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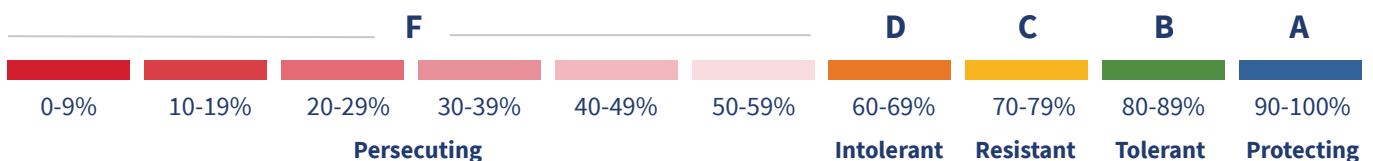
THE ANDEAN REGION

Like the mountains and valleys that line the western border of South America, the Andean region* has experienced acmes and plateaus when it comes to government stability, democracy, and LGBT+ human rights. While some countries have progressed in terms of legislative protections for sexual orientation (SO) and gender identity (GI) minorities, others are experiencing regression due to authoritarian regimes and accelerating violence.

Using universal human rights principles, the Franklin & Marshall Global Barometers® (FMGB) quantify the state of LGBTQI+ human rights in 204 countries and territories. Data from the the F&M Global Barometer of Gay Rights® (GBGR), the F&M Global Barometer of Transgender Rights™ (GBTR), and the F&M Global Barometers LGBTQI+ Perception Index™ (GBPI) demonstrate that although the majority of countries in the Andean region have strong legislative protections in place for sexual orientation and gender identity (SOGI) minorities, an overwhelming number of LGBTQI+ citizens in the region have a somewhat negative perception of LGBTQI+ acceptance and of their own safety from violence and discrimination.



GBGR/GBTR/GBPI Scale



*The Andean region includes six countries: Bolivia, Chile, Colombia, Ecuador, Peru, and Venezuela.

INTRODUCTION

As of 2022, half of the Andean states score in the B-Tolerant category or higher on the GBGR, and the majority score similarly on the GBTR. Such scores indicate that most countries in the region have legislative protections in place for SOGI minorities and permit LGBT+ related advocacy. Yet, while all countries in the region have achieved significant progress on both barometers, almost all countries have faced periods of stagnation and reported acts of homophobic and transphobic violence. The region scored in the F-Persecuting range on the 2022 GBPI, suggesting that rights are not always guaranteed or implemented, and that gaps in programming and policy remain.

Across the past two decades, the Andean region faced several political challenges that most likely impacted the success of LGBTQI+ legislative protections as well as public attitudes toward SOGI minorities. Democratic stability is one such issue. Power struggles between various branches of government, as in Peru [1], and criminal organizations, as in Bolivia [2], have impacted the strength of these democracies. Corruption in Colombia [3] and clientelism in Chile and Venezuela [4, 5] have also inhibited democratic practices. Such challenges weaken democracies and limit a government's ability to enforce the law. Thus, where democracies deteriorate, authoritarianism flourishes, and accountability to the governed is diminished [1, 6]. Moreover, when a government ignores its citizens, the rights of minoritized groups are typically compromised.

LGBTQI+ activists have also faced barriers to advocacy; some have experienced harassment and violence when demonstrating or have been sidelined due to the powerful influence of religious groups. In 2016, for example, at a “Kisses Against Homophobia” demonstration outside the Peruvian government's palace, the police used water cannons to disperse the protestors [7], and both a journalist and participant reported being beaten by the police at the event [8].

Religious groups have also used their influence to affect governmental decisions in covert ways, often inhibiting tolerance and encouraging adherence to gender norms [9]. Weaponizing moral arguments, such groups have spoken out about the “dangers” of “gender ideology” and abortion to influence public policy [6, 9].

These trends and challenges provide context as to why GBGR and GBTR scores are relatively high but GBPI averages remain low in the Andean region. In other words, protective laws may exist in the region, but they are enforced unevenly and sometimes not at all.

REGIONAL BREAKDOWN

The results of the 2022 GBGR reveal that the Andean region is largely tolerant toward SO minorities (see **Figure 1**). Of the six countries analyzed, only Bolivia (one country, or 17% of the region), earned an A-Protecting; Chile, Colombia, and Ecuador scored in the B-Tolerant range, and Peru and Venezuela earned a C-Resistant.

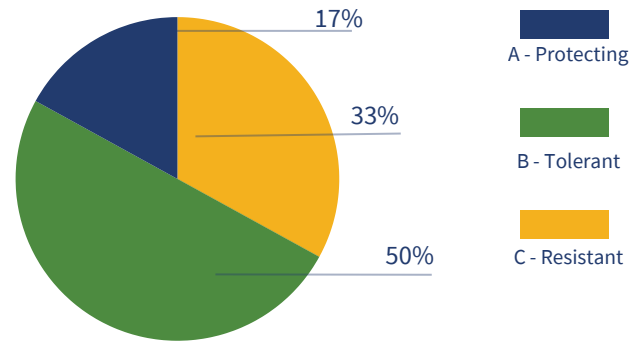


Figure 1. 2022 GBGR Score Breakdown

Figure 2 displays the subregion's highest-scoring countries on the GBGR. As of 2022, **Bolivia** scores positively on all GBGR indicators except for the right to same-sex marriage and joint adoption. The countries that score in the B-Tolerant category lack hate speech protections (Chile) or joint adoption (Ecuador); they report murders of SO minorities (Chile and Colombia) and acts of violence (Chile, Colombia, and Ecuador). While Peru has hate crime, hate speech, and anti-discrimination protections in place, the country does not permit same-sex civil unions, marriage, or joint adoption.

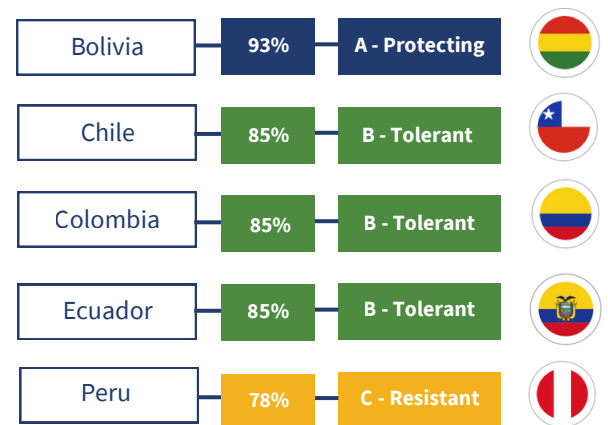


Figure 2. 2022 GBGR - Highest-Scoring Countries

Figure 3 shows the state of transgender rights in the Andean region. The majority of countries, or 67% of the region – **Ecuador, Bolivia, Chile, and Colombia** – score in the B-Tolerant category, while just one country scores a C-Resistant (Peru), and one country scores an F-Persecuting (Venezuela). This is a notable improvement from 2011, when, aside from Ecuador (D-Intolerant), all countries scored in the F-Persecuting range.

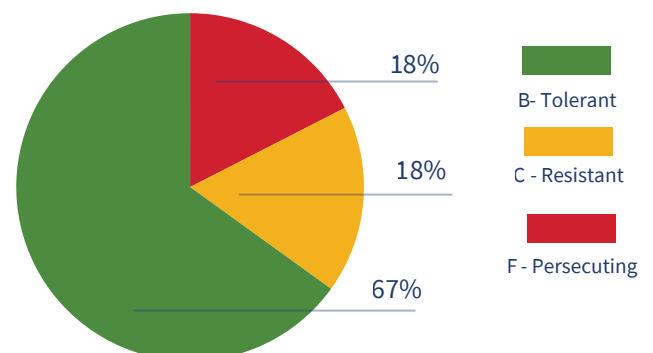


Figure 3. 2022 GBTR Score Breakdown

Figure 4 shows the highest-scoring countries on the GBTR in 2022. **Bolivia, Chile, Colombia, and Ecuador** score well on *de facto, de jure*, and socio-economic, and advocacy dimensions. However, all four countries reported transphobic violence and murders in 2022. **Ecuador's** GI minorities were also able to report crimes to police in 2022, unlike in the other highest-scoring countries. Holding **Peru** back from a B-Tolerant grade are its requirements of physical alteration and psychiatric diagnosis for legal gender recognition (LGR).

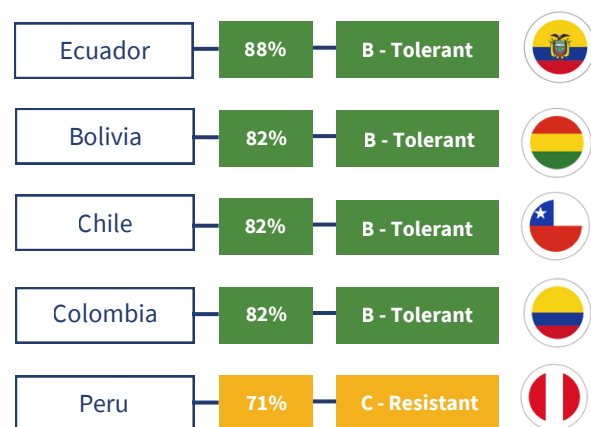


Figure 4. 2022 GBTR - Highest-Scoring Countries

Five Andean countries scored in the F-Persecuting category on the GBPI survey (see **Figure 5**), while Chile scored in the D-Intolerant category. Although the overall scores are quite similar, there are clear fluctuations in scores on individual questions (see **Figures 10 & 11**). Despite high scores on the GBGR/GBTR, it appears that LGBTQI+ individuals have a poor perception of their safety and acceptance.

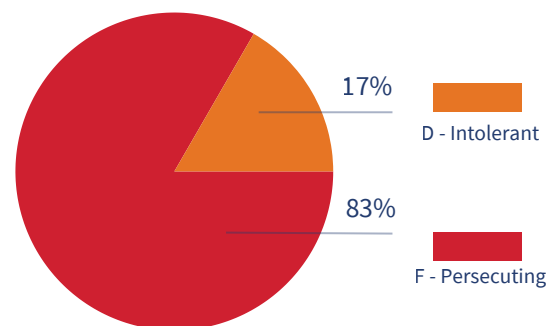


Figure 5. 2022 GBPI Score Breakdown

Figure 6 ranks the highest-scoring countries in the region on the GBPI. Despite earning B-Tolerant grades on the GBGR and on the GBTR, Chile, Colombia, and Ecuador's GBPI scores illustrate that discrimination and societal persecution continue to be challenges. Chile, Colombia, and Ecuador are the only countries in the region to score above an F on individual questions; all three scored a D on Q2: Safety in Gathering, and Chile scored a D on Q3: Acceptance and Q4: Discrimination (see **Figures 10 & 11**).



Figure 6. 2022 GBPI - Highest-Scoring Countries

Bolivia (50%) scores lower than Venezuela (52%) and Peru (51%) on the GBPI, even though it is the highest-scoring country on the GBGR and the second-highest-scoring country on the GBTR in the Andean region.

SUB-REGIONAL BREAKDOWN

GBGR

All countries in the Andean region have improved since 2011 (see **Figure 7** below). **Bolivia** is the highest-scoring country in the region, improving by 26 percent between 2011 and 2022. Despite its high score, Bolivia has yet to legalize same-sex marriage and joint adoption, unlike Chile, Colombia, and Ecuador, which have in place one or both of these fundamental rights. Same-sex civil unions and marriage have been particularly contentious in Bolivia, with the Constitutional Chamber of the Court of Justice and the National Civil Registry disagreeing about civil unions and creating obstacles for those attempting to register unions between 2020 and 2022. A gay couple successfully registered in May 2022; and in 2023, a court decision reinforced the right to formalize same-sex unions [10].

Chile improved the most of all countries in the region between 2011 and 2022, increasing by 33 percent and moving from the F-Persecuting (52%) to the B-Tolerant category (85%). As of 2022, Chile scores positively on all indicators in the *de jure*, *de facto*, advocacy, and socio-economic dimensions, including the right to same-sex marriage and adoption, which were codified in 2021 [11]. Chile has also experienced stagnation and decline due to homophobic murders and violence, and to the fact that authorities are reluctant to charge assailants with hate crimes [12].

As of 2022, **Ecuador** also scores in the B-Tolerant range (85%), growing by 18 percent from a D-Intolerant (67%) in 2011. The country experienced prolonged periods of stagnation, remaining in the D category from 2011-2014, the C category from 2015-2017, and the B category since 2018. Ecuador scores positively on all indicators in the *de jure* and advocacy dimensions. While same-sex marriage has been legal since 2019, joint adoption is still illegal, and Ecuador's President from 2021-2023, Guillermo Lasso Mendoza, stated that "he won't promote or [sic] accept any changes that allow same-sex unions to be equated to matrimony" [13]. LGBTQI+ individuals in Ecuador have also reported invasions of privacy, specifically from security forces [14]. Homophobic violence has been reported each year between 2011 and 2022, and 2022 marks the first year the country did not report a homophobic murder.

Colombia is the third-highest scoring country in the Andean region, earning a B-Tolerant (82%), but it is also the country that has the slowest growth rate between 2011 (78%) and 2022. The country scores positively on all indicators in the *de jure*, advocacy, and socio-economic rights dimensions, but it is also the only country in the region to report homophobic murders *and* other acts of violence for every year between 2011 and 2022.

Between 2011 and 2022, **Peru** experienced minimal legislative progress. Employment, housing, and healthcare anti-discrimination measures have been in place since 2004, but in 2017, hate crime and speech laws were added to the Peruvian Penal Code [15]. Peru has since regressed or improved based on indicators that track the opinions of the head of state and the majority of citizens, police protection at LGBTQI+ Pride events, and acts of homophobic murder and violence. A 2021 IPSOS survey reports that 58% of respondents supported “LGBT people being open about their sexual orientation or gender identity with everyone,” but only 35% believed same-sex marriage should be legal [16]. Perhaps consequently, same-sex civil unions, marriage, and joint adoption have yet to be legalized in Peru.

Venezuela, the lowest-scoring country in the region, has held that position for the majority of the years between 2011 and 2022, occasionally sharing the position with Chile or Peru. At a score of C-Resistant (70%) in 2022, the country has socio-economic anti-discrimination protections in place, but otherwise lacks protections against hate and speech crimes and does not allow same-sex individuals to serve in the military or participate in civil unions, marriages, or joint-adoptions. Nicolás Maduro, the president of Venezuela since 2013, urged the National Assembly to consider legalizing marriage equality in 2020 after Pope Francis stated, “LGBTQ+ people ‘have the right to be in a family’” [17]. Despite such legislative barriers and frequent acts of homophobic violence, LGBTQI+ individuals have not faced significant challenges to advocacy.

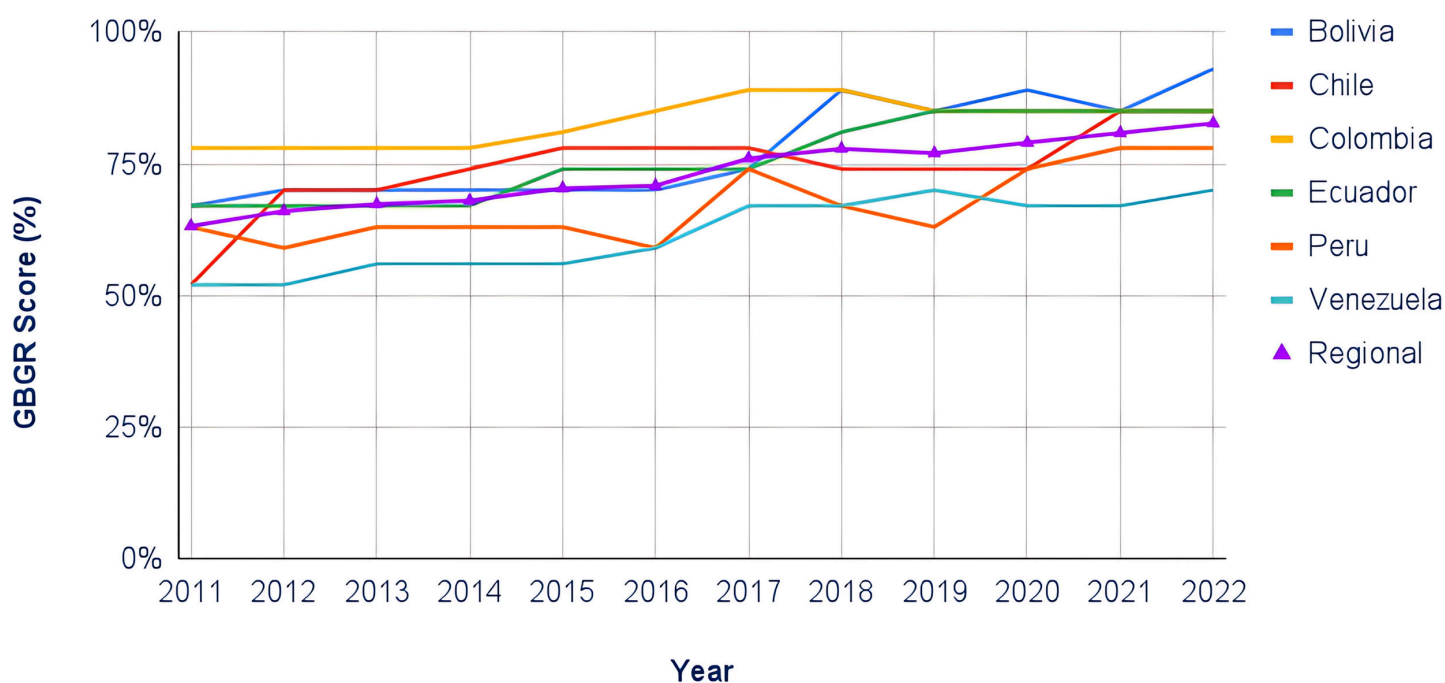


Figure 7. GBGR 2011-2022 - Country Scores over Time

GBTR

On the GBTR, the Andean region performs better on average (76%) than the Americas overall (55%), just like on the GBGR. However, unlike the GBGR, one country, Venezuela, still remains in the F-Persecuting range on the GBTR. Chile and Colombia also outpaced the rate of growth for all other countries in the region on the GBTR (see **Figure 8**, below), but ultimately, as is the case globally, transgender rights lag behind gay rights in the Andean region. This is particularly evident in the alarming data on transphobic violence: Chile, Colombia, Peru, and Venezuela all reported transphobic murders *and* other acts of violence every year between 2011 and 2022.

Ecuador began 2011 and ended 2022 as the highest-scoring country (88%) on the GBTR. Ecuador was the only country to score higher than F-Persecuting in 2011. Since then, Ecuador has removed physiological and psychiatric barriers to accessing LGR. The country briefly reached the A-Protecting category in 2017 after no transphobic acts of murder or violence were reported, but 2017 proved to be the only year that was the case. In previous years, Ecuador also scored poorly on the indicator “Crimes based on gender identity are reported to police.” LGBTQI+ activists noted that “since the legal codification of hate crimes in 2008, there had been no hate crime convictions for crimes directed at LGBTQI+ persons,” and various institutional bodies were slow to respond to complaints of harassment, discrimination, and abuse [18].

Both **Chile** and **Colombia** experienced the highest rate of improvement, increasing their scores by 35 percent, and moving from the F-Persecuting to the B-Tolerant category between 2011 and 2022. **Chile** implemented anti-discrimination protections for employment, housing, and healthcare in 2012 and then passed legislation to allow for LGR without prohibitive requirements in 2018. Accessing public services, however, has proved difficult for LGBTQI+ persons in Chile, and many have reported verbal abuse and discrimination when trying to access police support, public education, and health services [19].

Colombia passed a wave of trans-affirming laws in 2015, instituting LGR with no prohibitive requirements and adding anti-discrimination protections in housing and healthcare. As noted, however, transphobic violence is endemic in Colombia: in 2022, the country reported 22 murders of transgender individuals, the highest of any Andean country [20].

Like Chile and Colombia, **Bolivia** also scored 82% on the GBTR in 2022, although the country’s rate of progress was not as quick. Bolivia instituted LGR with no physiological or psychiatric requirements in 2016, and anti-discrimination legislation has been in place since 2010. Similar to other countries in the region, Bolivia has reported transphobic acts of violence every year between 2011 and 2022, and such acts typically go unreported due to fear, stigma, and a belief that the government would not enforce the laws [21].

Peru's record is somewhat mixed. In 2022, Peru earned a 71% (C-Resistant), which puts the country at jeopardy of sliding back into the D-Intolerant category, as it did between 2018 and 2020. Peru moved from the F-Persecuting range to the C-Resistant range in 2017, after broad anti-discrimination protections based on gender identity were added to the Criminal Code [22]. The country subsequently regressed due to murders of GI minorities; between 2018 and 2020, at least 12 transphobic murders were reported, and five more were recorded between 2021 and 2022 [23]. In 2017, a group of LGBTI youth demonstrating for International Day Against Homophobia and Transphobia (IDAHOT) were attacked by the Peruvian National Police force [24]; however, Peru rose back to the C-Resistant range in 2021 after evidence that the police protected a Pride event in Lima [25].

Venezuela is the lowest-scoring country on both the GBGR and GBTR, and the country's GBTR score is significantly lower (53%) than its GBGR score (70%) as of 2022. Venezuela legalized gender recognition in 2017 after a Supreme Court decision, but the process remains difficult due to physiological and psychiatric requirements [26]. The country's property rental laws include protections against discrimination based on "gender identity," but there are no protections in employment or healthcare in Venezuela. Murders of transgender individuals were reported every year between 2011-2022. However, in May 2022, the Public Ministry opened a specialized office to investigate LGBTQI+ human rights violations, suggesting that the government plans to play a more active role in combating anti-LGBTQI+ hate crimes [27].

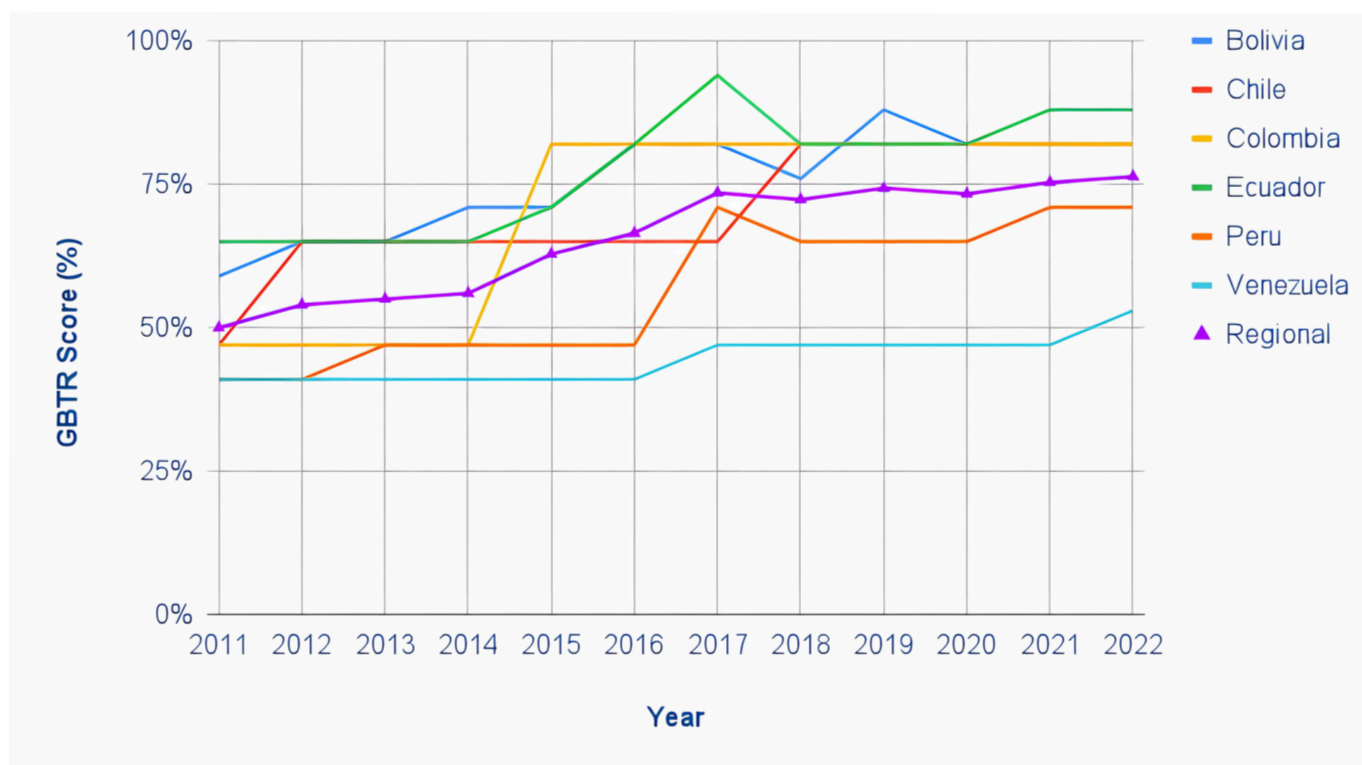


Figure 8. GBTR 2011-2022 - Country Scores over Time

GBGR V. GBTR

A comparison of the Andean region's GBGR and GBTR averages (see **Figure 9**) reveals that the area has followed a steady course of improvement when it comes to LGBT rights, albeit at different rates.

While overall regional scores are better on the GBGR from 2011 to 2022, the GBTR improved at a higher rate over the 12-year period. The GBGR experienced one year of decline between 2018 and 2019 due to violations of the right to fair trial in Peru; to homophobic acts of violence in Bolivia; and to the lack of state support for same-sex marriage in Colombia.

The GBTR experienced two periods of regression, between 2017-2018 and 2019-2020; in other years, however, the regional average on the GBTR improved by multiple percentage points. Periods of regression during this time in the Andean region can be attributed to transphobic murders in Bolivia, Ecuador, and Peru, as well as to violations of freedom from arbitrary arrest in Bolivia. The periods of extensive growth were mostly the result of legislative improvements in access to legal gender recognition and anti-discrimination protections.

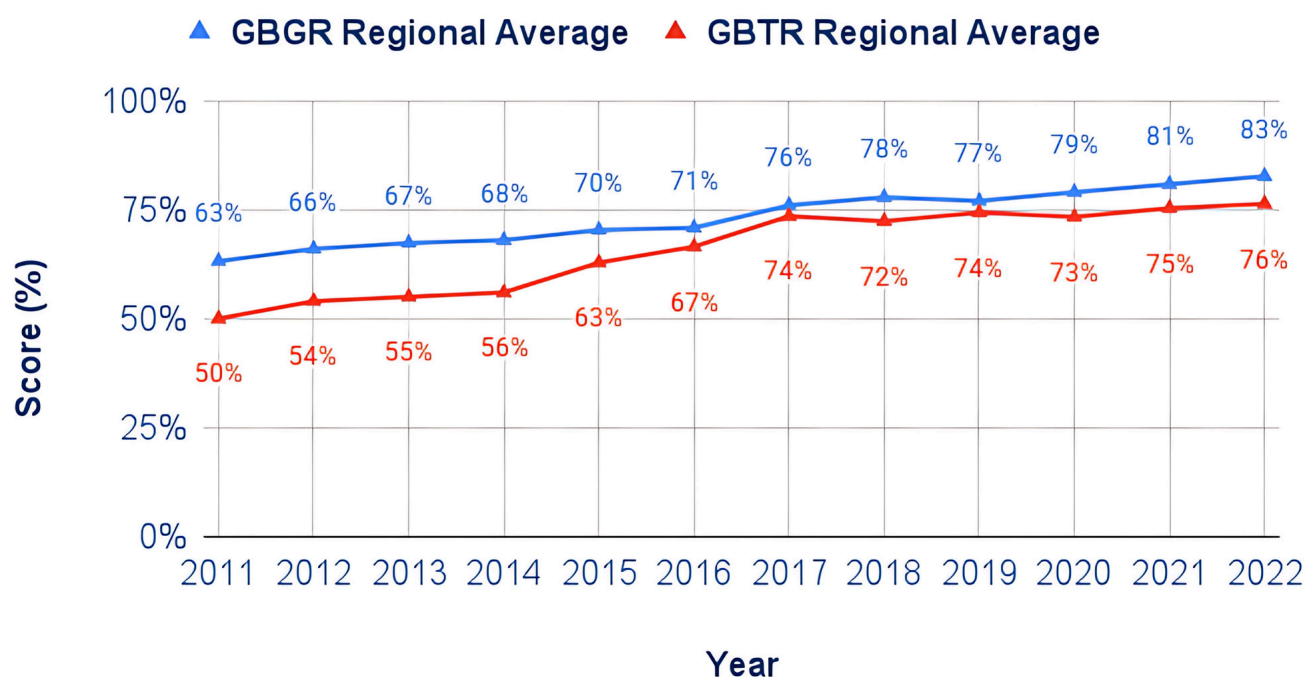


Figure 9. GBGR & GBTR 2011-2022 - Andean Regional Averages

GBPI RESPONSE BREAKDOWN

Figures 10 and 11, below, illustrate the 2022 GBPI results by question for the Andean region. The majority of respondents from the region identified as gay and/or bisexual. Survey scores show that overall, LGBTQI+ people in the Andean region perceive their countries as intolerant or persecutory towards them. Bolivia is the lowest-scoring country (50%) on the GBPI, while Chile is the highest (60%). Bolivia's GBPI scores are in stark contrast with its position as the highest-scoring country on the GBGR and the second-highest-scoring country on the GBTR.

Q6: Violence was the lowest-scoring question for half of the countries in the region. Q6: Violence and Q3: Acceptance tied for the lowest-scoring question in Peru; and Q3: Acceptance was Bolivia's lowest-scoring question, while Q5: Fear of Police was Venezuela's lowest-scoring question. Q2: Safety in Gathering was the highest-scoring question for the majority of the countries, except Peru, whose highest-scoring question was Q4: Discrimination.

Figure 10. 2022 GBPI - Breakdown by Country, Questions 1-3

Q1: Safety	Q2: Safety in Gathering	Q3: Acceptance
Bolivia 48%	Bolivia 54%	Bolivia 45%
Chile 59%	Chile 66%	Chile 62%
Colombia 56%	Colombia 61%	Colombia 56%
Ecuador 56%	Ecuador 60%	Ecuador 52%
Peru 50%	Peru 57%	Peru 48%
Venezuela 53%	Venezuela 59%	Venezuela 51%
Andes 55%	Andes 60%	Andes 54%
Global 60%	Global 64%	Global 57%

GBPI RESPONSE BREAKDOWN



Figure 11.
2022 GBPI -
Breakdown
by Country,
Questions 4-6

Respondents from the Andean region commented on intersectional challenges facing the LGBTQI+ community, including the social hierarchies produced by race, class, and gender identity, some of which harken back to Latin American colonization. These concerns were especially salient for respondents who considered their experiences more positively. For example, some respondents mentioned that the privilege of lighter skin may have sheltered them from homophobic and/or transphobic experiences.

Additionally, many respondents cited religiosity, a lack of understanding of the LGBTQI+ community, and “machista” attitudes as the primary sources of violence and discrimination. Respondents also reported that they chose to forego disclosing their sexuality and/or gender identity to others in the event that it could jeopardize social acceptance or access to employment, housing, and healthcare.

Overall, while individual GBPI question percentages largely mirror GBGR/GBTR scores in the region, the GBPI points to discrepancies between legislation and lived experience in the Andean region.

CONTEXTUAL VARIABLES

Table 1. Contextual Variables in the Andean Region

Country	Fragile States Index (2022)	GDP per Capita (2022)	EIU Democracy Score (2022)	Homosexuality Decriminalized (Year)	Legal Gender Recognition (Year)	GBGR Score (2022)	GBTR Score (2022)
Bolivia	73.4	\$3,643.93	4.51	1832	2016	93%	82%
Chile	43.2	\$15,451.13	8.22	1999	2018	85%	82%
Colombia	78.4	\$6,674.60	6.72	1981	2015	85%	82%
Ecuador	69.1	\$6541.00	5.69	1997	2016	85%	88%
Peru	69.8	\$7363.27	5.92	1924	2011	78%	71%
Venezuela	91.6	-	2.23	1836	2017	70%	53%

Comparing the Andean region’s GBGR and GBTR scores to external contextual variables reveals no statistically significant correlations between GBGR and GBTR scores and Fragile States Index scores, GDP per capita, EIU Democracy Index scores, or the year of decriminalization of homosexuality (see above, **Table 1**). GBTR scores are *closely related* to EIU Democracy Index scores, though a correlation would be very moderate. The relationship between Andean countries’ GBTR scores and their EIU Democracy Index scores is limited due to the small number of countries analyzed (n=6). Although the comparisons of these variables with GBGR and GBTR scores are not significant, the FMGB data point to various paths for additional research, including the Andean region’s relative progress compared to other Latin American countries and the sharp discrepancy between legislative and lived experiences in countries such as Bolivia.

NB. Sources: The Fragile States Index – Global Data 2024 (2022 data), <https://fragilestatesindex.org/global-data/>; World Bank Group, GDP per capita (2022 data), https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?end=2022&name_desc=false&start=1960; “Frontline Democracy and the Battle for Ukraine,” Economist Intelligence Democracy Scores 2022, https://www.eiu.com/n/wp-content/uploads/2023/02/Democracy-Index-2022_FV2.pdf; and ILGA World SOGIESC Database Profiles for individual countries: Bolivia, Chile, Colombia, Ecuador, Peru, and Venezuela (i.e., <https://database.ilga.org/bolivia-lgbti>, <https://database.ilga.org/chile-lgbti>, <https://database.ilga.org/colombia-lgbti>, <https://database.ilga.org/ecuador-lgbti>, <https://database.ilga.org/peru-lgbti>, <https://database.ilga.org/venezuela-lgbti>).

GBPI RESPONSES

Selected Comments from LGBTQI+ Individuals in the Andean Region

Chile, Gay/Queer, Between 25 and 35

“ Although advances have been made in rights and acceptance there is still quite a lot of threats for LGBTQI+ people. I've been assaulted, threatened and attacked in public for being with the person I loved and I will never again feel safe in public spaces. ”

Venezuela, Gay, Between 36 and 55

“ The gay life in Venezuela is torment, as a person in this community, nothing matters, we are discriminated...many of us feel bad about the prevailing discrimination...the authorities are very cruel... ”

Ecuador, Gay, Between 25 and 35

“ Ecuador is a country where a lot of ignorance and little respect or tolerance of LGBTI people exist, generally they are objects of bullying, rejections, and constant usage of the word 'm*****.' For many cases of LGBTI people, they remain in the closet and try to lead heteronormative lives to be accepted and not discriminated. ”

Bolivia, Gay, Between 25 and 35

“ Bolivia is a country where discrimination, abuse, hate, and homophobia exist, and the government is the first to promote it and doesn't do anything against it... ”

Peru, Gay, Under 25

“ We live in a society where you can't be free because of the stereotypes and prejudices that prohibit you from being yourself [.] ”

Colombia, Gay Transgender Woman, Between 25 and 35

“ I live a nightmare, I have been a victim of physical and verbal violence, psychological abuse, I have been displaced by violence and armed groups outside the law, I had to change my names and surnames to feel safe, but over time everything. It was the same, I had to give up my transition as a trans girl due to death threats... ”

GBGR & GBTR Methodology

The F&M Global Barometer of Gay Rights (GBGR) and the F&M Global Barometer of Transgender Rights (GBTR) measure state protections and societal persecution of LGBT people worldwide. Based on 27 items for the GBGR and 17 items for the GBTR, both barometers assess five dimensions: *de facto* and *de jure* protections, the sanction or suppression of LGBT advocacy, socio-economic rights, and societal persecution of LGBT persons. Each item is scored on a binary scale (0/1) and undergoes a double-blind review; then, the country's overall score is calculated with a percentage (0-100%) and assigned a letter grade (A-F), where 100% (A) is the most protective and 0% (F) is the least protective.

GBPI Methodology

The F&M Global Barometers LGBTQI+ Perception Index (GBPI) is a joint project between the F&M Global Barometers and the Council for Global Equality. Launched between June 28 and September 29, 2022, the survey garnered 169,920 responses. The GBPI gauges the lived experiences of LGBTQI+ people worldwide. Available in four languages (Arabic, English, French, and Spanish), it asks six basic questions to which the respondents answer from 1 (lowest) to 5 (highest). The overall score for each country is calculated with a percentage (0-100%) and assigned a letter grade (A-F), where 100% (A) is the most positive and 0% (F) is the least positive.

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Notes

- [1] Rodrigo Barrenechea & Alberto Vergara, “Peru: The Danger of Powerless Democracy,” *Journal of Democracy* 34.2 (2023): 77–89, <https://doi.org/10.1353/jod.2023.0015>.
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