

Despite Progress, LGBTI Latin Americans Still Fighting for Their Lives

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LGTBI people in Latin America and the Caribbean continue to be criminalized and killed because of who they are and who they love.

Rainbow pride flags are flying throughout the hemisphere this week, in celebration of the International Day Against Homophobia, Transphobia and Biphobia.

Recent years have seen significant advances in LGBTI rights, particularly in South America. However, people in Latin America and the Caribbean continue to be criminalized and killed because of who they are and who they love.

Homophobia and transphobia manifest in a range of ways in the region, including violations of basic rights to identity, health, education, work and housing, according to Josefina Valencia Toledano, co-secretary of the International Lesbian, Gay, Bisexual, Trans and Intersex Association (ILGA) for Latin America and the Caribbean.

“In addition to the obstacles to the exercise of all rights, extreme violence also occurs in our region. Hate crimes, murders due to homophobia and transphobia, and ‘corrective’ rapes of lesbians are among the most unfortunate expressions of the violence,” Valencia Toledano told teleSUR English.

A decentralized campaign and day of action, the International Day Against Homophobia was established in 2004 to draw attention to the violence and discrimination against LGBTI people around the world. Transphobia was explicitly added to the name in 2009, and Biphobia followed in 2015.

Stigmatizing medical classifications related to gender identity and expression, however, continue to be used as a basis for harmful forced treatments and criminalization, United Nations and other international human rights experts denounced last week.

“We are deeply concerned that transgender children and adults continue to be pathologized based on international and national medical classifications,” the experts wrote in their May 12 statement ahead of the International Day Against Homophobia, Transphobia and Biphobia.

The day is now celebrated in more than 130 countries worldwide and is increasingly recognized by multilateral institutions and national governments.

Last week, on May 12, Venezuelan National Assembly legislators unanimously passed a bill declaring May 17 the Day Against Homophobia, Transphobia and Biphobia. Presidential decrees in previous years in Brazil and Mexico established the date as a National Day Against Homophobia.

In Chile, the presidential palace will be lit up with rainbow colors Tuesday evening. According to the Movement for Homosexual Liberation and Integration (MOVILH) organizing the event with the

permission of Chilean president Michelle Bachelet, the only other country ever to do so was the U.S. after last year's landmark Supreme Court ruling on same-sex marriage.

LGBTI organizations and movements throughout Latin America and the Caribbean have organized marches and a myriad of other activities this month to commemorate May 17. Celebrations in Cuba include a symbolic mass wedding of same-sex couples, who do not have the legal right to marry in the country.

There was good news for marriage equality in Colombia last month, when the Constitutional Court ruled to definitively legalize same-sex marriage. Same-sex marriage is also legal in Argentina, Brazil and Uruguay.

Valencia Toledano hopes the momentum will continue and that other countries will follow suit.

"To start off, I think it could happen in two countries: Ecuador, because of the closeness between the LGBT movement and public institutions and the government; and El Salvador, because of its international politics that increasingly tends to speak of the recognition of LGBTI rights," Valencia Toledano told teleSUR English.

Marriage equality is unlikely anytime soon in much of the English-speaking Caribbean, where nearly a dozen countries still have laws criminalizing the LGBTI community.

"All of the legislation that criminalizes consensual sexual relations between adults in the English-speaking Caribbean has its origin in the British colonial era," said Valencia Toledano.

"They left a legacy of laws that in many cases equate sexual relations between people of the same sex with bestiality, and often don't distinguish between acts that are consensual and non-consensual, commercial and non-commercial, [and] private and public," she said.

The type of conduct deemed illegal, the legal consequences, and whether the laws are ever enforced varies country by country, said Valencia Toledano.

With the exception of the Bahamas, all of the English-speaking Caribbean Community (CARICOM) member nations – including Belize in Central America and Guyana in South America – still have laws on the books criminalizing LGBTI people in some way.

The laws in the English-speaking Caribbean aren't limited to the criminalization of sexual activity between people of the same sex.

"Guyana has legislation that criminalizes cross-dressing. This statute reinforces gender stereotypes and constitutes discrimination on the basis of gender identity and expression," said Valencia Toledano.

Transphobia in Latin America and the Caribbean is all too often fatal, even in countries where same-sex marriage is legal. At least 48 transgender women were murdered in Brazil in January 2016 alone, according to media reports.

A Trans Murder Monitoring project update published by Transgender Europe this past March documented 1,573 killings of trans and gender diverse people in Latin America and the Caribbean between January 1, 2008 and December 31, 2015. The region accounts for more than 75 percent of the global total.

Brazil retains its notorious number one spot in the world for trans and gender diverse killings in absolute terms, with 802 during the eight-year period. It is followed by Mexico (229), the United

States (132), Colombia (105), Venezuela (98), and Honduras (79).

“While Brazil, Mexico and the United States have the highest absolute numbers, the relative numbers show even more alarming results for some countries with smaller population sizes. Honduras, for instance, has a rate of 9.56 reported trans and gender diverse people killings per million inhabitants,” Transgender Europe stated in the project update.

Despite the ongoing violence, there have been recent advances in transgender rights in South America and even in Central America, said Valencia Toledano.

“Costa Rica is also taking steps forward on the issue with a proposal for a law for trans people. In Panama, there was recently the first name change for a trans woman,” she said.

The advances that have occurred in terms of LGBTI rights in the region have not appeared out of nowhere. They are largely the result of the decades of nonstop work by LGBTI groups and movements up and down the hemisphere.

When the pride flags come down and the rainbow lights on the Chilean presidential palace are shut off, those same organizations and movements will be fighting for change the other 364 days of the year.

Sandra Cuffe

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* Sandra Cuffe is a freelance journalist based in Central America.