

INTER-AMERICAN HUMAN RIGHTS COURT RULES IN FAVOUR OF SAME SEX MARRIAGE

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The Inter-American Court of Human Rights issued an advisory opinion on January 9th 2018 on gender identity and equality and non-discrimination to same-sex couples.

In its decision, which is binding for 16 countries in Latin America and was issued in response to a petition submitted two years ago by Costa Rica, the court said that governments under its jurisdiction "must recognise and guarantee all the rights that are derived from a family bond between people of the same sex".

The Inter-American Court of Human Rights is an autonomous judicial institution whose purpose is the application and interpretation of the American Convention on Human Rights. The court was established by the regional body, the Organization of American States (OAS), in 1969 and signatories to the Inter-American Convention on Human Rights are bound by its rulings.

Several of the signatory countries already recognise same-sex marriage, including Argentina, Brazil, Colombia and Uruguay. Others, such as Chile and Ecuador, currently recognise same-sex civil unions but not marriages. Bolivia, Cuba, Dominican Republic, Honduras, Paraguay and Peru do not recognise either and will be expected to change their laws. Venezuela has withdrawn from the convention.