**INTRANSIGENT LEGISLATION: PUBLIC POLICY ANALYSIS ON THE REALITY OF TRANS LIVES**

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**ABSTRACT**

This paper engages in a comparative analysis of trans-positive political frameworks in Brazil, Canada, and Costa Rica. Our analysis focused on the protection of trans rights and access to gender-affirmative and trans-positive health care, as well as the legal mechanisms involved in changing ones name and gender designator. The information was gathered from January 2014 to September 2015, through virtual research in the official government websites and in the following databases: Medline, LILACS, SciELO and Google Scholar. The paper restricts this analysis in highlighting the necropower of Law and Medicine as instituted forces that throughout the “normalizing”, homogenizing, moralizing, psychiatrizing and pathologizing process, dictate in society their rules. It is concluded that the human rights with regards access to the health and judicial systems, remain based on an invisible or psychiatric model. Therefore, in the examined countries we can conclude that the advancing steps show relatively limited progress, perhaps, because the gender perspective is still absent from the social debate.

**Keywords:** Transexuality. Public Policies. Legislation & Jurisprudence. Necropolitics.

**Emphasis Area:** Public Health

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