

Barbados

Persecuting



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QUICK FACTS

Political System | Parliamentary Democracy & Constitutional Monarchy
Population | 287,375 Head of State | Mia Mottley GDP Per capita | 17,949.28 USD (2018)

EXECUTIVE SUMMARY

Barbados has consistently scored an F, or “persecuting,” on the F&M GBGR and GBTR from 2011-2018. Homosexuality has been criminalized since 1992 and the law has yet to be repealed. The criminalization of homosexuality results in continuous discriminatory policies which oppress sexual minorities, actively exposing them to state-sanctioned violence.¹

The United States Department of State reports that although Barbados criminalizes consensual same-sex acts between adults – with the penalty being life imprisonment – there were no reports of how this law was enforced.² The Department of State also acknowledges that there is no specific legislation prohibiting discrimination against sexual minorities. According to LGBTI organizations in Barbados, sexual minorities have reported facing discrimination in employment, housing, and access to education and healthcare.³ Moreover, LGBTI individuals are at high risk for assault, crime, destruction of property, and are less willing to contact the police.⁴

Background

After 300 years of colonization, Barbados achieved independence from British occupation in 1966.⁵ Barbados operates as a multiparty parliamentary democracy while serving under the British Commonwealth and

Queen Elizabeth II. The Governor General Sandra Mason is the nominal head of state, representing Queen Elizabeth II and the Prime Minister Mia Mottley is the head of government.

The British occupation and trans-Atlantic slave trade also resulted in a traditional sugarcane economy along with the official religion being Anglican Christianity. Over ninety-five percent of citizens in Barbados identify as Christian. During the colonial period, slavery was used by Christians to justify “salvation for the blacks” by charactering slavery as “a virtuous deed.”⁶ As a result, the Church dominates Barbados’ culture, normalizing social constructions of gender and sexuality while perpetuating the notion that same-sex acts are “unhealthy” and “sinful.”⁷ Outright Action International reports that social acceptance of sexual minorities is low due to stigma and cultural norms.⁸ LGBTI activism, however, has increased.

KEY FINDINGS

Legal Landscape

Barbados criminalizes same-sex acts between both men and women. The Sexual Offences Act 1992, Section 9 Buggery, criminalizes same-sex acts with life imprisonment, but only applies to sexual intercourse between men.⁹ Section 12 of the Sexual Offences Act 1992 defined “serious indecency” as “act, whether natural or

unnatural by a person involving the use of genital organs for the purpose of arousing or gratifying sexual desire,” and punishes both men and women with up to 10 years of imprisonment.¹⁰

To date, there is no legal recognition of gender identity. According to Outright Action International, law enforcement discriminates against both sexual and gender minorities. Therefore, the Sexual Offences Act 1992 is also used to “criminalize gender expression and identities which do not correspond with the norm associated with the sex assigned at birth.”¹¹ Although the US Department of State Human Rights Country reported that no reports were found of the law enforced involving criminalization of same-sex acts, the legislation still exists to marginalize LGBTI minorities.¹²

Political Landscape

Elected officials actively denounce homosexuality and deny the persecution of LGBTI minorities in Barbados. In March of 2018, the Minister of Social Care and Community Development attacked LGBTI groups while stating that they are “so insistent, so persistent, claiming this community (LGBTI) is being marginalized and stigmatized” to the point that straight people are “beginning to feel marginalized, harassed and stigmatized by them.”¹³

Adriel Brathwaite, the attorney general of Barbados from 2010-2018, has a history of denying the persecution of LGBTI minorities. In 2011, Brathwaite refused calls by UK Prime Minister David Cameron to legalize homosexuality, claiming that Barbados’ “position on homosexuality was not for sale and that its legislative agenda would be determined at home.”¹⁴ Additionally, Brathwaite stated that “the LGBT community in Barbados were not persecuted” and is one of the safest Caribbean islands for sexual minorities in 2017.

The persistent denial of LGBTI persecution perpetuates

the dangerous rhetoric that LGBTI minorities are safe and included in Barbados when evidently, they remain far from feeling so. This harmful narrative also “provides legal cover for police abuse and extortion of LGBTI individuals.”¹⁵

Mia Mottley, elected to office in 2018, is the country’s first and current female prime minister. During her election campaign, Mottley was the target of discriminatory attacks from the Democratic Labour Party which insinuated that she was “gay” and questioned her sexual orientation.¹⁶ Mottley has also been considered a pro-LGBTI candidate due to her track record as attorney general in 2001.¹⁷ Mottley’s party, the Barbados Labour Party, “calls for a referendum on LGBT laws” but “party members suggested otherwise following the election.” Despite the BLP holding all seats within Barbados’ parliament, the country has a way to go regarding LGBTI inclusivity

Socio-Economic Landscape

Human Rights Watch’s Committee on Economic, Social, and Cultural Rights in 2018 acknowledges that “discrimination often occurs in the private sphere,” especially within the private housing sector.¹⁹ The committee reported that private landlords, credit providers, and public housing providers may deny access to housing or mortgages based on the individual’s sexual orientation and/or gender identity.²⁰

Barbados has yet to pass fair housing and workplace anti-discrimination legislation, leaving LGBTI minorities vulnerable to threats, harassment, and human rights abuses. Furthermore, because family and church are “the cornerstones of social life,” these fears of rejection and harassment often begin in the home then “[translate] to key social spaces, including church and school.”²¹ With 95.2% of the population identifying as religious, the church exerts power over social welfare, communal life, norms, and influencing social attitudes and moral ethics.²²

Societal-Level Discrimination

Throughout 2020, there have been reported incidents of social discrimination against LGBTI minorities. Alexa Hoffman, a trans activist, was attacked in her own home in February 2018. Despite reporting to the police, Hoffman noted that the investigation had been slow and negligent even though Hoffman recognized the attacker as her former tenant.²³

Similarly, in May 2016, the Nation newspaper of Barbados mocked the raping of a gender nonconforming individual, stating that it is “male medicine.”²⁴ Within the same year, a bus driver verbally attacked a female passenger, referring to her as a lesbian whose throat should be cut; the passengers agreed.²⁵

In addition to this anecdotal evidence, activists and civil society groups in Barbados have consistently reported societal discrimination against LGBTI minorities, with most cases unreported due to social stigma. It was not until November 2017 that Barbados was able to hold its first official LGBT pride, signifying its long stride towards sexual orientation and gender identity equality.

ANALYSIS

The likelihood of Barbados improving its GBGR and GBTR score remains low. Due to the church’s dominance over social attitudes and morals, LGBTI minorities reside in fear of repercussions within their own family, church, and social life. However, with the election of Prime Minister Mia Mottley and the Barbados Labour Party, there is cautious hope that homosexuality will be decriminalized, carving the pathway to equal rights for the LGBTI community.

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