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Jamaica: Treatment of homosexuals by society and government authorities;
availability of support services (2004 - 2006)
Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Societal treatment of homosexual persons

According to a United Kingdom Home Office Operational Guidance Note, "Jamaica is a deeply homophobic society" (5 May 2006, para. 3.7.11). Amnesty International (AI) states that homosexual men and women in Jamaica "face violence and discrimination on a daily basis" (23 May 2006). Members of the lesbian, gay, bisexual and transgendered (LGBT) community endure "horrific assaults," and have been "beaten, cut, burned, raped and shot" (AI June 2004), threatened with death and murdered on the basis of their sexual orientation (HRW Nov. 2004, 2, 11, 20). Persons who are suspected or found out to be homosexual are frequently "driven" from their homes and communities, sometimes violently, rendering them homeless and without support (ibid. Nov. 2004, 2, 20, 49, 52, 53; AI June 2004). Gay men and women are also harmed by their own families (HRW Nov. 2004, 55), where relatives may use violence to uphold traditional gender and sexual roles (*The Gully* 10 Mar. 2005).

Some Jamaican star performing artists advocate the "shooting, burning, rape, stoning and drowning of gay people" in their song lyrics (AI June 2004; *The Gully* 10 Mar. 2005). Human Rights Watch (HRW) indicates that religious institutions in Jamaica are intolerant of homosexuality, as are politicians who use "antigay slogans and rhetoric" (Nov. 2004, 12, 13). *The Gully*, an online gay magazine (10 May 2006), explains:

[T]he homophobia which suffuses the music, religion, society and government has combined into a peculiar nationalism [...] For people that believe this, gay-bashing has become a kind of patriotism, an act in defence of the nation, and an integral part of the Jamaican identity (ibid. 10 Mar. 2005).

Human Rights Watch (HRW) analysis indicates that HIV/AIDS is perceived to be a "gay disease" and "at-risk" Jamaicans avoid being tested or seeking medical care for the illness (HRW 26 May 2006). Additionally, many gay Jamaicans avoid seeking treatment for sexual health concerns (ibid., Nov. 2004, 3, 4, 45). In some cases, health workers refuse to treat gay men (ibid., 3, 38) and HIV-positive men and women (ibid.; ibid., 42). Health care workers reportedly make verbal attacks against gay patients, and reveal that they are gay to others (ibid., 3, 45). In some cases, health workers disclose a patient's HIV

positive status (ibid., 41, 42), thus increasing the risk of "homophobic violence" by other persons (ibid., 3). Homosexual men and HIV positive persons are sometimes unable to find transportation to access health services because of discrimination and attacks by drivers and passengers (ibid., 17, 50).

Societal treatment of gay men

On 9 June 2004, Brian Williamson, co-founder of the Jamaica Forum for Lesbians, All-Sexuals and Gays (J-FLAG) non-governmental organization (NGO) and prominent gay rights advocate, was found murdered in his home (AI 10 June 2004) with 77 stab wounds (BBC 20 May 2006). Although the motive appeared to be theft, AI urged the authorities not to exclude the possibility that Williamson's murder was a hate crime (AI 10 June 2004). A researcher with HRW arriving at Williamson's apartment shortly after the discovery of his murder witnessed a crowd singing homophobic song lyrics in celebration of his death (HRW Nov. 2004, 2; *The Guardian* 27 Apr. 2006). At a police line-up of suspects in Williamson's murder, participants were disguised with towels on their heads and toothpaste smeared on their faces (HRW Nov. 2004, 31). In May 2006, a man who pleaded guilty to Williamson's murder was sentenced to life in prison (BBC 20 May 2006).

In June 2004, six men were assaulted in their home by a group of armed men on the basis of their perceived homosexuality (AI 23 May 2006; HRW Nov. 2004, 52; US 8 Mar. 2006, Sec. 5). Among the assailants was popular musician Buju Banton (also known as Mark Anthony Myrie) (ibid.; ILGA 20 Aug. 2004), whose song lyrics direct violence at homosexual individuals (ibid.). Banton was charged (US 8 Mar. 2006, Sec. 5) but later acquitted of participating in the assaults (AP 22 Sept. 2006).

In November 2005, Steve (also known as Lenford) Harvey, a prominent Jamaican activist working with gay and lesbian HIV/AIDS sufferers, was abducted and murdered (HRW 1 Dec. 2005) "allegedly because of his homosexuality" (AI 23 May 2006). According to the United States (US) Department of State, the Jamaican police appointed a political ombudsman to oversee an investigation into the murder (8 Mar. 2006, Sec. 5), and a March 2006 news article reported that four men had been charged with his death (*Orlando Sentinel* 9 Mar. 2006).

According to news sources and the US Department of State, in December 2005 a homophobic mob chased a young man off a pier into Kingston harbour where he drowned (*San Francisco Bay Times* 12 Jan. 2006; *Petertatchell.net* 6 Jan. 2006; US 8 Mar. 2006).

Societal treatment of lesbian women

The Guardian reports that lesbian women in Jamaica suffered treatment that was neither better nor worse, but "more subtle" than that experienced by gay men (27 Apr. 2006). In contrast, a staff member of J-FLAG quoted in a Women's eNews article reports that lesbians have "been raped, beaten, murdered and forced out of their homes or jobs simply for being lesbians" (9 Mar. 2005, see also HRW Nov. 2004, 54). In a June 2006 report on violence against Jamaican women, AI indicates that lesbian women report having to conceal their sexuality, and experience attacks including beatings, threats of rape and rape, "to be taught a lesson" (22 June 2006) or be "cured" of their homosexuality (HRW Nov. 2004, 54). Attacks against homosexual women tend to occur in private, such as at home or within their communities, and are rarely

reported (Women's E News 9 Mar. 2005). Popular Jamaican song lyrics include incitements to rape and kill lesbians (ibid.). In JFLAG's experience, gay women are reluctant to report abuse to the police as they fear it would only add to their "humiliation" (Asylumaid June 2004, 142).

In June 2006 two women were stabbed to death in what HRW indicated might form part of "a documented pattern of homophobic violence" (27 July 2006a, HRW 27 July 2006b). In connection with the case, HRW said that police had recently begun to "reach out" to members of the LGBT community but that the case pointed to an ongoing need for protection (ibid.).

Police attitudes and treatment of homosexual Jamaicans

An in-depth investigative report published by Human Rights Watch (HRW) in November 2004 details the treatment experienced by members of the LGBT community in Jamaica. Following the release of the HRW report, a public relations officer for the Jamaican police published a letter in the *Jamaica Observer* calling on the Minister of Justice of Jamaica to "slap on sedition charges where necessary to both foreign and local agents of provocation," and explicitly named HRW (25 Nov. 2004).

In an interview with HRW, the Jamaican police officer responsible for HIV/AIDS training "acknowledged that members of the police force shared homophobic attitudes common in the general community" (Nov. 2004, 30). HRW found that victims of homophobic violence were often frightened of the police, who were known to "harass and attack" men they perceive to be gay (Nov. 2004, 2). Police in Jamaica stop vehicles carrying male passengers at night and use homophobic insults against them (HRW Nov. 2004, 24-25; *The Guardian* 27 Apr. 2006). Both HRW and AI found that police protection for gay men and lesbians was not forthcoming and that police "routinely" fail to investigate complaints brought to them (HRW Nov. 2004, 11; AI June 2004). Police were documented to be arresting, detaining, and blackmailing persons that they suspected to be homosexual (HRW Nov. 2004, 2, 11, 25, 26). According to AI, police in Jamaica have in some cases tortured and mistreated LGBT victims of hate crimes (AI June 2004).

HRW has documented cases of police attacking and inciting violence against men they perceive to be gay (Nov. 2004, 11, 19, 20). In June 2004, a man who was believed to be gay was "chopped, stabbed and stoned to death" by a crowd on the incitement of Jamaican police officers who assaulted him with batons (HRW Nov. 2004, 2, 3). Jamaican police are documented as "actively support [ing] homophobic violence," and failing to investigate instances of harm (ibid.). Police reportedly extort sex from homosexual sex workers (ibid., 32), and sometimes assault male sex workers in particular (ibid.). "A few" gay men informed HRW that they had received assistance from police (ibid., 31).

The US Department of State indicates that homosexual prisoners experience violence at the hands of both prison guards and fellow inmates (US 8 Mar. 2006, Sec. 5), and that in order to protect them, male prisoners whom officials believe to be homosexual are held separately (ibid.). The *Jamaica Gleaner* reports that in April 2006 a police officer in Saint James "torched" a prisoner in detention after being called homosexual (8 Apr. 2006). The inmate suffered severe burns and the constable was suspended from the police force (ibid.).

Investigations conducted by AI and HRW have documented instances where police have detained and mistreated health care workers providing services to members of the LGBT community (AI June 2004; HRW Nov. 2004, 32-34). According to both HRW and the Executive Director of the NGO Jamaica AIDS Support for Life (JAS), based in Kingston, persons performing HIV/AIDS outreach work are also harassed (*Miami Herald* 17 Nov. 2004; HRW Nov. 2004, 4, 47) and, in some cases, arrested and charged by police when found to be carrying condoms (ibid.).

Availability of advocacy and support organizations

According to its Web site, the Jamaica Forum for Lesbians, All-Sexuals and Gays (J-FLAG) is the first NGO in Jamaica concerned with the needs of Jamaica's sexual minority population (n.d.). Among its activities, the organization holds personal and community development sessions, offers counselling and referral services, consults and collaborates with local and international groups, has made submissions to the Jamaican legislature, and has documented cases of discrimination for asylum cases overseas (ibid.). J-FLAG is not able to publish the address of its headquarters in Kingston, Jamaica, due to a fear of "violent retribution" (n.d.). Following the death of one of its founders in 2004, the organization received death threats declaring war on homosexuals and naming an NGO working in HIV/AIDS awareness as a subsequent target for murder (HRW Nov. 2004, 15-16). J-FLAG is the only human rights group in Jamaica focussed on the concerns of gay and lesbian Jamaicans (AP 10 June 2004).

The J-FLAG Web site indicates that the organization is not able to provide protection to persons who have experienced homophobic violence (n.d.). Further, in correspondence with the organization Asylum Aid, a J-FLAG representative indicates that women's organizations working with survivors of gender-based violence are not generally able to offer protective services or support to lesbian victims of violence (June 2004, 142).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

References

Amnesty International (AI). 22 June 2006. *Sexual Violence Against Women and Girls in Jamaica: "Just a Little Sex."* <<http://web.amnesty.org/library/Index/ENGAMR380022006>> [Accessed 4 Aug. 2006]

_____. 23 May 2006. "Jamaica." *Amnesty International Report 2006*. (United Nations (UN) Office of the High Commissioner for Refugees (UNHCR) Web site). <<http://www.unhcr.org/cgi-bin/texis/vtx/print?tbl=RSDCOI&id=447ffac16>> [Accessed 21 Sept. 2006]

_____. 10 June 2004. "Jamaica: Amnesty International Mourns Loss of Leading Human Rights Defender." <<http://action.web.ca/home/lgbt/alerts.shtml?x=59654>> [Accessed 21 Sept. 2006]

_____. June 2004. "Jamaica: 'Let Us Kill Him'." *The Wire - June 2004*.
<<http://web.amnesty.org/web/wirensf/print/June2004Jamaica>> [Accessed 21 Sept. 2006]

Associated Press (AP). 22 September 2006. "Complaints Cancel Buju Banton Concert." (Factiva).

_____. 10 June 2004. "Amnesty International Condemns Killing of Jamaican Gay Rights Activists, Call for Full Investigation." (Factiva).

Asylumaid. June 2004. *Safe for Whom? Women's Human Rights Abuses and Protection in "Safe List" Countries: Albania, Jamaica and Ukraine*.
<<http://www.asylumaid.org.uk/New%20RWRP/RWRP%20Publications/RWRP%20Safe%20for%20Whom%20Jun04.pdf#search=%22asylum%20aid%20%22safe%20for%20whom%3F%22%22>> [Accessed 21 Sept. 2006]

British Broadcasting Corporation (BBC). 20 May 2006. "Killer of Gay Rights Activist Gets Life Sentence in Jamaica." (Factiva).

The Guardian [London]. 27 April 2006. "Troubled Island: In Jamaica, Where Politicians are Openly Homophobic and Song Lyrics Incite Violence Against Gay People, Coming Out can be Fatal." (Factiva).

The Gully. 10 May 2006. "About." <<http://www.thegully.com/about.htm>> [Accessed 21 Sept. 2006]

_____. 10 March 2005. "Jamaica's Queer Obsession."
<http://www.thegully.com/essays/gaymundo/050310_LGBT_jamaica_homoph.html> [Accessed 21 Sept. 2006]

Human Rights Watch (HRW). 27 July 2006a. "Letter to Dr. Hon. Peter David Phillips, Jamaica Minister of National Security."
<http://hrw.org/english/docs/2006/07/27/jamaic13868_txt.htm> [Accessed 21 Sept. 2006]

_____. 27 July 2006b. "Jamaica: Investigate Murder of Alleged Lesbians."
<<http://hrw.org/english/docs/2006/07/27/jamaic13869.htm>> [Accessed 21 Sept. 2006]

_____. 26 May 2006. "Vasciannie's Error."
<<http://hrw.org/english/docs/2006/05/26/jamaic13475.htm>> [Accessed 4 Aug. 2006]

_____. 1 December 2005. "Jamaica: HIV/AIDS Activist Steve Harvey Mourned."
<http://hrw.org/english/docs/2005/12/01/jamaic12135_txt.htm> [Accessed 21 Sept. 2006]

_____. November 2004. *Hated to Death: Homophobia, Violence and Jamaica's HIV/AIDS Epidemic*. Vol. 16, No. 6(B).
<<http://hrw.org/reports/2004/jamaica1104/jamaica1104.pdf>> [Accessed 4 Aug. 2006]

International Gay and Lesbian Association (ILGA). 20 August 2004. "Singer May Be Linked to Homophobic Attack." <http://www.ilga.org/news_results.asp?LanguageID=1&FileCategoryID=54&FileID=306&ZoneID=5> [Accessed 21 Sept. 2006]

Jamaica Forum for Lesbians All-Sexuals and Gays (J-FLAG). N.d. "About Us." (J-FLAG Web site). <<http://www.jflag.org/about/index.htm>> [Accessed 21 Sept. 2006]

Jamaica Gleaner [Kingston]. 8 April 2006. "Cop Sets Prisoner Ablaze." <<http://www.jamaica-gleaner.com/gleaner/20060408/lead/lead2.html>> [Accessed 5 Oct. 2006]

Jamaica Observer [Kingston]. 25 November 2004. "Charge Those Groups for Sedition." <http://www.jamaicaobserver.com/letters/html/20041124t180000-0500_70185_obs_charge_those_groups_for_sedition.asp> [Accessed 4 Oct. 2006]

Miami Herald. 17 November 2004. "Anti-Gay Mind-Set is Hindering Fight Against Aids in Jamaica." (Factiva).

Orlando Sentinel. 9 March 2006. "Jamaica Charges 4 Suspects in Slaying of Gay Counselor." (Factiva).

PeterTatchell.net. N.d. "Outrage! - Index." <<http://www.petertatchell.net>> [Accessed 21 Sept. 2006]

_____. 6 January 2006. "Jamaica: Tragic End to Attempted Gay-Bash Attack." <<http://www.petertatchell.net/international/jamaicagaybash.htm>> [Accessed 21 Sept. 2006]

San Francisco Bay Times. 12 January 2006. "Man Chased by Bashers Drowns." <http://www.sfbaytimes.com/index.php?sec=article&article_id=4513> [Accessed 4 Oct. 2006]

United Kingdom (UK). 5 May 2006. Home Office. Immigration and Nationality Directorate. *Operational Guidance Note: Jamaica*. <<http://www.ind.homeoffice.gov.uk/documents/countryspecificasylumpolicyogns/jamaicaogn?view=Binary>> [Accessed 21 Sept. 2006]

United States (US). 8 March 2006. "Jamaica." *Country Reports on Human Rights Practices for 2005*. <<http://www.state.gov/g/drl/rls/hrrpt/2005/61733.htm>> [Accessed 21 Sept. 2006]

Women's ENews. 9 March 2005. "Lesbian Activists in Jamaica Tell Horror Stories." <<http://www.womensenews.org/article.cfm/dyn/aid/2214/context/archive>> [Accessed 27 Sept. 2006]

Additional Sources Consulted

Oral Sources: The Independent Jamaica Council for Human Rights (IJCHR) and the Jamaica Forum for Lesbians, All-Sexuals and Gays (J-FLAG) did not provide information within the time constraints of this Response.

Internet Sites, including: International Lesbian and Gay Association (ILGA); International Gay and Lesbian Human Rights Commission (IGLHRC); *The Independent*; Jamaica Information Service (JIS); Sodomy Laws; United Nations (UN) Division for the Advancement of Women (DAW).

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