. “Higui” spent eight months in jail in Magdalena, Buenos Aires province, until she was released to await trial on June 13, 2017. The treatment Higui received from the court system led activists to start the Campaign for Higui’s Acquittal.

Another pending item: despite passage of the Comprehensive Sexual Education Act in 2006, the contents detailed in the law are not being taught at schools due to resistance on the part of educational institutions and certain families. A campaign organized by opponents, “Don’t mess with my kids,” is evidence of

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**Argentina**

### LGBTIQ+ organizations: Milestones and advances

<table>
<thead>
<tr>
<th>Event</th>
<th>Year</th>
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<tbody>
<tr>
<td>Equal Marriage Act</td>
<td>2010</td>
</tr>
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<td>Gender Identity Act</td>
<td>2012</td>
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<td>Recognition of non-binary names and the right to a birth certificate</td>
<td>2018</td>
</tr>
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<td>that does not specify gender</td>
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<td>Historic court sentence categorizing the transvesticide of activist</td>
<td>2018</td>
</tr>
<tr>
<td>Diana Sacayán as a hate crime and gender violence</td>
<td></td>
</tr>
<tr>
<td>Provinces and municipalities establish transgender labor quota</td>
<td></td>
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<tr>
<td>Collaborative efforts between LGBTIQ+ and feminist activists.</td>
<td></td>
</tr>
<tr>
<td>Creation of the Ministry of Women, Genders and Diversity</td>
<td>2019</td>
</tr>
<tr>
<td>Department of Economy and Gender</td>
<td>2019</td>
</tr>
<tr>
<td>1% Workplace Quota Decree for Transgender People, Transsexuals, and</td>
<td>2020</td>
</tr>
<tr>
<td>Transvestites in the Public Sector</td>
<td></td>
</tr>
<tr>
<td>The upcoming national census will include variables on gender identity, sexual orientation and LGBTIQ+ families</td>
<td>2020</td>
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</tbody>
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### Threats, setbacks, and infringement of rights of LGBTIQ+ individuals and the community

- Rise in hate crimes and violence.
- Police and institutional violence.
- Conservative discourse gains traction.
This lack of action on the state exacerbates an adverse panorama for the trans* population: as noted by the National Statistics and Census Institute of Argentina (INDEC) and the National Institute Against Discrimination, Xenophobia, and Racism (INADI), 90% of trans* people do not hold formal jobs. In addition, 25% of reports of discrimination by trans* people are related to the workplace and 73% do not finish high school. Although trans-inclusive laws have been passed in various provinces and municipalities, Argentina has yet to pass a national law. The Women and Diversity Committee of Argentina’s House of Representatives is currently considering different bills for a nationwide trans-inclusive law.

The COVID-19 Pandemic and the LGBTTIQ+ Population in Argentina

The pandemic has exacerbated existing job, health care, food, and housing insecurity and different types of violence, particularly against trans* people, have multiplied. This is manifested in a lack of medical coverage, mistreatment on the part of health care professionals, hormone shortages, and the inability to access respectful mental health care free from pathologization. The crisis affects trans* minors and elderly adults of the LGBTTIQ+ community (many of whom do not qualify for social security because they did not contribute enough during their working lives; systematic discrimination often plagues support networks).

The lack of policies specific to the community became particularly evident during the coronavirus outbreak. The housing and labor crisis forced many to return to hostile homes. As a result of the joint efforts of civil society organizations and LGBTTIQ+ activists, food baskets and first-aid kits have been distributed. Yet in Argentina’s northwest, HIV+ individuals had no choice but to abandon antiretroviral therapy (as they were unable to pick up the medicine at health care centers due to the suspension of public transportation, among other reasons); something similar occurred in the case of hormone treatments for trans men, due to supply shortages.

Organizations across the country like the Federación Argentina de Lesbianas, Gays, Bisexuales y Trans (FALGBT), Frente Nacional Orgullo y Lucha, and la Liga LGBTIQ+

this resistance. The state is also to blame for this and other delays. For example, it took four years for Buenos Aires province to put into force the law on the trans* labor integration/quota; Río Negro province passed its quota law in September 2018 and Chaco province, in November that same year, but neither has put it into effect, though the rulemaking deadline has not yet expired. Chubut passed the same law in 2018 but activist organizations report that the state has yet to take action to put it into force.
of the provinces joined networks and got involved in other collaborative political efforts to ensure their demands were heard.

In the central region, organizations engaged with municipal government and/or state universities: in the northwest, activists have found it more difficult to build a dialogue with officials and/or public institutions. The LGBTTTIQ+ population also faced difficulties in terms of accessing the socioeconomic relief measures established during the country’s lockdown. However, there was joint work with indigenous groups.

In the central region, the Asamblea LGBTI formed in Rosario, and the Comité de Emergencia LGBTIQ+ in Córdoba. Organized by the 100% Diversidad y Derechos organization in conjunction with other organizations that joined the Frente Nacional Orgullo y Lucha, the campaign “We all look after each other” provided food and personal hygiene products for trans* people and their families.

Since the lockdown was ordered on March 20, 2020, the state introduced the following measures to assist the LGBTTTIQ+ population:

- **Registry of Women Workers in the Popular Economy (ReNaTEP),** which includes the category “sex worker.” Due to opposition from certain sectors, the measure was in force for only a short time, during which hundreds of people had registered. Due to demands on the part of the Asociación de Mujeres Meretrices de Argentina (AMMAR)⁴, the government organized a work session with representatives from the Ministry of Justice and Human Rights, the Ministry of Security, the Ministry of Labor, and the Ministry of Women, Genders, and Diversity, along with social organizations and a range of other groups. Nonetheless, the category of “sex worker” was not reincorporated to the form.

- **Programa Potenciar Trabajo (Boosting Work Program).** This program, which operates in several provinces, was created to connect social policies with production and employment. There are 300,000 program beneficiaries. The intervention of the Department of Diversity Policies within the Ministry of Women, Genders, and Diversities and INADI made it possible for the trans* population to gain access to the program. However, several LGBTTTIQ+ organizations have reported that the distribution of program benefits has not been done fairly.

The lockdown has had a particularly dramatic impact on trans* women (95% work in the sex industry). More than 50 trans* women, sexual workers from the city of Buenos Aires, Buenos Aires province, and Córdoba province, have suffered eviction attempts despite the government’s ban on evictions during the pandemic.

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⁴ The Association of Women Sex Workers of Argentina.
Thanks to the efforts of trans* and LGBTTTIQ+ groups with political and social organizations, machinery, materials, and facilities became available to come up with income alternatives. These included the production and sale of masks and self-run enterprises producing food and essential items.

Access to technology and Internet has posed enormous challenges for activists. In areas far from urban centers, not all activists have access to social media. Given that organizations have limited access to banking services (or none at all), their ability to assist with economic difficulties is limited. Even so, fundraising efforts were successful and messenger services were used to deliver cash assistance. Organizations scheduled and live-streamed activities on social media and on different platforms.

**Violence in Argentina**

Although the lockdown order established that in cases of domestic violence, women and LGBTTTIQ+ people could leave the home to file a report or request assistance and/or protection, the situation remains critical. One noteworthy case occurred in Córdoba province, where a father accused of violence against his trans teenager ended with a domestic exclusion order.

Lesbian activists consulted as part of this study noted that lesbian couple violence, already an issue before the outbreak, has since exacerbated. Activists have been clamoring for state institutions to address this issue since reports filed on this intra-family violence often culminate in more violence. Lesbian activist groups in central and northwest Argentina have organized virtual support meetings, ceremonies, and ancestral rites associated with Coya and Inca traditions to help provide emotional and spiritual healing.

The context has intensified existing hate speech and hate-motivated practices. Trans women remain vulnerable to police abuse and institutional violence, both of which have been exacerbated during the pandemic due to the enforcement of the lockdown order by police and other agents of the law. During the lockdown, the northwest saw an intimidating rise in the number of police stationed outside cultural centers of the LGBTTTIQ+ organizations asking for ID or taking pictures of anyone attending events (with COVID health and safety protocols in place). Before the outbreak, in conjunction with a rise in anti-rights groups, conservatives, and other religious fundamentalists, Argentina has seen a surge in homophobic graffiti painted on cultural centers of the community. On Pride Day, during a commemoration organized by the city of Córdoba, fundamentalist groups committed acts of vandalism, lowered the pride flag, raised the Argentine flag, and harassed activists. Similar acts of violence were reported that day in the cities of Mar del Plata, San Luis, and Rosario.
Outlook for Activism after the Pandemic

- **Full and effective citizenship** for lives free from violence
- **Rebuilding bonds and virtual political activism**
- **Prioritizing the passage of a trans labor quota/integration** on the activist agenda.
URUGUAY

Gains

Since the Criminal Code reform in 2003 that recognized hate-motivated acts, mistreatment, and other forms of moral and physical violence based on sexual orientation or gender identity, the LGBTTTIQ+ community in Uruguay has seen major legislative gains. In 2009, Uruguay became the first country in Latin America to allow diverse couples to adopt. That same year, the country passed the Right to Gender Identity and Name and Sex Change Act. The Equal Marriage Act was passed in 2014, and in 2018, the Integral Transgender Persons Act was passed.

The aim of this law is to fight discrimination in the health care system and provide access to adults 18 and over with adequate services of all kinds. In the case of treatments and surgeries associated with gender identity, only a signed consent form is necessary (i.e., no court authorization or paperwork). Minors can access hormone treatments with or without the consent of a parent or guardian.

The law requires public entities to establish a 1% workforce quota for members of the LGBTTTIQ+ community; the same applies for training programs for trans people at the National Institution for Employment and Professional Training. It also contemplates modifications in educational assistance: the community can request grants and receive support vis-à-vis the Educational Assistance for Afro-descendants and Trans People. One noteworthy gain is that reparations are being offered for any trans person born before December 31, 1975, who is able to prove that they were imprisoned because of their gender identity or subjected to institutional violence.

These gains can largely be attributed to two consecutive terms of the Frente Amplio party, a center-left coalition that held the majority in both chambers of Uruguay’s Congress between 2005 and 2019. The activism of the Ovejas Negras group played an important role in articulating needs and strategies for resistance at organizations while getting the community’s demands onto the public agenda.

Setbacks, Resistance, and Challenges in Uruguay

Even in the favorable legal setting described above, trans people in Uruguay suffer from violence, live on the margins, and suffer from social exclusion, without access to basic rights in education, health care, and housing; they are also the victims of physical violence, often including murder.
In November 2018, a month after the passage of the “Trans Act,” legislators from the Partido Nacional party gathered signatures to repeal the law. On August 4, 2019, a non-mandatory pre-referendum was held to call for a referendum, but not enough voters turned out to meet 25% minimum needed to move forward with the referendum.

Conservative-religious activities successfully put a stop to a joint initiative by the Ovejas Negras organization and the Ministry of Development to draft a guide on sexual and gender diversity for teachers. “Con mis hijos no te metas” (“No one touches my kids”) is the conservative religious slogan to prevent “imposed gender ideology” and comprehensive sexual education at schools.

**Uruguay**

**LGBTIQ+ organizations: Milestones and advances**

- Criminal code is reformed to condemn acts of hate, disparagement, and violence motivated by sexual orientation or gender identity (2003).
- Civil unions legalized (2008).
- Legalized adoption by same-sex couples (2009).
- Right to gender identity, name and sex change on personal documents (2009).
- Reparations for any person born in or before 1975 who was imprisoned because of their gender identity or subjected to institutional violence.
- Trans-inclusive education.
- Critical role of LGBTIQ+ organizations in terms of structuring demands and strategies jointly as a network.

**Threats, setbacks, and infringement of rights of LGBTIQ+ individuals and the community**

- Conservative discourse and religious fundamentalisms gain traction.
- Political leaders take stances against the rights of LGBTIQ+ people and the community.
- Appointment of anti-rights officials at the Ministry of Health and Social Development.
In November 2019, Luis Lacalle Pou, who had opposed the Equal Marriage Act and other bills, aimed at expanding rights during his time as a congressman (including laws on abortion, cannabis, working hours for farmhands and for domestic employees) ran for president on the Coalición Multicolor ticket. The candidate had also come out against the Integral Trans Persons Act. Once elected, Lacalle Pou named two far-right politicians known for their anti-LGBTTTTIQ+ stance to head the Ministry of Social Development and the Public Health Ministry.

The COVID-19 Pandemic and the LGBTTTTIQ+ Population in Uruguay

Following the outbreak in Uruguay, the government issued recommendations on staying at home, school closures, and the cancellation of public performances. Relief policies introduced targeted the elderly (ages 65 and over) and homeless people. For people suffering from food insecurity, a social charge card was distributed for the purchase of foods and other essentials.

Activists from local organizations interviewed for this report stated that the assistance the state provided did not suffice, adding that there were no specific measures targeting the LGBTTTTIQ+ community.

The Montevideo Mayor’s Office organized a support service managed by the Diversity Department and trans activists from the Asociación Trans del Uruguay (ATRU) and the Colectivo Trans Uruguay (CTU). Beneficiaries received food baskets delivered to their home, payment of their electric bills in June and July, and free public transport passes.

In Uruguay, the coronavirus has not hit particularly hard. LGBTTTTIQ+ organizations say that the outbreak did not diminish health care access; they have received no reports on limited access to sexual and (non-)reproductive care services, or to HIV and hormone treatments. However, activists are extremely concerned about the new public health minister, Daniel Salinas, a staunch conservative with ties to the armed forces who is strongly opposed to legal abortion.

On the job market, no specific data is available on the LGBTTTTIQ+ community, though it is generally acknowledged that most do not hold formal employment. Sex work on the street has ceased out of fear of catching COVID-19. Activists are working to guarantee the trans workplace quota is introduced and upheld.

Due to the red tape the filing entails, the Asociación Trans del Uruguay (ATRU) has been assisting more than 70 trans people who want to access the reparations established under the “Trans Act.”
Activist efforts have focused on material assistance for the most vulnerable: ollas populares\(^5\) and food basket handouts for those facing food insecurity, especially trans people and other vulnerable individuals who are not members of the LGBTTTIQ+ community. Thanks to donations, the organizations have been able to help trans people keep their homes and pay utilities.

**Activism, COVID-19, and Internet Access in Uruguay**

Although around 90% of Uruguayan homes have an Internet connection, the same cannot be said for all activist organizations. Nonetheless, according to the LGBTTTIQ+ organizations, the increased reliance on Internet did not pose a problem during the outbreak; in fact, many emphasized how it allowed communities from across the country to connect with one another. However, the situation is different for trans people, who were not as prepared to go virtual, as many do not have cell phones or other devices to connect to Internet. Similarly, they are unfamiliar with the platforms used for virtual meetings. Support and communication networks between trans organizations have helped individuals without an Internet connection stay in touch, exchange messages, and strengthen their ties.

**Violence in Uruguay**

The organization members interviewed note that the election of the Coalición Multicolor candidate has opened the floodgates for hate speech, not only against LGBTTTIQ+ people, but also against feminists, social organizations, trade unions, human rights, and left-leaning parties. This problem predates the outbreak and is worse in the interior.

Social Development Minister Pablo Bartol is a member of the Opus Dei and has voiced his opposition to sexual and reproductive rights, sexual diversity, and feminism. This and the Public Health Ministry have historically been supportive of LGBTTTIQ+ organizations, which is why—in the view of the activists interviewed—the Lacalle Pou administration has appointed right-leaning ministers to head them.

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\(^5\) Ollas populares, free meals often cooked out on the street in enormous pots, are a strategy for confronting food insecurity and also an opportunity for members of the LGBTTTIQ+ community to come together.
Outlook for Activism after the Pandemic

- **To build a coalition of resistance** that encompasses sexual diversity, feminism, trade unions, social movements, human rights organizations and left-leaning parties **against conservative policies and neoliberal cutbacks**.

- **Establish links throughout the country**: continue to increase awareness of sexual diversity in the interior through participation at traditional festivals and activities in towns and cities without a public presence of LGBTTTTIQ+ organizations and individuals.
Paraguay

Gains

Held on September 28, 2019 in the capital of Asunción but also in the interior, the TLGBI Rights March was the largest in the country’s history. The march also commemorated the sixtieth anniversary of the “Carta de un amoral” (“Letter to an Inmoral Man”) that set off the struggle for sexual diversity in Paraguay under the dictatorship of Alfredo Stroessner ten years prior to Stonewall. Law enforcement officers were sent out to stop the marchers: some were injured, others imprisoned. Yet activism has continued to grow. Casa Diversa and Unidos por el Arco Iris are two new organizations.

In 2019, the country held the first trial in its history for the murder of a trans person, Romina Vargas, who was killed in 2017. Besides handing down the maximum sentence to the defendant, the court ruled that the murder was motivated by hatred and discrimination against trans people.

In 2018, the city of Carmen del Paraná in the department of Itapúa was forced to abandon its slogan, “a pro-life, pro-family city of God,” since the Constitution does not allow for religious declarations on any level of government.

Setbacks, Resistance, and Challenges in Paraguay

According to the sources interviewed for this investigation, the situation of the LGBTTTTIQ+ community in Paraguay has worsened notably in the past few years.

Under the administration of President Mario Abdo Benítez, anti-rights group, government officials, members of the judicial branch, personnel of the armed forces, and the media have fostered more violence, persecution, and attacks on the community than in the past.

Evangelical leaders were appointed to head the Ministry of Public Works and the Ministry of Education and Science. Like the Catholic Church, the Evangelical Church spearheads opposition to demands for rights, sexual education, and sexual rights in general, in a society that does not have anti-discrimination legislation or a law on gender identity. In addition, Paraguay does not recognize civil unions of people of the same sex. President Benítez, in fact, has said that same-sex marriage “goes against nature.”

Paraguay has one of the highest rates of bias-motivated hate and violence against trans people and homosexuals in Latin America, especially on the part of police and prison guards.
In 2017 and 2018, the party in power declared many Paraguayan cities to be “pro-life” and “pro-family.”

In Encarnación, the organization Diversxs was banned from using public space for activities for the LGBTTTIQ+ community in September 2018.

In December 2019, a majority in the House of Representatives voted to declare Paraguay’s Congress to be “pro-life” and “pro-family.” At the General Assembly of the Organization of American States held in Medellín, Colombia, in June 2019, Paraguay upheld its position as “pro-life” and “pro-family,” opposing the incorporation of any reference to the protection of LGBTTTIQ+ rights in the general resolution.

### Paraguay

**LGBTIQ+ organizations:**

- **Milestones and advances**
  - Collaborative efforts on the network of LBTIQ+ organizations.
  - Establishment and growth of new organizations to defend LGBTIQ+ rights.
  - TLGBI Pride Marches boasted high attendance and were held in different cities across the country on the 50th anniversary of the “Letter to an Inmoral Man” (2019).

### Threats, setbacks, and infringement of rights of LGBTIQ+ individuals and the community

- Conservative discourse and religious fundamentalisms gain traction.
- Defense of a heterosexual, patriarchal order as state policy.
- Attacks on sex education.
- Violence by anti-rights groups, political leaders, court personnel, the armed forces, the police, and the media.
- Cities declared pro-life and pro-family.
- Congress declared pro-life and pro-family (2019).
- Hate crimes and violence.
The COVID-19 Pandemic and the LGBTTTIQ+ Population in Paraguay

At the beginning of March, Paraguay’s president ordered a country-wide lockdown. Residents were forbidden to leave their homes except to purchase essential items. Starting on May 1, the country moved to an “intelligent lockdown” in which the level of restrictions varied based on the caseload. In a country with seven million inhabitants, 65% of whom hold informal employment, the number of the unemployed has risen to half a million since the outbreak.

The state has yet to introduce any measures that specifically target the LGBTTTIQ+ community. Community members are particularly prone to unemployment and face difficulties when applying for state subsidies. Since there is no national law that acknowledges an individual’s self-perceived gender, only 22 trans people were able to access the state subsidy, according to Casa Diversa. Gay and lesbian organizations in cities have reported that the pandemic has had a negative impact on employment and incomes.

A great part of the trans population performs sex work and is particularly at risk of catching the coronavirus, yet the state has offered no type of training or health education. In Paraguay’s interior, the need is even more pressing, because—unlike the capital of Asunción—there is virtually no access to coronavirus testing. For LGBTTTIQ+ people with preexisting conditions, the pandemic has created new obstacles for continuity of care.

The isolation, combined with the lack of aid policies targeting this population, has created enormous difficulties in terms of covering one’s food and housing expenses. Organizations have responded by organizing ollas populares. Despite a state order protecting tenants during the pandemic, there have been reports of LGBTTTIQ+ people being evicted. In Asunción, some job alternatives appeared, including the sale of easy-to-manufacture cleaning products, frozen meals, and pet accessories. Those involved in these initiatives took to social media to sell their products.

Violence in Paraguay

During the pandemic, our sources have noted a rise in cases of sexual abuse and violence against trans people. Police and other agents of the law enforce lockdown orders and members of the community have suffered mistreatment and, in the case of sex workers, demands for bribes. This is especially the case among trans sex workers and Guarani (i.e. non-Spanish) speakers\(^6\), and more so in the interior.

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\(^6\) Paraguay has two official languages, Guaraní and Spanish, but speaking only Guaraní increases one’s chances of suffering social exclusion.
Family and gender violence has increased for identities across the LGBTTTIQ+ spectrum. One lesbian organization consulted particularly emphasized lesbian couple violence, which requires a specific state response: when lesbians go to police stations seeking protection, they are often victimized anew.

Hate discourses have continued to circulate in the media since the outbreak. In particular, two popular television programs were mentioned: El repasador, on Channel 13, and El Gran Debate, on the Unicanal channel, both of which spread these discourses and invite conservative and fundamentalist guests to share their views.

**Activism, COVID-19, and Internet Access in Paraguay**

Internet access divides the capital from the rest of the country. In Asunción, many people have access to social media, even if they do not have an Internet connection themselves. Yet this is a major issue in the interior. Nonetheless, Internet allows a certain percentage of the population to be reached, and the lockdown made this tool even more valuable. Exchanges with other community members, even virtually, proved to be a major source of affective and emotional support.

Activists have organized ollas populares and food drives and distributed food baskets. These joint efforts stood in for an absent state. The Red Paraguaya de la Diversidad Sexual (REPADIS) works with feminist organizations, cis-gender sex workers, and rural organizations. Certain activities were designed to maintain virtual meeting opportunities.

Though they could not operate as bars under the lockdown, cultural centers attempted, when possible, not to fire workers; trans organizations launched online tutorials, teaching makeup, canvas painting, photography, and therapy theater, and the registration fees for these activities covered the organizations’ operating costs.

Even during the pandemic, organizations expanded work networks, some with organizations in Argentina focused on the labor rights of sex workers. Lesbian organizations continued their collaborations with feminist communicators and with the Paraguayan Human Rights Coordinator (CODHEUPY); additional lawsuits have been filed to demand the right to partner visits for lesbians in prison. Cultural centers organized activities with guest musicians.
Recover in-person work and foster opportunities for getting together.

Provide mental health assistance, given that the lockdown, ensuing economic problems, and violence have especially impacted LGBTTTIQ+ people.

Actively engage the state, which is heightening the vulnerabilities of community member, either intentionally or by omission.

Promote political action on the streets and across the country.

Work toward equal Internet access and training on new technologies for activism and protection against institutional abuse and violence.
Conclusions

In terms of expanding rights, Argentina, Paraguay and Uruguay have not achieved the same gains. The crisis set off by the coronavirus pandemic has highlighted the structural issues of the LGBTTTIQ+ population and its impact varies according to one’s class status and urban vs. rural residence. In particular, the outbreak has revealed the profound socioeconomic vulnerability of the trans community. Although activists have made specific gains in health care, work, housing, education, and a life free from violence in recent years, the pandemic has increased the need for relief and assistance. Another major challenge was to keep existing organizations and connections strong on social media and streaming.

Activism has spread to local grassroots groups, feminist and multisectoral organizations, groups associated with political parties or social movements, and others. It is difficult to imagine what the political agenda will look like after the pandemic, mainly because there is no end in sight. However, it does appear that maintaining networks—albeit virtual ones—and providing affective and emotional support are the priorities for now.