

Antigua and Barbuda

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, sex, creed, language, or social status, and the government generally respected these prohibitions in practice.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual activity for both sexes is illegal under indecency statutes; however, the law was not strictly enforced. The law also prohibits anal intercourse between male partners or between a male and female pair. Indecency statutes carry a maximum penalty of five years in prison, and consensual same-sex sexual conduct between adult men carries a maximum penalty of 15 years. No antidiscrimination laws exist that specifically include LGBT persons.

Societal attitudes somewhat impeded operation and free association of LGBT organizations, but there were a few organized groups. Societal attitudes remained conflicted on the issue, and there were limited reports of discrimination based on sexual orientation or gender identity in a variety of settings. There were no reports of violence committed against LGBT persons due to their real or perceived sexual orientation.

Argentina

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, sexual orientation, disability, language, or social status, and the government generally enforced these prohibitions.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Lesbian, gay, bisexual, and transgender organizations operated freely. They worked closely with academic institutions, NGOs, and government authorities without interference.

There was no official discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care. Overt societal discrimination generally was uncommon, but the National Institute Against Discrimination, Xenophobia, and Racism reported cases of discrimination and police brutality toward the transgender community. In August a transsexual prisoner at Ezeiza Penitentiary reported serious mistreatment by prisoners and penitentiary officials, which two witnesses later confirmed. After the witnesses provided their testimonies, prison guards injured them and confined them to isolation and a psychiatric area.

In April Pedro Robledo was the victim of a violent hate crime at a university party in Buenos Aires. Robledo met with the university president and petitioned for the amendment of the antidiscrimination law to include an article on sexual minorities.

Bahamas, The

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination on the basis of race, place of origin, political opinion, or creed, and the government generally enforced these prohibitions. The constitution and the law contain provisions that discriminate against women.

The country consists of 700 islands and cays, 12 of which are significantly inhabited. Information in this report reflects the situation in the highly populated areas on New Providence and Grand Bahama. Limited information was available from other lesser-populated islands.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Societal discrimination against lesbian, gay, bisexual, and transgender (LGBT) individuals occurred, with some persons reporting job and housing discrimination based upon sexual orientation. Although same-sex sexual activity between consenting adults is legal, the law defines the age of consent for same-sex couples as 18, compared with 16 for heterosexual couples. No domestic legislation addresses the human rights concerns of LGBT persons. LGBT NGOs can openly operate in the country. The 2006 Constitutional Review Commission found that sexual orientation did not deserve protection against discrimination. LGBT NGOs reported that LGBT persons faced some discrimination in employment, and victims were frustrated at the lack of legal recourse.

Barbados

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equal treatment regardless of race, origin, political opinion, color, creed, or sex, and the government effectively enforced these provisions.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Although rarely enforced, the law criminalizes consensual same-sex sexual activity between adults with penalties of up to life imprisonment. No laws prohibit discrimination against a person on the basis of real or perceived sexual orientation in employment, housing, education, or health care. Activists reported that stigma against LGBT persons persisted. While they maintained a low profile, one LGBT NGO noted no impediments to the organization's activities.

Activists reported few violent incidents but suggested that social stigma and fear of

retribution or reprisal due to their sexual orientation rendered the problem underreported. Anecdotal evidence suggested LGBT persons faced discrimination in employment, housing, and access to education and health care. Activists suggested that while many individuals lived open LGBT lifestyles, disapprobation by police officers and societal discrimination against LGBT persons occurred. For instance, in May a police officer made anti-LGBT remarks to individuals stopped for making too much noise during a late-night LGBT group's "bus crawl" event.

On August 5, unidentified individuals hurled stones and homophobic slurs at one of the flag bearers during the annual "Grand Kadooment" parade.

Belize

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The criminal code states that "carnal intercourse" with any person "against the order of nature" shall receive a punishment of 10 years' imprisonment. This law was interpreted as including only sex between men. Additionally, the Immigration Act prohibits "homosexual" persons from entering the country, but immigration authorities did not enforce that law.

In May the National Women's Commission launched its Revised National Gender Policy (RNGP), which, along with other language on gender equality, added sexual orientation as a protected status.

The legal challenge by a member of the NGO United Belize Advocacy Movement's (UniBAM) against the "carnal intercourse" law continued during the year. In July the court heard substantive arguments, but the court's decision on the constitutionality of the law had not been handed down as of November.

A Jamaican LGBT rights activist based in Canada filed a case challenging the immigration law with the Caribbean Court of Justice. The hearing began in mid-November.

The extent of discrimination based on sexual orientation or gender identity was difficult to ascertain due to lack of reporting instances of discrimination through official channels. Local LGBT rights advocates noted that LGBT persons feared the police and had been harassed while reporting unrelated crimes.

UniBAM, the country's first legally registered LGBT advocacy organization, reported that continuing harassment and insults by the public affected its activities, and its members were reluctant to file complaints. The UniBAM director reported multiple physical attacks and harassment of members of UniBAM's board of directors and other members of the LGBT community and their family members. Several members of the LGBT community reported receiving death threats.

There were marches against the sexual orientation portion of the RNGP throughout the

country, often with hundreds of citizens participating. One march featured a figure hanging from a noose with the name “UniBAM” inscribed on its chest. One gay-friendly protest was organized during the year, in response to opposition to the RNGP. Organizers rescheduled a transgender fashion show due to concerns over the public’s possible adverse reaction. In the context of the public controversy over the RNGP, the prime minister and his wife separately gave public remarks in support of equal rights for all, the first time such remarks were made by high-level public officials.

Two other organizations completed the process of filing legal papers to become recognized NGOs working on advocacy group for lesbian and bisexual women and LGBT youth.

Bolivia

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, but the government did not effectively enforce the law to protect all populations.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The constitution prohibits discrimination based on sexual orientation and gender identity, and citizens are allowed to change their name and gender on their official identification cards. Nonetheless, societal discrimination against LGBT persons was common, and government action to counter it was limited.

The director general of the Fight Against Racism and All Forms of Discrimination announced that anti-LGBT discrimination was the most common form of discrimination reported during the first quarter of the year. Credible LGBT organizations reported police violence against and unwillingness to aid LGBT persons. An Emancipation Fund study found that 86 percent of surveyed LGBT individuals reported suffering physical or verbal abuse by police officers. The study also noted that of those surveyed, 85 percent reported discrimination in educational institutions, 78 percent in health facilities, and 65 percent at work; in addition, nearly half reported discrimination by family members.

The transgender community remained particularly vulnerable to abuse and violence. On May 10, three transgender women were physically assaulted in Cochabamba. Authorities arrested four suspects. One suspect was placed in preventive detention on discrimination and assault charges, but he was not sentenced by year’s end. Authorities did not report any progress in the investigation of the October 2012 killing of Luisa Duran, a self-identified transgender woman, whose death LGBT organizations alleged was hate motivated.

Brazil

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits and penalizes discrimination on the basis of race, gender, disability, or

social status, but discrimination continued against women, Afro-Brazilians, indigenous persons, and LGBT persons.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Federal law does not prohibit discrimination based on sexual orientation, but several states and municipalities have administrative regulations that prohibit such discrimination and provide for equal access to government services.

In June the SDH released its *Second Annual Report on Homophobic Violence*, which stated that in 2012 there were 315 LGBT-related homicides, compared with 278 in 2011. The NGO Rainbow Group considered the SDH report more accurate than the information in other annual reports on homophobic violence because of its use of government data as well as media reports.

According to the SDH, many transgender individuals had difficulty entering the formal labor market or study programs because an apparent discrepancy between the photograph on an individual's labor card and an individual's personal appearance prevented some from obtaining permission to work.

The National LGBT Council, created in 2010 to combat discrimination and promote the rights of LGBT people, continued to meet every two months. Meetings were open to the public and broadcast over the internet. During the year the SDH launched the National System to Promote LGBT Rights and Confront Violence against LGBT Persons, with the purpose of promoting public policies to mitigate discrimination affecting the LGBT community. In August the states of Goiás, Minas Gerais, and Rio Grande do Sul began registering cases of homophobic violence.

A 1999 resolution of the Federal Council of Psychology prohibited psychological professionals from offering services that treated homosexuality as a mental illness. Federal Deputy Marco Feliciano, president of the Chamber of Deputies' Human Rights and Minorities Commission, sparked controversy by supporting legislation that would lift these restrictions and allow psychological professionals to offer treatment to homosexual patients seeking to reorient their sexuality. The Chamber of Deputies blocked the proposed law.

On June 4, Rio de Janeiro's state-run program "Rio without Homophobia" began a second round of diversity training for police officers, focusing on the rights of LGBT persons. Five thousand officers stationed in the city of Rio participated in the first training session.

The state of Pernambuco sponsored a "human rights road show" program, the first of its kind in the country. The road show visits often led to increased reporting of crimes against the LGBT community. On June 25, the governor of Pernambuco signed a decree creating a data center to register statistics on cases of homophobic violence in the state. The center was required to record and report every 12 months all information on cases of violence against the LGBT community.

Canada

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, social status, sexual orientation; provincial or territorial statutes in three provinces and one territory prohibit discrimination on the basis of gender identity. The government enforced these laws effectively.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits discrimination based on sexual orientation, and the criminal code provides penalties for crimes motivated by bias, prejudice, or hate based on personal characteristics, including sexual orientation. Manitoba and the Northwest Territories prohibit discrimination on the basis of gender identity, and Ontario and Nova Scotia prohibit discrimination on the basis of gender identity and gender expression. Lesbian, gay, bisexual, and transgender (LGBT) organizations operated independently and without restriction. There was no official discrimination based on sexual orientation in employment and occupation, housing, statelessness, or access to education or health care.

There were occasions of violence and abuse against individuals based on sexual orientation, but the government generally implemented the law criminalizing such behavior effectively. NGOs reported that stigma or intimidation was a known or likely factor in the underreporting of incidents of abuse. Some police forces employ LGBT liaison officers, and Toronto Police partnered with community organizations to develop public awareness campaigns such as *Report Homophobic Violence, Period* to encourage reporting of harassment and abuse. In 2011 the national statistical agency reported a 10 percent increase in police-reported hate-crime incidents motivated by sexual orientation compared to 2010.

In August unknown assailants uttered homophobic slurs and severely beat a homosexual male in St. John's, Newfoundland, in an unprovoked attack. A police investigation into the assault continued.

In October police in New Glasgow, Nova Scotia, charged an individual with attempted murder, aggravated assault, and possession of a weapon in a violent stabbing incident on October 11 that left a gay man paralyzed from the waist down. Witnesses believed the attack was motivated by the victim's sexual orientation, but police declined to comment on the motivation.

In March the Quebec government launched an anti-homophobia television, radio, and online advertising campaign as part of a C\$7 million (\$7 million) five-year plan drawn up in 2008 to coordinate provincial government resources against homophobia. Quebec authorities claimed the advertising campaign was unprecedented in North America. In August Quebec Premier Pauline Marois participated in Montreal's large Pride Day festivities, marking the first time a premier of Quebec has participated in this event.

Chile

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution states the all persons are born free and are equal in terms of the law and dignity; however, it does not specifically identify groups protected from discrimination. The 2012 Anti-Discrimination Law provides civil legal remedies to victims of discrimination based on race, ethnicity, nationality, socioeconomic situation, language,

ideology or political opinion, religion or belief, association or participation in union organizations or lack thereof, gender, sexual orientation, gender identification, marriage status, age, affiliation, personal appearance, and sickness or physical disability. The law also increases criminal penalties for acts of violence based on discrimination, but such discrimination continued to occur.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

MOVILH reported 148 cases of discrimination due to sexual orientation and gender identity during the year, compared with 186 reported cases in 2011. MOVILH noted a worsening in the acts of violence against LGBT individuals between 2011 and 2012, including three killings, 20 acts of physical or verbal aggression, six incidents involving aggression and/or arbitrary police arrest, nine incidents of employment discrimination, 10 incidents of education discrimination, and 12 acts of violence or forced community segregation by family or friendship circles.

During the year there were a number of brutal attacks. On February 5, unknown assailants attacked Nicole Vicuna, a transgender female, while she was walking in Valparaíso; observers attributed the attack to Vicuna's sexual identity. Her attackers specifically targeted her face, and due to injuries, she lost sight in her right eye. According to the Organization for Transgender Dignity and Diversity, the Carabineros opened an investigation but did little to pursue the case.

Authorities also appeared reluctant to investigate and prosecute other cases, such as the June 23 attack on Esteban Navarro and the October 29 attack on Vladimir Supelveda, both of whom were assaulted due to their sexual orientation and suffered serious physical injuries.

On December 26, while walking down the street with friends in Santiago, Arturo Lomboi was verbally assaulted and fatally shot in an attack observers attributed to Lomboi's sexual orientation. Authorities issued a warrant for the arrest of the assailant, but by year's end, no arrest had been made.

On December 26, the Appellate Court upheld the convictions of four alleged neo-Nazis of first-degree murder in the 2012 torture and death of Daniel Zamudio because of his sexual orientation. The group leader, Patricio Ahumada, received life in prison; Alejandro Angulo and Raul Lopez both received 15 years; and the fourth member, Fabian Mora, received eight years since he first confessed to the attack. Laws prevent transgender persons from changing gender markers on government-issued identity documents, including national identity cards and university diplomas, to match their outward appearance or chosen expression. On May 22, Valentina Verbal, the country's first transgender congressional candidate, abandoned her campaign for the Chamber of Deputies after the Electoral Commission mandated that she use her birth gender and name on the official ballot instead of her gender-identified name of Valentina. Verbal filed a complaint with the IACHR, which was pending in November.

Colombia

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Although the 2011 antidiscrimination law specifically prohibits discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status,

many of these prohibitions were not enforced. For example, the manual of administrative procedures for blood banks issued by the Ministry of Health states that to protect the recipient of a transfusion from HIV/AIDS, it excludes those who have had “male homosexual relations in the past 15 years.” In June 2012 the Constitutional Court asked the Ministry of Health to remove the selection criteria based on sexual orientation donors, but the regulation reportedly had not been changed at year’s end.

On April 10, the Constitutional Court struck down a lawsuit disputing the constitutionality of the 2011 law.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

There was no official discrimination based on sexual orientation in employment, housing, statelessness, or access to education or health care. Nevertheless, despite government measures to increase the rights and protection of lesbian, gay, bisexual, and transgender (LGBT) persons, there were reports of societal abuse and discrimination.

Colombia Diversa, an NGO focused on addressing violence and discrimination due to sexual orientation, issued a preliminary report documenting at least 18 killings through August due to prejudice regarding sexual orientation or gender identity.

Colombia Diversa also reported cases of police abuse of persons due to their sexual orientation, with the majority of complaints coming from transgender individuals. According to NGOs working on LGBT issues, these attacks occurred frequently, but victims did not pursue cases due to fear of retaliation. NGOs also reported several cases of threats against human rights defenders working on LGBT problems as well as a high level of impunity for crimes against members of the LGBT community. Such organizations partially attributed impunity levels to the failure of the Prosecutor General’s Office to distinguish and follow crimes against the LGBT community effectively.

Members of the transgender community cited barriers to public services when health-care providers or police officers refused to accept government-issued identification with transgender individuals’ names and photographs.

NGOs claimed that discrimination in prisons against persons due to their sexual orientation or gender identity remained a problem. In addition there were instances where authorities denied medical services to transgender individuals.

The Ministry of Interior, Ombudsman’s Office, and Inspector General’s Office met with academics and research groups to identify the problems and proposals for a national public policy framework on LGBT rights and held hearings at a national level on the subject. The sessions responded to a 2011 Constitutional Court ruling that the agencies collaborate to create such a framework. During the year the Ministry of Interior’s LGBT unit, in coordination with several other ministries, established a national framework on LGBT problems, an effort that continued at year’s end.

The Ministry of Interior’s Office of Indigenous and Minority Affairs working group for urgent LGBT cases, with participation by the Prosecutor General’s Office and Ministry of Defense, held interinstitutional meetings to inform civil society about vulnerabilities in human rights, articulate action plans on how to address vulnerabilities, follow the progression of cases through various state entities, and define protocols on how to best attend to victims.

The ministry continued its public information campaigns on LGBT rights through national and regional television and radio networks during the year.

Costa Rica

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, sexual orientation and gender identity, or social status, and the government effectively enforced these prohibitions.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

There were cases of discrimination against persons based on sexual orientation, ranging from employment to access to health care. On August 29, the Supreme Court rejected an appeal of a transgender highway worker against the Ministry of Transportation for prohibiting him from wearing women's clothes during work hours. Additionally, on August 12, the ombudsman's office forwarded a series of complaints to the Ministry of Health with recommendations for improving patient care and access to health services, including HIV testing, for lesbian, gay, bisexual, and transgender (LGBT) persons.

On July 31, the Constitutional Court annulled two discriminatory provisions against sexual orientation contained in the criminal code that likened homosexuality to mental illness.

On July 4, the president signed into law a youth bill that includes a provision legalizing domestic partnership benefits only for persons between 18 and 35 years of age. Although on July 10 the first gay couples filed domestic partnership applications at family courts, a few days later an attorney filed a discrimination complaint before the Constitutional Court against this new provision, arguing that the provision limits the right to those between 18 and 35 years of age; the decision was pending at the end of August. In February the Ministry of Justice issued a circular to all prison centers explicitly ordering to allow conjugal visits for same-sex partners.

In June the LGBT community announced the organization of a three-day gay pride festival, but the local government, in a reversal from its prior commitment, did not provide financial support for the event. Instead, on June 30, the LGBT community celebrated the gay pride month with a diversity march in San Jose. On June 26, the ombudsman's office and a local non-governmental organization (NGO), the Central American Center for the Investigation and Promotion of Human Rights, launched an advertising campaign promoting respect for diversity and calling on the public to denounce discrimination based on sexual orientation.

Cuba

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, or social

status. Racial discrimination, however, occurred frequently.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

There was no discrimination officially reported or permitted based on sexual orientation in employment, housing, statelessness, or access to education or health care.

Nonetheless, societal discrimination based on sexual orientation or gender identity persisted.

Mariela Castro, President Castro's daughter, headed the national Center for Sexual Education and continued to be outspoken in promoting the rights of lesbian, gay, bisexual, and transgender (LGBT) persons. In May the government sponsored a march and an extensive program of events to commemorate the International Day Against Homophobia. Nonetheless, nongovernment rights activists asserted that the government had not done enough to stop harassment of LGBT persons. Several unrecognized NGOs promoted LGBT issues and faced government criticism, not for their promotion of LGBT issues, but for their independence from official government institutions.

Dominica

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law specifically prohibits discrimination based on race, gender, place of origin, color, and creed, and the government generally enforced it.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual activity for both sexes is illegal under indecency statutes. The law also prohibits anal intercourse between male partners. The government reported both statutes were rarely enforced. Indecency statutes carry a maximum penalty of five years in prison, and consensual same-sex sexual conduct between adult men carries a maximum penalty of 10 years, but the law was rarely enforced. No laws prohibit discrimination against a person on the basis of sexual orientation in employment, housing, education, or health care. There were no legal impediments to organizations for LGBT persons, and a few groups operated in the country and were able to speak openly and publicly about their issues.

No violence against LGBT persons was officially reported during the year but anecdotal evidence suggested that societal discrimination against persons due to their real or perceived sexual orientation or gender identity was common in the socially conservative society. Furthermore, civil society organizations reported that LGBT victims of violence or harassment avoided notifying police of abuse because of social stigma. There were very few openly gay men or lesbians.

Dominican Republic

Section 6. Discrimination, Societal Abuses, and Trafficking in

Persons

Although the constitution prohibits discrimination based on race, gender, disability, language, and social status, such discrimination existed. The government seldom acknowledged that discrimination occurred or made efforts to address the problem.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Treatment of lesbian, gay, bisexual, and transgender (LGBT) individuals ranged from ambivalent tolerance to staunch homophobia. No specific law protects individuals against discrimination based on sexual orientation or gender identity, and NGOs reported widespread discrimination in such areas as health care, education, and employment. LGBT individuals often faced intimidation and harassment. Transgender individuals and lesbians were particularly at risk of being victims of discrimination. NGOs reported that LGBT persons were reluctant to file official charges or complaints due to fear of reprisals or humiliation. In situations in which LGBT persons filed complaints, many chose to drop the charges.

The transgender community reported widespread discrimination and violence. According to NGOs, in the 18 transgender death cases reported and publicized in the previous four years, the judicial system prosecuted one perpetrator.

On August 13, six LGBT persons were targeted during a street party organized by the LGBT community in Laguna Gri Gri, on the northern coast. Several reports indicated victims might have been targeted for involvement in criminal activities, rather than merely their sexual orientation. One was killed and six were injured. The aggressors identified the victims by name, but public response to the incident indicated similar incidents were common.

According to various reports, LGBT individuals were arrested without reason, not hired, denied access to rent/own homes, and denied access to health services. LGBT NGOs reported discrimination and attacks were more prevalent outside of Santo Domingo. On August 18, NGOs and the press reported that two LGBT persons were targeted in a public space, detained without charges, and verbally abused by police in Santo Domingo's colonial zone. They were released after a 14-hour detention. NGOs reported several cases of LGBT students expelled from school for no legitimate reason. Members of the LGBT community reported that individuals continued to be denied health services in both private and public hospitals.

Although official permits were granted for LGBT individuals to carry out activities in public spaces, these permits often included special conditions that prevented LGBT organizations from holding their events. Members of the LGBT community often gathered informally in public spaces, especially in Duarte Park of the colonial zone in Santo Domingo. Formal activities of LGBT organizations, however, were generally subjected to approval by the Community Board of Neighbors, an institution influenced by the Catholic Church and its conservative views on LGBT issues.

Since the first gay pride celebration in 2001, authorities have rejected or delayed subsequent parade requests by LGBT organizations. In June, however, the LGBT community successfully held a gay pride parade and solidarity concert, during which civil society and LGBT organizations demanded respect for their human rights and requested that authorities discontinue discriminatory practices. Participants encountered some resistance from police during the parade.

From November 29 to December 8, the LGBT community celebrated Santo Domingo outfest, the country's fourth annual LGBT international film festival. Outfest was an initiative created to generate debate about the realities of LGBT issues in society through the medium of film. The festival, which sought to promote human rights and social coexistence, was organized by a volunteer network with the support of various other local and international organizations.

Ecuador

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, or social status. The government did not fully enforce these prohibitions. Women, persons with disabilities, indigenous persons, Afro-Ecuadorians, and LGBT persons continued to face discrimination.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The constitution includes the principle of nondiscrimination and the right to decide one's sexual orientation as a right. The law also prohibits hate crimes. Although the law prohibits discrimination based on sexual orientation, LGBT persons continued to suffer discrimination from both public and private bodies, particularly in the areas of education, labor, and access to health care. LGBT organizations reported that transgender persons suffered more discrimination because they were more visible. Transgender persons were not able to change their gender on government-issued identification cards. When a presidential candidate made disparaging remarks about LGBT persons during the 2013 election season, both the human rights ombudsman and the National Electoral council responded to complaints. The candidate lost his political rights for a year and paid a \$3,180 fine. Generally, the government, led by the human rights ombudsman, was responsive to concerns raised by the LGBT community. INEC conducted a survey of 2,805 LGBT persons (the first such national study conducted in the country), which showed that 71 percent of respondents had experienced some form of discrimination (including rejection and violence) from within their own family. The survey also showed that 44 percent had faced discrimination in the workplace, 40 percent in education, and 34 percent in health care. Furthermore, 66 percent reported experiencing some form of violence in their interactions with the general public. LGBT groups claimed that police and prosecutors did not thoroughly investigate deaths of LGBT individuals, including when there was suspicion that the killing was because of sexual orientation or gender identity.

LGBT organizations and the government continued to report that private treatment centers confined LGBT persons against their will to "cure" or "de-homosexualize" them, although such treatment is illegal. The clinics reportedly used cruel treatments, including rape, in an attempt to change LGBT persons' sexual orientation. In May Zulema Costante was kidnapped by a clinic at the request of her parents and held against her will for more than two weeks. The government undertook a review of rehabilitation clinics nationwide, the number of which media reports estimated could exceed 300. These clinics often were difficult to identify, as some were underground and unregistered. In a July radio interview, Public Health Minister Carina Vance asserted the government had closed 18 clinics (including 15 for human rights violations) since 2012.

LGBT persons continued to report that the government sometimes denied their right of equal access to formal education. LGBT students, particularly in the transgender community, sometimes were discouraged from attending classes (particularly in higher education) or denied diplomas at the end of their studies. NGOs reported that notaries occasionally denied same-sex couples the right to a “union de hecho,” a constitutional guaranteed legal mechanism similar to a civil union. A survey by NGO Silueta X showed that in Guayas province, 50 percent of notaries refused to register a union de hecho for same-sex partners. The LGBT population involved in the commercial sex trade reported abusive situations, extortion, and mistreatment by security forces.

El Salvador

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Although the constitution and other laws provide that all persons are equal before the law and prohibit discrimination based on race, gender, disability, language, sexual orientation, gender identity, or social status, the government did not effectively enforce these prohibitions. There was discrimination against women, persons with disabilities, LGBT persons, and indigenous people. The Secretariat of Social Inclusion (SIS), headed by First Lady Vanda Pignato, made efforts to overcome traditional bias in all these areas.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Although the law prohibits discrimination on the basis of sexual orientation, discrimination was widespread. Transgender persons also experienced significant discrimination.

Widespread official and societal discrimination based on sexual orientation occurred in employment and access to health care and identity documents. NGOs reported that public officials, including police, engaged in violence and discrimination against sexual minorities. Persons from the LGBT community stated that the agencies in charge of processing identification documents, the PNC and FGR, ridiculed them when they applied for identification cards or reported cases of violence against LGBT persons. The government responded to these abuses primarily through PDDH reports that publicized specific cases of violence and discrimination against sexual minorities.

As of September 20, the PDDH investigated nine cases of possible human rights violations committed against LGBT persons, two of which involved abuses committed by the PNC and two others by municipal police. The PDDH received two reports of killings of transgender persons that had occurred in prior years.

On April 22, the UN Development Programme (UNDP) and the PDDH published a report on transgender women in El Salvador, stating that transgender women experienced violations of basic rights including access to education, employment, health care, and justice. Based on interviews with 100 transgender women cited in the UNDP study, only 36 percent received their high school degrees, and they reported facing harassment, violence, and exclusion in schools. Only 23.9 percent of the transgender women who suffered violence reported it to the authorities, and only one of the accused perpetrators was sanctioned.

As of September 11, human rights NGO Comcavis Trans reported that four transgender

women and one gay man had been killed during the year. On May 5, the media reported the killing of Tania Vasquez, a transgender woman who was an employee of Comcavis Trans. Her body was found in a plastic bag and she died from a bullet. Comcavis Trans denounced the killing and urged the authorities to investigate the case. However, as of September 12, there were no updates on the case.

On May 16, the SIS Secretary launched a call center assistance hotline for the LGBT community designed to provide advice to the community on their rights and assistance to those suffering discrimination.

Grenada

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, place of origin, political opinion, color, creed, or gender, and the government generally upheld these prohibitions.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law criminalizes consensual same-sex sexual activities between men, providing penalties of up to 10 years' imprisonment. The law makes no provision for same-sex sexual activities between women. No laws prohibit discrimination against a person on the basis of sexual orientation in employment, housing, education, or health care. In June 2012 a magistrate dismissed a 2011 case allegedly involving nonconsensual sodomy, but the DPP challenged the decision. Following additional review, the DPP abandoned this challenge, and the magistrate again dismissed the case.

Society generally was intolerant of same-sex sexual conduct, and many churches condemned it. LGBT persons rarely acknowledged openly their sexual orientation or gender identity. The Grenada Caribbean HIV/AIDS program (GrenCHAP) participated on the national AIDS council, served as an advocate for LGBT persons and at-risk populations, and experienced no impediments to its operations.

There were no gay pride events. There were no reports of violence linked to real or perceived sexual orientation. Persons who were subjected to rumors regarding their sexual orientation complained that their livelihoods were affected.

In May the Senate president called for a review of the law criminalizing consensual same-sex sexual conduct between adult men in a local newspaper. In his commentary, he "wonder[ed] why it should be considered unlawful for two adult consenting males to have sexual relations in the privacy of their homes. This may well be taking it a bit too far, and the law ought to be reconsidered."

Guatemala

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, or social status. The government frequently did not enforce these provisions,

however, and there was no protection related to sexual orientation and gender identity discrimination.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Antidiscrimination laws exist, but they do not apply to LGBT individuals. LGBT rights groups alleged that members of the police regularly engaged in extortion by waiting outside clubs and bars frequented by LGBT persons to demand that those engaged in sexual activities pay protection money or pay to avoid jail. Police often harassed male and transgender individuals they believed to be sex workers, many of whom were minors. According to LGBT rights groups, gay and transgender individuals often experienced police abuse.

A woman who attempted to file a complaint with the Public Ministry (MP) alleging domestic violence on the part of her lesbian partner was informed that domestic violence only applied to heterosexual couples and that the MP would not receive or investigate her complaint.

A gay man in Santiago, Atitlan, was assaulted leaving a local festival and lost an eye. The MP initially refused to receive or investigate the man's complaint because he was "gay and drunk." Only after the personal intervention of the human rights ombudsman did the MP receive the complaint and agree to investigate the attack.

A lack of trust in the judicial system and a fear of further harassment or social recrimination discouraged victims from filing complaints. There was general societal discrimination against LGBT persons in access to education, health care, employment, and housing. The government undertook minimal efforts to address this discrimination.

The Presidential Femicide Commission reported three transgender individuals were killed during the year.

Guyana

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution and law prohibit discrimination based on race, gender, disability, language, social status, religion, or national origin.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Consensual same-sex activity between adult men is illegal under gross indecency laws and is punishable by up to two years in prison. Anal intercourse is punishable with a maximum sentence of life in prison. A local NGO reported that there were a few prosecutions, but neither the NGO nor the courts provided numbers. Activists reported that it was more common for the police to use the law to intimidate men who were gay or perceived to be gay. There are no laws concerning same-sex sexual activity between women.

The law also criminalizes cross-dressing. On September 9, the acting chief justice ruled that cross-dressing in a public place is an offense only if done for an improper purpose.

The justice also found that police violated the human rights of four litigants arrested because they were not informed of the cause of their arrest in 2009. In the 2009 incident, a judge fined several transgender persons G\$7,500 (\$37.10) for cross-dressing. While the chief justice in his September ruling noted that “it is not criminally offensive for a person to wear the attire of the opposite sex as a matter of preference or to give expression to or to reflect his or her sexual orientation,” local NGOs criticized the ruling for maintaining the statute and failing to define “improper purpose” in the context of cross-dressing.

While the law protects persons from various types of discrimination, no antidiscrimination legislation exists to protect persons from discrimination based on real or perceived sexual orientation or gender identity.

NGOs reported widespread discrimination of persons based on their real or perceived sexual orientation. Reports note discrimination in employment, access to education, and in other public settings. An April 2012 report noted that LGBT persons were fearful of reporting crimes that had been committed against them because they believed or were told that charges would also be brought against them because of their sexual orientation or gender identity.

On August 2, authorities recovered the body of a gay man, Delon Melville, in Mocha. Melville had been accused by a number of persons of being involved in “homosexual practices” and was the victim of regular threats and harassment. As of October the investigation continued.

Haiti

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law does not specifically prohibit discrimination on the grounds of race, gender, language, sexual orientation or gender identity, or social status, but the preamble to the constitution specifically reiterates the importance of adhering to the Universal Declaration of Human Rights, which prohibits all forms of discrimination. Nonetheless, no effective governmental mechanism administered or enforced such provisions.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

There were no laws criminalizing sexual orientation or consensual same-sex conduct between adults, nor were there any reports of police officers actively perpetrating or condoning violence against the LGBT community. There were, however, reports that in several instances judiciary officials denied LGBT persons access to justice because of their sexual orientation. In June an LGBT person, who claimed to have been the victim of verbal and physical assault in Croix-des-Bouquets, forwarded a complaint to the regional justice of the peace, who in turn issued an arrest warrant for the alleged perpetrator. When asked to explain his actions before the judge, the suspect claimed that the victim had molested him during his sleep. Using derogatory epithets, the judge summarily threw out the victim’s case.

There were no antipropaganda laws or laws criminalizing the changing of one’s gender or sex; however, local attitudes remained hostile to outward LGBT identification and expression, particularly in Port-au-Prince. In response to increased advocacy and activism by LGBT and other human rights groups during the year, LGBT persons

experienced a higher degree of hostility from more conservative or traditional segments of society, including government officials, than in previous years. Religious and other conservative organizations actively opposed the social integration of LGBT persons and discussion of their human and civil rights. Parliamentarians publicly noted that they would not and should not consider any type of LGBT rights legislation, particularly one calling for marriage equality.

There were no antidiscrimination laws that protected LGBT persons and minority groups. In addition, traditional mistrust of law enforcement and judiciary officials, along with a historically low rate of successful prosecution of SGBV and related crimes, hindered LGBT advocates and community members from successfully cooperating to reduce the violence and discrimination experienced by the group. Human rights advocates claimed that in the greater Port-au-Prince area, HNP authorities were only willing to register the claims of LGBT victims at the commissariats in Petionville, Kenscoff, and Canape Vert. HNP officials working at the commissariats in Martissant, Carrefour, Pompier, Port-au-Prince, Cafeteria/Marche en Fer, Cite Soleil, Grand Ravine, Tabarre, Lapleine, Lilavois, and Croix des Bouquets were reportedly generally unhelpful and unwilling to document or investigate LGBT persons' claims of abuse, according to civil society activists and the leaders of women's groups.

LGBT advocacy groups in the capital reported a greater sense of insecurity and less trust of government authorities than did groups in rural areas. In the face of visibly increased intimidation against the LGBT community during the year, police and government officials responded with calls for tolerance, understanding, and dialogue. Several local NGOs and international organizations provided direct support to LGBT persons who alleged discrimination due to their sexual orientation or gender identity or being victims of SGBV.

LGBT advocacy and human rights groups, as well as international organizations, confirmed that LGBT persons consistently experienced great difficulty in formally registering complaints of abuse and discrimination with government authorities. Reporting of rape and sexual assault remained low across all demographics of the LGBT community, though advocates and international partner institutions insisted that the incidence of such abuse remained high and was increasing throughout the year. Women's victims organization KOFAVIV claimed that since the 2010 earthquake, few cases of rape and other forms of SGBV perpetrated against women, children, and LGBT persons rarely yielded both arrests and convictions of the perpetrators.

In opposition to growing local LGBT advocacy and developments in international LGBT movements, the Haitian Coalition of Religious and Moral Organizations (HCRMO) led an anti-gay march and rally in downtown Port-au-Prince in July. Over 1,000 persons participated. While the march and rally were deemed generally peaceful by outside observers, journalists and others noted its threatening and stigmatizing overtones, as well as the potential for incitement to violence. Witnesses observed numerous rally participants of all ages describing LGBT individuals as "masisi," a derogatory term for a gay man, and calling for their death by burning and beating.

Following the July rally, LGBT organizations reported a nationwide increase in anti-LGBT societal attitudes. Local human rights groups and LGBT advocacy organizations recorded an estimated 70 incidents. Victims reported only a few of these cases of abuse to authorities out of fear of reprisal from family and community members if victims' sexual orientation were to become known. One confirmed incident was a mob attack against a private Port-au-Prince residence during an engagement party for two men. In this instance, the HNP responded and escorted guests to safety.

In response to confirmed and unconfirmed reports of violence and intimidation against

LGBT persons, the Ministry of Justice and the minister delegate, along with the OPC, issued strong statements condemning violence and calling for tolerance. Leaders from the Protestant Federation also condemned the reported violence and incitement to violence, and noted that before the July rally they had advised the HCRMO organizers of the need to adopt a peaceful approach. They also noted that after the rally they disseminated a note to the leaders of the federation's major church organizations stressing the need to oppose hate speech and violence.

In August a mob threatened three gay men and forced them out of a house in Port-au-Prince, and subsequently burned the dwelling. A group of local residents surrounded the property and stoned the three men while they exited the home. After retreating indoors, the mob set the house on fire and the men were again forced to exit and flee. The men safely escaped and sought shelter at a safe house. According to the advocacy group Kouraj, police responded to the crime scene. The victims filed a formal report with the HNP; however, attempts to pursue justice further in the legal system stalled (see section 1.e.).

Also in August OPC Elie released a statement decrying the wave of anti-LGBT sentiment, calling for the respect of LGBT persons' right to equality and freedom from persecution, stigmatization, or discrimination for personal choices. The OPC also called upon police and judicial authorities to take action against perpetrators of violence.

In July and August, effective action by civil society and local government prevented additional planned anti-gay rallies from resulting in violence and intimidation against LGBT persons. In Jacmel dialogue between rally organizers and civil society resulted in a peaceful event, whereas in Les Cayes a planned rally did not receive a permit after the HNP determined that its personnel strength was insufficient to guarantee security.

Honduras

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status. In February the National Congress reformed the penal code to include sexual orientation and gender identity as classes protected from discrimination. Authorities did not effectively enforce the law.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

In February the National Congress passed a law adding sexual orientation and gender identity to classes protected from discrimination and included these same classes in the hate crimes amendment to the penal code. Social discrimination against LGBT persons was widespread. Representatives of the LGBT community filed a legal complaint against discrimination following anti-LGBT remarks by an evangelical pastor. The special prosecutor for human rights reported receiving five legal complaints of discrimination against the LGBT community as of September. Representatives of NGOs focusing on sexual diversity rights asserted that police and others harassed and abused their members. As of September NGOs reported 24 violent deaths of LGBT individuals and documented multiple cases of assault and discrimination against members of the LGBT community.

LGBT rights groups asserted that government agencies and private employers engaged

in discriminatory hiring practices. LGBT groups continued working with the Special Victims Task Force, the Secretariat of State of Security, and the Office of the Special Prosecutor for Human Rights to address problems of intimidation, fear of reprisal, and police corruption.

The Special Victims Task Force made progress in several cases of homicides of LGBT individuals. In April authorities indicted two suspects in the shooting of LGBT activist Walter Trochez. They arrested and incarcerated one of the suspects pending trial. In the 2012 homicide of LGBT activist Erick Martinez, the Public Ministry indicted three individuals, and the trial was scheduled to begin at the end of the year. In total the Special Victims Task Force investigated 99 LGBT-related homicides as of July. Of these cases, four appeared to be hate crimes and continued under investigation.

Jamaica

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The 2011 Charter of Rights amendment to the constitution prohibits discrimination based on race, gender, place of origin, political opinion, color, or creed. The government generally enforced these prohibitions, although there continued to be widespread discrimination based on party affiliation in the distribution of scarce governmental benefits, including employment, particularly in the poor inner city communities.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits “acts of gross indecency” (generally interpreted as any kind of physical intimacy) between persons of the same sex, in public or in private, punishable by two years in prison. There is also an “antibuggery” law that prohibits consensual same-sex sexual conduct between men, which is punishable by up to 10 years in prison, but it was not widely enforced. Homophobia was widespread in the country, perpetuated by the country’s dancehall culture through the songs and the behavior of some musicians. Lesbian, gay, bisexual, and transgender (LGBT) persons faced violence, harassment, and discrimination.

The Jamaica Forum for Lesbians, All Sexuals, and Gays (J-FLAG) continued to report serious human rights abuses, including assault with deadly weapons, “corrective rape” of women accused of being lesbians, arbitrary detention, mob attacks, stabbings, harassment of gay and lesbian patients by hospital and prison staff, and targeted shootings of such persons. Stigma and intimidation was likely a factor in preventing victims from reporting incidents of discrimination in employment, occupation, and housing. Although individual police officers expressed sympathy for the plight of the LGBT community and worked to prevent and resolve instances of abuse, J-FLAG reported that the police force in general did not recognize the extent and seriousness of bullying and violence directed against members of the LGBT community and failed to investigate such incidents.

During the year J-FLAG noted an increase in the number of reports of sexually motivated harassment or abuse. Advocates attributed this to more widespread citizen awareness of LGBT discrimination, a greater willingness within the community to bring attention to the problem, and the expanded availability of channels for reporting incidents of abuse. J-FLAG data showed that young people, ages 18 to 29, continued to bear the brunt of

violence based on sexual orientation. This violence created a climate of fear that prompted many gay persons to emigrate, while the gross indecency laws meant those who remained were vulnerable to extortion from neighbors who threatened to report them to the police as part of blackmailing schemes.

Gay men hesitated to report incidents against them because of fear for their physical well-being. Human rights NGOs and government entities agreed that brutality against such persons, primarily by private citizens, was widespread in the community. In July, 17-year-old Dwayne James was beaten and then stabbed to death during a mob attack outside a dance hall in Montego Bay. He attended the dance dressed in women's attire, and several male assailants subsequently attacked him when they realized they had danced with a man. By October the police had not made an arrest in the case because witnesses claimed they could not identify the attackers.

Prison wardens held male inmates considered gay in a separate facility for their protection. The method used for determining their sexual orientation was subjective and not regulated by the prison system, although inmates were said to confirm their sexual orientation for their own safety. There were reports of violence against gay inmates, perpetrated by the wardens and by other inmates, but few inmates sought recourse through the prison system.

In February an official at J-FLAG filed a petition with the Supreme Court challenging the anti-buggery law. The NGO Aids-Free World filed the petition on his behalf, based on the argument that the privacy provisions contained in the 2011 Charter of Fundamental Rights and Freedoms conflict with the anti-sodomy provisions of the penal code, the enforcement of which could require breaching a person's right to privacy.

In a December 2011 debate leading up to the national elections, then PNP leader Portia Simpson Miller said that she would appoint cabinet ministers based on ability and that sexual orientation would not be a factor. She also said that she would permit parliament to reexamine the anti-buggery law and free members of her party to vote their conscience on this issue, although parliament took no action during the year to re-examine the law.

The trial of six suspects arrested for the 2005 robbery and murder of prominent gay rights advocate Lenford "Steve" Harvey, initially begun and then postponed in 2007, resumed and proceeded slowly during the year.

Mexico

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status. While the government made some progress enforcing these provisions, significant problems, particularly violence against women, persisted.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law prohibits discrimination against LGBT individuals; however, LGBT persons reported that the government did not always investigate and punish those complicit in abuses. As of August 31, the CNDH had not received any complaints of human rights abuses against LGBT individuals. Discrimination based on sexual orientation and

gender identity was prevalent, despite a growing public acceptance of LGBT individuals.

On October 6, two attackers released tear gas in an auditorium hosting the “Miss Gay 450 Durango” pageant, injuring several contestants and members of the audience. The Durango State Human Rights Commission condemned the attack and called on the community to promote tolerance and respect diversity.

Nicaragua

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination on the basis of race, gender, sexual orientation, disability, language, or social status; however, the government did not regularly enforce these legal prohibitions. Those subject to such practices filed few discrimination suits or formal complaints due to a belief that their complaints would not be addressed and could lead to negative outcomes for those filing.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Although sexual orientation is not mentioned specifically, the law states that all persons are equal before the law and provides for the right to equal protection. LGBT persons, however, continued to face widespread societal discrimination and abuse, particularly in employment, housing, and education. While the special prosecutor for sexual diversity was active throughout the year in education, information collection, and collaboration with NGO efforts, the LGBT community generally believed that the office had insufficient resources.

On June 27, the NNP informed a consortium of LGBT civil organizations celebrating International LGBT Pride Day with a public awareness parade in Managua they could not proceed due to a NNP security perimeter surrounding an international summit. The NNP prohibited the activists from protesting the morning of the event, despite previously granting the necessary authorizations. Human rights organizations claimed the decision was discriminatory, since a progovernment rally took place later in the day at the same location.

Panama

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, but the government did not always enforce these prohibitions effectively.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law does not prohibit discrimination based on sexual orientation, and there was societal discrimination based on sexual orientation and gender identity, which often led to denial of employment opportunities. The PNP’s regulations describe homosexual

conduct as a “grave fault.” Harassment of lesbian, gay, bisexual, and transgender (LGBT) persons by security forces was a major complaint of the New Men and Women of Panama (AHMNP), the country’s main LGBT organization, but formal complaints were rare due to the perception that the reports were not taken seriously or that complaints could be used against claimants in the absence of nondiscrimination legislation. On June 29, gay rights advocates led the annual gay pride parade.

The Panamanian Association of Transgender People reported regular incidents in which security forces refused to accept complaints of harassment of transgender individuals.

Paraguay

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination based on race, gender, disability, language, or social status, but it was not effectively enforced. Women, LGBT persons, indigenous persons, and persons of African ancestry also faced discrimination. The country has no comprehensive law against discrimination, which undermined enforcement of the constitutional clause against discrimination and the protection and restitution for victims of discrimination and societal abuses.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

No laws explicitly prohibit discrimination against LGBT individuals in employment, housing, statelessness, access to education, or health care, and all types of such discrimination, including societal discrimination, occurred frequently. CODEHUPY reported widespread police harassment and discrimination against LGBT individuals.

Penalties for sex with a minor between the ages of 14 and 16 are more severe if the victim and perpetrator are of the same sex. Same-gender perpetrators are subject to up to two years in prison; the maximum penalty for opposite-gender perpetrators is a fine. In September 2012 the NGO Somos Gay filed a complaint asserting police harassed and illegally detained homosexual minors caught kissing in the street. On August 3, a security guard from the shopping mall Multiplaza expelled a lesbian couple for holding hands and kissing in public but did not expel other couples.

Nadine, a transvestite sex worker, was shot and killed in Fernando de la Mora by unknown persons driving a pick-up truck, according to witnesses on July 22. LGBT rights organization filed a police complaint, but by the end of November, the Prosecutor’s Office had not opened an investigation into the case.

The Public Ministry is responsible for investigating discrimination cases; however, government agents often condoned such discrimination, including discrimination based on sexual orientation.

Panambi and other LGBT rights NGOs denounced the torture and killings of more than 50 transvestite sex workers between 1989 and 2013. Panambi reported 12 cases from 1989 to 1999 and 38 cases from 1999 to the present, with the latest killing occurring on July 22. LGBT NGOs accused the Prosecutor’s Office of conducting cursory investigations with no tangible results.

In October, 400 advocates of LGBT rights marched in Asuncion demanding greater

government recognition for LGBT persons and the investigation of killings targeting the transgender population. There were no reports of harassment during the event. The government's National Secretariat of Culture declared the march of "national cultural interest."

LGBT rights groups expressed concern when then presidential candidate Horacio Cartes compared gay people to "monkeys" and said he would shoot himself if he were to learn that his children were homosexual.

In January 2012, a young lesbian woman was robbed while at a club. She was approached by a police patrol car, which she believed would escort her to the police station to file a complaint. Instead, two male police officers drove her to a park and raped her while a third female officer filmed it with the victim's phone. The victim filed a complaint at the Prosecutor's Office and the press reported it, but there was no action taken on the case, and the victim subsequently reported harassing and threatening phone calls.

Peru

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, but enforcement lagged and discrimination persisted. The law does not specifically protect individuals from discrimination based on sexual orientation or gender identity.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The law does not specifically prohibit discrimination against persons based on sexual orientation or gender identity, and the government did not keep any national level statistics on such discrimination. The Ministry of Interior's *Handbook of Human Rights Applied to the Civil Police* stipulates that police must respect human rights, especially of the most vulnerable groups, and refers explicitly to the rights of lesbian, gay, and transgender individuals. During the year, however, there were instances of official and societal discrimination based on sexual orientation and gender identity in employment, housing, and access to education and health care. Government authorities, including police, harassed and abused lesbian, gay, bisexual, and transgender (LGBT) persons.

The law does not specifically guarantee transgender persons the right to identify with their chosen gender, including by changing their name and gender on government-issued identification. Transgender persons reported encountering obstacles when attempting to do so. A local NGO's 2012 survey reported that 94 percent of transgender persons in Lima stated that their national identity document did not contain their desired name, and 13 percent of transgender persons chose not to register for a national identity document because they could not secure the name and gender that corresponds to their identity.

Local NGOs stated that discrimination based on sexual orientation and gender identity was widespread, culturally sanctioned, and largely underreported for fear of violence or additional discrimination. NGOs reported that LGBT youth were frequently targets of severe bullying that contributed to higher rates of suicide than for straight youth. A local NGO reported seven murders and two suicides of LGBT persons through August. On August 15, the Inter-American Commission for Human Rights released a statement

reiterating its deep concern about the high levels of violence and discrimination against LGBT persons and urged the government to adopt measures to prevent these acts and protect LGBT persons from human rights abuses.

Saint Kitts and Nevis

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

No information in this sub-section. Please see the full country report for more.

Saint Lucia

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The constitution prohibits discrimination on the basis of gender, race, place of origin, or color, but no specific legislation addresses discrimination based on disability, language, sexual orientation or gender identity, or social status.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual activity is illegal under indecency statutes, and some same-sex sexual activity between men is also illegal under anal intercourse laws. Indecency statutes carry a maximum penalty of five years, and anal intercourse carries a maximum penalty of 10 years in prison. No legislation protects persons from discrimination based on sexual orientation or gender identity.

While the indecency statutes and anal intercourse laws were rarely enforced, there was widespread social discrimination against lesbian, gay, bisexual, and transgender (LGBT) persons in the deeply conservative society. There were few openly LGBT persons in the country.

There were few reported incidents of violence or abuse during the year. Civil society representatives noted that LGBT persons were reluctant to report incidents of violence or abuse out of fear of retribution or reprisal due to their sexual orientation.

During the year the RSLPF and the country's sole LGBT organization, United and Strong, conducted human rights training to educate selected officers on both general and LGBT-specific content.

Saint Vincent and the Grenadines

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law provides for equal treatment regardless of race or gender, and the government generally enforced this provision. The constitution does not address equal treatment regarding disability, language, or sexual orientation.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

No laws prohibit discrimination against a person on the basis of sexual orientation or gender identity. Consensual same-sex conduct is illegal under indecency statutes, and some sexual activity between men is also illegal under anal intercourse laws. Indecency statutes carry a maximum penalty of five years, and anal intercourse acts carry a maximum penalty of 10 years in prison, although these laws were rarely enforced.

Anecdotal evidence suggested there was social discrimination against lesbians, gays, bisexual, and transgender persons in the deeply conservative society, although local observers believed such attitudes of intolerance were slowly improving. Members of professional and business classes were more inclined to conceal their sexual orientation.

Suriname

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, ethnicity, sexual orientation, and gender identity, but does not address discrimination based on disability, language, or social status. Various sectors of the population – such as women, Maroons, Amerindians, persons with HIV/AIDS, and lesbian, gay, bisexual, and transgender (LGBT) persons – suffered forms of discrimination.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

No specific laws protect lesbian, gay, bisexual, and transgender (LGBT) persons from discrimination or grant them any specific rights. The government declined to consider specific legislation pertaining to LGBT persons, as it considers existing legislation sufficient. LGBT groups could associate freely, were very active, and advocated within society under the same laws that pertain to other groups. There were reports of employment discrimination based on sexual orientation, particularly in cases concerning the granting of a job. There were no reports of official discrimination based on sexual orientation or gender identity in housing, access to education, or health care. Stigma could be a contributing factor in LGBT persons not reporting incidents of abuse.

Trinidad and Tobago

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The government generally respected the constitutional provisions for fundamental human

rights and freedoms for all without discrimination based on race, origin, color, social status, or gender.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

Although the law criminalizes consensual same-sex sexual activity, providing penalties of up to 25 years' imprisonment, the government generally did not enforce such legislation, except in conjunction with more serious offenses such as rape. Immigration laws also bar the entry of "homosexuals" into the country, but the legislation was not enforced.

The Equal Opportunity Act identifies classes of persons protected from discrimination but does not prohibit discrimination based on sexual orientation. The Children Act, passed in 2012, decriminalizes sexual exploration between minors close in age but specifically retains language criminalizing the same activity among same-sex minors. Other laws exclude same-sex partners from their protections. Lesbian, gay, bisexual, and transgender (LGBT) rights groups reported that a stigma related to sexual orientation or gender identity in the country remained and likely inhibited reporting incidents. LGBT rights groups also reported individual cases of violence against LGBT persons, as well as a reluctance to report crimes to police due to fear of harassment by police and court officials. Several new NGOs advocating for LGBT rights emerged during the year.

Uruguay

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status, and the government generally enforced these prohibitions effectively, although societal discrimination against some groups persisted.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

No laws criminalize sexual orientation, and authorities generally protected the rights of LGBT persons. Four cases of transvestites killed in 2012 and two cases during the year were unsolved. Colectivo Ovejas Negras (CON - Black Sheep Collective), an LGBT rights NGO, requested information from authorities about these cases but did not receive an answer. Additionally, CON noted alleged cases of sexual abuse at detention centers and the imminent shutdown of a public hospital change-of-sex service available to the transgender community. There were isolated reports of street violence against LGBT individuals; the police did not intervene in these incidents. CON claimed police occasionally refused to file reports on discrimination and street violence. The NGO also asserted that in the provinces police committed acts of violence and degradation against transgender persons who were legally registered prostitutes. There were occasional reports of nonviolent societal discrimination, including in employment and occupation based on sexual orientation and gender identity.

The Public Health Service Administration in tandem with LGBT NGOs offered workshops and public awareness training for health workers to create health centers free of

prejudice and discrimination.

Venezuela

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, sexual orientation, disability, language, or social status; however, discrimination occurred against women; persons with disabilities; members of the lesbian, gay, bisexual, and transgender (LGBT) community; and indigenous persons.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

The constitution provides for equality before the law of all persons and prohibits discrimination based on “sex or social condition,” but it does not explicitly prohibit discrimination based on sexual orientation or sexual identity. The TSJ has ruled that no individual may be discriminated against because of sexual orientation; however, the ruling was rarely enforced. The media and leading advocates for the rights of LGBT persons noted that victims of hate crimes based on sexual orientation or sexual identity frequently did not report the incidents and were often subjected to threats or extortion if they filed official complaints.

The law has no legal definition of a hate crime. As a result, LGBT-related violence is not reflected in any official law enforcement statistics. Rather, most crimes against LGBT persons are classified as “crimes of passion,” not crimes of hate. According to a 2013 study by NGO Citizen Action against AIDS (ACCSI), the national press recorded 99 cases of crimes against the LGBT community (46 killings and 53 assaults) between January 2009 and August 2013. The incidents of violence were most prevalent in the transgender community. Leading advocates noted, however, that the media underreported most cases of LGBT-related crime and that law enforcement did not properly investigate to determine the motive.

Local police and private security forces allegedly prevented LGBT persons from entering malls, public parks, and recreational areas. The report also stated the government systematically denied legal recognition to transgender and transsexual persons by preventing them from obtaining identity documents required for accessing education, employment, housing, and health care. This vulnerability often led transgender and transsexual persons to become victims of human trafficking or prostitution.

Psychological, verbal, and physical abuses towards the LGBT community were common practice in schools and universities, according to leading advocates. No laws or policies protect LGBT persons against bullying. As a result, according to NGOs, LGBT students had a higher dropout rate than heterosexual students.

On August 13, PSUV deputy Pedro Carreno used homophobic slurs during a televised National Assembly session and charged opposition leader Henrique Capriles with condoning a ring of homosexual and transgender people in prostitution. President Maduro apologized for the homophobic slurs the following day and said, “I am not homophobic. The revolution has vindicated respect for all.” Maduro, however, repeated Carreno’s allegations against Capriles and the national opposition and claimed he had “unprintable videos and photos of orgies” and that the “office of the governor of Miranda

has been used as a place for homosexual and transgender prostitution.” Carreno alleged Capriles’ chief of staff, Oscar Lopez, was directly involved in a prostitution ring. On August 3, military intelligence officials raided Lopez’ home. Leading LGBT rights advocates rejected Carreno’s and Maduro’s accusations as “homophobic” and highly offensive to the LGBT community.