

4.3.12. LGBTIQ persons

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LGBTIQ persons' rights are legally protected, but they are often targeted for social discrimination and abuse, facing impunity for crimes committed against them.[810] Colombia's legal framework recognises consensual same-sex sexual acts as legal, same-sex marriage and civil unions, allows for adoption by same-sex couples and includes restrictions on non-essential medical interventions on intersex minors. It also permits Colombian citizens to change their name and gender markers in the civil registry. The penal code includes provisions criminalising acts of discrimination based on sexual orientation and defines that the motivation of a crime being based on the victim's sexual orientation constitutes an aggravating circumstance.[811] The Colombian constitutional court's jurisprudence over the past 20 years includes a number of cases that determined the judicial implementation of the legislative framework.[812] In 2023, the Law 2281[813] created the Ministry for Equality and Equity, under President Gustavo Petro, to address inequalities and promote the rights of minorities, including LGBTIQ persons.[814] In March 2025, a National Policy for the Guarantee of the Rights of the LGBTIQ Population[815] was approved,[816] setting a 10-year roadmap for the full inclusion and protection of LGBT persons.[817]

In 2023, the JEP reported that LBGTIQ individuals had been 'disproportionately' affected by the armed conflict, with Caribe Afirmativo recording more than 4 190 victims. As of the end of 2024,[818] the Unit for the Attention and Integral Reparation to the Victims (Unidad para las Víctimas) also reported that more than 6 500 LGBTIQ+ persons have been counted as victims of the conflict.[819]

The OHCHR reported that gender-based violence is underreported, and victim stigmatisation results in hampering access to justice and services.[820] Sources reported that, despite the legal framework, societal obstacles and discriminations persist and continue to hinder its effective implementation.[821] The OFPRA's fact-finding mission report on Colombia reported that LGBTIQ people encounter community violence in rural areas, and particularly from armed groups, while they encounter differentiated treatment by healthcare, police, and educational institutions in urban areas. Furthermore, the report noted that there is a 'significant divide' between urban Bogotá and the rest of Colombia, paradoxically, with Bogotá , Medellín and Cali having the highest homicide rates.[822] However, the IACHR reported that they are especially at risk of violence in areas controlled by armed groups and rural locations.1161F[823]

Sources during the reference period report instances of discrimination and blocked access to services,[824] threats, police violence, and homicides of LGBTIQ+ individuals.[825] During 2023,

the NGO Colombia Diversa recorded 203 cases of threats against LGBTIQ+ persons in Colombia in 2023, most of which came from unknown perpetrators and armed groups826 as well as 78 incidents of police violence affecting 89 LGBTIQ+ people,827 and 159 homicides, mostly of gay men, and trans women.828 Also in 2023, the NGO Caribe Afirmativo reported 2 333 incidents of threats and 1 109 cases of discrimination and harassment, 155 cases of police violence and 157 cases of homicide.829 The Regional Network on Information about LGBTI Violence (Red Sin Violencia LGBTI) data for 2024 reported that, out of 361 recorded cases of LGBTIQ+ persons victims of homicide in Latin America and the Caribbeans, 175 took place in Colombia, representing the highest number of recorded cases in the region.830

The FGN created a special group for investigating crimes against LGBTIQ populations in 2024. 831 According to sources interviewed by OFPRA in 2024, LGBTIQ+ people often do not trust public institutions, due to the perception of impunity; however, the FGN's specialised unit for investigating complaints of crimes against LGBTIQ individuals does reportedly process complaints in practice, according to Alianza LGBTI Antioquia. In emergencies, LGBTIQ people can dial the national hotline 123 to be connected to a prosecutor for this group. The Office of the Ombudsperson remained one of the few trusted institutions.832

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