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DAY 1 HIGHLIGHTS: LGBT Rights In Latin America

March 12, 2009 - Over 250 people attended the opening plenary of *The Global Arc of Justice Conference* last night at the Pacific Design Center in West Hollywood. Williams Institute Executive Director Brad Sears opened the conference with ILGlaw President David B. Cruz and West Hollywood City Councilmembers John Heilman and John Duran.



Photo by Colin Young-Wolff

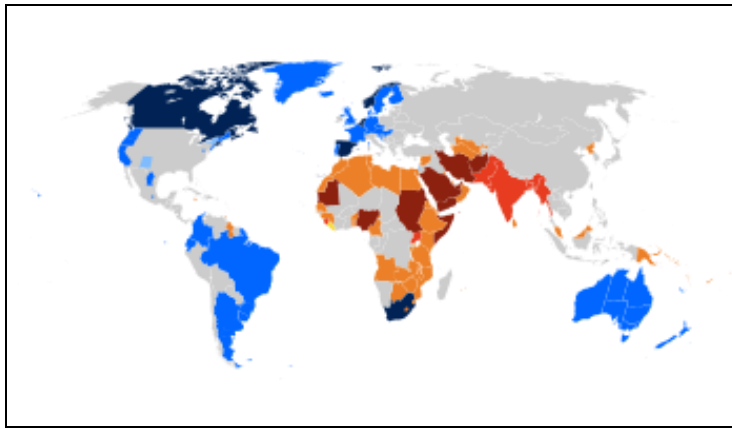
(From left to right) Jorge Saavedra, Brad Sears, Javier Corrales, Karen Atala Riffo and Germán Rincón Perfetti at the opening plenary session.

The opening plenary session, *LGBT Rights in Latin America*, included presentations by human rights lawyer **Tatiana Cordero**, who helped draft Ecuador's new constitution that includes explicit protections for LGBT people; **Germán H. Rincón Perfetti**, who successfully litigated LGBT rights cases before the Colombia Constitutional Court; **Karen Atala Riffo**, a lesbian judge from Chile who is fighting for custody of her children before the Inter-American Commission on Human Rights; and **Jorge Saavedra**, Mexico's former AIDS czar.

"In the past several years, countries in Latin America have been leaping ahead in recognizing LGBT rights," said Brad Sears. "Given that California and the U.S. already share so much with Latin America in terms of history, culture, and population, we now have the opportunity to share a growing recognition of LGBT rights."

Read *La Opinion's* article on the Conference and yesterday's plenary session [here](#).

Recent Advances in LGBT Rights in Latin America



- Same-sex marriage
- Civil unions or other recognition
- No recognition of same-sex couples
- Foreign same-sex marriages maybe recognized
- Homosexuality illegal large penalty
- Life in prison
- Death penalty

QUICK FACTS

- **Sodomy Laws.** Thirteen states still had sodomy laws when the U.S. Supreme Court declared them unconstitutional in 2003. By that time, most countries in Central and South America already had repealed theirs. With Nicaragua and Panama overturning their laws during last two years, there's not a single Spanish-speaking country left in Central or South America with such a law.
- **Employment Discrimination.** Costa Rica, Mexico, Nicaragua, Uruguay, and Venezuela all have national laws prohibiting discrimination on the basis of sexual orientation. The new constitutions of Ecuador and Bolivia explicitly prohibit discrimination on the basis of sexual orientation and gender identity. If the U.S. Congress takes up ENDA this year, it will be joining Brazil and Chile in considering anti-discrimination legislation.
- **Couples Rights.** In January 2008, Uruguay became the first Latin American country to recognize same sex couples nationally. In the fall of 2008, Ecuador's new constitution made civil unions a constitutional right; and last month the Constitutional Court of Colombia extended all the rights of marriage to same-sex couples. In addition, a number of cities and states in Mexico, Argentina, and Brazil also legally recognize gay and lesbian couples.
- **National Initiatives.** The governments of Mexico, Argentina, and Brazil have developed government-sponsored public education programs to fight homophobia, and last year, the Brazilian government hosted a historic national conference on LGBT rights.
- **International Leadership.** Last December when then United Nations General Assembly affirmed that international human rights protections include sexual orientation gender identity, the statement was read to the Assembly by Argentina, and 12 of the 66 countries that signed on were Latin American. In June of 2008, the 34 members of the Organization of American States unanimously approved a similar declaration.
- **But Challenges Remain.** The rights of LGBT people vary in Latin America, as in the rest of the world, with Central America and the Caribbean lagging behind South America and Mexico. In addition, the laws on the books don't always match social acceptance, especially outside of urban areas. In particular, transgender people continue to face high levels of violence and discrimination and even when the rights of same-sex couples are recognized, they often exclude parenting rights.

Mexico's Jorge Saavedra Recognized by UCLA Aids Institute and BIENESTAR



After the opening plenary session, the UCLA AIDS Institute and BIENESTAR Human Services honored **Jorge Saavedra**, MD, MPH with an achievement award for his work on behalf of LGBT people and people living with HIV/AIDS. The award was presented by **Tom Coates**, Director of the UCLA AIDS Institute, and **Oscar de la O**, President & CEO of BIENESTAR. Dr. Saavedra has championed gay and lesbian rights as Director of CENSIDA, Mexico's national AIDS Program, over the past 5 years and his efforts have had impact in Mexico and around the world.

Dr. Saavedra helped secure treatment for all Mexicans living with AIDS and is a tireless advocate for gay and lesbian rights. He developed federally-funded anti-homophobia and anti-AIDS phobia radio and television campaigns in Mexico. His Jonathan Mann Memorial Lecture at the 2008 International AIDS Conference in Mexico City was the first plenary lecture at an International AIDS Conference (IAC) to focus on men-who-have-sex-with-men. During this high-profile lecture, Dr. Saavedra spoke openly about being gay, his husband, and the need for gay and same-sex marriage rights as a public health issue. Dr. Saavedra is currently Chief of Global Affairs at AIDS Healthcare Foundation.

To learn more about the recent advances and continuing challenges for LGBT people in Latin America, and the Global Arc of Justice Conference, please visit <http://www.law.ucla.edu/williamsinstitute/home.html>.