

Seminar for Parliamentarians and National Human Rights Institutions on Equality and Non-Discrimination based on Sexual Orientation and Gender Identity (SOGI) in Latin America and the Caribbean

May 17-18, 2018 | Congressional Palace of the Argentinean Nation | Buenos Aires

Declaration of Buenos Aires

Recalling the universality, indivisibility, interdependence and interrelation of all human rights and that States have a duty, whatever their political, economic and cultural systems, to promote and protect all human rights and fundamental freedoms;

Underlining that all individuals are equal in rights because of the intrinsic dignity of all members of the human family and that no one, therefore, should be subject to discrimination due to any condition, including their sexual orientation, gender identity and expression and sex characteristics;

Reaffirming the Universal Declaration of Human Rights, the International Covenants on Civil and Political Rights and Economic, Social and Cultural Rights, the American Convention on Human Rights, the Inter-American Convention against all forms of Discrimination and Intolerance and the Yogyakarta Principles on the Application of International Human Rights Law to Issues of Sexual Orientation and Gender Identity, among other international and regional instruments;

Welcoming the increasing adoption of international and regional instruments and standards on Human Rights, sexual orientation and gender identity, including the Resolutions of the Human Rights Council 17/19, of 17 June 2011, 27/32, of 26 September 2014 and 32/2, of 30 June 2016, and the Inter-American Convention against all forms of Discrimination and Intolerance, of 5 June 2013, among others;

Taking note of the Advisory Opinion OC-24/17, of 24 November 2017, of the Inter-American Court of Human Rights on the protection of the rights of same-sex couples and of the right to gender identity, legally binding for the countries of the Inter-American Human Rights System, in which the Court reaffirms its incessant jurisprudence on the fact that sexual orientation and gender identity are categories protected by the American Convention on Human Rights;

Aware of our responsibilities as parliamentarians to represent all individuals and protect their human rights and fundamental freedoms without any distinction, including on the grounds of sexual orientation, gender identity and expression and sex characteristics;

We, parliamentarians participating in the *Seminar for Parliamentarians and National Human Rights Institutions on Equality and Non-Discrimination based on Sexual Orientation and Gender Identity (SOGI) in Latin America and the Caribbean*, commit ourselves to:

1. Introduce and promote laws and public policies that promote and defend equal human rights for all people, particularly those aimed at combating discrimination based on sexual orientation, gender identity and expression and sex characteristics, as well as promote the effective application of those that already exist.
2. Review national legislation in our respective countries in order to harmonize it with regional and international obligations and the standards of International Human Rights Law, repealing discriminatory laws if there were any and promoting, if not already existing, the introduction of hate crimes for reasons of sexual orientation, gender identity and expression and sex characteristics in our criminal legislation.

3. Promote the inclusion of issues of human rights, sexual orientation, gender identity and expression and sex characteristics in the framework of existing regional and international cooperation mechanisms and facilitate the exchange of information and best practices among parliamentarians and other relevant actors of different countries.
4. Urge our Ministries of Foreign Affairs to sign, followed by the subsequent ratification by the competent body, the Inter-American Convention against all forms of Discrimination and Intolerance, of 5 June 2013, in order to bring it into force and reinforce the Inter-American Human Rights System.
5. Use the public profile of our position as parliamentarians, in the events in which we participate, in our statements in parliament, to the media and in social networks, among other channels, to educate and raise awareness about the issues of sexual orientation, gender identity and expression and sex characteristics, disseminate constructive messages about lesbian, gay, bisexual, trans and intersex (LGBTI) people and promote equality and social inclusion of LGBTI people.
6. Engage in a continuous dialogue and close collaboration with civil society organizations that advocate for the rights of LGBTI people, listening to their testimonies, experiences, needs and priorities.
7. Collaborate closely with our colleagues in Parliament, the Executive and Judicial Powers, the National Institutions of Human Rights and against discrimination, the Prosecutors for the Defense of Human Rights, other agencies and relevant public officials, Parliamentarians for Global Action (PGA) and other international organizations, the private sector, the media and other relevant actors in the achievement of all the commitments contained in this document.
8. Promptly inform the PGA Secretariat of the actions we take in accordance with this Declaration, with the objective that these initiatives be shared with our colleagues around the world and serve as a model and inspiration in other countries.

Done and agreed on May 18, 2018 in Buenos Aires, Argentina

Shared in the VI Ordinary Meeting of the Ibero-American Network of Institutions and Organizations against Discrimination (RIOOD) in Cartagena de Indias, Colombia