

**VICE** World News

# Man Legally Changed Gender to Gain Custody of His Kids. Trans Groups Are Concerned.

René Salinas Ramos says the legal change is an attempt to gain full custody of his daughters, because Ecuadoran law favors mothers in custody battles.



By [Nathaniel Janowitz](#)

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René Salinas Ramos, 47, told local media that the change was not related to his sexuality or identity, but rather that the Ecuadorian legal system gives preferable rights to mothers over fathers when it comes to the custody of children.

“The laws say that the one who has the right is the woman. As of this moment, I am female. Now I’m also a mom, that’s how I consider myself,” Salinas Ramos told *La Voz del Tomebamba* outside the Civil Registry office on December 30 in the city of Cuenca. “I am very sure of my sexuality. What I have sought is that I want to be a mother, so that I can also give the love and protection of a mother.”

Salinas Ramos alleged that his daughters live in an abusive environment with their mother and that he hasn’t seen his children in over five months.

“Being a father in this country, Ecuador, is punished and I’m only seen as a provider,” said Salinas Ramos.

But the man’s legal change from male to female has surprised and concerned LGBTQ activists who fought to have Ecuadorian laws changed in 2015 to allow the change of gender.

“This man’s private matter, to obtain custody of his daughters, isn’t the spirit of the law,” Diane Rodríguez, one of Ecuador’s most prominent trans activists and the national director of the Ecuadorian Federation of Organizations LGBTI, told VICE World News.

Rodríguez, who became Ecuador’s first trans Assembly person from 2018 to 2021 and also helped spearhead the 2015 law, said that with her understanding of the law, a judge would certainly not give custody because of a change of gender “because it does not make sense that you have changed your gender in the identity document without being a trans person, only with the objective of taking advantage to obtain custody.”

The concept seemed so outlandish at first that Rodríguez admitted that when she saw it in the local press, she thought it was “fake news.” But after realizing that the man had in fact legally changed his gender, the Ecuadorian Federation of Organizations LGBTI released a statement denouncing the change on Tuesday.

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ANYA ZOLEDZIOWSKI

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Rodríguez explained that the 2015 law created an unintended consequence because while it allowed people to legally change their gender on Ecuadorian documents, it didn't allow them to change their sex on government issued documents that are recognized globally such as passports. This in effect, meant that trans people needed to have two different legal documents, one that defined their preferred gender identity, and one that defined their sex by birth.

In May, trans activists reached a major milestone when the assembly ratified a previous 2018 legal decision that allowed a trans man to legally change his sex. That ratification created a legal precedent where the assembly had nine months to legislate and potentially approve a law that would allow the change of a person's sex.

“So, what is happening at this moment [with Salinas Ramos] could cause a change of criteria of some assembly members for the change of sex in the identity card of trans people,” said Rodríguez. “They now only have one month to process this law. That is our current fear.”

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Seemingly expecting the backlash, Salinas Ramos told *La Voz del Tomebamba* that his decision “is not against a person, not to harm anyone, but rather to fight against this system that has stigmatized the fact

“The law doesn’t say anything about the best interests of children,” she said. “I understand that in his situation, in desperation, he chose to change the gender on the identity document. But no, it won't have any effect.”

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