

## FINAL REMARKS

By CIPAC/DDD

*“Costa Rica is the Switzerland of Central America.” “We’re much better off than a lot of other countries around here.”* And so forth: comments such as these keep people in line, thereby avoiding direct confrontations, downplaying discriminatory occurrences, and turning people’s eyes away from the problems that exist.

At the same time, Costa Rica is not “lesbian hell.” If she is graced with good luck, a lesbian can live her life as such without problems, while frequenting bars and dance clubs, friends’ houses and recreational locations. As throughout the rest of Latin America, lesbianism has been rendered invisible. The macho cohorts have taken it upon themselves to proclaim, at the top of their lungs, that “real Latin he-men” don’t allow such behavior and that their sexual prowess keeps women from dishonoring them. All of this social imagery contributes to lesbians going generally unnoticed, and at the same time has made them less prone to insults and attacks than other, more visible minorities.

However, there are indeed cases of discrimination, as we have just read, and some of them are incredibly egregious. And yet, such cases occur throughout the world, and neither human-rights organizations, the law, nor those who enforce it have been able to come up with a mechanism to put an end to them.

At the same time, the law is unclear, it lends itself to subjective interpretation by those who enforce it, and it is underpinned by a culture that, together with religion and its representatives, is blindly negative towards gays and lesbians. Both lesbians and gay men are at the mercy of luck when it comes to avoiding dangerous circumstances that can lead to awkward or harmful situations. As we saw in the testimonials that were gathered, none of the women affected went out looking for trouble: they found themselves involved in situations that were beyond their control, and the people around them failed to respond in a fair and just manner.

Every day has its array of pitfalls. Leading a double life while hiding one’s feelings and emotions, and concealing not only one’s preferred places to socialize and any “revealing” friendships, but also instances of mistreatment, are all routine for the lesbians of Costa Rica, who have learned to live under such circumstances.

Costa Rica is not particularly harsh towards its minorities; it claims to accept them and proclaims the equality of their rights. However, under the surface, it maintains an environment of condemnation, rejection and inequality. The myth of Costa Rica as a country that is completely respectful of human rights is belied by the large number of problems, both major and minor, that people who are different have to confront there every day.

This analysis of our laws demonstrates that all is not clear, and that we are not all equal before the law. Indeed, it is the very same body of law that places limits on said equality. The existence of a study of this kind will help end subjective commentary

regarding our laws: Herein we can see what the law says, and how it is inconsistent with the actual responses of the government bodies that are responsible for enforcing it.

How can a lesbian turn to the law if she knows that the police themselves may rob her and even abuse her? How can she turn to the courts or other systems to defend her rights if she knows that her complaint will have to pass through many people's hands, and that many of these people will dedicate themselves to finding her way to deny her rights?

The public defender's office and the courts state that "there are no complaints on file" (about this type of discrimination), as though this indicated that there is no aggression against lesbians, and as though this were firm proof that discrimination against them does not exist. This absence of complaints reflects a false picture or image: NO COMPLAINTS = NO DISCRIMINATION. The issue would be better summarized as NO COMPLAINTS = NO CONFIDENCE IN THE JUSTICE SYSTEM on the part of lesbians and other groups.

Legal complaints of this kind end to be seized upon by the sensationalist press, which exposes names, work and home addresses, descriptions of the situation and other information to public scrutiny. Naturally, lesbians seek to avoid this: Nobody wants to show up in the newspaper on account of her sexual orientation.

Unfortunately, this state of affairs cannot be changed overnight. The change may take several generations, as well as a great deal of outreach and public awareness efforts on the part of those who are affected. And yet, this is work that not many lesbians are prepared to undertake, or are prepared to pay for the consequences thereof.

This work, carried out by CIPAC/DDHH and IGLHRC, is yet another of the many efforts that have to be made so that one day we can look at one another openly, without prejudice or mistrust.

If you can do something to help, do it!

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