



RESPONSES TO INFORMATION REQUESTS (RIRs)

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Organization Chart	Cuba: Treatment of homosexuals, including protection offered by the state and the attitude of the population	
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Decisions	"public scandal" was changed to "sexual insult," which is now defined to include harassment with "sexual demands," in place of the previous language "hassling with homosexual demands" (World Policy Institute Dec. 2003, 62).	
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A report published on the Web site of the International Lesbian and Gay Association (ILGA) states that sexual relations between consenting adults of the same sex are not prohibited in Cuba (Nov. 2006, 3; AI July 2006). However, there is no law protecting homosexuals from discrimination (ibid.). According to a report published on the World Policy Institute Web site in December 2003, the "discriminatory language " used to describe homosexuality in the 1979 penal code was "considerably toned down" when the code was amended in 1988 and was "removed" when the code was amended again in 1997 (62). The World Policy Institute report also states that the term

"public scandal" was changed to "sexual insult," which is now defined to include harassment with "sexual demands," in place of the previous language "hassling with homosexual demands" (World Policy Institute Dec. 2003, 62).

A report published by Amnesty International (AI) in July 2006 indicates that agencies that work with the gay community in Cuba are banned (see also ILGA 12 March 2004). The ILGA representative for Latin America and the Caribbean states in a 12 March 2004 report that there are a few organizations that work in the areas of sexuality and sexual minorities, including two that are state-run: the Federation of Cuban Women (Federación de Mujeres Cubanas), a centre that works with Cuban lesbians, and the National Centre for Sex Education (Centro Nacional de Educación Sexual, CENESEX); two non-governmental organizations: the National Centre for HIV/AIDS Prevention (Centro Nacional de Prevención del VIH-SIDA) and the Félix Varela Centre; and the Martin Luther King Centre, which has developed a program promoting acceptance of sexual diversity and which is run by a Protestant church (ILGA 12 Mar. 2006). Additional information on these organizations could not be found among the sources consulted by the Research Directorate.

The ILGA representative indicates in his report that Cuban homosexuals "are afraid of meeting and organizing themselves," but that they are free to participate in the country's social and political life and that "neither institutional nor penal repression exists against [them]" (ILGA 12 Mar. 2004). According to the representative, although Cuban society has become "more tolerant" of gay men and lesbians, this change of attitude does not mean that discrimination and homophobia no longer exist in Cuba (ibid.; see also Cubanet 6 Dec. 2006).

The director of CENESEX stated in an interview published by BBC Mundo.com that Cuban society's perception of homosexuality has changed, that gay men and lesbians discuss their homosexuality more openly and that the media address this topic (18 Sept. 2006; see also Anodis 5 June 2006). An article published on the Web site of the Mexican Agency for Information on Sexual Diversity (Agencia de Noticias sobre Diversidad Sexual, Anodis) indicates that [translation] "the Cuban government has begun promoting a law that would authorize name changes and sex change operations" (5 June 2006; see also Cuba Solidaridad n.d.). *Country Reports on Human Rights Practices for 2005* indicates that discrimination against homosexuals in Cuba persists and that "police occasionally conduct sweeps" of areas where homosexuals congregate (US 8 Mar. 2006, Sec. 5).

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

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World Policy Institute. December 2003. Andrew Reding. *Sexual Orientation and Human Rights in the Americas*. <<http://www.worldpolicy.org/globalrights/sexorient/2003-LGBT-Americas.pdf>> [Accessed 12 Dec. 2006]

Additional Sources Consulted

Internet sites, including: Associated Press (AP), Centro Félix Varela, Centro

Nacional de Educación Sexual (CENESEX), Federación de Mujeres Cubanas (FMC), Human Rights Watch (HRW), International Gay and Lesbian Human Rights Commission (IGLHRC), United Nations (UN).

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