

SAN PEDRO SULA DECLARATION OF THE COALITION OF LESBIANS, GAYS, BISEXUALS, TRAVESTI, TRANSSEXUALS, TRANSGENDERS AND INTERSEX OF THE AMERICAS

Mister Secretary General, Ministers, Members of the Official Delegations, Civil Society Representatives,

We, the Lesbian, Gay, Bisexual, Travesti, Transsexual, Transgender and Intersex organizations, convened in San Pedro Sula, Honduras on May 29, 30 and 31, 2009, in accordance with the directives established by the General Assembly of the OAS in its resolutions AG/RES.2092(XXXV-O/05); CP/RES.759(1217/99); 840(1361/03); AG/RES.1707(XXX-O/00) and AG/RES.1915(XXXIII-O/03), which determine a regulatory framework to enhance and strengthen civil society participation in OAS activities and in the Summit of the Americas process, highlighting the importance of the resolution AG/RES. 2435 (XXXVIII-O/08), express our concern for the omission of the concept of gender identity and expression from paragraph 5 of the draft declaration of San Pedro Sula, which makes reference to violence generated by discrimination. Gender identity and expression of travestis, transgenders and transsexuals are fundamental elements of the exercise of our cultural freedom and self-construction.

In the American hemisphere the atrocities committed have been documented over a decade. Several reports mostly drafted by non governmental organizations highlight the existence of countless extrajudicial executions, arbitrary detentions, tortures and killings as a consequence of the so-called “social cleansing” campaigns or by extermination groups, such as in Mexico, Brazil, Colombia, El Salvador.

However, it should be noted that these identified forms of discriminatory acts and violence are the most evident and extreme kinds of rights violations, those which essentially affect the rights to life and personal integrity.

These are not only limited to physical attacks, police mistreatment, abuse by authorities and hate crimes. Within families and the community, practices of private violence, like forced marriages, submission to stereotypes and gender roles that limit the free development of the personality and sexuality, forced segregation and torture in “rehabilitation” clinics, that often end with suicide.

Violence within the judicial system, manifested by the legal process for sex and name change, implies humiliating clinical exams, forced surgery and mutilation.

Being Afro-descendant, woman, indigenous, youth, migrant, elderly, or living with disability, among other reasons for marginalization, are factors that aggravate violence against individuals because of their sexual orientation and gender identity and expression.

We believe it is fundamental that discrimination is combated with appropriate and effective legal instruments that moreover promote a culture of non violence.

In this context we should draw attention to the situation in the eight English-speaking Caribbean countries that still keep in force the so-called “sodomy laws” which are used by the state, security forces and private actors to harass, intimidate and persecute us. These laws which have been consistently classified as human rights violations, create a climate of violence which has been identified by the Inter-American Commission on Human Rights during their recent visit to Jamaica.

The countless cases of killings, tortures, sexual violence, arbitrary detentions, public humiliations to which travesti, transgender, transsexual, lesbianas, gay, bisexuals and intersex people, as well as sex workers, are daily subjected in Central America and the Caribbean, and particularly in Honduras, perpetuate a context of hate and impunity with complete indifference by the state.

For these reasons, we demand that States, and particularly the government of Honduras, to develop transparent and serious investigations that should take place with full respect for the law, as well as to severely punish those actors that commit felonies covered by impunity and moral values that feed and justify hate and prejudices.

Therefore, we demand:

That the OAS includes gender identity in its program on the right to identity in order to give States the possibility to develop the necessary legal framework to eliminate social exclusion through the legal recognition of trans persons.

That member states of the English-speaking Caribbean repeal laws that criminalize sexual intercourse between consenting adults of the same sex and all other laws that limit the free development of personality or incite to social violence.

That Member states commit to defining national comprehensive policies aimed at implementing good practices in all social, educational and professional contexts and the creation of bodies that monitor the existing situation on human rights violations.

That the General Assembly approves the draft Resolution AG/doc. 4962/09 “Human Rights, Sexual Orientation and Gender Identity” presented by the Brazilian Delegation, whose initiative we fully endorse.

That the General Assembly approves the draft Resolution AG/doc.

4959/09 “Draft Inter-American Convention against Racism and all Forms of Discrimination and Intolerance” and that Member States commit themselves to finalize the negotiation of the draft accepting the substantive progress achieved during the past years.

Given this situation of war against our desire, our bodies and our identities, we advocate for a culture of peace.

AIREANA - Camila Zabala – Paraguay, C TTT- Claudia Sosa - Honduras, COLECTIVA MUJER y SALUD, Julie Betances - República Dominicana, COMUNICACIÓN MUJER, Soledad Varela - Ecuador, CORPORACION OPCION, Diana Navarro - Colombia, ENTRE-TRANSITOS - Camilo Andrés Rojas - Colombia, GREEN CHOP - Kimany Parke - Grenada, HUMANA NACION TRANS-Hazel Gloria Davenport - México, IGLHRC - Marcelo Ferreyra – Argentina, ILGA-INSTITUTO RUNA-Belissa Andia – Perú, LIDERES EN ACCION -Germán Rincón - Colombia, MEN UNITED - Keneth Van Emdem - Suriname, MUJER Y SALUD - July Betánces – República Dominicana, MULABI, ESPACIO LATINOAMERICANO EN SEXUALIDADES Y DERECHOS, Marina Bernal, México-Colombia, ORGANIZACIÓN DE TRANSEXUALES POR LA DIGNIDAD Andrés Rivera – Chile, RED AFRO LGBTI - Edmilson Medeiros BRASIL, RED J FLAG - Maurice Tomilson – Jamaica, RED LACTRANS - Marcela Romero- Argentina, RED TRANS Nicaragua - Silvia Martínez – Nicaragua, SASOD- Namela Baynes Henry - Guyana, UNIBAM - Devon Gabourel - Belize, VELVET UNDERGROUND Angela Francis - Trinidad y Tobago.