

# DOCUMENTATION OF COUNTRY CONDITIONS REGARDING THE TREATMENT OF GAY MEN, LESBIANS, BISEXUALS, AND TRANSGENDER INDIVIDUALS IN GUYANA

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## Executive Summary:

LGBT people in Guyana face widespread discrimination and endure a constant threat of violence. The Guyanese legal code criminalizes consensual same-sex relationships between men through laws prohibiting “gross indecency” and “buggery.” LGBT people report suffering from harassment and abuse in the streets by those who believe they can act with impunity—a conclusion that police inaction has all too often confirmed. Frequently, the police further harass LGBT people who attempt to report crimes perpetrated against them, or treat LGBT people who seek their assistance as criminals simply because of their sexual orientation. In most cases involving LGBT victims—even murders—police will not properly investigate or pursue potential leads, such that the cases remain unsolved. Discrimination against LGBT people is common in all parts of society, including in education, where teachers and students bully and harass LGBT pupils; in housing, where lenders and landlords often reject applications submitted by LGBT people; and in medical treatment, where providers offer substandard care to sexual minorities, if they are willing to treat LGBT people at all. Unfortunately, for a stunning percentage of LGBT people in Guyana, suicide and self-harm have become preferable to remaining in a country where they are unwelcome and unsafe.

## Government and NGO Sources:

1. **U.S. State Department, *Guyana 2016 Human Rights Report (2016)*, available at <https://www.state.gov/documents/organization/265804.pdf>**
  - a. “Consensual same-sex activity between adult men is illegal under the law and is punishable by up to two years in prison. Anal intercourse is punishable with a maximum sentence of life in prison, regardless of whether the intercourse is between persons of the same sex. Activists reported that it was more common for police to use the law to intimidate men who were gay or perceived to be gay than to make arrests. There are no laws concerning same-sex sexual activity between women. The law also criminalizes cross-dressing. 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 or gender identity. Reports noted discrimination in employment, access to education and medical care, and in other public settings . . . . A 2012 report noted that lesbian, gay, bisexual, transgender, and intersex persons were fearful of reporting crimes committed against them because they believed or were told charges would also be brought against them because of their sexual orientation or gender identity. In January the president announced that he was prepared to treat the rights of LGBTI individuals as human rights. Nevertheless, the government did very little after the announcement to advance legislative protection for LGBTI persons.” (pg. 14)
2. **Amnesty International Report 2015/16, *The State of the World’s Human Rights (February 23, 2016)*, available at <https://www.amnesty.org/en/documents/pol10/2552/2016/en/>**
  - a. “There continued to be no legal protection against discrimination based on real or perceived sexual orientation and gender identity and expression, and same-sex sexual conduct between men remained criminalized.” (pg. 176)
  - b. “In response to recommendations made during the UPR, Guyana agreed “to strengthen the protection of LGBT individuals” but “[a]nother 14 recommendations on LGBTI issues, including to reform the Criminal Law Offences Act, were rejected by Guyana.” (pg. 176)

3. **Society Against Sexual Orientation Discrimination, *Stakeholder Report to the UN Committee on Economic, Social and Cultural Rights on the Protection of the Rights of LGBTI Persons in Guyana (August 2015)*, available at [http://sasod.org.gy/sites/default/files/resources/SASOD\\_CESCRStakeholderReport2015.pdf#pdfjs.action=download](http://sasod.org.gy/sites/default/files/resources/SASOD_CESCRStakeholderReport2015.pdf#pdfjs.action=download)**

- a. “Same-sex intimacy between men is criminalized under sections 351 to 353 of the Guyana Criminal Law (Offences) Act, Chapter 8:01.
  - 3.5.1 Section 351 penalizes the act of ‘gross indecency’ between two males.
  - 3.5.2 Section 352 outlines the punishment for anyone who attempts to commit buggery, assaults another with the intention of committing buggery or a male who ‘indecently assaults’ another male.
  - 3.5.3 Section 353 says that anyone guilty of buggery ‘with a human being or any other living creature,’ can be imprisoned for life.
  - 3.5.4 Under section 153 (1) (xlvii) of the Summary Jurisdiction (Offences) Chapter 8:02, cross-dressing is listed as a minor offense carrying a fine.” (pg. 5, para 3.5)
- b. “Because LGBTI Guyanese continue to experience a significant degree of discrimination and persecution, the community is predominantly closeted, and hate crimes committed against the LGBTI population go largely unreported due to social stigma and fear of secondary victimization by police. SASOD has documented some reports of this nature.” (pg. 6, para. 3.8)
- c. “Those LGBTI persons who choose to disclose their identities, or whose identities are involuntarily disclosed at work by others, risk facing harassment, bullying, victimization and termination from their employment.” (pg. 9, para. 5.10)
- d. “SASOD suggests that many LGBT Guyanese youth are highly susceptible to suicidal ideation, attempts or completion. According to a 2014 World Health Organisation (WHO) report, Guyana has one of the highest suicide rates in the world, 21 an estimated 44 per 100,000 (of this estimate unknown is the sexual orientation and gender identity of those who committed suicide) and has been deemed the second leading cause of death of young people worldwide; and young LGBTI people are four times more likely to commit or attempt to commit suicide than their heterosexual peers.” (pg. 13, para. 7.9)
- e. “[I]ntolerance of LGBTI students is widespread in the education system, resulting in LGBTI students being harassed and discriminated against by peers, and even sometimes, by teachers and school administrators.” (pg. 16, para. 8.6)
- f. “The combined and cumulative effects of Guyana's failure to comply with the ICESCR in respect of its LGBTI citizens has led to, and continues to lead to, LGBTI people:
  - 9.1.1 being unable to find and retain employment, and being unable to reveal their identity to their colleagues at work;
  - 9.1.2 feeling isolated from the rest of society and feeling like second-class citizens, leading to mental health issues including depression and oftentimes suicide;
  - 9.1.3 being harassed and assaulted by other members of society;
  - 9.1.5 (sic) being evicted from housing and otherwise deprived of the right to live in security, peace and dignity;
  - 9.1.6 being afraid to access public healthcare services due to stigma and discrimination, preventing them from fully expressing their sexual orientation and gender identity and exposing them to higher risks of HIV, STIs, HPV and anal cancer; and
  - 9.1.7 being unable to access education without fear of discrimination and harassment, affecting their progression and retention through the education system.” (pg. 17, para. 9.1)

- g. “[T]here are still significant areas of law, policy and practice where considerable work is required in order for Guyana to meet its obligations under ICESCR, and to achieve compliance regarding economic, social and cultural rights of LGBTI persons. In particular, Guyana has:
    - 2.2.1 failed to enact and implement non-discrimination legislation to reduce discrimination on the basis of sexual orientation and/or gender identity in employment, housing, healthcare and education (ICESCR Articles 2, 6, 7, 11, 12 and 13);
    - 2.2.2 failed to consider the unique health needs of LGBTI persons (ICESCR Article 12);
    - 2.2.3 failed to introduce policies to prevent bullying and harassment of LGBTI students in the education system (ICESCR Article 13);
    - 2.2.4 failed to provide sexuality education that is comprehensive and inclusive of different sexualities and gender identities (ICESCR Article 13); and
    - 2.2.5 failed to repeal laws criminalizing consensual sex between male adults in private and laws criminalizing cross-dressing (ICESCR Article 2).” (pg. 3, para. 2.2)
  - h. “The absence of a specific prohibition on sexual orientation and gender identity discrimination within the Prevention of Discrimination Act 1997 leaves LGBTI persons open to discrimination with impunity in the workplace, allows employers to refuse to hire someone who identifies as LGBTI, to harass or otherwise discriminate against them during their recruitment and/or employment, or to terminate their employment on these grounds, with essentially no consequences under the law.” (pg. 8, para. 5.6)
- 4. Society Against Sexual Orientation Discrimination, *Discrimination in the Enjoyment of Economic, Social and Cultural Rights in Guyana* (March 20, 2015), available at <http://sasod.org.gy/sites/default/files/resources/IACHR%20Submission%20on%20Discrimination%20in%20the%20Enjoyment%20of%20ESCR%20in%20Guyana.pdf#pdfjs.action=download>**
- a. “Police extortion of men who appear to be gay and bisexual continues unabated. SASOD documents many cases of discrimination every year. But social stigma against homosexuality is so strong that complainants are reluctant to test existing redress mechanisms, like the Police Complaints Authority and the Police Service Commission. The stigma of homosexuality is in the allegation itself and these discriminatory laws confer a status of unapprehend (sic) criminals on LGBT people for simply being who they are.” (pg. 10)
  - b. “It is an indisputable fact that the state party of Guyana discriminates against lesbian, gay, bisexual and transgender (LGBT) people in law and policy. Sections 351 to 353 of the Criminal Law Offenses Act Chapter 8:01 criminalize same –sex intimacy between consenting adult men in private. Cross-dressing is criminalized under section 153 (1) (4) of the Summary Jurisdiction Act Chapter 8:02. Guyana unofficially and actively enforces these inherently discriminatory laws.” (pg. 10)
- 5. Amnesty International Report 2014/15, *The State of the World’s Human Rights* (February 25, 2015), available at <https://www.amnesty.org/en/documents/pol10/0001/2015/en/>**
- a. “Consensual sex between men remained criminalized. There were continuing reports of discrimination against LGBTI persons, particularly transgender persons.” (pg. 171)
- 6. Permanent Mission of the United States of America to the United Nations and Other International Organizations in Geneva, *21st Session of the Universal Period Review: US Statement at the UPR of Guyana* (January 28, 2015), available at <https://geneva.usmission.gov/2015/01/28/u-s-statement-at-the-upr-of-guyana/>**
- a. “[M]embers of the lesbian, gay, bisexual, and transgender (LGBT) community continue to face targeted acts of societal violence and harassment. Some members reported that they were ridiculed by public officials when attempting to access medical care or file reports with the police. We also

note no one has yet been brought to justice in several high-profile crimes committed against members of the LGBT community, including the murders of transgender individuals.”

7. **The Human Dignity Trust, Commonwealth Countries Criminalizing Private, Consensual Sexual Conduct Between Adults of the Same Sex (June 22, 2014) available at [http://www.humandignitytrust.org/uploaded/Map/Commonwealth\\_Country\\_Reports/Guyana.pdf](http://www.humandignitytrust.org/uploaded/Map/Commonwealth_Country_Reports/Guyana.pdf)**
  - a. “19 January 2014: A march was organised in memory of a young man murdered in Guyana. The director of Guyana Trans United, Quincy McEwan, told reporters of three murders of LGBTI people that have taken place over the last year. Such murders are reportedly becoming increasingly common. People on the march also criticised the police for their handling of reported incidents. One member of the Society against Sexual Orientation Discrimination claimed: ‘There’s a lack of will to investigate these incidents against transgender people because of trans-phobia and homophobia in the police force.’” (pg. 3)
  
8. **Amnesty International Submission to the UN Universal Periodic Review, *Guyana: Insufficient Action on Long-Standing Human Rights Concerns, January 2015* (June 15, 2014) available at <https://www.amnesty.org/en/documents/amr35/001/2014/en/>**
  - a. “Discrimination against lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons is prevalent in Guyana, and sex between men continues to be criminalised.” (pg. 3)
  - b. “A report issued in March 2012 by the University of the West Indies [authored by Christopher Carrico, excerpts included *infra*] which examines the social impact of laws affecting LGBTI people in Guyana, found that the majority of those interviewed were reluctant to report crimes against them for fear that charges would instead be brought against them because of their sexual orientation or gender identity.” (pg. 7)
  - c. “Amnesty International is concerned, however, at reports that the police refuse to receive complaints from members of the LGBTI community and often verbally abuse them.” (pg. 7)
  - d. “Four transgender individuals were fired upon from a passing vehicle on the night of 7 April 2014 in central Georgetown. Two of them were wounded and required medical attention. The police refused to note down their complaint and reportedly made homophobic insults. . . . The four individuals reported similar treatment from staff at Georgetown Public Hospital, who allegedly behaved in a discriminatory manner and were unwilling to treat them.” (pg. 6–7)
  - e. “At least three individuals were murdered in 2013 in what appear to have been killings motivated by their perceived sexual orientation or gender identity. The body of 26-year-old Delon Melville was found on 2 August 2013 in the village of Mocha, East Bank Demerara, three days after he went missing. He had previously been threatened by members of the local community and told to leave the area. The mutilated body of 19-year-old Wesley Holder, known as Tiffany, was found on the morning of 11 January 2013 near St. Phillip’s Anglican Church in Georgetown. 36-year-old Nandkumar Purnwassie’s badly beaten body was found on a street in Port Mourant, East Berbice-Corentyne on 26 November 2013. At the time of this writing, no one has been charged in relation to these killings.” (pg. 7)
  
9. **Society Against Sexual Orientation Discrimination, *On Devil’s Island: A UPR Submission on LGBT Human Rights in Guyana* (June 15, 2014), available at [http://sasod.org.gy/sites/default/files/resources/SASOD\\_SRI\\_UPR\\_Guyana\\_July2014FINAL3.pdf#pdfjs.action=download](http://sasod.org.gy/sites/default/files/resources/SASOD_SRI_UPR_Guyana_July2014FINAL3.pdf#pdfjs.action=download)**
  - a. “In a national survey, 25% of Guyanese admitted to being homophobic while 18% approved of using violence against LGBT persons. Much of this violence is fuelled[sic] by socio-cultural norms. The discriminatory laws reinforce these homophobic and transphobic prejudices. Discriminatory responses from the police, manifested in lack of or inadequate investigations and mostly unsolved cases often lead to injustice and foster impunity for anti-LGBT hate crimes.

Additionally, over the past two years, there have been several unsolved murders of LGBT persons of which the police are not actively investigating. In 2013 alone, at least three transgender and gay persons were murdered across the country in circumstances suggesting they were targeted hate crimes: Tiffany (Wesley Holder) in January, Delon Melville in August and Champa (Nandkumar Poonwassie) in November. To date, there are no charges in any of these unsolved cases.” (pg. 4, para. 8)

- b. “On June 8, 2014, a local pastor, Ronald McGarrell, shared his opinions about homosexuality from his religious perspective on a local radio programme, saying that homosexuality is learnt behaviour and that all gay persons should live on an island by themselves to prevent it from spreading. A week later on June 15, 2014, Minister within the Minister of Finance, Juan Edgehill, who is also a pastor, appeared on the same programme to defend McGarrell. Edgehill used the most inflammatory language describing homosexuality as “destructive, unwholesome and unhealthy.” The Government Minister is a Member of Parliament for the ruling People’s Progressive Party / Civic (PPP/C). Edgehill went on to state that it is “scientifically proven” that homosexuals are more promiscuous, disease laden and violent than “normal” people. Edgehill was adamant and unapologetic for his hateful comments which were clearly intended to incite and ill-will against LGBT people, which is a violation of Article 146 (3) of the Guyana Constitution.” (pg. 6-7, para. 22)
- c. “Guyana maintains on its statute books, invasive laws which criminalise consensual private sexual activity between adult men. By retaining these laws, the rights of same-sex/gender practising persons to privacy are being violated. Researchers have documented that some police have been using the existence of these laws for extortion as men who are found in compromising positions are made to pay bribes rather than face charges. Although consensual same-sex/persons activity between adult men is difficult to prove, the damage is done in the charge itself due to the stigma attached to homosexuality.” (pg. 5, para. 13-14)
- d. “Transgender persons are expressly forbidden from expressing their gender identity because of Section 153 (1) (xivii) of the Summary Jurisdiction (Offenses) Act which makes it an offense of cross-gender dressing. This violates rights of human dignity, freedom of expression and protection from discrimination based on gender. As a result of this law, transgender persons face high levels of direct discrimination and targeted violence from both the police and private actors. As recent as April 7, 2014, two transgender sex workers were injured in a drive-by shooting by assailants using pellet guns. Even though the victims have reported the matter to the police and they have provided vital information which helps to identify of the assailants, the police took over a month to charge the perpetrators.” (pg. 6, para. 18–19)
- e. “LGBT people face higher levels of unemployment, underemployment, and if employed are paid lower wages, are denied promotions and are forced to perform tasks outside of their job descriptions or are not adequately paid if they work over time. These discriminatory workplace practices oftentimes go unreported because the LGBT people have no legal protection from discrimination on the basis of their sexual orientation or gender identity in employment. This directly impacts the abilities of LGBT persons to access housing. Researchers have documented the struggles of LGBT Guyanese to access housing on the rental market. The evidence suggests that landlords, like employers, are biased.” (pg. 7, para. 25)
- f. “The existence of these discriminatory laws in Guyana has contributed to the barriers LGBT people face accessing healthcare. LGBT persons continue to face high levels of stigma and discrimination from healthcare workers and auxiliary staff which deters them from visiting hospitals and other health facilities.” (pg. 8, para. 27)
- g. “In Guyana, children who may identify as being LGBT or are perceived to be, are often labelled with pejoratives, suffer extreme violence and discrimination in schools and other childcare institutions because of their real or perceived sexual orientation and/or gender identity. Further,

because of the homophobic views of many teachers, LGBT students are unable to report incidents of abuse to teachers as they, the victims, are sometimes punished instead of the offenders.” (pg. 8, para. 30)

**10. Amnesty International Report 2014/15, *The State of the World’s Human Rights* (February 25, 2014), available at <https://www.amnesty.org/en/documents/pol10/0001/2015/en/>**

- a. “Consensual sex between men remained criminalized. There were continuing reports of discrimination against LGBTI persons, particularly transgender persons.” (pg. 171)
- b. “Four transgender individuals were fired upon from a passing vehicle on the night of 7 April in central Georgetown. According to reports, the police refused to take their complaint, and Georgetown Public Hospital refused to treat them.” (pg. 171)

**11. Amnesty International Report 2013, *The State of the World’s Human Rights*, (May 23, 2013), available at <https://www.amnesty.org/en/documents/pol10/001/2013/en/>**

- a. “A report issued in March by the University of the West Indies examined the social impact of laws affecting LGBTI people. The report found that the majority of those interviewed were reluctant to report crimes against them as they feared charges would be brought against them because of their sexual orientation.” (pg. 114)

**12. United States Department of State, *2012 Country Reports on Human Rights Practices: Guyana* (April 19, 2013), available at <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2012&dliid=204456>**

- a. “Consensual same-sex activity between adult men is illegal under gross indecency laws and punishable by up to two years in prison. Anal intercourse is punishable with a maximum sentence of life in prison.”
- b. “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.”
- c. “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 report noted that lesbian, gay, bisexual and transgender (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.”

**13. Society Against Sexual Orientation Discrimination, et. al, *Sexuality and Gender Issues Affecting Children in Guyana: Submission to the 62<sup>nd</sup> Session of the Committee of the Rights of the Child* (January 14, 2013) available at [https://www.crin.org/en/docs/Guyana\\_Society%20against%20Sexual%20Orientation%20Discrimination\\_CRC%20Report.doc.pdf](https://www.crin.org/en/docs/Guyana_Society%20against%20Sexual%20Orientation%20Discrimination_CRC%20Report.doc.pdf)**

- a. “Children who are seen to be outside gender norms are often labeled as “different” because of their real or perceived sexual orientation and gender identity. They face discrimination and abuse in the school system and their communities. In schools, there is little or no support for children who fall into this category. Students face discrimination and are targeted not only by their peers but sometimes by teachers, whose personal views may be homophobic. Some LGBT students reported being harassed by their peers and when they approached their teachers for support, they were punished because of their assumed or actual sexual orientation or gender identity, instead of the offenders. Further, there have been reported cases where if a child is identified as gay, whether

- real or perceived, that child is neglected or sometimes verbally abused by the teacher in the presence of other students, with derogatory remarks.” (pg. 7)
- b. “One LGBT youth reported, having been continuously verbally abused and harassed by his teacher, stating that at one point he could not take it anymore and engaged in pushing her physically as a result of his frustration. When asked why he did not complain, he responded by saying that nothing would have been done, so he did what he felt would stop the abuse. Most instances of abuse perpetuated against children because of their assumed homosexuality and gender identity are unreported and undocumented because there are no actual or known systems in place to treat these issues.” (pg. 7)
  - c. “SASOD was contacted when a gay 13-year old boy was thrown out of his home and threatened with a cutlass by his father that he would be killed because he appeared to be gay. Afraid, alone and helpless, he sought refuge with older peers, who introduced him to the sex trade so that he could earn money to provide for his basic needs of food, clothing and shelter for himself...CCPA intervened and placed the child with his grandmother, where the father had continued access to him, and was able to continue the abuse and harassment. There was no legal intervention with the boy’s father who threatened his son with deadly violence.” (pg. 7–8)

**14. International Gay & Lesbian Human Rights Commission, *Human Rights Violations of Lesbian, Bisexual, and Transgender (LBT) People in Guyana: A Shadow Report (July 10, 2012)*, available at <https://www.outrightinternational.org/sites/default/files/573-2.pdf>**

- a. “LBT people in Guyana experience harassment on the street and in their homes. Women are often targeted for harassment because they dress against gender norms. Verbal harassment is common for LBT persons, and many have also reported threats of violence and sexual harassment. LBT persons are subject to pressure from their families because of their sexual orientation or gender identity. They may be forced to conceal their sexual orientation or enter into sham relationships. Such discrimination is a product of stereotyped roles, which the Government has failed to combat.” (pg. 3)
- b. “Many LBT people experience discrimination by the police and law enforcement officials. Discriminatory laws against cross-dressing have led to detentions and fines for transgender women. Because of cultural attitudes against LBT people, there have been documented incidences of police intimidation, detention, and failure to investigate homophobic assaults.” (pg. 3)
- c. “In Guyana, cross-dressing is criminalized under Section 153 (1) (xlvii) of the Summary Jurisdiction (Offences) Act, Chapter 8:02. This provision makes it an offence when a ‘man in any public way or public place, for any improper purpose, appears in female attire...’ (pg. 2)
- d. “Between February 6 and 10, 2009, police detained at least eight people, some of them twice, charging seven of them for cross-dressing. The first arrests took place on February 6, when plainclothes policemen detained three persons in downtown Georgetown, near Stabroek Market. On February 7, the police detained five more individuals. On both occasions, the acting Chief Magistrate, Melissa Robertson, fined the detainees GY\$7,500 (US\$37.50) each. On February 10, the police detained four people; three of whom had been among those arrested on February 6 and 7. In court, when handing down the sentence, Acting Chief Magistrate Robertson told the detainees they were not women but men and exhorted them to ‘go to church and give [their] lives to Christ.’” (pg. 2–3)
- e. “In three cases, the interviewees stated that the police had positively failed to investigate a homophobic crime when reported. In one instance, the individual described how members of the police force actually attempted to intimidate her and to solicit bribes and sexual favors. One participant explained, ‘I was attacked once for being gay and reported it to them [the police] - they told me to change my lifestyle.’ Others described discriminatory treatment at the hands of police

specifically because of their sexual orientation. Acts include unjust detention and being disallowed access to a partner who was in police custody.” (pg.7)

**15. United States Department of State, 2011 Country Reports on Human Rights Practices: Guyana (May 24, 2012), available at**

**<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?dliid=186520>**

- a. “Sodomy 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 could provide numbers. It was reportedly more common for the police to use the law to intimidate suspected same-sex male partners.
- b. “Following the 2009 incident in which a judge fined several transgender persons 7,500 Guyanese dollars (\$37), an NGO and four of the individuals filed a motion in the High Court against the law criminalizing cross-dressing; the case remained pending at year’s end.”

**16. Amnesty International, Amnesty International Report 2012: The State of the World’s Human Rights (May 24, 2012), available at <https://www.amnesty.org/en/documents/pol10/001/2012/en/>**

- a. “There were reports of police harassment of transgender sex workers, including through the use of arbitrary detention.” (pg. 165)
- b. “A constitutional motion seeking to repeal an article from the Summary Jurisdiction (Offences) Act, which criminalizes cross-dressing and is often used by police to harass sex workers, was pending before the High Court at the end of the year. The motion was brought by four people who were charged and fined under the legislation in February 2009 and seeks its repeal on the grounds that it is discriminatory and unconstitutional.” (pg. 165)
- c. “Stigma and discrimination surrounding HIV/AIDS and the criminalization of sex between men continued to be a barrier to accessing HIV-related information, testing and treatment.” (pg. 165)

**17. Christopher Carrico, Faculty of Law UWI Rights Advocacy Project, Collateral Damage: The Social Impact of Laws Affecting LGBT Persons in Guyana (March 2012), available at**

**<http://sasod.org.gy/sites/default/files/resources/CollateralDamage.pdf#pdfjs.action=download>**

- a. “Persons found guilty of sodomy in Guyana can be sentenced with up to life imprisonment. Guyana also has laws against ‘gross indecency’ between males, and cross-dressing. These crimes carry punishments of up to two years imprisonment, and fines of not less than 7,000 Guyana Dollars respectively. While the laws against sodomy and same sex sexual activity are largely unenforced, research in other national contexts has shown that even unenforced laws can have pervasive effects in the society.” (pg. 3)
- b. “Homosexuals, bisexuals and transgenders of all class backgrounds have had direct encounters with the police that have to do with the criminalisation of their sexual orientation or gender identity. They are harassed and abused by the police. They are arrested or threatened with arrest. They are charged with the crimes of crossdressing and loitering. They are found guilty and given fines.” (pg. 15)
- c. “The majority of the lesbians, gays, bisexuals and transgenders interviewed had been victims of crimes committed against them because of their sexual orientation. Many interviewees indicated that they had been physically attacked because of their sexual orientation.” (pg. 17-18)
- d. “Another pervasive way in which the laws relating to sexual orientation create an environment injurious to LGBT persons is by enabling stigma and discrimination that limits access to health care and social services . . . . [One interviewee] related a common story: ‘When I go to the hospital, the staff and patients discriminate against me. Some doctors don’t want to look after me. They keep sending me to see another doctor.’ [Another interviewee] told us that health care and social workers ‘breach confidentiality about medical issues.’ . . . A gave us more details about his

treatment by medical staff. ‘I would go to a counselor for an HIV test. You want to be honest and you say “I am gay”. And right away the facial expression and the body language changes and just says it all.’ [A third individual interviewed] informed us that on two occasions, when he told HIV counselors that he was gay, they said ‘Let us pray about it.’ In one case, the nurse said ‘Gay eh? Oh Lord!’ He described counseling sessions as ‘disgusting’, and said that they made him feel that he ‘did not want to go back for any counseling’.” (pg. 21)

- e. “LGBT Guyanese often ‘closeted’ (i.e. concealed their sexual and gender identities) at their workplace, and are often affected in their access to jobs and hindered in their career advancement because of their sexual orientation. Many interviewees reported trying to be completely closeted at work for fear of social sanction, injury to their careers, or termination of employment. Other respondents were either unable or unwilling to hide their gender identities at work.” (pg. 19)

**18. United Nations Development Programme, *Caribbean Human Development Report 2012* (2012), available at**

**[http://www.undp.org/content/dam/undp/library/corporate/HDR/Latin%20America%20and%20Caribbean%20HDR/C bean HDR Jan25 2012 3MB.pdf](http://www.undp.org/content/dam/undp/library/corporate/HDR/Latin%20America%20and%20Caribbean%20HDR/C%20bean%20HDR%20Jan25%202012%203MB.pdf)**

- a. “While constitutions around the region bar discrimination on the basis of race and gender, no such protection exists for sexual orientation or sexual minorities. Legally, homosexuality remains a crime in much of the region. Eleven CARICOM countries use laws against buggery to criminalize relationships between men who have sex with men. The insecurities faced by and exacerbating the vulnerabilities of lesbian, gay, bisexual, and transgender communities encompass problems in accessing health care, verbal and physical harassment, isolation and violence. This community also faces secondary victimization, including job loss, eviction from housing, denial of accommodation, and HIV/AIDS-related stigmatization. Despite the general stigmatization of the entire community, there is a relative tolerance for lesbians compared to a more vociferous hatred of gay men, which can be explained by what Herek (1984) labels defensive coping attitudes. Many of these issues are facilitated by the illegal status of homosexuality in the English-speaking Caribbean.” (pg. 35)
- b. Sexual minorities are targeted for brutal violence and even death; consequently, gay men are an increasingly vulnerable group in the region. Homosexuals are stigmatized and stereotyped and generally seen as the negation of masculinity. Their vulnerability arises from the social construction of masculinity and the hatred for persons who challenge heterosexual notions of manliness. Thus, people who are or who are perceived to be members of lesbian, gay, bisexual, transgender, or queer communities live in an environment of stigma, stereotype, and constant vulnerability to violence (Norman, et. Al. 2006; White & Carr 2005). Violence towards sexual minorities is tolerated and is, at times, even openly advocated in the media, religious practice and music in the Caribbean.” (pg. 35)

**Legal Sources:**

**1. Laws of Guyana, *Criminal Law (Offences)*, Chapter 8:01, available at <http://gina.gov.gy/wp-content/uploads/2016/06/Cap-801.pdf>**

- a. “352. Any male person who, in public or private, commits, or is a party to the commission, or procures or attempts to procure the commission, by any male person, of any act of gross indecency with any other male person shall be guilty of a misdemeanor and liable to imprisonment for two years.” (pg. 184)
- b. “353. Everyone who—
  - (a) Attempts to commit buggery; or
  - (b) Assaults any person with intent to commit buggery; or

- (c) Being a male, indecently assaults any other male person, shall be guilty of a felony and liable to imprisonment for ten years.” (pg. 184)
- c. “354. Everyone who commits buggery, either with a human being or with any other living creature, shall be guilty of felony and liable to imprisonment for life.” (pg. 185)
- 2. Laws of Guyana, *Criminal Law (Offences)*, Chapter 8:02, available at <http://gina.gov.gy/wp-content/uploads/2016/06/Cap-802.pdf>
  - a. “153. (1) Every person who does any of the following acts shall, in each case, be liable to a fine of not less than seven thousand five hundred dollars nor more than fifteen thousand dollars—
    - (xlvii) being a man, in any public way or public place, for any improper purpose, appears in female attire; or being a woman, in any public way or public place, for any improper purpose, appear in male attire . . . .” (pg. 104)

**Academic Sources:**

1. **Mahalia Jackman, *Protecting the Fabric of Society? Heterosexual Views on the Usefulness of Anti-Gay Laws in Barbados, Guyana and Trinidad and Tobago*, 19 CULTURE HEALTH & SEXUALITY 91 (2017)**
  - a. Since gaining independence, Guyana has overhauled many of its sex crimes, but it continues to outlaw consensual sodomy and has kept “pieces of legislation that signal heterosexuality as the ‘norm’.” As such, buggery (anal sex) is criminalized in Guyana with a maximum punishment of life in prison. Gross indecency is also a crime and convicted persons in Guyana face up to two years in jail. (pg. 91)
  - b. “In the Caribbean, sexual prowess with women is a key aspect of masculinity and so men who have sex with men may challenge the cultural beliefs about what constitutes socially appropriate male behaviours.” (pg. 93)
  - c. “A more general theme in the published word on the Caribbean is that anti-gay prejudice is largely driven by conservative Christian beliefs.” (pg. 94)
  - d. “In the region, public discourse often conflates homosexuality with paedophilia[sic] and immorality, and also causally links homosexuality with HIV.” (pg. 94)
  - e. “[One] aim of this study was to determine the prevalence of the view that the current antigay laws protect the fabric of society. . . . Respondents [in three Caribbean states – Barbados, Guyana, and Trinidad and Tobago] were asked about their beliefs regarding the importance of the current buggery/sodomy laws.” (pg. 95–97)
    - i. “[R]espondents from Guyana appeared the most likely to believe that the laws stop the spread of homosexuality and protect children from abuse.” (pg. 99)
  - f. “The results [of this study] imply that public support for these [anti-gay] laws is grounded in negative stereotypes about gay men and lesbians.” (pg. 101)
  - g. “[P]ersons who believed that homosexuality was caused by trauma, bad parenting or was a choice were consistently the most likely to assume the laws somehow protected the society from harm.” (pg. 102)
  - h. “An interesting observation was that persons attending university and younger generations still held on to the view that gay men and lesbians were immoral, spread diseases and abuse children, and so believed that the anti-gay laws are a necessity. Age and education only mattered for responses to the statement that the laws prevent the spread of homosexuality.” (pg. 102)
2. **Javier Corrales, *The Politics of LGBT Rights in Latin American and the Caribbean: Research Agendas*, 100 European Rev. of Latin Am. & Caribbean Studies 53 (2015)**
  - a. “[O]n the issue of LGBT rights today, faith-based groups in Latin America and the Caribbean have been for the most part united in their opposition [to the advancement of LGBT rights].” (pg. 55)

- b. “While the study of post-legality is becoming relevant for an increasing number of countries and cities, it remains mysteriously irrelevant in the English-speaking Caribbean (including . . . Guyana). In these small countries, LGBT legal rights have hardly advanced. Of the 40 political states in Latin America and the Caribbean, 11 [including Guyana] have not legalized (male) same-sex activity as of 2015 . . . .” (pg. 59)
- c. “[T]he English-speaking Caribbean . . . legally . . . remains among the most homophobic places among stable, liberal democracies.” (pg. 59)
- d. Anglo-Caribbean nations carried out their independence struggle more recently, and these struggles entailed unifying the nation along notions of racial, cultural, and political distinctiveness vis-à-vis white England. It could very well be that these notions might now be serving inadvertently to entrench rather than change the status quo with respect to LGBT rights.” (pg. 59)

**3. David C. Plummer, *Masculinity and Risk: How Gender Constructs Drive Sexual Risks in the Caribbean*, 10 SEX RES. SOC. POL’Y 165 (2013)**

- a. “Between 2006 and 2008, detailed interviews were conducted with 138 young men from . . . Anguilla, Grenada, Guyana, Jamaica, St Kitts and Nevis, St Lucia, St Vincent and the Grenadines, and Trinidad and Tobago.” (pg. 167–68)
- b. “Negotiating the transition from childhood to manhood is a crucial achievement in a boy’s development [in these countries]. . . . It is not possible to make this transition without engaging with the (powerful) rules of gender—what for boys might best be called ‘compulsory masculinity.’” (pg. 168)
- c. “In contrast to the taboos, the obligations of manhood form the other half of this binary: physical development, strength, aggressiveness, bravado, suppressing ‘soft’ emotions, risk-taking, and sexual conquest are all viewed as archetypes of “true” masculinity.” (pg. 169)
- d. “Disloyalty to the peer group/gang can be considered treasonous and “softness” in the Caribbean (and elsewhere) raises suspicions of homosexuality: both can lead to rejection, violence, and even death, particularly where homophobia runs deepest . . . .” (pg. 169)
- e. “The taboos of manhood largely revolve around repudiating characteristics that are considered childish, effeminate, soft, disloyal to the peer group, gay, or in some other socially-determined way, to lack masculinity.” (pg. 168–69)
- f. “The expectation of “compulsory heterosexuality” extend to gay men as well. The data contains numerous graphic examples of deep and at time violent homophobia. The follow quotation is from a participant who experienced sustained homophobic abuse in his neighborhood, which culminated in him having acid thrown in his face. He was left with extensive permanent scarring.
  - i. “I felt the liquid when I turned, and right away my mind said to me, acid. And at that time my hair was not in braids, but it was in a funky dread, so I felt it, and right away I leaned and my mind said to me this is acid. So there I am leaning, looking on the ground, looking to see if pieces of flesh would have been dropping there. I went to the police station, I reported it again, they took me to the hospital. I was hospitalized I think for two months and a week thereabouts nursing my acid wounds. (Participant: GUY12; Country: Guyana; Male; Age 29; Christian; working class; mixed race; at least some secondary school)” (pg. 171)
- g. “Note that “chi-chi man”, “battioy” (and later we will see the Guyanese word “antiman”) are local homophobic terms analogous to “faggot” in other countries.” (pg. 169)
- h. “The term antiman has a number of variations, sometimes being auntieman, sometimes pantyman and more often than not, antiman (literally the opposite of a “real” man). While relatively innocuous to foreign ears, the interviews reveal that antiman is considered deeply offensive in certain Caribbean countries (notably in Guyana) and designates an effeminate male, especially a male homosexual in a similar way that the term faggot does elsewhere.” (pg. 169)

4. Mahalia Jackman, *They Called It the ‘Abominable Crime’: An Analysis of Heterosexual Support for Anti-Gay Laws in Barbados, Guyana and Trinidad and Tobago*, 13 *SEX. RES. SOC. POL’Y* 130 (2016)
  - a. “While the anti-gay laws were largely imposed on . . . Guyana . . . during colonialism, today, these laws are often seen as representative of [its] culture. Several decades after gaining their independence from England, these three countries still have laws policing sexuality.” (pg. 131)
  - b. “[I]n [Barbados, Guyana, and Trinidad and Tabago], individuals tend to use the terms ‘decriminalisation of buggery’ and ‘decriminalisation of homosexuality’ interchangeably, hinting that the laws are widely perceived as condemnations of male homosexuality, rather than the act of anal sex itself.” (pg. 131)

#### **Media Sources:**

1. Stabroek News, *Guyana Voted Against Funding for UN Gay Rights Envoy (January 2, 2017)*, available at <http://www.stabroeknews.com/2017/news/stories/01/02/guyana-voted-funding-un-gay-rights-envoy/>
  - a. “Guyana . . . voted at the United Nations against funding for the independent investigator appointed to help protect gay and transgender people
  - b. “[T]he negative vote . . . call[s] into question its commitment to fully support the rights of gay and transgender persons particularly in an environment where local groups have argued that this category of persons has been targeted for violence and in some cases brutalised by the police.”
2. Stabroek News, *Joel Simpson Fights for End to Marginalization of LGBT Community (July 31, 2016)*, available at <http://www.stabroeknews.com/2016/features/07/31/joel-simpson-fights-end-marginalization-lgbt-community/>
  - a. “[Those who are part of the LGBT community] are even scorned and condemned by the one community whose principle is to love everyone regardless of who they are. Yes, the religious community, for the most part, is against persons whose sexuality does not conform to what society sees as ‘normal.’ And so, many of them fearful of dire repercussions—after all even the laws of the country do not protect them—punish themselves simply to keep surviving.”
  - b. “[P]ersons in the community face so much violence that some of them begin to feel it would be better to be dead. There have been cases of transgender people being beaten and raped. They have been arrested for the way they dress and then put into cells with men by the police who then throw condoms at them and say things like “do wah you want with she.” They are also verbally attacked by police officers when passing stations such as the Brickdam Police Station with some of the officers, who live in, pelting them and when they attempt to make reports they are chased.”
3. Guyana Times, *Political Unwillingness Persists on LGBT Matters- SASOD (June 12, 2016)*, available at <http://guyanatimesgy.com/political-unwillingness-persists-on-lgbt-matters-sasod/>
  - a. “Even after 13 years of robust advocacy and campaigns, the Society Against Sexual Orientation Discrimination (SASOD) Guyana observed that the political will to address issues affecting the Lesbian, Gay, Bisexual and Transgender (LGBT) community remains largely unchanged.”
  - b. “It was also observed [at a discussion forum hosted by SASOD] that extreme homophobia and punitive laws are still being enforced by the State, creating a difficult society as discrimination and prejudice with extreme homophobia supported by the State stifles and chokes many vulnerable communities, especially in rural areas.”

4. **Guyana Chronicle, *Expert Says Bigotry Affects Mental Health of LGBT Guyanese* (May 18, 2016), available at <http://guyanachronicle.com/2016/05/18/expert-says-bigotry-affects-mental-health-of-lgbt-guyanese>**
  - a. “Sexual minority groups in Guyana suffer from poor mental health as a result of bigotry meted out to them, the Society Against Sexual Orientation Discrimination (SASOD), said Wednesday following an expert panel discussion on the topic.”
  
5. **Demerara Waves, *Gay Rights Group Lobbies Govt to Outlaw Workplace Discrimination* (March 1, 2016), available at <http://demerarawaves.com/2016/03/01/gay-rights-group-lobbies-govt-to-outlaw-workplace-discrimination/>**
  - a. “[According to] SASOD’s Advocacy and Communications Officer, Ms. Schemel . . . Patrick, “the absence of a specific prohibition on sexual orientation, gender identity and health status within the Prevention of Discrimination Act 1997, leaves LGBT persons and persons with stigmatized health conditions vulnerable to discrimination with impunity in the workplace, allows employers to refuse to hire LGBT persons, people living with HIV (PLHIV), people with mental health challenges and other stigmatized health conditions to harass or otherwise discriminate against them during their employment, or to terminate their employment on these grounds, with essentially no consequences under the law.””
  - b. “Section 4(2) of the Prevention of Discrimination Act of 1997, which provides for the promotion of equal remuneration for work of equal value goes on to prohibit discrimination, defines unlawful discrimination, and protects employees from discrimination on the basis of “race, sex, religion, colour, ethnic origin, indigenous population, national extraction, social origin, economic status, political opinion, disability, family responsibilities, pregnancy, marital status or age except for purposes of retirement and restrictions on work and employment of minors” but there is no explicit mention of protection from discrimination based on sexual orientation, gender identity or health status.”
  
6. **Demerara Waves, *No Fast Track to Gay Rights in Guyana - Teixeira* (July 2, 2014), available at <http://demerarawaves.com/2014/07/02/no-fast-track-to-gay-rights-in-guyana-teixeira/>**
  - a. “According to [Presidential Advisor on Governance, Gail Teixeira], it will require hard work to persuade [the Guyanese] people and allay their fears and preconceptions.”
  - b. “Local efforts to do away with 19th century legislation discriminating against homosexual relations were thwarted in 2001 when the religious community protested against a legislative change to stop discrimination based on sexual orientation. Then president Bharrat Jagdeo bowed to the pressure and did not assent to the legislation.”
  - c. “Meanwhile, the Canadian envoy noted that laws which criminalise the private, same-sex relationships between consenting adults perpetuates a slew of discriminatory practices and dangerous trends of violence against LGBT people. “These are manifested by acts of discrimination against them in hospitals, in schools, in the job market, in public spaces and being disowned by their families. They are often victims of physical and verbal attacks. Many of these persons do not disclose acts of aggression or discrimination for fear of consequences that might follow from disclosure,” Dr. Giles said.”
  
7. **iNews Guyana, *The Cry to Scrap Anti-Buggery Laws is a ‘Storm in a Teacup’* (June 22, 2014), available at <http://www.inewsguyana.com/the-cry-to-scrap-anti-buggery-laws-is-a-storm-in-a-teacup-ppps-manzoor-nadir/>**
  - a. “Currently, buggery in Guyana is illegal and punishable by a maximum penalty of life in imprisonment. There are also laws against cross dressing.”

8. **iNews Guyana, ‘Homosexuality is Destructive, Should not be Tolerated’ – Bishop Edghill Defends Pastor McGarrell (June 15, 2014), available at <http://www.inewsguyana.com/homosexuality-is-destructive-should-not-be-tolerated-bishop-edghill-defends-pastor-mcgarrell/>**
  - a. “Junior Finance Minister and Pastor, Bishop Juan Edghill has described homosexuality as destructive, unwholesome and unhealthy and says it should not be tolerated in the Guyanese society.”
  - b. “This view [that homosexuals are “people who are born abnormally”] was out rightly rejected by the Minister, who claimed that homosexuality was a learnt behavior and advanced an argument that persons who are engaged in the practice can be rehabilitated [i.e. reversion therapy]. . . .”
  
9. **Demerara Waves, *Gay Rights Activists Demand Fair Treatment by Court* (June 10, 2014), available at <http://demerarawaves.com/2014/06/10/gay-rights-activists-demand-fair-treatment-by-court/>**
  - a. “The Society Against Sexual Orientation (SASOD) and Guyana Trans United (GTU) protested outside the East Coast Demerara court moments before 16-year old Michael Andrews was due to appear before Magistrate Sueanna Lovell. Andrews was arrested on Saturday, June 7, 2014 for missing his court date last Friday. His case is that he acted in self-defence after several youths attacked him last August at an annual dance at Buxton, East Coast Demerara because he appeared effeminate.”
  
10. **Kaieteur News, *Guyana Unsafe for LGBT People* (April 21, 2014), available at <http://www.kaieteurnews.com/2014/04/21/guyana-unsafe-for-lgbt-people-huffington-post-report/>**
  - a. “Same-sex sexual acts are still very much illegal and punishable by imprisonment.”
  - b. “‘I have (lesbian friends) who live in Guyana, and they say walking down the street, people taunt them,’ Nhojj explained. Even when he is walking with friends, persons hurl slurs at them . . . ‘There’s a lot of pressure, social pressure, some physical harm, and of course we want to get to a point where everyone is really safe and everyone can really celebrate their sexuality. But we’re not there yet.’”
  - c. “[R]ecently, two cross dressers who operate as commercial sex workers had to seek medical attention after they were attacked by someone with a paint ball gun. While one person was shot on the leg the other received several hits to the body and was rendered unconscious. They had complained that the police had not taken their complaint of the matter seriously and they did not render the necessary assistance.”
  
11. **Demerara Waves, *March Against Slothful Police Probes into Killing of Homosexuals* (January 11, 2014), available at <http://demerarawaves.com/2014/01/11/march-against-slothful-police-probes-into-killing-of-homosexuals/>**
  - a. “Guyana Trans United (GTU) Director Quincy “Gulliver” Mc Ewan told Demerara Waves Online News at the end of the march near the St. George’s Cathedral that since [19-year-old Wesley “Tiffany”] Holder’s killing there has been an escalation in the number of homosexuals being killed. “Since then, it has been a trend in it... We are saying in the space of one year, three LGBT (Lesbian, Gay Bisexual and Transgender) persons have been murdered and nothing has come out of its, nobody has been locked up. We are asking for justice because we believe because we are part of the LGBT community, it has a lot of stigma and sometimes nobody wants to investigate this matter,” said Mc Ewan.”
  - b. “Joel Simpson of the Society Against Sexual Orientation Discrimination (SASOD) said the police have showed little enthusiasm in solving those crimes, apparently because they have been

committed against homosexuals. “There’s a lack of will to investigate these incidents against transgender people because of trans-phobia and homophobia in the police force,” said Simpson.”

**12. Guyana Times, *Gays Are No Less Human – S4 Foundation’s Radix* (April 8, 2013), available at <http://www.guyanatimesgy.com/?p=8719>**

- a. “Some LGBT people complain that the police would favour the other party in the matter. A majority of respondents were victims of crimes and harassment owing only to their sexual orientation. Radix cited one incident where acid was thrown on a gay man who gave in to the taunts of his ridiculers by issuing a retort which angered them.”
- b. “Another respondent claimed he was a victim of daily harassment perpetrated by colleagues and persons in the neighbourhood due to his appearance and sexual orientation.”
- c. “Several of the interviewees said that the verbal harassment would often go as far as threats to kill and annihilate. According to Radix, such acts of discrimination must cease, since LGBT people are only different in their orientation, identity and expression.”

**13. Sherlina Nageer for The Huffington Poster, *End Sexual-Orientation and Gender-Identity Discrimination in Guyana* (July 10, 2012), available at <http://iglhrc.wordpress.com/2012/07/11/end-sexual-orientation-and-gender-identity-discrimination-in-guyana-2/>**

- a. “Guyana may say that these laws are not regularly enforced, but the reality is that representatives of the state, such as the police and members of the judiciary, selectively implement them. The sentencing magistrate told four cross-dressers arrested in 2010 that they should ‘go to church and give their lives to Christ.’ One lesbian, who had been attacked because of her sexual orientation and who reported the incident to the police, received no assistance. ‘The police just laughed and made a mockery of the situation; it was like entertainment to them,’ she said. A transgender individual under arrest described being placed in a jail cell with male inmates who were instructed by the arresting officer to rape her. She reported that two of the prisoners did rape her, and that when she cried out for help, no one came to her rescue.”
- b. “Homophobic and transphobic crimes remain uninvestigated. LBT people are sometimes prevented from seeing their partners in police custody, and members of the police force regularly intimidate and solicit monetary bribes and sexual favors. In addition, LBT Guyanese are often forced to conceal their identity or face hostility within their families, communities, schools, and workplaces.”

**14. Guyana Times, *Sodomy Law Gives Guyanese License to Beat up on Gays—Study Finds* (April 24, 2012), available at <http://www.guyanatimesgy.com/2012/04/24/sodomy-law-gives-guyanese-licence-to-beat-up-on-gays-%E2%80%93-study-finds/>**

- a. “A study carried out on the direct impact of the existing laws on buggery and sodomy have found that many of the crimes committed against Lesbians, Gay, Bisexual and transgendered persons (LGBT) are enabled because perpetrators think they can act with impunity, or even believe that they are privately enforcing the law. According to the study, this is as result of the police often giving the other party (not the victim) the rights.”
- b. “It was also documented that an LGBT person was found dead in his car in a cemetery, assumed murdered by two men because he was bisexual. No one was ever charged or even arrested for his death.”
- c. “With regards to cross-dressing and loitering, the study found that the law is more frequently invoked and people are sometimes prosecuted and convicted of the offence.”
- d. “Of all of the direct material consequences resulting from the enforcement of these laws, transgender sex workers told a story of a case that is extreme in nature, but most likely not unique in the routine enforcement of laws against sex workers and cross-dressers. A transgendered female

reported that she was beaten with a rope, embarrassed in front of others at the police station, stomped on, dragged through the drains and taken to clean the station yard. She also claimed of being beaten, stripped, fingered, and thrown in the lock-ups to be raped by other inmates.”

- e. “Most, if not all LGBT persons said that out of fear of being charged for sexual orientation or gender identity, they stay silent. ‘Even if not convicted of a crime, it would be on my record. I didn’t want that because I didn’t want anything that would affect my ability to get approved for a visa. So I didn’t follow through,’ reported one LGBT victim.”
- f. “Even in instances, when an incident was reported to the police, the LGBT victims were asked to leave the police station, and were told by the rank that they were making a ‘mockery to the system.’”

**15. Guyana Chronicle, *Study Finds Current Laws Discriminatory Against Gays* (April 21, 2012), available at**

[http://www.guyanachronicle.com/site/index.php?option=com\\_content&view=article&id=42426%3Astudy-finds-current-laws-discriminatory-against-gays&Itemid=12](http://www.guyanachronicle.com/site/index.php?option=com_content&view=article&id=42426%3Astudy-finds-current-laws-discriminatory-against-gays&Itemid=12)

- a. “The laws against sodomy, same-sex sexual activity, and cross-dressing in Guyana have been described as a form of apartheid, which should be expunged.”
- b. “Dr. Carrico [see Carrico, *Collateral Damage: The Social Impact of Laws Affecting LGBT Persons in Guyana* above] said he had found in his studies that LGBT Guyanese had been victims of harassment and physical abuse, discrimination, and even vicious crimes, simply because of their sexual orientation.
- c. He said that existence of the anti-sodomy laws encouraged that disrespect and abuse, and opined that steps should be taken to delete those laws, because the decriminalization would mean that LGBT persons could no longer be targeted; and the next step would be enacting laws ensuring that LGBT persons have equal rights in all spheres of life.”

**16. Kaieteur News, *Sexual Minority are Victims of Rampant Discrimination – Study Finds* (April 21, 2012), available at <http://www.kaieteurnews.com/2012/04/21/sexual-minority-are-victims-of-rampant-discrimination-study-finds/>**

- a. “Persons found guilty of buggery in Guyana can be sentenced with up to life imprisonment. Guyana also has laws against ‘gross indecency’ between males and cross-dressing. These crimes carry punishments of up to two years imprisonment, and fines of no less than \$7000.”
- b. “One of the main claims of the study [authored by Christopher Carrico, excerpts included *supra*] is that even though some of these laws are not heavily enforced, ‘There are many ways in which judgments are made, and punishments are meted out long before there are trials.’ The Carrico report adds that ‘There are many effects that a law can have without charges for sodomy ever being prosecuted.’”
- c. “Many respondents in the study expressed apprehension about reporting crimes that had been committed against them, fearing that they would be charged. According to the study, many crimes are committed against sexual and gender minorities because the perpetrators know that they will not be punished, or believe that they are privately enforcing the law.”