

THE RESPONSE TO COVID-19 IN LATIN AMERICA AND THE CARIBBEAN MUST RESPECT THE HUMAN RIGHTS OF TRANS IDENTITIES AND ALL GENDER EXPRESSIONS

UNAIDS and REDLACTRANS call on governments and partners to protect, support and respect the human rights of lesbian, gay, bisexual, transgender and intersex (LGBTI) people as part of their response to COVID-19. During the pandemic, members of the LGBTI population could be particularly vulnerable to the virus, as well as those with compromised immune systems, including people living with HIV and AIDS.

In relation to the gender-based quarantine measures adopted by some countries in the region, we strongly believe that these measures must guarantee the protection of the trans and gender-diverse population and include the necessary instructions for members of the security forces to achieve this.

Similarly, countries in Latin America and the Caribbean are urged to ensure access for members of the LGBTI population to essential social services, such as health. This must comply with the principle of non-discrimination and international human rights standards, as well as including a gender perspective.

In any epidemic, discrimination that restricts access to the provision of health care or the refusal to treat a person based on their nationality, country of origin, lack of health insurance or socio-economic condition doesn't just deny a person critical health care services, but it also endangers the health of others and undermines the overall response.

"HIV has taught us that violence, harassment and discrimination only serve to further marginalize members of the most vulnerable populations. Given the high levels of inequality in Latin America and the Caribbean, the situation in this region can be even more severe," said César Nuñez, UNAIDS Regional Director for Latin America and the Caribbean. "All people, regardless of their sexual orientation,

gender identity or gender expression, have the right to health, safety and protection, without exception. Respect and dignity are needed now more than ever”.

"In this health and food emergency in which we trans people find ourselves, and because we are also a high-risk population, we ask governments in the region to ensure measures that control and eradicate police violence and abuse. We need these measures to include a gender perspective, as well as violence prevention and assistance for victims of violent acts. The years we have struggles for the recognition of our human rights cannot be undermined in an emergency context. Now is when we most need our rights to be respected," says Marcela Romero, President of the Latin American and Caribbean Network of Trans People.

Learning from the HIV response

Drawing on our experience at UNAIDS in tackling HIV, it has been seen that certain communities, - due to their HIV status, sexual orientation, gender identity or drug use - are more likely to be victims of stigmatizing attitudes that create barriers to access health services during an epidemic.

In addition, we have learned from the AIDS epidemic that restrictive, stigmatizing and punitive measures can lead to significant human rights abuses with disproportionate effects on already vulnerable communities. These lessons can serve us well for the COVID-19 pandemic.

Stay-at-home orders, especially when implemented inflexibly, compound the difficulties these groups already experience in accessing antiretroviral therapies and HIV prevention and gender affirmation services, including hormonal therapies. This is especially true for Trans and LGBTI people who are living in poverty, have no income or are currently homeless.

For some Trans and LGBTI people, self-isolation and physical detachment can be particularly challenging, even dangerous. Many face unacceptable violence and/or abuse while sheltering in homes with family members.

UNAIDS and REDLACTRANS call on countries to:

- Ensure that all measures to protect public health are proportionate, evidence-based and respectful of human rights.
- Stop arresting people on the basis of their sexual orientation, gender identity or gender expression within the framework of COVID-19 quarantines.
- Invest in the response to COVID-19 while protecting HIV/SRH funding and programs by ensuring that they are inclusive and sensitive to the needs of transgender and LGBTI people.
- Protect continued access to life-saving health care including harm reduction, condoms and lubricants, pre-exposure prophylaxis, antiretroviral therapy, hormone replacement therapies and mental health services for transgender and LGBTI people.
- Provide medication delivery options through flexible services, multi-month ARV dispensing, community deliveries and virtual consultation and support options.
- Consider designating community-led service organizations as essential service providers so they can provide flexible and secure delivery of key services.
- Include Trans and LGBTI people in national social protection schemes including income support.
- Increase access to suitable emergency and safe housing for homeless and recently evicted Trans and LGBTI people.
- Involve Trans and LGBTI people in public health planning and in COVID-19 related messages.