



IMPACT

LGBT rights: Victory for trans persons and same-sex couples in Latin America

In November 2017, following a two year consultation and drafting process facilitated by ISHR and ARC International, a group of 33 eminent experts adopted the Yogyakarta Principles Plus 10, being an authoritative statement of international law as it applies to lesbian, gay, bisexual, trans and intersex persons.

Just months later, in a judgment that has positive and practical implications for the rights of trans persons and same-sex couples across the Americas, the Inter-American Court on Human Rights relied extensively on the Yogyakarta Principles Plus 10 in deciding that:

- trans persons should be allowed to legally change their name, gender marker and photo on identity documents;
- this should be done on the basis of self-determination of gender identity, without any prohibitive legal or medical pre-conditions; and
- same sex couples should enjoy all family rights without discrimination, including marriage. ○

“ It’s a testament to the power of international law and advocacy to bring about change on the ground that, just a month after the publication of the Yogyakarta Principles Plus 10, they are already at the centre of a judgment of a regional human rights court. It is particularly pleasing that Costa Rica has committed to respect and implement the Court’s ruling.

Helen Nolan,
ISHR Programme Manager

“ LGBTI rights defenders are targeted by States, non-State actors, members of their own community, and even other defenders because of their identity and work. It is essential that States ensure this group of at-risk defenders is protected.

Tess McEvoy,
ISHR Legal Counsel