

REGIONAL SEMINAR

“SHARING EXPERIENCES AND STORIES AMONG PARLIAMENTARIANS TO ADVANCE EQUALITY AND NON-DISCRIMINATION ON THE BASIS OF SEXUAL ORIENTATION AND GENDER IDENTITY IN LATIN AMERICA AND THE CARIBBEAN”

LEGISLATIVE ASSEMBLY OF COSTA RICA
FORMER PRESIDENTS OF THE REPUBLIC CONFERENCE ROOM
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EXECUTIVE SUMMARY

Dip. José Alberto Alfaro Jiménez (President of the Legislative Assembly of Costa Rica) inaugurated the Seminar, thanked Parliamentarians for Global Action (PGA) for its “laudable work” promoting human rights, and thanked all participants at the Seminar on behalf of the Legislative Assembly of Costa Rica.

Dip. Ronny Monge Salas (member of the Liberación Nacional Parliamentary Group at the Legislative Assembly of Costa Rica, PGA Board member and Co-Convenor of PGA’s Gender, Equality and Population Programme) described PGA’s mission and the purpose of *Advancing the Human Rights and Inclusion of LGBTI People: A Handbook for Parliamentarians* (the SOGI Handbook), a joint publication of PGA and the United Nations Development Program (UNDP). He also encouraged attendees to form PGA National Groups in those countries that do not have one already.

Ms. Mónica Adame Martínez (Director of PGA’s Gender, Equality and Population Programme) thanked the Legislative Assembly of Costa Rica for hosting the Seminar and all participants for attending. She thanked PGA’s National Group in Costa Rica, Dip. Monge and his office for making the Seminar possible. Ms. Adame explained the work of PGA – in particular, PGA’s SOGI Campaign – and highlighted the role of the SOGI Handbook to promote sensitization and education regarding LGBTI rights.

Mr. Marco Castillo Rojas (President of Costa Rica’s Diversity Movement pro Human Rights and Health) outlined five demands of his organization in the medium term: recognition of gender identity, recognition of same-sex couples, elimination of discrimination and outlawing of hate crimes, health policies in accordance with the needs of LGBTI people and appropriate attention to people affected by HIV.

During the first panel, on the “Situation of LGBTI persons in the Americas and progress in achieving equality and non-discrimination,” *Dip. Maureen Clarke Clarke (Liberación Nacional Parliamentary Group Leader at the Legislative Assembly of Costa Rica)* made a presentation about the problematic situation of LGBTI people that parliamentarians can help address, with particular attention to the context in the Americas. When it comes to Costa Rica, she mentioned a number of legislative projects that have not advanced in parliament, mostly due to religious opposition.

Mr. Orlando Habet (Member of Parliament, National Assembly of Belize) explained the context in Belize and discussed the positive impact of the Supreme Court of Belize’s ruling that declared the country’s “anti-sodomy” law (Section 53 of the Criminal Code) unconstitutional. He highlighted that Belize’s “sodomy” ban was the first one in a former British colony in the Caribbean to be judicially overturned.

Sen. Maureen Payne-Hyman (Senate of Antigua and Barbuda) spoke about the context in Antigua and Barbuda, where “buggery” is a criminal offence. She explained that for decriminalization to be successful there would need to be a paradigm shift.

Ms. Angie Cruickshank (Human Rights Specialist, United Nations System in Costa Rica) mentioned the importance of the recently appointed UN SOGI Independent Expert, the Universal Periodic Review process and the Agenda 2030 of Sustainable Development Goals to leave no one behind.

Mr. Rodrigo Campos Hernández (President of Central American umbrella group of NGOs ISCA Movement) denounced that approximately six million LGBTI people in Central America are “enchained” due to the exclusion, discrimination and violence they suffer.

During the second panel, on “Tools and best practices for parliamentarians in their legislative role,” *Dip. Marcela Guerrero Campos (member of the Partido Acción Ciudadana Parliamentary Group at the Legislative Assembly of Costa Rica)* presented the SOGI Handbook and encouraged Seminar participants to work to advance the human rights of LGBTI people, because, she said, we can either be part of History or desert from it.

Sen. Wade Mark (Senator and Chair of PGA’s National Group, Parliament of Trinidad and Tobago) mentioned two specific pieces of legislation in Trinidad and Tobago that are oppressive and discriminatory against LGBTI people: the Sexual Offences Act, which characterizes “sodomy” or “buggery” as a criminal offence, and the Immigration Act, which forbids “homosexuals” and other groups of people with “immoral purposes” from entering the country. He also explained that Trinidad and Tobago’s Equal Opportunity Act is in the process of being amended to add protections based on sexual orientation.

Mr. Lucien Govaard (Board member of Suriname Men United and Co-Chair of CariFLAGS Steering Committee) indicated that one of the key roles of civil society is to relay their concerns to their representatives and shared some of his findings and recommendations on how to do this in a successful way.

Ms. Larissa Arroyo Navarrete (Representative of Movimiento ACCEDER, Costa Rica) stressed the importance of taking into account the specificities of each group within the LGBTI community and the concept of intersectionality, the pernicious influence of machismo, misogyny, sexism and patriarchy and the notion that human rights are non-negotiable.

During the third panel, on “Legislative initiatives to promote equality and inclusion of LGBTI persons,” *Dip. Marta Arauz Mora (Second Secretary of the Directory of the Legislative*

Assembly of Costa Rica) welcomed all Seminar participants to the Legislative Assembly and stated that an inclusive motherland means, among other things, ending any form of discrimination.

Dip. Carlos Manuel Arguedas Ramírez (member of the **Liberación Nacional Parliamentary Group at the Legislative Assembly of Costa Rica and former Constitutional Judge in Costa Rica**) explained that the social concepts of marriage and family are evolving and that legislation should adapt to reflect these changes in society. He encouraged Seminar participants to abandon tolerance (understood as a type of condescension) when it comes to the rights of LGBTI people and adopt a perspective of legally recognized and guaranteed fundamental rights.

Sen. Julio César Valentín (Province of Santiago Senator, member of the **Political Committee of the Partido de la Liberación Dominicana, Chair of PGA's National Group at the Congress of the Dominican Republic**) spoke about the project of General Law on Equality and Non-Discrimination in his country, a project that PGA has supported, and noted that the fight for rights is permanent expressing his personal commitment to advancing the rights of LGBTI people.

Mr. Deivis Ventura (Executive Director of Dominican Republic's **Red de Voluntarios Amigos Siempre Amigos, REVASA**) shared with Seminar participants some lessons learned from his experience as a social and political activist and stated that a democracy that does not respect minorities cannot be considered a real democracy.

Ms. Simone Hill (Coordinator of Belize's **NGO Promoting Empowerment through Awareness for Lesbian and Bisexual Women, PETAL**) denounced that Belizean political parties on both sides of the aisle have failed to take a clear and formal pro-LGBTI stance and declared: "we are silent no more, change must come."

Ms. Natasha Jiménez Mata (Representative of Costa Rica's **Mulabi Movement/Espacio Latinoamericano de Sexualidades y Derechos**) denounced the situation of intersex people: one in every 200 births are intersex people, she said, and many baby girls are mutilated. Ms. Jiménez concluded by exhorting MPs to present initiatives aimed at eliminating surgical violence against intersex people.

During the fourth panel, on "Strengthening cooperation with civil society and decision-makers to guarantee no person is left behind within the Sustainable Development Goals framework," **Dip. Gloria Reyes** (Deputy Spokesperson of the **Partido Revolucionario Moderno (PRM) Parliamentary Group at the Congress of the Dominican Republic**) mentioned the efforts in Dominican Republic to promote the inclusion of LGBTI people, in particular through the project of General Law on Equality and Non-Discrimination.

Dip. Franklin Corella Vargas (member of the **Partido Acción Ciudadana Parliamentary Group at the Legislative Assembly of Costa Rica**) explained that the fight for fundamental rights does not depend on political affiliation and added that LGBTI-related issues should become part of the national public debate and political campaigns.

Ms. Kenita Placide (Executive Director of the Eastern Caribbean Alliance for Diversity and Equality, ECADE) indicated that discrimination against LGBTI people is rife in the Caribbean and denounced the “anti-sodomy” laws that still exist in a number of countries in the region. She also mentioned several cases of strategic litigation to repeal those laws.

Ms. Grace Watamaleo (Member of Parliament, National Assembly of Suriname) declared that PGA’s National Group in Suriname is committed to protecting and promoting the rights of all individuals, including the LGBTI community.

Ms. Dayana Hernández (President of Costa Rican NGO Transvida) explained that her group, mostly composed of trans women involved in sex work with a low education level, has collaborated with a variety of public institutions on different public policies to protect the rights of their members.

Mr. Julio César Calvo, (President of the Diverse Chamber of Commerce of Costa Rica) indicated that the Chamber aims to be a platform to facilitate LGBTI people’s entrepreneurship, employment in safe spaces and training.

During the closing session of the Seminar, **Dip. Marvin Atencio Delgado (President of PGA’s National Group in Costa Rica and member of the Partido Acción Ciudadana Parliamentary Group at the Legislative Assembly of Costa Rica)** described the SOGI Handbook as an “extremely important tool” and called upon all participants to reflect on whether legislation in their countries respects LGBTI rights, because as “Parliamentarians for Global Action,” he argued, “we have a responsibility” to promote equality, non-discrimination and “quality of life.”

Ms. Margarita Salas (Representative of Movimiento Beso Diverso/Front for Equal Rights, Costa Rica) stressed that the LGBTI community is not a minority, because their friends, family members and everyone who defends human rights stand with them. She denounced the grave situations of injustice suffered by LGBTI people and called upon parliamentarians to action. If you are neutral in situations of injustice, you have chosen the side of the oppressor, she said, quoting Desmond Tutu.

Dip. Ronny Monge Salas (member of the Liberación Nacional Parliamentary Group at the Legislative Assembly of Costa Rica, PGA Board member and Co-Convenor of PGA’s Gender, Equality and Population Programme) stated his commitment to respect everyone’s rights, without distinction. He said that his office is always open and encouraged other participants to share their commitments as well.

To conclude, participating MPs announced their commitment to actions, which are contained in the “San José Commitments to Action” document.