

The Rights of LESBIAN, GAY, BISEXUAL, TRANS and INTERSEX PERSONS in the Americas

What is the Inter-American Commission on Human Rights (IACHR)?

The IACHR is a principal and autonomous organ of the Organization of American States (OAS), composed of 7 independent members, who serve in a personal capacity. Created in 1959, the IACHR promotes and protects human rights, through the processing of cases and the monitoring of the human rights situation in the Americas. In 2011, the IACHR established a Unit –which in 2014 became a Rapporteurship- on the Rights of LGBTI Persons.

What have the IACHR and its LGBTI Rapporteurship accomplished so far?

50+ petitions against 16 States, which will develop standards interpreting SOGI under international human rights law.

Several decisions on cases of torture and discrimination in access to justice; same-sex pension benefits; intimate visits for lesbian women and discrimination in the armed forces.

11 precautionary measures granted asking governments to protect LGBT human rights defenders.

Presentations before OAS political bodies and meetings with Ambassadors on issues of sexuality, SOGI, expression and body diversity.

Specialized assistance to the Mexican Supreme Court for its 2014 Protocol for Judges on SOGI issues.

Processing petitions, alleging human rights violations against all 35 OAS Member States, and requests for precautionary measures

Providing specialized technical assistance to Member States and OAS political organs

These accomplishments have been made possible thanks to the support from Arcus Foundation, Chile, Denmark, The Netherlands, The United Kingdom, The United States of America and UNAIDS.

Preparing regional and thematic reports on the human rights of LGBTI Persons

Regional Report on the Situation of Violence against LGBTI Persons under development.

6 regional meetings of experts.

Questionnaire responded by 2/3 of States and 35+ NGOs.

Analysis of the rights of LGBTI persons included in reports on Colombia & Jamaica.

Called for decriminalization of same-sex intimacy between consenting adults in Jamaica report.

Monitoring and promoting visibility of human rights violations of LGBTI Persons

30+ press releases highlighting killings of trans persons and lack of adequate investigation, among other issues.

30+ public hearings (70+ NGOs from 22 countries).

Engagement in CARICOM countries: training in St. Lucia; panel on discrimination in Barbados; visits to Jamaica and Suriname.

Joint press release with African Commission.

Monitoring of 1,500+ news reports on violence against LGBTI persons.

Quick overview of the rights of LGBTI persons in the Americas

- Pervasive and varied forms of violence
- Trans women do not exercise right to 'dignified life' (due to violence, poor access to health care, education and employment)
- Discrimination against lesbians at the intersectionality of gender and sexual orientation
- Discrimination against trans men (family, health, education)
- Medical violence against intersex persons
- Invisibility of discrimination and violence against bisexual persons
- Heightened risk for human rights defenders of LGBTI persons
- Police abuse and limited access to justice for LGBTI persons
- Criminalization of same-sex consensual intimacy in 11 countries
- Few gender identity and antidiscrimination laws
- Lack of coherent public policies and disaggregated data by states



IACHR
Inter-American Commission
on Human Rights

What does the LGBTI Rapporteurship plan to achieve in 2015-2017?

With sufficient funding, the LGBTI Rapporteurship plans to:

Process 10 to 12 cases, adopting admissibility and merits reports, which may potentially reach the Inter-American Court of Human Rights

The report contains specific recommendations aimed at States to prevent, investigate and prosecute violence.

Launching in different parts of the region will allow to raise awareness and promote visibility.

Continue working and dialoguing with States for the adoption of policies respectful of diverse sexual orientations, gender identities and body diversity

Adopt and launch the Regional Report on Violence against LGBTI Persons.

Prepare and launch two reports on the rights of LGBTI persons in health and access to justice.

Jointly examine with other IACHR Rapporteurships the situation of LGBTI persons who are children, refugees, deprived of liberty, and human rights defenders.

Continue working on regional reports on the rights of LGBTI

Continue monitoring and promoting visibility of human rights of LGBTI persons

Issue 20 press releases on challenges and progresses.

Hold 18 public hearings on diverse human rights issues affecting LGBTI persons.

Conduct 5-6 visits to countries in the region to examine the human rights situation of LGBTI persons and issue recommendations to States.

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