



RESPONSES TO INFORMATION REQUESTS (RIRs)

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14 November 2003

GTM42194.E

Guatemala: Update to GTM33228.E of 3 December 1999; treatment of gays, lesbians and bisexuals in Guatemala City; police attitude towards same-sex domestic violence and state protection available to its victims (1999-2003)

Research Directorate, Immigration and Refugee Board, Ottawa

No specific references to police attitudes towards domestic violence among same-sex partners, or to state protection for victims of such violence, could be found among the sources consulted by the Research Directorate.

Further to GTM33228.E of 3 December 1999, please find attached an excerpt from the April 2000 report of the United States Immigration and Naturalization Service (INS) Resource Information Center, "Human Rights in Guatemala Since the Signing of the Peace Accord." The excerpt is a chapter dedicated to the situation of homosexuals includes topics on the legal status of homosexuality, incidents of violence and the attitudes of police and society towards homosexuality in Guatemala.

Also attached, please find three articles on the situation of gays and lesbians in Guatemala, published by the international, gay-themed online journal *The Gully*. Two of the reports—"Gay Life Emerges in Guatemala" and "How To Be a Lesbian in Guatemala"—were published in 2000 and refer to the advances and problems faced by gays and lesbians in the country, while the most recent one—"Guatemala's Dykes Dig in Their Heels"—was published in September 2003 and refers to the violence and current difficulties faced by lesbians and sexual minority advocates in Guatemala, among other things.

Guatemala's first Gay Pride Day parade occurred on 25 June 2000, with some 100 gays, lesbians and supporters marching (*Weekly News Update* 2 July 2000). The march went by downtown Guatemala City locations where four sex workers had been murdered in the past year (*ibid.*). An unidentified participant in the march was quoted by the Costa Rican newspaper *La Nación* as saying that he was afraid to protest outside (*ibid.*). The newspaper added that "participants were given safety instructions and told of two places they could go for security if it became necessary" (*ibid.*).

The following year *Weekly News Update* reported that the Gay Pride Day parade included some 150 members of the Lesbian-Gay Collective of Guatemala (8 July 2001). The report indicates that the first gay pride event in Guatemala took place in 1996, while reiterating that the first gay pride parade took place in 2000 (*ibid.*).

Some of the most recent reports found on the situation of gays, lesbians and other sexual minorities are the "Action Alerts" that the International Gay and Lesbian Human Rights Commission (IGLHRC) published in 2000, 2001 and 2003.

The earliest one refers to the daytime murder of transvestite sex workers in Guatemala City, providing background on the general situation (IGLHRC Sept. 2000). The report alludes to a steady 'social cleansing' that

has targeted gays, lesbians and particularly transvestites, the murders of the latter becoming increasingly visible since 1997; the Guatemalan AIDS support group Organización de Apoyo a una Sexualidad Integral frente al SIDA (OASIS) has recorded between six and ten reported transvestite murders every year from 1997 to 1999 (ibid.). The report indicates that transvestites have been a target for police abuse, with victims and their friends afraid of retaliation and supporters facing difficulty in seeking government action or in obtaining legal help (ibid.).

In May 2001, the IGLHRC reported the joint condemnation by four Guatemalan LGBT groups—(OASIS), Colectiva de Lesbianas y Mujeres Bisexuales Liberadas (LESBIRADAS), Grupo Rompiendo Fronteras and Colectivo de Amigos Travestis (CATS)—of police harassment, which appeared to have increased over the past year (ibid. May 2001). The report cites specific examples such as the harassment of the coordinator and a volunteer of the Rosalinda project, an educational campaign for transvestites, female and male sex workers, as well as police intimidation of those attending and leaving an OASIS social event (ibid.). The IGLHRC action alert adds that many of the incidents recorded were under investigation by the Attorney General's Office and the government's Human Rights Office, although demands for redress have brought retaliation from police, including the beating and violent arrest of transvestites and gays (ibid.). Finally, the IGLHRC report refers to mail and telephone death threats reportedly received by a lesbian, and adds that cars driven by lesbian activists have been involved in suspicious crashes while some activists have reported surveillance of their homes by police (ibid.).

Finally, the 9 July 2003 action alert refers to criminal actions against OASIS and reports an increase over recent years in the cases of harassment, violence and murder against individual activists and organizations demanding equality of rights for gays, lesbians, bisexuals and transexuals (IGLHRC 9 July 2003). Specifically, the report refers to the kidnapping of the president of OASIS and the harassment of its members, and indicates that these problems are likely the result of the group's efforts to protest police abuse against homosexuals (ibid.). IGLHRC notes the government's unwillingness and lack of initiative in protecting homosexuals and sex workers (ibid.). The IGLHRC also mentions the harassment of related organizations such as HIJOS and LESBIRADAS, and the murders between November 2002 and March 2003 of 19 youths who had protested certain amendments to the Penal Code (ibid.). The action alert demands that the Guatemalan government investigate the attacks and the complaints already filed, as well as identify and sanction those responsible (ibid.).

Country Reports 2002, referring to widespread societal prejudice against homosexuals, states that at least five homosexual sex workers were killed during 2002, and that although no arrests were made for those killings, the victims' companions were abused by police (31 Mar. 2003, Sec. 5). *Country Reports 2002* adds that OASIS reported cases of harassment and arbitrary detention of homosexuals during the same year (ibid.).

A June 2003 report by the Washington-based, non-governmental Guatemala Human Rights Commission also refers to the kidnapping of OASIS leader Jorge Luis Sologaitoa, and indicates that "OASIS has reported this crime, as well as previous police harassment against the homosexual community, transvestites and sex workers" (*Guatemala Human Rights Update* 1 June 2003, 2). The report notes that in February 2003 "OASIS has reported cases of police abuse against OASIS clients and employees, however, according to OASIS, the harassment continues" (ibid.).

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 to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

References

Country Reports on Human Rights Practices for 2002. 31 March 2003. "Guatemala." United States Department of State. Washington, DC. <<http://www.state.gov/g/drl/rls/hrrpt/2002/18333.htm>> [Accessed 6 Nov. 2003]

Guatemala Human Rights Update [Washington, DC]. 1 June 2003. Vol. 15, No. 11. "President of Gay Rights Organization Kidnapped." <<http://www.ghrc-usa.org/updates/vol15no11.pdf>> [Accessed 17 Oct. 2003]

International Gay and Lesbian Human Rights Commission (IGLHRC), San Francisco. 9 July 2003. "ILGA Demands a Stop to Aggressions in Guatemala Against Human Rights Activists." <<http://www.iglhrc.org/php/section.php?id=5&detail=453>> [Accessed 16 Oct. 2003]

_____. May 2001. "Demand an End to Harassment of Gays, Lesbians, Bisexuals and Transgender People." <<http://www.iglhrc.org/php/section.php?id=5&detail=210>> [Accessed 16 Oct. 2003]

_____. September 2000. "Transvestites Murdered while the State Stands by."
 <<http://www.iglhrc.org/php/section.php?id=5&detail=211>> [Accessed 16 Oct. 2003]

Weekly News Update on the Americas [New York]. 8 July 2001. No. 597. "Latin America: Pride Events Demand Rights." (wnu@igc.apc.org)

_____. 2 July 2000. No. 544. "Marchers Celebrate Sexual Diversity in Latin America." (wnu@igc.apc.org)

Additional Sources Consulted

Amnesty International. 2001. *Crimes of Hate, Conspiracy of Silence*

Central America Report [Guatemala City]. 1999-2003

Country Reports 2000-2002 . 2001-2003

Human Rights Watch World Report 2001-2003 . 2001-2003

IRB Databases

Latinamerica Press [Lima]. 1999-2003

Internet sites and search engines, including:

Agua Buena Human Rights Association

Amnesty International

Cooperativa Internacional de Prevención de VIH/SIDA en Centroamérica Norte (CIPCEN)

Gente Positiva, Guatemala City

Human Rights Watch

Lesberadas, Guatemala City

Llegó, Washington, DC

Organización de Apoyo a una Sexualidad Integral frente al SIDA (OASIS)

Attachments

The Gully . 25 July 2003. Kelly Cogswell. "Guatemala's Dykes Dig in Their Heels."
 <http://www.thegully.com/essays/gaymundo/030725_guatemala_lesbian.html> [Accessed 17 Oct. 2003]

_____. 16 October 2000. Richard Stern. "Gay Life Emerges in Guatemala."
 <http://www.thegully.com/essays/gaymundo/001016gay_guat.html> [Accessed 17 Oct. 2003]

_____. 16 October 2000. "How to Be a Lesbian in Guatemala."
 <<http://www.thegully.com/essays/gaymundo/001016acevedo.html>> [Accessed 17Oct. 2003]

United States of America. April 2000. Immigration and Naturalization Service (INS) Resource Information Center, Washington, DC. "Human Rights in Guatemala Since the Signing of the Peace Accords." Perspective Series. Pp. 43-48. <<http://www.immigration.gov/graphics/services/asylum/ric/documentation/PSGTM00-001.pdf>> [Accessed 16 Oct. 2003]


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