



Empowered lives.  
Resilient nations.



Parliamentarians for Global Action  
Parlamentarios para la Acción Global  
Action Mondiale des Parlementaires  
برلمانيون من أجل التحرك العالمي

## ‘BEING LGBTI IN THE CARIBBEAN’ REGIONAL DIALOGUE APRIL 28, 2021

### PANEL 1: LEGISLATIVE REFORM AND PROTECTIVE MEASURES: A CONVERSATION WITH PARLIAMENTARIANS

On April 28, 2021, Parliamentarians for Global Action (PGA) hosted a virtual panel titled **“Legislative Reform and Protective Measures: A Conversation with Parliamentarians”** during UNDP’s ‘Being LGBTI in the Caribbean’ Regional Dialogue. Hon. Valerie Woods, Speaker of the House of Representatives of Belize and a PGA Board member, guided a conversation with fellow PGA members Hon. Dr. Angela Brown-Burke, Member of Parliament from Jamaica, and Hon. Andy Daniel, Speaker of the House of Assembly of St. Lucia.

The **‘Being LGBTI in the Caribbean’ Regional Dialogue** aimed to review the situation of lesbian, gay, bisexual, trans and intersex (LGBTI) persons in the Caribbean, while encouraging constructive discussions among the region’s governments, institutions, civil society, the judiciary and the private sector to promote inclusion, equality and respect for human rights. The Dialogue also facilitated the exchange of good practices to inform future decision-making processes and public policies.

PGA’s panel sought to provide a platform for parliamentarians to:

- Share national best practices and lessons learned that could be leveraged in other countries within the region;
- Foster engagement and collaboration between parliamentarians and LGBTI civil society that can lead to LGBTI-affirming reforms; and
- Identify opportunities for legislative reform and other protective measures and explore strategies to encourage parliamentarians to take action.

During the opening ceremony, **Hon. Dr. Frank Anthony, MP and Minister of Health of Guyana**, noted that importance of an enabling environment that can provide equality for all through laws and social protection. Dr. Anthony recalled his support to PANCAP’s work to address discriminatory provisions in access to healthcare, especially in the HIV field, and reminded participants how vital it is to have a legal and policy environment that does not discriminate and criminalize same-sex conduct. “As Caribbean countries, we need to move in this direction,” said Dr. Anthony. “There is a reluctance of MPs to change laws because of the views of their constituents, but there are opportunities in the progressive rulings by the Caribbean Court of Justice that may pull countries in that direction”, he noted.

**Hon. Dr. Angela Brown-Burke, MP from Jamaica**, referred to the decision by the Inter-American Commission on Human Rights finding the Jamaican Government responsible for violating multiple rights of a gay man and a lesbian woman and urging an immediate repeal of the country’s homophobic laws. This is the first-ever decision of the Commission to find that laws criminalizing LGBTI people violate international law. She noted that it forces Jamaica to look at these laws and also at the Savings Clause since it has prevented the discussion on decriminalization. Dr. Brown-Burke emphasized that it is more important to address discrimination than to keep with



Empowered lives.  
Resilient nations.



Parliamentarians for Global Action  
Parlamentarios para la Acción Global  
Action Mondiale des Parlementaires  
برلمانيون من أجل التحرك العالمي

the past and avoid facing the need for a debate on this issue. She recalled her work as Mayor of Kingston and how LGBTI people are facing huge barriers to basic access to the same rights other Jamaicans enjoy. She underscored that, in Jamaica, despite being a strongly faith-based community, there is a need to continue the dialogue and discuss cultural norms that can also have a wider reach in the Caribbean.

**Hon. Andy Daniel, Speaker of the House of Assembly of St. Lucia**, highlighted the importance of data for parliamentarians to make a case with their colleagues. He also reminded participants that MPs have a key representative role. Hon. Daniel stressed that an all-encompassing human rights approach to change discriminatory laws against LGBTI people would be the most effective approach in St. Lucia. Efforts to change individual legislation on this issue had no political support. “We should focus on all discriminatory laws and modify them,” said Hon. Daniel.

**PGA Board member Senator Boris Dittrich from the Netherlands** made an intervention from the floor to share his experience in the European context and the role he has had in his country – and the world – advocating for LGBTI equality since 2000.

**Hon. Valerie Woods, Speaker of the House of Representatives of Belize and a PGA Board member**, shared the status of the Equal Opportunities Bill (EOB) and the challenges the bill faced in September 2020 when the Parliament was about to start its discussion. Due to strong opposition from the evangelical church and the electoral context, the EOB was withdrawn. She expressed her hope that her government will resume discussions on this bill and hate crime legislation so that both pieces of legislation can be discussed in Parliament.

#### **Key points of the discussion:**

- MPs should reach out to the LGBTI community and maintain ongoing conversations. The exchange of evidence-based data may help make the case with more conservative MPs on why inclusion of LGBTI people is vital.
- Regional jurisprudence and rulings could force governments to face the need to discuss and debate laws criminalizing same-sex conduct, among others.
- Perspectives on the rights of LGBTI people are changing in the region as a result of the younger generation.
- Being mindful that governments tend to go with the majority. The opposition has an easier role in addressing controversial issues. It will take the courage of MPs to assume responsibility and not shrink away from this.
- Parliamentarians may be reluctant to speak about LGBTI human rights and thus, it may be more effective to use a more general human rights approach rather than a specific one.
- Importance of understanding political action and parliamentary procedure. Potential tools include submitting a written petition to Parliament so it must be addressed in the Chamber or advocating with MPs for private member bills.

**Dip. José Horacio Rodríguez, MP from Dominican Republic** (who couldn't participate in this panel as he was presenting a report in the Chamber of Deputies in favor of including three circumstances to decriminalize abortion in the Criminal Code) participated in the closing ceremony.



Empowered lives.  
Resilient nations.



Parliamentarians for Global Action  
Parlamentarios para la Acción Global  
Action Mondiale des Parlementaires  
برلمانيون من أجل التحرك العالمي

He emphasized the need for political leadership on inclusion, as it is evident that there is a rejection from legislators to incorporate protective measures for LGBTI persons, such as incorporating sexual orientation, gender identity and expression as categories against discrimination in the Criminal Code. “They see this as a threat,” said Dip. Rodríguez. Since taking office in August, he has seen a lack of political leadership to include all individuals in anti-discrimination legislation. Dip. Rodríguez referred to the Project of General Law on Equality and Non-discrimination that was introduced in the Committee on Human Right, but failed to obtain the support of enough legislators to even be discussed. He said that this Project of Law needs to be resuscitated before it expires with the end of the legislature. He encouraged activists to continue their fight to generate awareness about the need for equality and inclusion in society.

PGA and UNDP will follow up with participating parliamentarians and their colleagues to circulate policy recommendations from LGBTI activists and assist in their implementation to ensure “no one is left behind.”

**For more information, please contact:**

Mónica Adame, Program Director, at [monica.adame@pgaction.org](mailto:monica.adame@pgaction.org)

Alex Roche, Senior Program Officer, at [alejandro.roche@pgaction.org](mailto:alejandro.roche@pgaction.org)