



International Dialogue and Training on LGBT Human Rights:  
Focus on Strengthening the Caribbean Response and  
Linking Regional and International Advocacy around the World.

Saint Lucia  
February 2-6, 2012

## FINAL REPORT



## **ACKNOWLEDGEMENTS**

ARC International, United and Strong Inc., and the Envisioning Global LGBT Rights project would like to thank the following, without whom this Dialogue would not have been possible:

- For their generous financial support:
  - Open Society Foundations (OSF)
  - Ministry of Foreign Affairs (Norway)
  - U.S. Department of State
  - Ministry of Foreign Affairs (Germany)
  - British High Commission (Saint Lucia)
  - Astraea Lesbian Foundation for Justice
  - Dreilinden gGmbH
  - Council for Global Equality
- The wonderful team of volunteers, for their amazing logistical support and hard work, and for their endless warmth, hospitality and good humour.
- All the presenters, moderators, trainers and participants for sharing their wealth of knowledge and experience, as well as for their inspirational activism and advocacy.

# CONTENTS

Introduction	4
Background	4
Partners	5
ARC International	5
United and Strong Inc.	6
Envisioning Global LGBT Human Rights	6
Methodology	6
Participants	7
Video Training	7
Opening Plenary	8
<b>Sessions</b>	
1. Documentation Training for Caribbean Participants	8
a. Why is documentation essential to LGBT movements?	8
b. How is human rights documentation helpful when combating violence?	8
c. What is documentation? How do you get credible information?	9
d. Common challenges in documentation	10
e. Information technology tools for tracking violations	10
f. Regional and international documentation and monitoring projects	12
2. Sharing/Developing decriminalization and related strategies	14
a. Cross-cutting issues	14
b. Caucuses	17
i. Political	17
ii. Public Education	18
iii. Inclusive Environments	19
iv. Legal Issues	20
3. Mapping the regional and international advocacy landscape	21
a. Introductory panel	21
b. Group and roundtable discussions	24
i. Emerging Priorities	24
ii. Lessons learnt from previous collaborations	24
c. Open Discussion	25
d. Breakout Groups	26
i. Crosscutting issues	26
ii. Impact of OAS and other regional resolutions and processes, international resolutions and developments	26
iii. Using international tools to hold national governments accountable	27
4. Regional and thematic caucuses	28
a. Caribbean Caucus	28
b. Women's Caucus	29
c. Trans Caucus	29
d. Pacific Caucus	30
5. Dialogue with funders	31
Closing Plenary and Evaluation	32
Local media coverage	36
<b>Annexes</b>	
1. Agenda	37
2. List of Participants	41

## **Introduction**

From February 2-6, 2012, more than 70 activists gathered in Saint Lucia from across the Caribbean and around the world for an *International Dialogue and Training on LGBT Human Rights: Focus on Strengthening the Caribbean Response and Linking Regional and International Advocacy around the World*.

A joint initiative of ARC International, United and Strong (Saint Lucia) Inc., and the Envisioning Global LGBT Rights project, the Dialogue provided an opportunity for participants to work together to advance the following objectives:

1. Enhance the capacity of groups in the Caribbean to document, report and advocate for LGBT human rights;
2. Share and develop strategies about decriminalisation and related initiatives globally;
3. Develop solid and reinforcing linkages between national, regional and international advocacy;
4. Provide an opportunity to enhance the Envisioning project research work plan with Caribbean partners;
5. Specifically build the video documentation capacity of United and Strong members, through a day of pre-Dialogue training and mentoring throughout the Dialogue.

A full copy of the Agenda is attached as Annex 1.

## **Background**

Around the world, sexual minorities face violence and discrimination on a daily basis including imprisonment, custodial rape, mob violence, rape of lesbians 'to make them straight', and discrimination in access to jobs, housing and services.

In the Caribbean, consensual same-sex conduct remains criminalised in 11 countries, primarily a legacy of British colonial law (ILGA, State-sponsored Homophobia Report, 2012). In the former British Caribbean, the penalties for sodomy have been increasing in many countries across the region. (Robinson, 2008)

HIV/AIDS outreach workers also face imprisonment for doing outreach among men who have sex with men (MSM), undermining effective public health interventions in HIV prevention, treatment, care and support. In July 2010, the International AIDS Conference in Vienna emphasized the importance of placing decriminalisation and human rights at the forefront of HIV/AIDS work internationally recognizing that, "Universal access will never be achieved without human rights."

Sir George Alleyne, the UN'S Special Envoy of the Secretary-General for HIV/AIDS in the Caribbean Region, acknowledged that homophobia is an obstacle in fighting HIV/AIDS. The UN's World Health Organisation estimates that between 250,000-500,000 people have HIV/AIDS in the region.

Nonetheless, there is growing global resistance to laws criminalizing consensual same-sex conduct and gender identity/expression. On July 2, 2009, the High Court of New Delhi struck down s.377 of the Indian Penal Code put in place by British colonial rule in 1861,

which criminalised “carnal intercourse against the order of nature.” The s.377 decision has inspired similar challenges in the former British Caribbean (as well as East and Southern Africa).

The criminalisation and persecution of LGBT people has also become a focus of international attention, policy and law in recent years. In November 2006, an international panel of human rights experts adopted *The Yogyakarta Principles on the Application of International Human Rights Law in relation to Sexual Orientation and Gender Identity*. These principles are a universal guide to human rights which affirm binding international legal standards with which all States must comply. In June 2011, the UN Human Rights Council in Geneva adopted a resolution (HRC resolution 17/19), sponsored by South Africa, “expressing grave concern at acts of violence and discrimination, in all regions of the world, committed against individuals because of the sexual orientation and gender identity”. This resolution also mandated a report by the UN High Commissioner for Human Rights, titled “Discriminatory laws and practices and acts of violence against individuals based on their sexual orientation and gender identity”, available at: <http://tiny.cc/qez1hw>

Researchers and activists are noticing gradual progress throughout the Caribbean in the struggle for human rights for LGBT people. A book released in 2008 by Grenadian sociologist Claude Douglas, “Homosexuality in the Caribbean - Crawling Out of the Closet,” looks at organised efforts to decriminalise homosexuality in the region, and shows some tangible gains made for LGBT rights in areas of the Caribbean, from Cuba to Guyana.

Caribbean States have joined consensus on resolutions adopted over the past 5 years by the Organisation of American States calling for an end to violence and discrimination based on sexual orientation and gender identity. More recently, some political leaders in the region have expressed openness to reviewing criminal laws and combating violence.

Throughout the Caribbean, civil society voices are gaining in strength and there is a wish for increased regional coordination to challenge violence and criminal sanctions. There is a need to build strategic regional and global alliances to address persecution and discrimination, not just in the Caribbean, but across the world. Organisations in the region have identified that strong documentation and reporting strategies are a fundamental basis for this work and wish to develop capacity in this area. And they have also expressed a wish to share best practices, and work collaboratively at the regional and international level with other organisations doing similar work.

In this context, the *International Dialogue and Training on LGBT Human Rights: Focus on Strengthening the Caribbean Response and Linking Regional and International Advocacy around the World* was an important step towards these goals.

## **Partners**

### **ARC International**

Since 2003, [ARC International](#) has been advancing lesbian, gay, bisexual and transgender rights at the international level. ARC seeks to facilitate strategic planning around LGBT issues internationally, strengthening global networks, and enhancing access to UN mechanisms. With a full-time presence in Geneva, ARC has played a key role in advancing LGBT issues within the UN human rights system, and was closely involved in the development of the *Yogyakarta Principles on the application of International Human Rights*

*Law in relation to Sexual Orientation and Gender Identity.* ARC has been successful in engaging UN mechanisms around sexual orientation and gender identity issues, and bringing international support to the work of NGOs in countries around the world. ARC's International Dialogues have brought together activists from diverse regions to share information, strategies and best practices. These strategic opportunities have been successfully hosted in Brazil, Geneva, South Korea, South Africa and Argentina.

### **United and Strong, Inc.**

[United and Strong Inc.](#) is a registered NGO based in Saint Lucia. Since 2005, United and Strong Inc. has been a member organisation of the Caribbean HIV/AIDS Partnership - a network of groups focused on LGBT and other marginalized communities in the Organisation of Eastern Caribbean State (OECS) islands - with the vision of equality and human rights for all, and working to eliminate stigma and discrimination, reduce inequality, and protect human rights and lives. United and Strong has been involved with a number of outreach and sensitizing programs in Saint Lucia and across the region. In July 2011, United and Strong hosted the first-ever security training for sexuality, human rights and LGBT front-line defenders.

### **Envisioning Global LGBT Human Rights**

[Envisioning Global LGBT Human Rights](#) is an international research and documentary film project housed at York University (Canada) with 35 community-based and academic partners based in Canada, India, East Africa, Southern Africa, and the Caribbean, as well as international partners who work to advance LGBT human rights. Envisioning will research and document laws that criminalise sexual orientation and gender identity, resistance to criminalisation, and the implications for human rights policy formation, social services, and immigration and refugee policies. This international, interdisciplinary project incorporates participatory video to capture and contribute to history-in-the-making of distinct but linked struggles at key moments of national and global change. Envisioning is funded by a Community University Research Alliance Grant from the Social Sciences and Humanities Research Council of Canada for 2011-2016, and in-kind contributions from partners.

## **Methodology**

The Dialogue used a variety of methodologies to achieve its goals. The documentation training mostly used traditional training techniques with an adult education framework. We employed the expertise of local and international advocates engaged in front-line work with documentation of human rights violations, and those with expertise in report-writing for various domestic, regional and international mechanisms.

Methods for strategic discussions involved facilitated plenary sessions and small group/caucus sessions, with report-back and feedback opportunities. There were opportunities to share best practices and analyse cross-regional applications/limitations.

A participatory video component was aimed at encouraging dialogue and creating work by and about LGBT experiences and community histories. Video can provide powerful and moving evidence of human rights violations as well as document public events, social movements and a body of knowledge.



## **Participants**

Participants were identified by the three partner organisations, in consultation with their own networks and partners. A notice was circulated to the SOGI listserv announcing the event, and inviting potential attendees to proactively express their interest if they fit the criteria. Particular consideration was given to groups that facilitate regional networking, those which had been involved in decriminalization and related advocacy, and those engaging with the regional and/or international human rights mechanisms. Participants included selected members of the Envisioning Caribbean team and some potential new Envisioning partners from the Caribbean, as well as selected members of the Law and Human Rights Mechanisms Research Team and Africa Research Teams from Envisioning Global LGBT Human Rights.

A diversity of gender, gender identity and regional representation was important in the consideration of invitees. 72 participants attended the Dialogue, including 38 from the Caribbean, 9 from North America, 6 from Africa, 8 from Asia and the Pacific Islands, 2 from Eastern Europe/Central Asia, 4 from Latin America, and 5 from Europe, from the following countries:

Antigua, Argentina, Bahamas, Barbados, Belize, Botswana, Canada, Chile, Colombia, Curacao, Dominica, Dominican Republic, Fiji, Germany, Grenada, Guyana, Haiti, India, Indonesia, Jamaica, Kenya, Kyrgyzstan, Martinique, Namibia, Netherlands, New Zealand, Russia, Saint Lucia, Samoa, South Africa, St. Vincent, Suriname, Switzerland, Tonga, Trinidad, Uganda, USA and Venezuela.

A complete list of participants, as well as attending volunteers and funders, is attached as Annex II.

## **Video Training**



Members of the Envisioning Global LGBT Human Rights research team provided a training in video camera and audio recording prior to the beginning of the Dialogue. Six participants from United and Strong took part and then documented the Dialogue with support from the Envisioning team.

## **Opening Plenary**

The opening plenary of the Dialogue took place once all regional and international participants had arrived, following the various pre-session caucuses and trainings.

Representatives of United and Strong Inc. welcomed participants to Saint Lucia, and the three host organisations outlined the goals and objectives of the Dialogue and provided an overview of the agenda. This was followed by participant introductions and the traditional gift exchange, in which attendees each exchanged a gift and shared perspectives from their region.



## **Sessions**

### **1. Documentation Training for Caribbean participants**

The discussions were framed under the following questions/themes:

#### **a. Why is documentation essential to LGBT movements?**

The presentation and discussions under this theme concluded that documentation provides LGBT movements the opportunity to tell their own stories, thereby reclaiming a place in history and asserting a place in the present. The lives of LGBT people may normally be outside the public record, not seen as important as the lives of others, and not included as a part of history, society or culture. Alternatively they may be sensationalised and/or used to misrepresent. Documentation increases visibility on our own terms, raises awareness, and gives a human face to experiences. Participants also agreed that documentation was very useful in supporting lobbying and advocacy. Finally, documentation can also provide a form of catharsis for victims of human rights violations, and can provide essential information in seeking justice.

#### **b. How is human rights documentation helpful when combating violence?**

The presenter used J-FLAG's project of documenting human rights abuses in Jamaica to illustrate the discussion. In order to combat violence it was necessary to prove that violence was occurring, and to provide information and statistics to sensitise and educate the public and relevant authorities who had previously claimed ignorance of violations against LGBT



people and highlighted the lack of concrete information. In documenting abuses and violations of human rights, and publicising information gathered, it may be possible to create a public clamour and desire to change discriminatory or criminal laws that justify such violations.

### **c. What is documentation? How do you get credible information?**

There are different types of documentation: reactive or proactive documentation, or ad hoc documentation such as collecting newspaper clippings. Every single person can become a documentation expert, even through every day activities such as telling stories and taking photographs. The presenter provided participants with a ten-step guide to identifying human rights issues and problems, and the targeted information needed to solve such problems:

1. What is the problem?  
*E.g. High rates of poverty among transgender women*
2. How do we know about this problem?
  - *Individual crisis – e.g. financial crisis*
  - *Enduring problems*
  - *Anecdotes, community knowledge*
  - *Observations*
  - *Human rights violations might be so routine that they're not as noticeable*
3. How does this problem manifest?
  - *Trans women can't get jobs*
  - *Trans women are the first fired*
  - *Trans women are over-represented in informal sector*
4. What is the root of the problem?
  - *Normative interpretations of tradition/sexuality*
5. What are the solutions?
  - *Education – discrimination in family and schools*
  - *More educated trans women could better lift themselves out of poverty*
  - *Laws - remove/change laws*
  - *Community organising*
6. How can I do something?  
*E.g. choice: education*
7. How can we make schools safer for transgender girls?
8. What are the counter-arguments?
9. What documentation do we need to counter what they say?
  - *Prove the arguments are wrong with good documentation*
10. How do our advocacy goals shape process and output of documentation?

The participants broke out into five groups to discuss the ten steps with the following example documentation questions:

1. Mob violence against LGBT people
2. Sexual violence against lesbians, bi-women and trans persons
3. Blackmail and extortion
4. Incitement to violence
5. Arbitrary arrest

Groups shared the results of discussions in a plenary discussion the next morning.

#### **d. Common challenges in documentation**

The presenter shared the challenges faced by human rights defenders in Namibia in ensuring official documentation of abuses and violations by law enforcement officials. Key challenges included:

- Cases not being taken up by the police and facing double discrimination from the population and police;
- Trouble accessing higher levels of police force;
- Trouble accessing post exposure prophylaxis (PEP) treatment after rape or direct blood transfer;
- Cases reported either don't make it to the courts or the dockets are lost;
- People are afraid of reporting cases;
- LGBT people committing suicide;
- Challenge to create and maintain safe spaces as people don't want to be associated with the LGBT community;
- Local lawyers are not interested in assisting with cases;
- Race dynamics – divide between black and white communities with different demands.

The presenter shared the example of a man who was attacked several times after winning the Mr. Gay Namibia contest. After taking the case to court, three dockets were lost and he was followed or tracked by intelligence officials. It was essential to document more examples to better convince the legal fraternity to get involved in such cases.

#### **e. Information technology tools for tracking violations**

The presenter used the example of the sub-Saharan African network African Men for Sexual Health and Rights (AMSHer) to illustrate the use of IT tools for tracking human rights violations. IT tools were useful to AMSHer because they:

- a) provided effective processing and analysis of the vast repository of information;
- b) tracked and reported events from multi-locations;
- c) stored information in a secure manner;
- d) reduced turn-around time for case management;
- e) constructed a more authentic version of "truth";
- f) assessed staff productivity.

Various examples of open source IT tools were presented:

##### **1. Martus – [www.martus.org](http://www.martus.org)**

- Has the capacity to collect and organise information on human rights violations in an encrypted format
- Application can be tweaked to meet organisation's specifications
- Server can be hosted off-shore making it ideal for organisations working in unfriendly environments susceptible to raids or other security risks
- Multiple location access, multiple user on single computer access
- Works on Windows, Linux and Mac OS and available in English, French, Spanish, Arabic, Russian, Nepali, Thai

2. OpenEvSys – [www.openevsys.org](http://www.openevsys.org)

- Has the capacity to record, browse and retrieve information on events, violations, victims and perpetrators
- Can be used to analyse data, detect trends and patterns
- Server can be hosted remotely off-shore
- User-friendly interface
- Multi-location access, multiple user and computer installation and access
- Runs on Windows, Linux and Mac OS and available in English, French, Spanish, Arabic, Russian, Khmer, Indonesian, Turkish

3. The Analyzer – [www.hrdag.org/resources/software\\_projects.shtml](http://www.hrdag.org/resources/software_projects.shtml)

- Used for documenting human rights violations for analysis at a later date and is based on the ‘who did what to whom?’ model
- Allows for multi-user accounts and secure user-created passwords for access
- Runs on Windows, Linux and Mac OS and is available in English, French, Spanish
- Require internet connection for full operation

4. Psiphon – [www.psiphon.ca](http://www.psiphon.ca)

- Not exactly a human rights tracking tool but an anti-censorship tool
- Circumvents filters and firewalls and allows for access to blocked internet content
- Ideal for organisations working in countries where internet activities are routinely censored
- Operates on peer-trust, re-routing model that allows the user in the censor location to securely access the internet through a Psiphon-installed peer computer outside the censor location
- Runs on Windows, Linux and Mac OS and available in English, French, Spanish, Arabic and Russian

5. FrontlineSMS – [www.frontlinesms.com](http://www.frontlinesms.com)

- SMS-to-PC application that allows for accessing and synchronising mobile phone text messages with a computer
- Not internet dependent and with the wider coverage of mobile phone networks is ideal for remote locations
- Allows for simultaneous real-time reporting of events and can be deployed for a number purposes
- Capacity to export data for analysis elsewhere
- Windows, Linux and Mac OS compliant

Other open source tools included:

- Karapatan Monitor – [www.code.google.com/p/karapatan-monitor](http://www.code.google.com/p/karapatan-monitor)
- Sahana – <http://www.opensource.lk/projects-Sahana>
- NGO-in-a-Box – <http://base.ngoinabox.org/>

Using IT tools to track human rights violations could be limited by certain obstacles. For example, most applications require a certain level of IT fluency, there is the financial cost of using tools including computers, scanners, webcams and copiers, and detailed entry fields may pose a challenge to organisations’ resources (time and personnel). Furthermore there may be a substantial threat of damage if the system is compromised. Finally using these tools requires internet connectivity and reliable electricity.

However the tools may also be vital for more effective evidence-based advocacy, providing efficient case management, and enabling more in-depth issue-based reports with consequent impacts on funding and legitimacy of an organisation's work. A database can also be used to assess or analyse patterns, such as the frequency of reports of a particular kind of violation or to provide a gender analysis.

Participants discussed using Microsoft Excel as a tool, which is easy to use and readily available. However, there were drawbacks to Excel including the need for consistent design and data input. It is also less secure than other applications.

The presenter recommended two systems to protect confidentiality – hard copy files (kept in a strong room with very restricted access) and IT backups. Hard copy files were exactly replicated on the database, so there was little reason to access them. The database kept a log of who opened which file when, and what was changed, which helped to guard against infiltration. Participants were reminded that when using SMS/MMS systems, information is saved on a hub, and not just on the specific mobile device. Finally servers could be hosted within a particular organisation or they could be hosted remotely.



#### **f. Regional and international documentation and monitoring projects**

This segment explored documentation models, drawing upon initiatives established to monitor trans-specific violations, as well as LGBT violations in Central Asia.

The first presenter spoke to international cooperation in reporting of human rights violations using the example of the *Transrespect versus Transphobia Worldwide* research project ([www.transrespect-transphobia.org](http://www.transrespect-transphobia.org)). *Transrespect versus Transphobia Worldwide* is a comparative, qualitative-quantitative research project that examines the human rights situation of trans persons in different parts of the world. The project provides data and tools for trans advocacy work, including recommendations for international, governmental and local institutions on how to improve the human rights situation of trans people, examples of best/good practices of transrespect, and structures for presenting data on the human rights situation of trans people in a comparative way.

TvT-Worldwide has a threefold project structure:

- i. “Trans Murder Monitoring” systematically monitors, collects and analyses reports of homicides of trans people worldwide;
- ii. “Mapping the Legal and Social Situation”, serves to collect, analyse and map the relevant data to give a general survey on the human rights situation of trans people worldwide; and
- iii. “Evaluation and Contextualisation” of the results of the other two projects which enables a deeper insight into the human rights situation in selected parts of the six world regions.

The Trans Murder Monitoring project documents and provides updates on numbers, frequency and geographic spread of murders of trans people. These results are presented comprehensively in various useful formats, including via interactive online maps. However challenges to the project included:

- Collected data only showed reported cases and those found online or through reports;
- Many languages are used online, and there is a wide variety of terms for ‘trans people’;
- Not all trans people who are murdered are identified as trans in the reports;
- Classification of a murder as “transphobic” is often difficult;
- A myriad of web sites to search through.

As a result the data collected shows just the tip of the iceberg of worldwide murders of trans people.

The project, Mapping the Legal and Social Situation, produced an expert questionnaire addressing a range of issues pertaining to gender recognition legislation, hate crime legislation, anti-discrimination legislation, criminalisation/prosecution, trans-specific health-care, good practices, and the trans movement and community. Results on countries around the world are presented in the form of tables and texts, comparative tables and maps, and brief sections on countries.

The second presenter explained how Central Asian LGBT organisations had established a human rights documentation system. After having recruited documenters from three countries, they trained them on:

- i. National systems of human rights protection and communicating with the government;
- ii. Monitoring systems and skills – using international instruments to address human rights concerns;
- iii. Documenters’ meeting and information security training.

The documenters then established a system of documenting human rights violations with directors coordinating the process. All cases were entered into a database called RightsCase.

The project was structured according to data analysis, publication of results (through reports), and continued monitoring of human rights violations, coordinating responses and engaging with the government and international mechanisms.

The project provided point persons within LGBT communities who systematically documented human rights violations. Dozens more cases came to light than there were

before the project started. The UPR submission on Tajikistan received media attention in the region and the Tajik government mentioned changing documents for transgender people in its responses. In one country the project grew into a larger study in multiple towns. There was improved communication with the Ministries of Social Policy, Justice and International Affairs in Kyrgyzstan. The project also led to improved connections with mainstream human rights organisation.

However there were challenges. Firstly, there were few people within the community who liked to write. It was hard to hang on to documenters and partner organisations. Documenters were traumatised and overwhelmed by cases and often became “call” people in their organisations. Finally, the database translation had not been completed.

In the future, the project hoped to do more on economic and social rights, and to have more cases reported and documented.

## **2. Sharing/Developing decriminalisation and related strategies**

### **a. Cross-cutting issues**

In this session, interactive discussions took place with two consecutive panels focusing on the Caribbean region and India/Africa/Pacific respectively. Issues for discussion included defining “decriminalisation” for our constituencies, the role of international or global north organisations, effective strategies and respectful partnerships, how current decriminalisation strategies were developing, the relationship between legal/political and community aspects of decriminalisation strategies, the consultative model that is applied, how these link with community-based and needs-driven priorities and how legal, political and public education strategies inter-relate.

Focal issues for decriminalisation strategies in the Caribbean region included:

- Cross-dressing (e.g. Guyana - criminalisation was justified by religion and gender norms by the Chief Magistrate, and the case was before the Constitutional Court at the time of the Dialogue).
- “Carnal intercourse against the order of nature” (e.g. Belize – Section 33 states that “Every person who has carnal intercourse against the order of nature with any person or animal shall be liable to imprisonment for ten years”. Case to read down the interpretation of this law so as to decriminalise consensual, private sex between adults.)
- Sodomy laws (e.g. Jamaica – criminalisation supported by the majority of the public, so strategies focused on documentation of violations, advocacy and awareness-raising).
- Sex work (e.g. Saint Lucia)
- Religion (e.g. Saint Lucia – influence of the religious right lobbying against LGBT rights led to efforts to find a coalition of religious organisations that can speak in favour of LGBT rights and those of other vulnerable communities).

In the case of Trinidad and Tobago it was seen to be more effective to focus on positively building rights related to sexual orientation and gender identity into existing legislation and policy. For example, the Coalition Advocating for Inclusion of Sexual Orientation (CAISO) was opposed to decriminalisation strategies that focused exclusively on litigation or that had the sole aim of removing discriminatory clauses from a Criminal Code, especially when



such efforts were driven by external, and in particular Western/neo-colonial, rather than local, national or regional agendas. The panellist from CAISO highlighted the argument that:

“...litigation on sexual expression needs to be experienced as part of an agenda that is about expanding postcolonial justice and citizenship and valorising our local democratic institutions, and not as one of external intervention to leverage international norms that have limited popular support”.

As a result, CAISO’s strategy in Trinidad and Tobago was focused on:

- Anti-discrimination legislation;
- Legal services and lawyering to identify policy cases;
- Law enforcement training;
- Polling & research;
- Government capacity-building on SOGI issues;
- UPR advocacy by lobbying at home;
- Gender mainstreaming;
- Specialty government services;

Participants discussed the need to avoid “fetishising” the law. It was important to question who has standing to challenge the law – for example, organisations without legal status are not able to bring a case, and an individual may only do so at great personal risk. The pros and cons of change through law versus change through society were discussed. It was also agreed that more documentation and research needed to be undertaken on how trans women may be targeted by laws in the Caribbean, such as provisions on prostitution, public scandal, indecency and loitering.

Participants agreed that international organisations could, on request, offer useful legal advice, assistance and resources, including access to legal databases and drafting amicus briefs, or partnering in preparing shadow reports or appeals to UN mechanisms such as treaty bodies or the Universal Periodic Review.



The second panel discussed decriminalisation strategies in Kenya, Botswana, Fiji, Samoa, Tonga, and India, as well as the efforts being undertaken in various countries by the Human Dignity Trust.

In Kenya, the Gay and Lesbian Commission of Kenya (GALCK) had taken a multi-tiered approach, through annual consultative meetings in East Africa. They had partnered with allies such as women's rights organisations in moving forward, and had engaged these allies in supporting court cases. There was often a lot of preparatory work required for cases. A lot of potential test cases were settled at the police station, and those arrested were often alone. GALCK sought to challenge each petty offence, including of harassment, blackmail and extortion. GALCK had a rapid response mechanism, with lawyers challenging cases, and building up a record of cases and arrests. It was important to build support with international partners, to document cases, and to ensure a multi-layered ongoing process, and not to go for a quick fix that might be counterproductive.

LeGaBiBo (Lesbians, Gays and Bisexuals of Botswana) did not have a strategic decriminalisation plan at the outset, but had sought to challenge the constitutionality of the criminal code in response to the arrest of two men. In a citizenship case, the Court read sex and gender into the non-discrimination clause, and ruled that the listing of grounds in the clause was not exhaustive. However, this was lost at the High Court after a judge ruled according to religious dogma and cultural justifications. This was then appealed. The Law Reform Commission looked at the law, which had only applied to gay men, and extended it to criminalise women as well. The Appeal Court then ruled that the law on its face was discriminatory, but that it was necessary to take public opinion and political intent into account, and the appeal was lost.

Ten years later, LeGaBiBo decided to try again, using recent advances in cases on HIV and the right to privacy as positive signs. The group engaged with a wide variety of public figures who could champion the cause, including the previous President of Botswana and the Anglican Bishop.

In Fiji, DAWN (Development Alternatives with Women for a New Era) was involved in feminist organising, with lesbian and trans women involved. They worked on social transformation issues, including economic justice and the environment. They highlighted the need to challenge issues around representation. There were strong indigenous roots in Fiji, which didn't always lend itself to challenging gender identities and the roles of women, but DAWN worked around this with stories, testimonials and narratives of flow and change.

The panellist from Samoa spoke of the influence of international law, and of culture and religion, and was concerned that whilst the President was supportive and encouraged civil society to take leadership, he didn't necessarily take the same approach in Parliament. Decriminalisation issues were raised during the Universal Periodic Review of Samoa, and although the recommendations were not accepted, the Government of Samoa acknowledged that the matter was under consideration by the Samoa Law Reform Commission.

In Tonga, activists had used the term "*leite*" to cover all of the community. A focus on legal issues would only give attention to a small aspect of the problems that *leite* face, and would also disempower the community and individuals. There was a need for *leite* to organise and empower themselves, and the movement needed to create a welcoming space. Once unified it could garner respect and recognition from the broader society.

In India, a wider social process was necessary to achieve the positive ruling from the Delhi High Court in 2009. The decriminalisation process was not just a legal struggle, but was about changing people's minds and hearts. The sense of ownership in the success of the case came from protests, demonstrations, coalitions and alliances. LGBT people had become more visible, for example in the media and in entertainment. There was need for more sensitisation in law schools and the legal community, including with judges who needed to be educated on HIV, sexual orientation and gender identity. Decriminalisation was a long-term process, and the process was as important as the result.

For the Human Dignity Trust (HDT), based in London, decriminalisation was not seen as a magic bullet, but as a long-term strategy that needed to be locally and nationally owned. HDT focused on decriminalisation through amicus litigation in accordance with local needs, recognising that funding and resources could be mobilised by international organisations. HDT had secured support from former judges, as well as lawyers and law firms from around the world, who agreed to provide pro bono research assistance.

## **b. Caucuses**

Participants split into caucuses under the following themes, as per their preference: political, public education, building inclusive environments and legal issues. The discussions were then presented back to a plenary session.



## **Political:**

Whilst much attention was paid to legal cases, it was also necessary to recognize that legal strategies needed to be connected with broader political, public education, and communications strategies. Many campaigns for decriminalisation were successful politically, even in the absence of legal challenges - although in unfavourable social climates, successful political campaigns may be more challenging. It was noted that in Jamaica, the Prime Minister asserted her opposition to discrimination based on sexuality during the election campaign.

Court cases were seen as potentially disempowering, as much power lay in the hands of lawyers. Whilst it could be structured to engage the broader community, this was often not

the case. Political and public education campaigns lent themselves more readily to community development, and engagement with broader society. If the goal was enduring change, to change not just laws but also hearts and minds, it was necessary to see political, legal, media and public education as equal pillars, and also as tools to be used to strengthen and build healthy communities over the long term. Decriminalisation was not necessarily an end in itself, but a step in a process, and legal challenges just one tool in the advocacy toolbox.

There was a space for dialogue/making change on the continuum between silence and public action, where there was room for coordinated positive engagement. It was agreed that dialogue was important: it could be difficult to get others to even speak on the issues. There was a need to develop alliances, and build the confidence of allies to speak out on our behalf. It was important to strengthen intersections between LGBT advocacy, women's rights, HIV issues, poverty and so on. Decriminalisation was an important area of focus, but not the exclusive focus, only a part of a much broader picture and strategy.

The caucus stressed that “political” should be understood not just in its narrow sense, but also as encompassing advocacy and engagement with the broader society more generally. Some political strategies identified include:

- Letter-writing campaigns
- Op-ed pieces, engagement with media
- Tracking/monitoring
- Engaging in dialogue, with policy-makers, politicians, journalists, each other
- Public discussions, but also “quiet diplomacy”, building relationships with key decision-makers, which in difficult social settings may attract less backlash, be more effective than aggressive public campaigns
- Building agency, strengthening narratives
- Legislative change
- Building support, partnerships
- Incremental approaches
- Sensitizing key groups: lawyers, judges, allies, NGOs, NHRIs, education programmes
- Constitutional reform initiatives: important to be there, be part of broader processes, not just with an LGBTI lens
- Connect our SOGI activism to other movements for social change
- Position papers
- Keep issue alive by being creative
- Keep faith, stay strong, self-care (including within our own communities)
- Choose your battles
- Build capacity
- Take time to reflect

### **Public Education:**

The public education caucus discussed the consequences of low public education and awareness, key issues and strategies, and promising practices that are emerging. Participants agreed that low public education and awareness created a barrier to successful legal reform. It also meant that discrimination and exclusion were more likely to be tolerated, thus leading to increases in rates of violence, suicide and substance abuse.

Education should be culture-specific. However, it was a concern that LGBT issues were often associated by media and the public with HIV, paedophilia and sexual assault. Furthermore, or as a result, there was a strong resistance to education in schools from both parents and teachers. Governments tended to be disengaged, preferring NGOs to take on the work. A further issue was that education services were not safe, comfortable or confidential, and sometimes were not even available.

Various strategies for educating the public were discussed. Multiple forms of media, such as the internet (websites and social media), television, music, and edutainment/edudrama could target multiple audiences, including children and youth, teachers/training college, parents (through parent-teacher meetings) and religious or faith-based institutions, or interfaith associations. It was important to take the services and the messages to the audience proactively, rather than waiting for the audience to come forward. LGBT-focused information could be introduced to family or personal life curricula in schools, including by NGOs. It was also important to have specific relationship building strategies for various identities, including 'down low', pansexual, MSM or heterosexual men, which addressed people as they wished to be addressed.

Specific promising practices in Barbados included the Scotiabank sponsored "[iNfo Life program](#)", which funded education on HIV/AIDS, and [dance4life](#). Other good practices included having HIV or sexual health coordinators in education ministries, providing edutainment or edudramas which gradually increase LGBT content in HIV education, and PSAs that demystify LGBT people.

### **Inclusive Environments:**

The inclusive environments caucus discussed key questions and issues around ensuring strong participation and representation in LGBT movements relating to funding, education, group solidarity, spokespersons, and varied representation of lesbian, gay, bisexual and transgender persons.

One problem identified was that some positions within groups and organisations required persons to have a certain level of skills that nobody in the community had, thus creating a reliance on people who weren't or didn't want to be part of the movement. Furthermore, there was often a low availability of visible people, putting pressure on individuals who were seen as a "one man band". Another issue raised was the tension between what funders valued and what communities valued. Often, funding might come through HIV work, which created divisions in the community and constrained the work that could be done. Funders might also have certain language expectations that groups couldn't live up to, for example when non-Anglophone groups were required to submit reports in English.

Finally, issues of representation and visibility were discussed. Trans people were often a minority in movements, and were not always included in discussions about their realities. The invisibility of trans persons within LGBT movements also had an effect on funding for trans specific projects. Similarly, when HIV related funding only went to gay men and trans sex workers, other groups such as lesbians were often left out. There was still much education to be done within movements on the various issues of less visible groups such as lesbians and trans persons.

The caucus agreed that people could be brought in to the movement from the community. For example, sometimes people come into the organisation looking for support, but then

become involved as volunteers and may be able to eventually move on to other positions. The movement has had to shift. There were people who stayed through the ebbs and flows and there was power that came from that. Sometimes they needed to step back and let others come through.

## **Legal Issues**

The legal caucus discussed the following topics

- Upcoming Legal Challenges in Venezuela
- Challenging the Saving Law Clause
- Evidence in the Belize Challenge and HIV/AIDS Expert Opinion
- Tips for Gathering Effective Evidence
- Consequences of Legal Challenges
- Assessing the Potential Outcome of a Lost Challenge
- Effects of Favorable Outcomes
- Community-Based Strategies
- Keeping the Focus on the Client

In Venezuela, there were interesting cases on international marriage, citizenship and biological parents. One case under consideration involved a child registered based on its biological identity when the child has an ovum from one mother implanted in the other mother (thus it had two female biological parents).

In Jamaica, Guyana and Trinidad, there was a savings law clause that prevented any domestic challenge to several laws including the buggery law. A distinction was made between the public and private aspects of the law. The group considered whether they should proceed with a domestic challenge.

In the Belize case, a potential witness was being introduced who was very well respected and was supporting the church's argument that the anti-sodomy law was necessary to the HIV response. The group discussed potential experts that could counter this position and the arguments which could be mobilized.

Gathering evidence for cases remained a challenge. It was difficult to find someone who was willing to put their story on paper. Getting documented evidence to strengthen arguments was crucial, including determining what evidence was already available, compiling cases where there were convictions and/or documentations of violence or other rights violations, and documenting and producing reports of individual violations.

Broadening the pool of affidavits to include people who may not be litigants may help to prove the impact of the law on the litigants. It was important to get individuals to file affidavits with the court. This removed the question of proof. In addition, affidavits acted as evidence of direct impact of the law on individuals. Evidence of brutal and deep impact implored judges to take notice. It was not easy for them to ignore this type of evidence.

When a case was lost, it could nevertheless advance the agenda. This type of case could still create a social dialogue. The case itself brought the discussion to the public and social forum. On the flip side, when a case was won, lobbying could come up and destroy progress made, for example in California when the constitutional amendment undid the initial win on same sex marriage.



It was important to remember that the law was only one point on the line and not the line itself. It was therefore essential to work with other movements, such as the women's movement or the employment movements, and engage with political, public, social and religious institutions, including law enforcement and judicial officers. For example, in Kenya, groups had been working with the churches and others before initiating litigation.

The group also agreed that it was important to keep the focus on the client, and to consider their perspective when analysing wins or losses.

During the feedback to the plenary session there were discussions on what to do when active prosecutions were going on, for example in Cameroon. Participants agreed that the situation in Cameroon highlighted how important it was to defend the defenders. The lawyer in that case had been personally attacked. What helped was that she received the support of international associations, and lawyers in other countries. Movements could be weakened when prominent advocates get driven out of the country because of their success in drawing attention to the issue. As a movement, it was important to support those people on the frontline.

### **3. Mapping the regional and international advocacy landscape**

Discussions during this session addressed a new topic – looking at regional and international human rights mechanisms and advocacy strategies. An introductory panel gave a brief overview of international and regional human rights mechanisms, including the UN system, OAS/Inter-American Court and Commission, African Commission, ASEAN/Asia Pacific Forum of NHRIs, and the European System, and provided a summary of the current status of SOGI-related advocacy, achievements and challenges. This was followed by a roundtable discussion on emerging needs and priorities, and ways of working effectively together. The next morning participants broke out into smaller groups where issues were rotated between the groups, and results of the discussions were then fed back into a wider plenary.

#### **Introductory Panel**

The first panellist spoke about the [Association of Southeast Asian Nations](#) (ASEAN), which includes Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar (Burma), Philippines, Singapore, Thailand and Viet Nam. ASEAN was established in the 1960s, and had an emphasis on the “Asian values” of consensus and non-interferences. In 2009 ASEAN established an Inter-governmental Commission on Human Rights, which has two committees, on women and children, and on migrant workers. The ASEAN Declaration on Human Rights is in the drafting process and is due to be completed and adopted by October 2012. In 2011 there was an organised LGBT workshop to make LGBT groups visible in the 2011 ASEAN Civil Society Conference.

Panellists also spoke about the [Asia Pacific Forum](#) (APF) of National Human Rights Institutions (NHRIs). 19 countries were represented at the APF through their NHRIs, from the Middle East across the Asian continent and to the Pacific. During its 15th annual meeting which took place in Indonesia in 2010, the APF discussed a report on SOGI issues. In its 16<sup>th</sup> session in Thailand the next year, the member NHRIs presented reports of their own work on SOGI. A broad civil society coalition, the Asian Network on NHRIs (ANNI) was

monitoring the performance of NHRIs, and the LGBT network was in cooperation with international NGOs, such as the ICJ and IGLHRC, who provide input and bring groups of LGBT activists to attend and contribute to the conferences and discussions. The panel stressed that NHRIs at the APF needed to be urged by civil society to live up to their mandates.

Groups started working on SOGI issues at the [Organisation of American States](#) (OAS) after 2003-2005, when Brazil withdrew its resolution on human rights and sexual orientation at the UN Commission on Human Rights. With Brazil, civil society organisations in the region began to look for other opportunities to advance the issue, and the Inter-American system seemed to have a better balance of power, with fewer cultural divides. There was a campaign from the outset to ensure that gender identity would be included in the text of any resolution, along with sexual orientation, and activists found the environment very trans friendly, with staff providing trans people accreditation badges in their preferred names.

Initially Caribbean States were reluctant to support a resolution but NGOs from the region engaged in the process at the OAS General Assembly. Surprised by the first resolution which was adopted in 2008, the opposition bloc led by Guyana collapsed. The 2008 resolution was quite modest, although it was the first ever resolution to include human rights, sexual orientation and gender identity. The text has become stronger every year, with at least two thematic hearings on LGBT rights. Activists have also had opportunities to present information on State compliance with the Inter-American Convention on Human Rights to Commission monitors. It was also expected that the Commission would approve a resolution on the right to health for trans persons by the end of 2012. However, it was noted that there was a problem with State enforcement of resolutions.

Only one Caribbean State has subscribed to the Inter-American Court – Barbados. A case from Jamaica is before the [Inter-American Commission](#), and there is reason to be optimistic – there have been good resolutions, and the Commission now has an LGBTI unit as well as good Caribbean members. However, some felt that the Inter-American system was perceived as “foreign” by Caribbean States.

The panel mentioned that there were two European mechanisms – the [European Union](#) (EU) and the [Council of Europe](#) (CoE). The EU had 27 member States, legislation was legally binding and there was strong implementation. The CoE had 47 member States, and was broader with weaker implementation mechanisms. There was also the [Organisation for Security and Cooperation in Europe](#) (OSCE), which had 56 participating States from Europe, Central Asia and North America.

The EU Employment Directive of 2000 included sexual orientation, but groups were fighting for a new anti-discrimination directive. Within the expanding EU, an accession strategy was in place to require legal protections with regards to anti-discrimination, but this also meant that legal protection did not correspond with the social situation, particularly in Eastern Europe. As part of the EU’s foreign policy, a toolkit on LGBT rights had been developed for foreign missions. However member States often did not comply with their own directives.

Much awareness had been raised around the decision and implementation of the European Court on Human Rights in 1992 on gender identity recognition, *B. v. France*, which was revised in 2002 with *Christine Goodwin v. U.K.*

The panel expressed concern about an increasingly organised, resourced and dangerous opposition working at the EU and targeting specific LGBT rights groups.



The [African Commission on Human and Peoples' Rights](#) (ACHPR) had more regional resonance than the UN for African activists and groups, but it was harder to get results there. A number of members of the Commission were openly homophobic, and regional organisation CAL (Coalition of African Lesbians) had recently had its application for observer status rejected. However there was space at the ACHPR for NGOs to gather, caucus and make statements, and there was support from other regional human rights organisations for LGBT groups. The NGO Forum had adopted resolution on sexual orientation, gender identity and human rights. One-on-one engagement with Commissioners was also possible, though with mixed results.

There were a variety of human rights mechanisms at the United Nations ranging from the most legal to the most political – the [Treaty Bodies](#), [Special Procedures](#), [Universal Periodic Review](#), and the [Human Rights Council](#). The mechanisms were slowly acquiring teeth, and whilst the law was strong the enforcement was weak. It was, however, important to note that every national or regional decriminalisation decision has cited *Toonen v. Australia*, a decision of the Human Rights Committee (the monitoring body for the International Covenant on Civil and Political Rights). Treaty bodies were strong on violence, discrimination, hate crimes and torture, but weaker on gender identity recognition. Whilst there was much focus on UN political aspects, work with treaty bodies was important and often neglected. The panel encouraged participants to write shadow reports, as these were ways that activists could shadow the government implementation of treaties. Another crucial mechanism to engage with was the Special Procedures, who are independent human rights experts, and who can engage with governments on human rights situations of concern, issue public statements, participate in workshops and events, and report to UN human rights bodies on issues falling within their mandates. Almost all thematic mandates had taken up SOGI issues at some point.

## **Group and roundtable discussions**

Participants then discussed emerging needs and priorities, and ways of working effectively together. They were encouraged to consider: what has been/was being achieved in the various regional and international bodies, and what has been the impact? How had different types of organisations (local/national/regional/international) contributed to these developments? How could such organisations work more effectively together, and what were models of successful collaborations, including lessons learnt and best practices? How could the role of allies be strengthened in a way that is mutually supportive? What new initiatives were expected to arise in the upcoming year, and how could these new developments be used to strengthen national/regional/international advocacy?

Participants divided into four groups to ensure that everyone had an opportunity to contribute to the discussions, and the outcomes were shared in plenary afterwards.

### **Emerging Priorities**

Groups questioned how the regional and political blocs at the UN could be broken down. They also discussed the importance on focusing more on gender identity, both to help educate State representatives but also to reach out to the OIC. They stressed the importance of diversifying allies, strengthening South-South dialogue, and shifting the focus from advocacy elites to broad-based movements.

It was important to strengthen the connections between international work and implementation in-country, by feeding international advocacy spaces and mechanisms, such as the UPR, OAS and UN resolutions, back to the national development agenda.

Participants raised the importance of expanding the notion of the LGBT community, and also of exiting the LGBT box and working on intersecting issues, increasing awareness of other social justice movements to intensify collaborative relationships and action. Similarly, it was important to strategise on multiple layers and recognise that the legal approach was only one amongst many. They discussed the importance of working with faith-based organisations to promote progressive interpretations of religion.

The need for more resources for grassroots, community-based organisations was highlighted. It was important to recognise the barriers that class, education and culture played in advancing SOGI work at the regional and national levels. It was also felt important to have more trained persons from the Global South and East participate in regional and international systems, and to develop consistent talking points to deal with traditional and cultural opposition groups.

It was important to advance international communication through public statements at regional civil society meetings. Groups also found that technology-based communication was an effective tool to strategise and compare lessons learnt in SOGI advancement.

### **Lessons Learnt from Previous Collaborations**

Groups discussed the importance of collaborating effectively with partner organisations, whilst recognising that there were often misunderstandings and always a need to improve communications. Partners should share interests, values and priorities on key issues. They should also be mindful that power impacted interactions, whether it was financial, political,

cultural or based on access to information. It was thus necessary to understand the socio-cultural perceptions of an issue and how it differed for others. It was useful to recognise each partner's strengths and divide labour accordingly. Clarity on what was expected of each partner was essential.

Mutual respect, leveraging diversity and opinions and managing egos was crucial. Groups agreed that it was important to strengthen relationships over time, to build trust, compromise and try different approaches. It was also necessary to learn how to express and take critique and criticism. Finally, it was vital to reach out to particular groups who might otherwise be underrepresented, such as groups working on trans or disability issues.

## **Open Discussion**

On trans issues in the international system, other UN bodies such as the UNHCR, WHO and UNESCO have a human rights mission and were felt to be open. For example, the UNHCR guidelines on LGBTI refugees was helpful because it was relevant on the ground, and advised governments at the executive rather than the political level. In the political human rights bodies, such as the Human Rights Council, even States who were supportive of rights related to sexual orientation often lacked understanding of trans issues. Therefore the right questions on gender identity issues were often not raised, for example at the UPR. Conversely, some of the States leading the opposition to sexual orientation rights at the international level, such as Pakistan, had more progressive domestic measures on gender identity than even some "supportive" States. It could be useful to consider how the international position of these States might be changed.

For some, the UN system was seen as less accessible than regional systems, and international law was understood to be non-binding until it was integrated into domestic law.

Participants questioned how States and civil society interacted with international and regional mechanisms. For example, the "Core Group" of States working to advance SOGI issues at the UN was seen as overly Western, and it was important to reflect on who was claiming to be representative of LGBT rights. It was noted that in Geneva, the "Core Group" model has been replaced by one in which South Africa now facilitates meetings of the "friends of the SOGI resolution". States were also being asked to be inclusive of all universal human rights, including the right to development. Concerns were raised in particular about religious extremists in the United States actively exporting homophobia around the world while their government was positioning itself as a champion of LGBT rights at the international level. In addition, it was emphasized that rights are interdependent and interrelated, and it was felt problematic when States which prominently promote SOGI-related rights fail to adopt a rights-based approach in other areas.

It was important for NGOs to make connections between movements, such as disability and sexual rights. The women's rights movement was a space where many queer rights had been fought for and worked on, including lesbian and trans rights. It was also important to expand considerations of sexual orientation, gender identity, gender expression, and bodily diversity, to educate ourselves, and most importantly to ensure that groups, including those most marginalised, are able to represent themselves.

## **Breakout groups**

### **Crosscutting issues**

One group discussed issues which commonly arise in diverse forums, and how to address arguments based on culture, tradition, and religion. They discussed the common attacks and resistances at the international, regional and national levels to applying international and regional human rights frameworks to SOGI issues, and how these challenges might effectively be overcome.

It was suggested that leaders of faith-based organisations be educated on sexuality and human rights. For example, some participants had found that dialogue centred on human dignity had challenged faith-based organisations in creating spiritual space for LGBT persons. It was strategic to popularise statements from faith-based allies on supporting social justice movements and LGBT rights.

Similarly, documenting and popularising relevant UN statements, reports and resolutions was important, including the opposition statements, which could influence advocacy at the local or regional level.

One common argument to justify the restriction of LGBT rights was that it was “foreign” and incompatible with local culture. It was thus necessary to document or reconstruct local LGBT culture to counter the accusation of foreign influence. It was also useful to document cases in which courts had ruled that culture or religion could not undermine the human rights of a minority. Using local language and terminology of inclusiveness or equality could help to support official and less accessible human rights language. Finally, participants were concerned about the influence of gay cruise ships in the Caribbean region, reinforcing notions of Western influence, and agreed that follow-up was necessary on this.

The group concluded that identifying effective messengers and allies to support rights advancement was key. Allies could be cultivated through ongoing communications and outreach work, including through the use of social networking sites.

### **Impact of OAS and other regional resolutions and processes, international resolutions and developments.**

Another focus was on the impact of advocates working at the national level with the South African government to influence the process around the Human Rights Council resolution, and also in other countries to urge governments to support the resolution. Participants discussed effective advocacy tools and which were most effective in the various bodies. They also considered how national and regional advocacy could support increased positive engagement by a more diverse range of States internationally, and what international initiatives would best support national and regional priorities.

Participants welcomed the high-level engagement on SOGI issues by UN Secretary General Ban Ki-moon and the High Commissioner for Human Rights. It was felt that statements and video messages by the Secretary General and High Commissioner could be popularized through screenings and distribution of materials at community events and with national decision-makers.

The fact that the SOGI resolution at the UN Human Rights Council was led by a member of the African Group was seen as highly significant, and valuable in facilitating dialogue and



outreach with other States in the Global South. Other supportive governments, particularly in the West (e.g. the US, which might be keen to advance the issue prior to their election), need to be encouraged to support South Africa's leadership role, rather than advance their own initiatives, which could be counter-productive. An advocacy campaign would also be required to support the inclusion of "gender identity" in the General Assembly resolution on extrajudicial executions.



Participants noted the need to strengthen engagement by NGOs at the national level with their governments around international issues, on a year-round basis. Building support at the national level is a continuing process, which extends beyond key votes and opportunities at the UN. It might be useful to identify States whose positions internationally might realistically improve and work with national civil society organisations to achieve positive results.

The OAS process provided a useful model, in which support for States addressing LGBTI-related violence and discrimination had been built incrementally over several years. The text of the initial resolution was quite modest, which enabled even Caribbean States to join consensus, but the resolution had been strengthened in each subsequent year, leading to the landmark creation of a dedicated LGBTI Unit within the OAS.

### **Using international tools to hold national governments accountable**

The third group discussed how to strengthen NGO engagement in these processes, as well as how to strengthen implementation by States of their international commitments. They also considered the UPR (second cycle), Treaty Bodies, Special Procedures, and OHCHR/Field presences, and asked themselves what recommendations had been most successful, how did State responses vary from one region to another and how to increase focus on gender identity issues. Finally they explored the potential of the OHCHR report on sexual orientation and gender identity, including how it could be used to support other processes at the national/regional levels.

Many NGOs had had positive experiences engaging with the UPR process. In Guyana, for example, the UPR was about holding the government accountable, as well as an opportunity for public education. It was about engaging the community and pressuring the government to do compliance work. NGOs put the focus on government responsibilities around the UPR,

including raising public awareness of the process and issuing press releases and other communications. They were also addressing gender identity issues.

In Trinidad and Tobago the process also kept the government to account. Prior meetings and collaborations with the government had been discouraging, and the government provided misleading reports to the international level, which was countered by information submitted by NGOs. There was a lack of media coverage of the UPR, so it was important to undertake prior media preparations and relationship-building. Addressing issues beyond SOGI issues allowed NGOs to create alliances.

In Jamaica there was not much appreciation of UN systems. There were concern that reports by the government at the international level did not accurately represent the situation, nor acknowledge the high incidents of anti-LGBT attacks and killings, though Jamaican civil society was becoming increasingly engaged.

In the Pacific there was very limited representation by civil society organisations in international processes, and governments faced challenges in keeping up-to-date with reporting. It was important for NGOs to develop a clear and common perspective on regional needs and how these may best be addressed. Capacity development and strengthening of regional networks were therefore key priorities.

The UN Office of the High Commissioner for Human Rights (OHCHR) published its report on SOGI issues in December 2011. Questions around the report included next steps, and how the report would be presented and discussed at the Human Rights Council. There were also discussions on how to best utilise the report in putting pressure internationally on resisting countries, and on how to persuade countries to endorse or support the findings in the report. Participants suggested providing the report's recommendations to ally States, and reminding governments of their international obligations at key political moments. The recommendations in the report might also form a basis for each State's UPR consideration. Similarly it was important to ensure that civil societies were themselves well informed of the report. The report could be supplemented by country-specific narratives in order to hold governments accountable.

Participants highlighted the importance of ensuring that gender identity issues were included in advocacy work, and suggested calling for further studies or data on gender identity issues by Special Rapporteurs.

#### **4. Regional and thematic caucuses**

The Dialogue also provided a space for diverse regional and thematic caucuses. These included:

##### **Caribbean Caucus**

The Caribbean caucus took place on February 3<sup>rd</sup>, before the Dialogue officially opened. Participants discussed the machinery and structure of a regional coalition as well as a potential first project for the coalition, which would need to have a clear value and impact, be locally-owned and be achievable with available resources.

Ideas for a project included creating safe spaces (such as a meeting space, secretariat, knowledge centre, housing, or clinic), working on PSAs and public education, and

undertaking targeted advocacy toward faith-based organisations, legislatures, parliamentarians, corporations, police, media and the LGBT communities. The group also discussed documentation, institution strengthening, movement-building and branding/social media.

Participants agreed that building a regional coalition or mechanism, undertaking research (for example on the drivers of homophobia) and creating safe spaces were current priorities. A management team of 9 people (5 male, 3 female, 1 trans) agreed to meet again to discuss options regarding the structure of the CariFLAGS hub. Caribbean Vulnerable Communities (CVC) would provide technical support.

### **Women's Caucus**

Women at the Dialogue decided to caucus because women's participation and presence in community organisations and movements was often under-represented or invisible, and it was important to build alliances to support one another. A lot of funding and space was MSM-specific, although things were changing and more funding was becoming available to women. Participants brainstormed on what more could be done and how.

Current challenges raised by participants in the caucus included coordinating LBT groups at the international level, as well as attempts by religious fundamentalist groups or States to undermine the concept of "gender" within the UN and to replace it with "sex" or even "men and women".

Funding was also an issue. Many groups had started out as MSM groups set up to deal with the HIV pandemic, and later become more general and gender-neutral, but much funding continued to be framed in terms of HIV and MSM. More work needed to be done to look at health risks specific to women, and to make information on lesbian health more readily available.

There was a challenge in bringing women into the movement, and getting other women to understand the seriousness of the situation and to engage. There were also difficulties in integrating LBT issues into the women's rights movement.

Finally most organisations were led by men, and there was a great need to build leadership among women.

The caucus agreed that it was necessary to devote more time to continue these discussions. A mail list would be set up to facilitate email conversations, and there was potential for holding a women/trans focused Dialogue.

There was need to do more research on women's issues to justify funding applications, and participants agreed to share questionnaires, reports and so on to provide templates for regional or country-specific research. Suggestions were made on working with universities to lend credibility to research projects, and on working with documentation and police reports.

Finally all participants agreed on the importance of holding women's rights and feminist movements accountable to include LBT rights.

### **Trans Caucus**

Trans participants at the Dialogue held a small informal meeting with mostly Pacific trans activists and the few others from the rest of the world, including one unaffiliated Caribbean participant. They agreed that there was a need for more dedicated trans spaces and more trans participation in discussions and events such as the Dialogue in order to have more meaningful network meetings. There was a suggestion to aim for fifty percent attendance of trans participants in discussions, which had worked well in other forums.

## **Pacific Caucus**

The Pacific caucus discussed the geographical challenge for South Pacific Islands, which were isolated from the rest of the world. They also discussed the strong status of religion in culture. All Island States had Christian principles and ethics embedded in their Constitutions that often lead to discrimination against LGBTIQ communities. The inseparable status of religion from the evolving culture, if without proper human rights framing, could result in a culture that would be highly discriminatory of LGBTIQ communities.

Participants also raised the invisibility of LGBTIQ communities in most Island States, in particular within the Micronesian and Melanesian Island States. Whilst this was not always the case with Polynesian Island States, where the transgender cultures of fa'afafine, fakaleiti, vakasalewa, mahu and raerae were well respected and entrenched, there was still invisibility of other communities, such as lesbians, gays and bisexuals.

There were challenges in reaching out to LGBTIQ communities. The stronghold of stigma and discrimination attached to religious culture drove the confidence of LGBTIQ communities so far underground that it was almost impossible to reach out to them.

It was important to ensure that traditional LGBTIQ (fa'afafine, fakaleiti etc.) communities were acknowledged within the broader LGBTIQ communities and vice versa. It was also necessary to share experiences between the diverse groups that made up sexual and gender minorities across the Pacific and the world, for example, getting to know each other's histories including the challenges and opportunities that came with both visibility (e.g. fa'afafine, leiti, vakasalewalewa and akava'ine) and invisibility (lesbians and trans men e.g. fa'afatama and fa'atama).

Participants stressed the importance of linking work on sexual orientation and gender identity human rights issues to broader community human rights issues including climate change and the right to development, and of different movements providing mutual support in their work.

They highlighted the need to develop and share resources while building inclusive, empowering movements nationally and regionally. They agreed to work together to seek funding opportunities for older and younger human rights activists from all communities to come together, including across class and education divides – ensuring that funding unites rather than divides. There was discussion of the value in holding a Pacific Dialogue in the future, to strengthen regional networking, strategising and solidarity, and it was suggested that this must be done in accordance with the needs identified by local communities.

Finally participants discussed documenting the work they were doing and reporting back to others in order to build a larger community of SOGI activists.

## 5. Dialogue with funders

To facilitate discussions and closer connections between NGOs in the Caribbean and funders, the Council for Global Equality worked together with conference convenors and the funders who were present at the Dialogue to organize an afternoon strategy session dedicated specifically to funding priorities for the region. The funding community present at the meeting included a combination of both private foundations and government donors. Nearly all of them were new to funding in the region. In a separate report, the Council for Global Equality summarised the discussions, which included the following points.

Funders at the meeting were invited to highlight their current institutional priorities in the region and any likely funding commitments going forward. NGOs at the meeting were also asked to identify some of their most important existing funders, which included AIDS Free World, AJWS, the Foundation for AIDS Research (amfAR), Astraea Lesbian Foundation for Justice, Global Fund, the European Union, Australian AID, and USAID (though its HIV/AIDS grants but not its other programs). The Caribbean Vulnerable Communities Coalition (CVC) was also mentioned as playing an intermediary role for local groups with amfAR and Global Fund funds, as well as support for some local activities. Most of the funding that comes into the region is HIV-specific and it was mentioned that this has limitations when it comes to advocating for LGBT rights.

NGOs then presented a summary of earlier internal discussions among the Caribbean NGOs noting that the issues facing communities in the region are similar, often with very similar patterns of homophobia and violence, but that there is still not enough formal documentation to make all of those connections. Moreover, most advocates are working in isolation within their own country, instead of making broader connections to other groups in the region. Nonetheless, some best practices for the region are emerging.

Three priorities for regional programming were identified:

1. Support for a more formal regional coalition and regional work;
2. Documentation of the drivers of homophobia in the region (not necessarily documentation of violations or the state of the community but of factors that are driving homophobia and violence); and
3. The creation of “safe spaces” (including secure offices and meeting spaces, resource centers, service/support centers, emergency housing and medical clinics).

Other common priorities for national groups included:

- New or additional research on violations and on the social and economic status of the LGBT community;
- Research and polling for legal and policy reform work;
- Media and advocacy support;
- Legal services;
- Technical and financial support for capacity (not necessarily capacity building);
- Police sensitization and training;
- Regional and Sub-regional (Eastern Caribbean, Southern Caribbean) networking and South-South contacts;
- Support for income generation projects;
- Support for NGOs in higher-income countries in the Caribbean that are still excluded from broader civil society and generally have no access to local funds.

## **Closing Plenary and Evaluation**

During the closing plenary participants reviewed identified needs, priorities and next steps. Key points included:

- Coalition-building, engagement beyond SOGI issues;
- Tackling religious right from North America;
- Developing common language to dismantle arguments from the “organised opposition”;
- Challenging the “core group” of States, particularly in relation to gender identity issues, who either fail at the domestic level or fail to challenge their friends to meet their international obligations;
- Making regional and UN systems accessible, particularly when these are the only tools you have;
- Engaging the OIC - with gender identity and/or through the APF;
- Gathering data on lesbian/bi women, especially around violations;
- Encouraging better communication among missions;
- Establishing working groups before UN or regional sessions;
- More systematic work with national human rights institutions;
- Strengthening networks in the Caribbean and beyond;
- Support further Dialogue processes, including with specific areas of regional or thematic focus.

At the closing plenary, participants were asked to complete an anonymous evaluation form. In total we received 49 responses, which are summarised below.

**1.** Participants were asked to rate (on a scale of 1-10 where 10=excellent and 1=very poor) how they evaluated the following:

**Conference site:** Overall, participants were impressed with the conference site (Bay Gardens Hotel – Rodney Bay) and location (average response: **9**)

**Accommodation:** In general, participants found the rooms to be comfortable although there were some problems with wifi access (average response: **8.6**)

**Food:** Participants enjoyed the daily buffet lunch and breakfast, as well as snacks that were provided, although some would have preferred a greater variety of vegetarian options (average response: **8.9**)

**Hotel staff:** The hotel staff were felt to be extremely friendly, accommodating and professional (average response: **9.3**). Members of United and Strong Inc. had conducted a training with hotel staff prior to the Dialogue.

**Background documents:** Some participants found the background documents overwhelming, and would have preferred to receive them in advance. There was also a request to have a wider variety of documents (average response: **8.1**)

**Facilitation:** Overall, participants were comfortable with the facilitation, and appreciated the diversity of panels, breakout groups, workshops and plenary sessions, although some felt that there were times in the agenda when more interaction could have been useful for participants (average response: **8.4**)



**Social and cultural events:** Participants enjoyed the evening events, which were felt to be well-organised and provided opportunities to socialize, network and unwind whilst getting a taste of Saint Lucian culture (average response: **8.9**)

**Overall coordination:** Participants were very positive about the overall coordination of the Dialogue, especially by the local team of staff and volunteers from United and Strong Inc. (average response: **9.1**)

**2. Participants were asked an open-ended question about what **expectations they had for this Dialogue**. The responses can be categorised in the following categories:**

- To learn more about human rights documentation;
- To benefit from legal training, learning about litigation strategy;
- To learn more about international developments on LGBT human rights;
- To network, learn how to work together and share information and strategies;
- To engage in South-South dialogue and strategising;
- To build more trans visibility;
- To develop relationships with funders.

**3. Participants were then asked to rate (on a scale of 1-10 where 10=excellent and 1=very poor) **how well this Dialogue met their expectations** and explain their answer.**

Most participants commented that the Dialogue met or exceeded their expectations. The average response was **8.5** out of 10.

*"This was true "dialogue" that provided a forum for sharing/exchange/networking etc. Fantastic." (Participant from the Caribbean)*

*"I was so inspired with everything and most of all I learned a lot from it. I know that it will strengthen our own regional networks." (Participant from the Pacific)*

*"I was disappointed at the very low numbers of trans activists from the region - targeted outreach for example through HRC trans training participants list would have been useful." (Participant from North America)*

*"Very wide engagements that enriched the outcomes, the perfect choice of issues and participants." (Participant from Africa)*

**4. Using the same 1-10 scale as above, participants were asked the following questions:**

**a) How successful were the opportunities to strengthen networks and support?**

The average response was **9** out of 10 indicating a strong feeling of success around strengthening networks and support. Some participants would have liked more time to have in-depth discussions, and there was also indication that the Dialogue could have benefitted from more trans participation and networking opportunities.

*"The presence of funders and other activists was productive and enriching." (Participant from the Caribbean)*

*"I especially valued the small group discussions." (Participant from the Pacific)*

*"I met great and inspiring people from around the world and learnt legal strategies to help my work." (participant from the Caribbean)*

*"During the informal meetings at break times I met people from all over and shared a lot." (Participant from Africa)*

**b) How successful was this Dialogue in enabling you to share and discuss strategies to advance human rights based on sexual orientation and gender identity?**

Participants thought the Dialogue was very successful in enabling strategy sharing and discussion on documentation, decriminalisation and advocacy. The average response to this question was **8.7** out of 10.

*"It was good to share and learn different legal strategies employed in litigation and OAS mechanisms." (Participant from the Caribbean)*

*"For the first time the trans community was effectively included and not left on the periphery but as a core entity." (Participant from Africa)*

*"Significantly – knowledge and access about the LGBT community's action about the political social and economic changes that impact our lives." (Participant from the Caribbean)*

*"The women's meeting was important and should be continued and finalized. We need to identify women, young women leadership." (Participant from North America)*

**5.** Participants were asked to outline **any issues that were not adequately addressed** in the time available and how they would like to see those addressed in the future.

Most participants thought that there was sufficient time to discuss issues, although it was acknowledged that there are always some issues that could be explored in more depth, or a wider variety of areas of focus, if more time had been available. For example, some would have liked more time to look at utilising regional and international human rights mechanisms and collaborations on inter-regional advocacy. Other participants would have liked regional caucuses to be longer and more structured.

Many of the participants expressed the need to have more dedicated time on women-specific issues, and that the women's caucus was far from sufficient to address the gaps in dealing with LBT rights. There were suggestions to follow up with a women's Dialogue in the near future.

Some expressed the wish to deal with wider socio-cultural issues such as dealing with the religious right and the climate of neo-colonialism, as well as having more elements on intersectionality and inclusiveness.

*"LBT issues need a separate process. There are so many gaps that can be harnessed on LBT to ensure more engagement." (Participant from Africa)*

*"It would be good to have more icebreakers/energisers and use physical exercises to keep people's energies up and to reflect different learning styles." (Participant from the Pacific)*

6. Participants were asked to rate **how useful and relevant** the International Dialogue was to their work/activism. They were also asked **if they would like to see it continue in future years, and with what focus**. The average response was **9.2** out of 10 indicating a strong feeling of usefulness and relevance.

Comments showed overwhelming support to continue to create the space for International Dialogues to take place, and that focused and in-depth discussions with a concentrated group of people from across the globe is valuable and rare.

There were requests to have future Dialogues focus on:

- Women's issues/LBT rights
- Trans issues and in/exclusion
- South-east Asia region
- Pacific region

*"Dialogues, especially across regions, are a very important strategy for learning. This initiative should definitely be continued. The focus could change depending on recent developments and concerns globally." (Participant from Africa)*

*"Activists require support and stimulation as we seek to work for a change. This dialogue provides the perfect setting to achieve both." (Participant from the Caribbean)*

*"Valued participating in the ARC dialogue - well thought out, planned participation, democratic, deeply respectful, passionate and committed." (Participant from Asia)*

*"It created a greater understanding of the work we are engaged in. It will give impetus for a greater collaborative exchange." (Participant from the Caribbean)*

7. Other general comments and feedback on the Dialogue showed lots of positivity and gratitude toward the organisers. However some also noted that there were challenges with interpretation.

*"Congratulations to United & Strong, ARC and all other supporters for organising and executing an excellent Dialogue." (Participant from the Caribbean)*

*"So glad to be invited, politically and strategically useful, but also just restful and renewing. Thanks so much!" (Participant from the Pacific)*

## **Local media coverage**

The International Dialogue also increased attention to LGBT issues from the media in Saint Lucia. A few participants took part in a press conference during the Dialogue. A video of the interviews can be seen at <http://youtu.be/JRR23WXUOmo>. Saint Lucia Star also published an interview with Kenita Placide, the Director of United and Strong Inc. after the conclusion of the Dialogue, available at <http://news.stluciastar.com/gays-say-we-are-here-to-stay>.



## ANNEX 1

### *Agenda*

#### **Thursday, February 2<sup>nd</sup>**

6:00 - 8:00 p.m.	Registration open in the main conference room
6:30 – 8:00 p.m.	Informal Meet ‘n’ Greet for early participants around the main pool

#### **Friday, February 3<sup>rd</sup>**

8:00 - 9:00 a.m.	Registration open in the main conference room
9:00 a.m. – 6:00 p.m.	Self-organized caucuses/meetings for international participants (around pool, in rooms, in gazebo)
9:00 a.m. – 12:00 p.m.	CARIFLAGS Strategy Session (for Caribbean participants only) (Main Conference room)
12:00-1:00 p.m.	<i>LUNCH (Catered lunch for all early participants)</i>
1:00-4:00 p.m.	Documentation Training for Caribbean participants/trainers only (Main Conference room)

- Opening/Welcome (1:00-1:15 p.m.)  
(Kenita Placide, United & Strong, Saint Lucia and Kim Vance, ARC International, Canada)
- Why is documentation essential to LGBT movements? (1:15-1:45 p.m.)  
(Graeme Reid, Human Rights Watch, U.S.A.)
- How is human rights documentation helpful when combating violence? (1:45-2:15 p.m.) (Maurice Tomlinson, AIDS Free World, Jamaica)
- What is documentation? How do you get credible information? (2:15-3:15 p.m.) (Jessica Stern, IGLHRC, U.S.A.)

BREAK (3:15-3:30 p.m.)

- Common challenges in documentation (3:30-4:00 p.m.)  
(Graeme Reid, Human Rights Watch, U.S.A. and Linda Baumann, Out-Right Namibia, Namibia)

4:00 -6:00 p.m.	Identifying Program Needs/Strategic Funding Dialogue for Caribbean participants only Fundors include: OSF, ARCUS, US State Department, British High Commission, USAID, etc.)
6:00 - 8:00 p.m.	Registration open in the main conference room

6:00 – 8:00 p.m. Optional screening time for participant film/video or slide shows

8:00 p.m. Gros Islet Street Party Outing  
(all welcome – transport provided)

*Gros Islet is the newest town in Saint Lucia and lies north of Castries, the capital of Saint Lucia. It features the Friday Night Street Party, which is its major tourist attraction. Also known as the Jump-Up, the Party encompasses several blocks. Steamed fish, barbecue chicken and Saint Lucia's own Piton beer can be purchased from these vendors. Music can be heard through the old fishing village, and locals and tourist both dance in a central cross section in the small streets to the sounds of calypso, zouk, reggae and R&B.*

## **Saturday, February 4<sup>th</sup>**

8:00 - 9:00 a.m. Registration open in the main conference room

9:00 a.m. – 12:00 p.m. Strategic Meeting for Envisioning Partners (Location TBA)

9:00 a.m. – 12:00 p.m. Documentation Training for Caribbean participants/trainers only (Main Conference room)

- More on challenges and ways to overcome them (9:00-9:45 a.m.)  
(Graeme Reid, Human Rights Watch, U.S.A. and Linda Baumann, Out-Right Namibia, Namibia)
- Information technology tools for tracking violations (9:45-10:15 a.m.)  
(Kene Esom, AMSHeR, Nigeria)
- Regional and International Documentation and Monitoring projects (10:15 a.m.-12:00 p.m.)  
(Anna Kirey, Labrys, Kyrgyzstan and Carla LaGata, Transgender Europe, Germany)

12:00-1:00 p.m. *Funders LUNCH* (all participants are welcome to meet with funders present at designated areas during catered lunch)

1:00-2:30 p.m. Opening, Introductions and Gift Exchange for all participants (Main Conference Room)

2:30-6:00 p.m. Sharing/Developing Decriminalization Strategies

- Cross-cutting issues: Defining “decriminalization” for our constituencies. What is the role of international or global north organizations, effective strategies and respectful partnerships? How current strategies were developed, the consultative model that is applied, how these link with community-based and needs-driven priorities. How legal, political and public education strategies inter-relate, etc.
- Greetings and overview (2:30-2:40 p.m.)  
(Co-facilitators: Ian McKnight and Charmaine Williams)
- Group 1 Presentations (2:40-3:30 p.m.)  
Maurice Tomlinson, (Jamaica), Gino Peter Persaud (Guyana), Veronica Cenac (Saint Lucia), Colin Robinson (Trinidad & Tobago) and Lisa M Shoman (Belize)

Discussion (3:30 – 4:15 p.m.)

BREAK (4:15-4:30 p.m.)

- Group 2 Presentations (4:30 – 5:20 p.m.)

Arvind Narrain (India), Noelene Nabulivou (Fiji)/Alex Sua (Samoa)/Joleen Mataele (Tonga), Kapil Gupta (Human Dignity Trust), Monica Mbaru/Anthony Oluoch (Kenya), and Monica Tabengwa (Botswana)

Discussion (5:20 – 6:00 p.m.)

7:00- 9:00 p.m.          Opening Beach BBQ Party (Bay Gardens Beach Resort)  
(Sponsored by the Council for Global Equality)

*Later in the evening participants are free to enjoy the lively Rodney Bay area*

## **Sunday, February 5<sup>th</sup>**

9:00 a.m. – 12:00 p.m.          Sharing/Developing Decriminalization Strategies

- Caucuses (9:00-10:30 a.m.)  
Legal, Political, Public Education, Religion/Tradition/Culture, etc.
- Sharing Plenary/Feedback from Caucuses (10:30-11:15 a.m.)
- Strategic Planning around decriminalization (to be continued throughout the following days of the agenda)(11:15 a.m.-12:00 p.m.)

12:00-1:00 p.m.          *LUNCH (Catered) (Informal Caucuses – TBA)*

1:00-6:00 p.m.          Mapping the regional and international advocacy landscape

- Introductory Panel (1:00-3:30 p.m.)  
Overview of international and regional human rights mechanisms and current status of SOGI advocacy, achievements and challenges: UN system, OAS/Interamerican Court and Commission, African Commission, ASEAN/Asia Pacific Forum of NHRIs, European System

Discussion (3:30 – 4:15 p.m.)

BREAK (4:15-4:30 p.m.)

- Roundtable discussion (4:30-6:00 p.m.)

Emerging needs and priorities, ways of working effectively together: what has been/is being achieved in the various regional and international bodies, and what has been the impact? How have different types of organizations (local/national/regional/ international) contributed to these developments? How can such organisations work more effectively together, what are models of successful collaborations, including lessons learnt and best practices? How can the role of allies be strengthened in a way that is mutually supportive? What new initiatives are expected to arise in the upcoming year, and how can these new developments be used to strengthen national/regional/international advocacy?



Dinner on your own or buffet dinner available for purchase in Karaoke Bar

7:30 p.m. Karaoke Bar/Beach Party at The Wharf

## **Monday, February 6<sup>th</sup>**

9:00 a.m. – 12:00 p.m. International and regional strategies

- Breakout groups in rotation (1.5 hours in each group)
- 1. Cross-cutting issues: what issues commonly arise in diverse fora? How to address arguments based on culture, tradition, religion etc? What are the common attacks and resistances at the international, regional and national levels to applying international and regional human rights frameworks to SOGI issues? How may these challenges most effectively be overcome?
- 2. Impact of OAS and other regional resolutions and processes, international resolutions and developments. Impact of advocates working at national level with SA government to influence the process around the HRC resolution, and also in other countries to urge governments to support the resolution. What are the most effective advocacy tools and what is most effective in which type of body? How can national and regional advocacy support increased positive engagement by a more diverse range of States internationally, and what international initiatives will best support national and regional priorities?
- 3. Using international tools to hold national governments accountable: How to strengthen NGO engagement in these processes; how to strengthen implementation by States of their international commitments. Focus on UPR (second cycle), Treaty Bodies, Special Procedures, OHCHR/Field presences. What recommendations have been most successful? How do State responses vary from one region to another? How to increase focus on gender identity issues. What potential does the OHCHR report have, how can it be used to support other processes at the national/regional levels?

12:00-1:00 p.m. *LUNCH (Catered) (Informal Caucuses – TBA)*

1:00 – 3:00 p.m. Closing Plenary

- Report back from breakout groups
- Overview of identified needs, priorities and next steps; continued opportunities to further the dialogue
- Group hugs and evaluation

3:00 p.m. Closing Boat Cruise in Rodney Bay  
(complimentary food and drinks on the boat)

## ANNEX 2

### *List of participants*

<b><u>Participant</u></b>	<b><u>NGO/organisation</u></b>	<b><u>Country</u></b>
Adaryl H Williams	United and Strong Inc.	Saint Lucia
Adrian Jjuuko	Human Rights Awareness and Promotion Forum Uganda	Uganda
Alex Su'a	Samoa Fa'afafine Association Inc	Samoa
Alli Jernow	International Commission of Jurists	Switzerland
Andrés Rivera	Transexuales de Chile	Chile
Anna Kirey	Labrys	Kyrgyzstan
Anthony Olouch	GALCK	Kenya
Antoney Baccas	Black Cap	Canada
Arvind Narrain	Alternative Law Forum	India
Avelina Stacy Nelson	United and Strong Inc.	Saint Lucia
Bjorn van Roozendaal	ILGA Europe/COC Netherlands	Netherlands
Brenda Emmanuel	United and Strong Inc.	Saint Lucia
Caleb Ephrame Orozco	UNIBAM	Belize
Carla LaGata	Transgender Europe	Germany
Charles David Woods	VINCICHAP	Saint Vincent
Charmaine Williams	Envisioning	Canada
Colleen Mc Ewan	GUYBOW	Guyana
Collin M. Robinson	CAISO	Trinidad
Dane Christian Lewis	J-FLAG	Jamaica
Deyone Milana Guiseppi	trans	Trinidad
Douglas Elliott	Envisioning	Canada
Egbert S Felix-John	United and Strong Inc.	Saint Lucia
Elsworth Joseph	TRANS	Antigua
Fred Cronard	AIDES Martinique	Martinique
Frits André van der Capellen	FOKO	Curacao
Germán Humberto Rincón Perfetti	Asociacion Lideres en Accion – Colombia; ILGLaw	Colombia
Gino Peter Persaud	counsel in the Guyana case	Guyana
Graeme Reid	HRW	USA
Heather Palin, Law student	University of Toronto	Canada
Ian GarfieldMc Knight	Caribbean Vulnerable Communities	Jamaica
Jack Byrne	Trans activism	New Zealand
Jaevion Nakasone Nelson	J-FLAG	Jamaica
Jermaine Andrew Grant	SASOD	Guyana
Jessica St Rose	United and Strong Inc.	Saint Lucia
Jessica Stern	IGLHRC	USA
Joan Didier	AIDS Action Foundation	Saint Lucia
John Fisher	ARC International	NZ/Switzerland
John Waters	COIN	Dominican Rep
Joleen Mataaele	Tonga Leitis' Association, Pacific Sexual Diversity Network	Tonga
July Alexandra Betances Matos	Women's Group	Dominican Rep
Justus Eisfeld	Global Action for Trans Equality	USA
Kapil Gupta	Human Dignity Trust	India
Kene Esom	AMShEr	South Africa
Kenita M Placide	United and Strong Inc.	Saint Lucia
Kenneth I. Van Emden	Suriname Men United	Suriname
Kerlin Charles	GRECHAP	Grenada
Kim Vance	ARC/Envisioning	Canada
King Oey	Arus Pelangi	Indonesia
Kseniya Kirichenko	Russian LGBT Network/ Columbia University	Russia
Linda Baumann	ORN, PAI, CAL, Amsher	Namibia
Luke Maurice Sinnette	Friends for Life	Trinidad
Marcelo Ferreyra	IGLHRC-LAC	Argentina
Marla Simone Hill	UNIBAM	Belize
Maurice Arnold Tomlinson	AIDS Free World	Jamaica
Meenu Pandey	CREA	India

Monica Mbaru  
 Monica Tabengwa  
 Namela Baynes Henry  
 Nancy Nicol  
 Nigel Mathlin  
 Noelene Nabulivou  
 Orin Ivelaw Jerrick  
 Patsy Eleen Grannum  
 Sheherezade Kara  
 Sheldon Eric Bruno  
 Steeve R Laguerre  
 Stefano Fabeni  
 Suzanna Bridgewater  
 Tamara Adrian  
 Tieneke Diana Sumter  
 Tony Griffith  
 Tracey- Ann S. Thomas  
 Veronica Cenac  
 Victor John Rollins  
 YoonJin Jung, Video student

GALCK  
 LEGABIBO  
 SASOD  
 Envisioning  
 GrenCHAP  
 DAWN, WAC  
 MESH, Caribbean HIV/AIDS Alliance  
 MOVADAC  
 ARC International  
 DOMINICACHAP  
 Fondation SEROvie  
 Heartland Alliance  
 Women's Way  
 Diverlex  
 Women's Way  
 lawyer in Jamaica case  
 Women for Women  
 Counsel in the Saint Lucia / Caribbean  
 SASH  
 University of York

Kenya  
 Botswana  
 Guyana  
 Canada  
 Grenada  
 Fiji  
 Antigua  
 Barbados  
 Switzerland  
 Dominica  
 Haiti  
 USA  
 Suriname  
 Venezuela  
 Suriname  
 Jamaica  
 Saint Lucia  
 Bahamas  
 Canada

### ***Funders/funding agencies***

Akim Ade Larcher  
 Chloe Schwenke  
 Cory Andrews  
 Elisa Gerontianos  
 Jesse Bernstein  
 Julie Dorf  
 Mark Bromley  
 Max Anmeghichean  
 Michael Heflin  
 Paula Uribe  
 Roz Lee

OSF  
 USAID  
 US State Dept  
 ARCUS  
 US State Dept  
 Council for Global Equality  
 Council for Global Equality  
 OSF  
 OSF  
 US State Dept  
 ARCUS

### ***Volunteers***

Chavez Justin  
 Damon O'Donnell  
 Janyves Ebony Altidor  
 Junior Paul  
 Maria Fontenelle  
 Montgomery Danton  
 Tarra Thomas

United and Strong Inc.  
 United and Strong Inc.  
 United and Strong Inc.  
 United and Strong Inc.  
 1000 Words Media/ United and Strong Inc.  
 United and Strong Inc.  
 United and Strong Inc.