

## **The Peruvian state's role in the reproduction of exclusion, marginalization and poverty of the LGBT community.**

To be member of the oldest gay/lesbian organization in South America should bring a sense of pride and satisfaction, but what happens when this organization is located in Peru? Well, for me that has meant many (often contradicting) feelings and emotions. On the one hand, I am proud of being part of the movement, because we are talking about an organization that has been working for over 30 years and that has remained strong despite the fact that it operates in a context where the civil society in which it operates is weak and fragmented. However, I am also frustrated that after all these years the government still hasn't made any progress in extending protection of rights of the LGBT community. Conversely, what has existed and is institutionalized in the state culture, is the structural and systematic denial of rights to this particular community. This situation drives to question the strategies, actions and posture that the movement has had facing the State, but also leads to analyze the conception and the response that the State has about this community and its recognition of rights.

At the beginning of its term, the current government promoted the "Great Transformation" and claimed it would implement a policy of "Inclusion for All"; however, it has been one of the most regressive regimes towards the affirmation and recognition of LGBT rights, which has led many to call it a homophobic government. It is a paradox, because when the present president was campaigning, his national platform not only included LGBT rights promotion, but its very design included participation from members of the LGBT movement. It is even more ironic that in October 2010, the present President of Peru was an invited guest in Orozco salon of the New School, and specifically talked about three points which relate directly to the rights of the LGBT community: 1. - The need for a nationalist identity 2. - The importance and need for leaders willing to fight for human rights, and 3. - The state's role as a provider of health, education and employment.

Three years into his mandate, and according to his previous speech, there are more questions and inquiries than answers within the LGBT movement in Peru:

1. – Does this nationalist project include the LGBT community? What is the meaning of this national identity? In order to be a national task, shouldn't this national identity (which remains an unaccomplished project) also consider all the other historically neglected groups in Peru: Afro-Peruvians, Indigenous people, LGBT community, women, and the poor, 2. – There exists in the Peru LGBT movement leaders that have been working for over 30 years, but the issue is not one of forming or recognizing new leaders of the LGBT movement, but rather formal access to rights 3. - What is the state doing to secure and distribute health, education and employment for all, regardless of sexual orientation and gender identity?

While many advances and achievements are taking place in the region in relation to the recognition of LGBT rights, Peru is among the most homophobic countries. In fact it holds 113th position out of 138 countries evaluated the worst place in the Latin American region<sup>1</sup>. The homophobic context in which the LGBT community operates has resulted in tangible consequences not only in everyday life, but also socially and politically, which in turn has resulted in difficulties winning inclusive LGBT policies.

However, it should be noted there is not a total lack of public policy aimed at the LGBT community, but rather that there is a deliberate exclusion by the State. In Peru, as in most countries of the Andean region, the main strategy of inclusion of the LGBT community has been through public health policies, specifically for certain groups considered more vulnerable in light of the HIV epidemic (Jaime: 2013).

In this sense, the analysis of the relationship between the State of Peru and LGBT community is complex and raises some interesting questions: How can a State be inclusive in some health policies and not in other areas that compromise life and human development? And if we dig deeper, why is that Peru has failed to incorporate any regulatory framework to protect and promote human rights to LGBT community?

In the current context, a first hypothesis is that there is a structural relationship between the State and the LGBT community, resulting in the restriction of human rights through political barriers, which keeps the community in situations of marginalization, exclusion and poverty.

### **Defining the subject excluded, marginal and poor**

The LGBT community is not homogeneous, nor is it intended to be; nevertheless the discourse used by the public health sector, academy, development, and from northern identity agendas tends to have an impact on how it organizes and portrays itself. For example, it was the WHO that created the category MSM (men who have sex with another man), which served to streamline the range of sexual diversity exposed to the HIV epidemic. This category hides the multiple diversities that exist and mostly stashes gender identity of transvestites and people who are not conform to their own gender. The same happened when the category "queer" arose in northern academy as the main model to do academic and political activism and failed to account for the country's context when it was adopted locally.

That is why I use the term "transvestite" as opposed to "transgender". In Peru and in the most part of Latin America, people who have transitioned to the other gender (to female principally) more frequently identify themselves as transvestites. However, as a result of interventions of international cooperation, they have referring to themselves as transgender in order to access to health programs, funding and organizational strengthening. As such, from the 1990s onwards, the

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<sup>1</sup> Results of the evaluation conducted and published annually by the Spartacus International Gay Guide, there are 14 indicators to assess the location of countries, which includes from positive aspects like anti-discrimination legislation, to the most negative like persecution, anti-gay laws, and even death penalty. View: <http://www.larepublica.pe/columnistas/el-factor-humano/enfrentando-el-dolor-04-08-2013>

development agenda (that incorporated human rights and political participation) played an important role in influencing the identity construction of the LGBT community, which in turn had important repercussions for building community and political agendas. For instance, the Global Fund, which has been a key funder since 2003, has exacerbated the division and de-politicization of LGBT agendas and in the reproduction of identity categories like transgender.

In addition, the resulted LGBT organizations' dependency on international cooperation has also generated an inter-identity conflict for resources, especially as there are decreasing sources of available funding now that Peru is considered a middle-income country. For example, it is no longer an eligible country for donors the Global Fund.

In that sense, the subject excluded marginal and poor, to whom I refer at this point, it is not specifically the subject defined in the academy or in development agendas, it is not the subject needed of foreign strategies, financial and technical support. It is a LGBT subject, which is defined in the dialogue among their peers, their organizations and their community agendas. In my case, I try to move away from the mainstream considerations of LGBT people in the south, and I try to achieve the definition of this subject thanks to all years of experience in community work with the majority of LGBT organizations in the country, as well as direct involvement in the process of strengthening and advocacy. Furthermore, this subject is understood from an intersectional perspective, both structural and political (Expósito, 2012: 210), because on it converges the intersection of categories of race, class, age, immigration status; resulting not only one but several subjects that are affected, but in different degrees of impact and intensity, by exclusion, marginalization and poverty. A white middle or high class gay subject is affected differently by HIV / AIDS, violence and access to employment, than a low-class, black or mestizo transvestite. In addition, even within a group of individuals who are part of the same gay, lesbian, bisexual and transvestite community will have different access to health, education, employment and citizen security as intersecting inequalities affect unevenly the lives of people.

Subsequently, equating LGBT subjects as excluded, marginalized and poor results from the encountering of three main factors which influence LGBT lives: situation in access to health, levels of violence and access to employment, and the responses of the Peruvian State around them.

### **Access to public health, normative frameworks against violence, and employment**

The link between access to health and the HIV/AIDS is important, because from the first report of AIDS in Peru, the epidemic has been concentrated in communities of transvestites, gay, bisexual men and men who have sex with men (TGB/MSM). According to reports from sentinel surveillance it has reached a prevalence of 24.3% in travesti and 17.1% in gay, which account for 56% of new cases<sup>2</sup> (CONAMUSA: 2011).

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<sup>2</sup> To get an insight into specific numbers, from 1,000 trans, 243 would be living with HIV; while from 1,000 gay men, 171 would be living with HIV.

According to Mhol (2012: 7), the prevention, diagnosis and treatment of STIs and HIV provided by the Peruvian State reaches only 9.77% of TGB/MSM people, and accounts for only 3.2% of national spending on HIV according to the study of Health Expenditure Measurement MEGAS (MINSA: 2012). In addition, no more than 50% of TGB/MSM people reached by these services have access to an HIV test. Thus, even in times of supposedly universal and free access to antiretroviral treatment, three people die every day from AIDS in Peru<sup>3</sup>. Meanwhile, the shortage of condoms and antiretroviral is constant (Mhol 2012: 7).

The retreat in response to the epidemic is evident in the decline in spending on preventive aspects, through the reduction of Peer Educators Strategy and the weakening of the Periodic Health Care Units (CERITS/UAMP) for the diagnosis and treatment of STIs and HIV. This goes against the recommendation of UNAIDS (2006) for an expanded response to HIV in low and middle income countries, which considers that health care coverage for TGB/MSM must be a minimum of 80% regardless of the epidemiological scenario.

Moreover, there is a lack of comprehensive health policy created with a human rights perspective to the LGBT community. First, there are no protocols of health care for lesbians and specialized services for the prevention and treatment of STIs. Lesbians have higher exposure to cervical cancer and breast cancer (especially if they are transvestites), but for fear of prejudice from health professionals, they often do not receive gynecological services<sup>4</sup>.

In addition, transvestite people require necessary medical attention to transform their body to coincide with their sexual identity: in the absence of formal services they resort to unhealthy substances such as liquid silicone and use of hormones without medical prescription, causing serious damage to their health. Currently, the health system does not mention standards topics such as counseling and procedures for the transformation of the body in their specialized care protocol.

The Ministry of Health's Protocol on Gender Based Violence (GBV) does not include cases of violence within homophobic, transphobic or lesbophobic relationships, so the health system does not respond to these cases, including cases of sexual violence. Violence within the family remains the most acute problem facing lesbian, transvestite and gay men. The youngest and most vulnerable receive insults, beatings, restrictions to go out, their privacy invaded, they are blackmailed in exchange to continue supporting them financially in their studies, they are forced

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<sup>3</sup> Keep in mind that the more people with HIV are TGB people, and it is known that the male-female ratio for adherence to antiretroviral treatment is 2 to 1, while AIDS cases is 3 to 1 respectively. So, an open question might be if this happens due to more discipline on the part of women when further treatment or discrimination or self-exclusion of men living with HIV, mostly trans and gay (UNAIDS 2006).

<sup>4</sup> In fact, the public health system does not attend any need beyond STI and HIV. For example, there is no prevention programs and care of cancer of testicles, penis and anus for gay, trans or bisexual men.

to attend psychiatric or psychological consultations, they are threatened to be raped, among other actions that violate their dignity<sup>5</sup>.

As noted, beyond the State's concern of the HIV epidemic, there has been no major health policy, even though HIV international frameworks demand the extension of human rights to vulnerable populations (UNGASS: 2006). In the Andean region this commitment to fight discrimination (Naciones Unidas: 1996), has led Ecuador -and then Bolivia- to include a non-discrimination by sexual orientation clause in its Constitution (ONUSIDA: 2003).

In relation to violence, the first report about the situation of human rights of LGBT community in Peru (Alvarez and Bracamonte: 2006) identified that one LGBT person died every five days; at present it has been identified that each week one LGBT person was killed between 2006 and 2010, as the ultimate expression of systematic and habitual violence which is lived by people because of their sexual orientation or gender identity (Romero: 2011).

These crimes often go unpunished and silenced, while the media justified them by the "promiscuity", "scandal" or "passion" character of non-heterosexual relationships. The victims are usually adults and wealthy gays, attacked in their homes or hotels, followed by transvestite sex workers murdered by their pimps or customers, and lesbians sexually abused as a "disciplinary" act by people around them.

Other deaths by hate have been reported, but its configuration is more complex than simple murder: LGBT people evicted from home by their families, without any financial and emotional support, sick people abandoned in hospitals, in "healing" centers of homosexuality or people who commit suicide because the abandonment and the continuing violence in their lives.

In front of that situation, National Congress has wavered in its duty to punish hate crimes. The 3584/2009-CR proposal bill that planned the inclusion of Hate Crimes in the Criminal Code had favorable opinion of the Congress Committee on Justice and Human Rights, and should be discussed and approved by the Congress Assembly in November 2010. However was shelved by anti LTGB rights groups and the main political parties' pressure at that time. In December 2011, the 609/2011-CR multiparty proposal bill was presented against Criminal Actions Originating on the Grounds of Discrimination, which was recently discussed in Congress Commission and in Congress Plenary in July 2013; nonetheless unfortunately it did not pass.

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<sup>5</sup> The National Plan against Violence towards Women 2009-2015 includes in its view the right to a life free of violence, among other reasons, sexual orientation, but does not provide for any objective or activity on violence against lesbians and bisexuals. In December 2011 MHOL was the first and only LGBT organization that managed to be incorporated into the National Working Group of the National Programme against Family and Sexual Violence, led by the former Ministry of Women and Social Development (MIMDES), even though this workspace has not been invited to start their actions. Consequently, Naranjo Garcia management of former MIMDES prioritized to lesbian and bisexual women as one of the seven populations prioritized in the process of drafting the National Plan for Gender Equality, whose approval was scheduled for the first quarter of 2012. However, its implementation will be in charge of the management led by Jara evangelical minister.

Furthermore, violence against LGBT adolescents in the classroom is daily. In its most extreme cases, drives the drop-out by the transvestite/gay/lesbian adolescents, or leaves serious health consequences, as in the case of 12 years child who was beaten, kicked and crushed by five classmates at Isaac Newton School (San Miguel, Lima) in November 2011. During the beating they said "stop, fagot, why do you cry? Learn to be a man!

In this regard, the "Law that Promotes Coexistence without Violence in Educational Institutions", Law 29719, approved in June 2011, is not applicable because of the lack of psychologists in schools, why the National Council of Education has proposed the incorporation of pastoral teams, evidently unable to protect the rights of LGBT adolescents with respect and dignity.

Particularly, it should be mentioned that Peru has an ambivalent behavior for recognition and protection of the rights of LGBT people and communities. Paradoxically, although the Peru voted in favor of the resolutions of the Organization of American States (OAS) on the recognition and protection of the rights of LGBT people, has not implemented any of the commitments<sup>6</sup> made in this or other international organizations<sup>7</sup>. Peru has not ratified international treaties protecting explicit human rights for LGBT people<sup>8</sup>, also has not signed the UN declarations on violence based on sexual orientation and gender identity (2008 and 2011) and the resolution of the Council of UN Human Rights (2011).

As mentioned earlier, within the LGBT community there are differences, as a result of variables such as class, race, ethnicity, income, poverty, education (Sarda-Chandiramani, 2008: 196-197). However, it is quite clear that the status of this community is critical from the perspective of Decent Work, proposed by the ILO (Ghai: 2006), because as discussed by Ferreyra (2010: 208) "where you can get a job outside of prostitution, there is no protection against discrimination".

While class as variable related to income establishes substantial differences, because it is more likely that middle and upper class LGBT subjects- who have greater access to better qualified education- to participate in more activities related to the formal economy; lack of protection against discrimination in the workplace originates in many cases gay and lesbian people live in constant fear of their job security due to fear of losing their jobs if their employers find out they have a non-heterosexual orientation. For transvestites, the situation is more critical, because such absence, plus the lack of inclusive policies for job promotion and the reproduction of social

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<sup>6</sup> The OAS resolutions state an obligation to "*condemn discrimination against persons on grounds of sexual orientation and gender identity, and urge States to (...) take the necessary measures to prevent, punish and eradicate such discrimination*". Resolution AG/RES. 2435 (XXXVIII-O/08), Resolution AG/RES. 2504 (XXXIX-O/09), Resolution AG/RES.2600 (XL-O/10), and Resolution AG/RES. 2653 (XLI-O/11) "Human Rights, Sexual Orientation and Gender Identity".

<sup>7</sup> For example, the Andean Charter for Human Rights, signed in 2005, states that signatory States "*will combat all forms of discrimination against individuals based on their sexual orientation or preference*" through prevention, punishment and redress (Article 53).

<sup>8</sup> There have been several attempts by the Congress to ratify the Iberoamerican Convention on the Rights of Youth (CIDJ) with reservations and interpretative declarations to the articles concerning the protection of LGBT people. There have been no actions around the Facultative Protocol to the International Covenant on Economic, Social and Cultural Rights (PFPIDESC).

barriers, mean they do not even have access to the labor market. In this context, the experience of non-discrimination passes luckily to find a tolerant work environment (most common situation in the NGO sector related to human rights, gender and sexual diversity, or in some service sectors), rather than being a constitutional guarantee protected at all workplaces.

Income and visibility variables can impact independently in the higher or lower vulnerability that may suffer inside and outside the labor market. For example, it is common to find gays people with good jobs that reserve their orientation at work, they do not perceive discrimination in other social spheres, and even they perceive that there is no necessity for a law to protect them against discrimination.

At other times both variables intersect and even regardless of income, visibility plays in favor of vulnerability both inside and outside the labor market. I refer to the case of the transvestites subjects in the country, where who has been able to scale to a better economical position and enjoy a certain prestige is the exception, while it is common that most of these subjects only have access to a limited range work, focusing on activities such as styling, decoration, domestic service such as cleaning, cooking and laundry (Salazar and Villayzan, 2009: 12). Being a transvestite in Peru, even though in the country there is no law that prohibits access to work for these people, means being sentenced to social exclusion and inserted into the informal sector, having a relative income that allows them to survive the day to day.

The inherent visibility to the construction and expression of gender identity, places transvestites in a disadvantaged socio-economic and political situation, because it closes employment opportunities, so that sex work becomes a work alternative and even a space for the affirmation of gender identity and personal achievement.

In this case, for transvestites it is not just the possibility to do sex work, but to find the opportunity to exercise overseas, as this is perceived as very profitable activity. While Peruvians to mid-80's migrated to the United States of America, from the early 90's the direction shifted towards Europe (Berg, 2010: 125), but unfortunately there is no data on how many transvestites have migrated since the early 90's to the main European cities such as Madrid, Milan, Paris.

A common fact is that when the transvestite sex workers returning to Peru for vacation or to live permanently, their partners in Peru begin to compare their income and assets, practicing the hypothesis of "relative deprivation"<sup>9</sup> (Stark and Bloom, 1985: 173): "we saw the environment, we recently started, and noticed the Europeans who arrived with breasts, cars and money, and we do not, because we had nothing. Someday, yes? We said, because that is the wish of all, going to Europe "(Bonny 2011, personal interview).

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<sup>9</sup> According to this hypothesis people frequently conceived themselves through interpersonal income comparisons within their reference group. These comparisons generate psychological costs or benefits, and feelings of deprivation or relative satisfaction. Therefore, in the decision to migrate is not only important the wage differential, but also relative deprivation. Hence, how much worse the income distribution is in a given community, the more the relative deprivation feel and, consequently, increase the incentives for migration.

In addition, this fact besides to influencing the desire for other transvestites to migrate becomes a strategy to get away from of poverty, exclusion and marginalization. During a fieldwork in Milan I confirmed sex work is a huge labor market that demands and generates income, as well transvestites have the perception that sex work is exercised in a less violent environment and without gender identity discrimination, an experience that becomes extended to other areas of Italian society.

Migration abroad to perform sex work is seen as an opportunity to improve their own conditions and of their families in Peru. It is further assisted by the existence of friends networks, since most of transvestites migrate to Milan with financial support, motivation and encouragement from other transvestites friends who are already in Italy engaged in sex work. The existence of these relationships is vital to concrete the plan to migrate, which relieves both the psychological costs of facing a different reality and the monetary costs of installation. Likewise, as evidenced in the transvestite community in Milan, there is a "community" with dense relationships of friendship, support and help.

### **The State's response**

In Peru, LGBT people do not have any framework for protection against discrimination, having LGBT organizations performed a minimum of three national campaigns for the inclusion of equality and non-discrimination based on sexual orientation and gender identity<sup>10</sup>. Actually, these are the only populations -along with the sex workers- in the country that do not have a framework of protection and promotion of rights, which would not be consistent with the decentralization governing rules in Peru, as they point to the inclusion, equity and equal opportunities as guiding principles for national and regional governance.

In the case of the Peruvian State is necessary to inquire into the factors that would influence the existence of a public policy by omission (Bejar, 2011: 36), which results in a systematic denial of all proposed legislation focused on the LGBT community. What is the sense to deny the law against hate crimes?, or what is the reason to literally omit same-sex couples living under the same roof in the 2013 population and housing census?

Reflecting on this reality, I could mention there would be three factors that have influenced the structural situation: 1. – An ambivalent State's behavior in terms of economic policies and the promotion of rights, 2. – A fragmentation and weakening of the social fabric; and 3. - The influence of the churches in the state and its conservative speeches.

In the early 90's, with the arrival of Fujimori to power, Peru experienced an aggressive neoliberal economic policy, which meant the sale of public enterprises, the full opening of the domestic

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<sup>10</sup> The inclusion of non-discrimination in terms of sexual orientation on the stage of constitutional reform (Front for the Right to Be Different, coalition led by MHOL in 2002), the legislative proposal of Non-Discrimination Based on Sexual Orientation (prepared by the Bureau of Non-Sexual Orientation discrimination, driven by MHOL, 2003 - 2005) and the legislative proposal to Prevent, Suppress and Punish discrimination Based on Sexual Orientation and Gender Identity (given by MHOL to the Nationalist Party in 2007).

market, the weakening of trade unions, loss of national industry, outsourcing process of the economy, and foreign capital inflows. At the same time began the massive waves of migration overseas, mainly to Europe, for people seeking to become the unskilled labor force needed in countries like Italy or Spain, including transvestite subjects that supplied demand in the European sex market. Due to this situation, the level of employment and social protection declined, therefore initiated various welfare programs which ended completely politicized and reduced to strategies for instrumenting the popular legitimacy of the government.

Although there may be doubts to determine in what measure and how strongly neoliberalism in Peru has contributed to hampering LGBT rights, the causal relations is clearer when the process meant the retreat of the State, and it also meant its retraction in fundamental rights issues to certain minorities. Moreover it should be noted that in Peru there is a right-conservative party, as committed to protecting the market economy based on free trade agreements (FTAs), the promotion and protection of private property, foreign investment and extractive activities. However in protection of sexual, reproductive and sexual diversity rights, which directly affect women and LBT subjects, maintains a conservative attitude. That is, in the country there is no real liberal doctrine, which assumes the protection of the individual and freedom, thus this ambivalent or dualistic behavior causes an absence policy which drives direct consequences for LGBT subjects.

The situation of poverty and vulnerability caused by the retreat of the State worsened the fragmentation and weakening of the social fabric and its organizations. This existed before by the encountering of class and race differences principally, which have hindered the cohesion and coordination of social movements in the country. Additionally, the context became tough by the weakening of political parties, which are affected by a crisis of representation since the early 90's, accompanied by a high level of suspicion of the population by government and public institutions as the National Congress, Ministries, Police, among others.

Within the LGBT movement, poverty on the one hand and the fragmentation and lack of political solidarity on the other, have weakened their ability to advocate on behalf of rights. At national level, there is neither an articulated network of LGBT organizations nor the promotion of it by the State, nonetheless a diverse group of people crossed by lines of poverty, discrimination, exclusion and marginalization. Consequently, the result of the intersectionality of race and class is a fragmented "community", which are the poorest and excluded people who become visible, organized and demanding rights, while the "other" develop a low level of solidarity and indignation, and rather a high level of indifference, because no perception of discrimination, poverty and exclusion for their better access to resources (education, employment, health).

In general, the sociopolitical context has not allowed proper channeling of LGBT subject demands, neither in political parties nor in social movements / organizations, that means outside LGBT and feminist groups. Consequently that explains the fail in achieving public policy aimed at these populations beyond the issue of public health.

Finally, the influence of the doctrine of the Catholic and evangelical churches in the legislative capacity is evident when the leading spokesmen against LGBT legislative initiatives, discussed in

National Congress, are evangelical ministers or members of Opus Dei , who at the same time congressmen of the Republic. The millionaire campaigns organized pro- family, anti- therapeutic abortion and LGBT marriage, makes the existence of a confessional lobby is more real than the existence of a gay lobby in favor of human rights. Hence, the constant intrusion of the churches in the State generates regressive discourses about the body, its role in reproduction, gender, family, and many times these become institutionalized in the governmental discourse through public policy. These discourses construct arguments based on a hegemonic, binary and heteronormative tradition, on how to understand sexuality and gender, which are intensified within a situation of critiques that is perceived as threatening to the intended order to be established in our society (Friedman: 1994).

One of those regressive discourses revolves around the family, heterosexual by sure, and its reproductive capacity of a supreme commodity: new human beings. This explains the emphasis on the protection of the mother / child matrix in the country's public policy, or the emphasis on protecting the civil code, against LGBT marriage proposal, which legitimizes the heterosexual family model.

The power of Catholic Church is endorsed, consequence that Peru is not a secular but confessional State. Also this power becomes higher when go into alliance with the evangelical church, when they go against LGBT rights demand.

## Conclusions

LGBT subjects in Peru are in a situation of marginalization with respect to access to comprehensive health care, excluded from any protecting framework against discrimination and violence, and lacking any public policy that promotes access and protection of decent work.

This circumstance is institutionalized in the State, through their own social and political bodies. There is a State culture that reproduces a systematic denial of rights through the absence of public policy. That is result of the influence of the Catholic Church, now in union with evangelical churches, and political parties, which whether are right or left, have not incorporated LGBT demands.

While Peru has achieved to maintain a democratic system and is now recognized as a middle income country, such achievements have not impacted on the quality of life of the LGBT community. The indifference and inaction of the State keeps the community in marginalization, exclusion and poverty situation, despite various advocacy efforts to achieve legal protection frameworks, and mobilizations carried out by organized LTGB communities nationwide.

According to the Yogyakarta Principles, signed early in 2006, affirm the primary obligation of States to implement Human Rights and each of the twenty-nine principles is accompanied by detailed recommendations to States. Besides the principles affirm their correlation with legal standards that all States must comply. The principles of access to health, education, labour, social security, and protection, are principles which in Peru have not been implemented yet but require urgent response.

Contrarily, the State remains in a conservative and ambivalent position to make decisions, but not to demonstrate with official statistics the trend of the country in economic growth, a fact that within country is not perceived by the unequal distribution of wealth.

The lack of studies that generate information and data demonstrating the level of access and participation of LGBT community in the labor market, income levels, discrimination at workplace and social security. Information is absent about the level of participation of LGBT individuals in the formal and informal economy and the percentage of contribution to the GDP conformation.

That represents a challenge, and even more when the state itself does not have the political will to generate such information, as noted in the last population and housing census. The existence of data on it will generate evidence for the demands of rights.

Finally, the invisibility of LGBT individuals, their experience, homes, social networks, environments, economic and sexual practices, survival strategies, their agendas, struggles, their voices, will be condemning more than thirty years of struggles, and more than an effort to access the long-awaited recognition of LGBT citizenship in Peru.

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