

Report on LGTB people murdered in Honduras since June 2009

The Coup d'état and the followed background situation

On June 28, 2009, soldiers from the armed forces invaded the Presidential House and kidnapped the Constitutional President of Honduras, Mr. Manuel Zelaya Rosales. The capture of the president took place without the presentation of the corresponding court order. Immediately afterward he was transferred to an air base and then taken to Costa Rica, according to testimony taken from the President himself, by means of an airplane that took off at 6:10 am from Honduras.

The attack on the Presidential House was carried out using violence against the goods and occupants of the house. The facts described were reported by members of the guard of the overthrown Constitutional President, as well as by relatives of the President who were present in the Presidential House on the day of the coup.

After de coup, the following human rights violations were reported¹: unlawful killings by members of the police and government agents; arbitrary and summary killings committed by vigilantes and former members of the security forces; harsh prison conditions; violence against detainees, and corruption and impunity within the security forces; lengthy pretrial detention and failure to provide due process of law; arbitrary detention and disproportionate use of force by security forces after the June coup; politicization, corruption, and institutional weakness of the judiciary; erosion of press freedom; corruption in the legislative and executive branches; limitations on freedom of movement and association; government restrictions on recognition of some nongovernmental organizations (NGOs); violence and discrimination against women; child prostitution and abuse; trafficking in persons; discrimination against indigenous communities; violence and discrimination

¹ 2009 Human Rights Report: Honduras, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR - 2009 Country Reports on Human Rights Practices – US Department of State



against persons based on sexual orientation; ineffective enforcement of labor laws; and child labor. During the political crisis following the June coup, demonstrations occurred throughout the country. Curfews were arbitrarily implemented during which security forces employed disproportionate use of force, resulting in some cases of loss of life and acts of vandalism by protestors. The "de facto" regime also limited freedom of assembly and restricted freedom of the press. Most notably, on July 1, September 26, and October 5, 2009 the de facto regime enacted decrees that suspended the constitution during curfew hours and placed substantial restrictions on freedom of expression, assembly, and association.

On January 27, 2010, Mr. Porfirio Lobo Sosa was sworn in as President of Honduras, following elections held on November 29, 2009, in which mayors, members of municipal councils and deputies were also elected. Since the inauguration of President Porfirio Lobo, there have been new acts of violence and murders against journalists, human rights defenders, and political activists and other vulnerable communities, among them lesbian, gay, bisexual and transgender people.

All Hondurans, regardless of sexual orientation or gender identity, have been subjected to increased violence and have received little protection from authorities; however, LGBT people been particularly vulnerable to attacks and murders. Impunity nationwide has created this deadly spike in violence.

This report documents 33 such murders. While some of these attacks are clearly based on sexual orientation and gender identity, available evidence—including explicit threats—suggest that many were politically motivated.

Actions and Reports of International Organizations

Organization of American States



• On July 4, 2009, the OAS General Assembly held a special session where it approved resolution AG/RES.2 (XXXVII-E/09) in which it decided to suspend the Honduran State from the exercise of its right to participate in the OAS. In that same resolution the General Assembly resolved "to reaffirm that the Republic of Honduras must continue to fulfill its obligations as a member of the Organization, in particular with regard to human rights; and to urge the Inter-American Commission on Human Rights to continue to take all necessary measures to protect and defend human rights and fundamental freedoms in Honduras."

Inter-American Commission of Human Rights (IACHR)

- In keeping with its obligations to promote and protect human rights and given the hundreds of complaints it had received of serious violations of the right to life and the right to humane treatment, that same day, June 28, 2009, the Commission granted precautionary measures to safeguard the lives of hundreds of persons as a consequence of the coup d'état. It requested information on the risk that certain persons faced; it also requested information pursuant to Article 41 of the American Convention on Human Rights and Article XIV of the Inter-American Convention on Forced Disappearance of Persons. The Commission issued several press releases and on June 30, it filed a request seeking an urgent visit to Honduras.
- The IACHR conducted its in loco visit from August 17 to 21, 2009. Along with the loss of institutional legitimacy brought about by the coup d'état, during its visit the Commission confirmed that serious human rights violations had been committed, including the killing of at least seven people, an arbitrary declaration of a state of emergency, disproportionate use of force against public demonstrations, criminalization of public protest, arbitrary detention of thousands of persons, cruel, inhuman and degrading treatment, poor detention conditions, militarization of Honduran territory, an increase in incidents of racial discrimination, violations of women's rights, and severe and arbitrary restrictions on the right to freedom of expression. The Commission also established that judicial remedies were



ineffective in protecting human rights in Honduras. On August 21, 2009, the IACHR publicly announced its preliminary observations on the visit in press release 60/09.

- Subsequent to the August 2009 visit and in view of the information it had received concerning serious events occurring in Honduras, on September 23 and 29, 2009, the IACHR asked the State if it could conduct another visit. However, it did not receive a reply.
- The IACHR prepared the report titled Honduras: Human Rights and the Coup d'état, and published it on January 20, 2010.
- On February 3, 2010, the IACHR issued press release 14/10 in which it expressed its concern with respect to the ambiguity of the Amnesty Decree approved by the National Congress of Honduras on January 26, 2010. Although the text made provision for certain exceptions in terms of human rights violations, the language was ambiguous and the decree did not spell out precise criteria or concrete mechanisms for its application.
- On March 8, 2010, the IACHR condemned and lamented the murders of three persons who were active in the resistance to the coup d'état. The killings occurred between February and March of 2010. It also deplored the kidnappings, arbitrary detentions, sexual violations and illegal searches to which active members of the resistance to the coup d'état and members of their families had been subjected. The IACHR also expressed deep concern over the information received to the effect that children of activists were being threatened and harassed and in two cases had been killed.
- On March 5, 15 and 16 the IACHR's Special Rapporteurship for Freedom of Expression condemned the murder of three journalists.
- Based on the information that the Commission received regarding the human rights situation in Honduras and with the purpose to follow up on the in loco visit made in August 2009 and the report titled Honduras: Human Rights and the Coup d'état, on



March 19, 2010 the IACHR asked the Honduran State to agree to another visit by the Commission.

- On March 27, 2010, the IACHR's Special Rapporteurship for Freedom of Expression condemned the murder of journalists from R.Z. Television Channel 4 and Radio Excélsior, Bayardo Mairena and Manuel Juárez, on March 26 in the Department of Olancho, Honduras. The Office of the Special Rapporteur expressed its deep concern over the vulnerability of the press in Honduras. On April 22, 2010, another press release was issued when it was learned that yet another journalist had been murdered on April 20, 2010.
- From May 15 to 18, 2010 The Inter-American Commission on Human Rights (IACHR) visited Honduras, as a follow-up to the in loco visit it made in August 2009 and to the report titled Honduras: Human Rights and the Coup d'état. During the visit, the IACHR met with officials in the three branches of government: the Minister Special Commissioner for Human Rights; the Office of the Attorney General and the Office of the Special Prosecutor for Human Rights; the Vice Minister of Security and the Bureau of National Police; the Supreme Court of Justice; the officers of the National Congress and the Congressional Human Rights Commission; the Minister of Defense and the Head of the Joint Chiefs of Staff of the Armed Forces; and the Inter-institutional Human Rights Commission. It also met with human rights defenders, members of the media, representatives of civil society and members of the Truth and Reconciliation Commission.²

Human Rights Watch

• On December 20, 2010 Human Rights Watch released the report "After the Coup Ongoing Violence, Intimidation, and Impunity in Honduras". This 65-page report documents the state's failure to ensure accountability for abuses committed under the country's de facto government in 2009. The report also documents 47 cases of

² http://www.cidh.org/countryrep/Honduras10eng/Honduras10TOC.eng.htm

³ http://www.hrw.org/en/reports/2010/12/21/after-coup-0



threats or attacks – including 18 killings – against journalists, human rights defenders, and political activists since the inauguration of President Porfirio Lobo in January 2010. This report is based on extensive interviews conducted during four Human Rights Watch visits to Honduras in October 2009, November-December 2009, and August 2010, as well as prior and subsequent interviews by phone and email.

Human Right Violations and Murders against LGTB People

Human rights violations affected with particular strength those sectors of the population that have historically been marginalized, discriminated and are the most vulnerable, such as children, the LGBT community, women and the indigenous and Garifuna⁴ peoples. Although there is no much information about LGTB people murdered before June 2009, due to the lack of reports regarding LGTB people human rights violations in Honduras, the report issued in March, 2009 by Human Rights Watch "Not Worth a Penny" reports that at least 17 travestis have been killed in public places in Honduras since 2004 to the date of the publication of the report by the beginning of 2009 (five years). Despite these records, the concerning increases in murders of LGBT people after of the June 2009 coup is alarming. Red Feminista Cattrachas, a local NGO that keeps a record of the murders over the period from June 2009 to January 2011, recorded 33 murders of LGBT people.

IGLHRC has been unable to obtain information on the status of the investigations in the majority of the cases. The information obtained, mainly by researching in on-line

⁴ The Garinagu (singular Garifuna) are descendants of Carib, Arawak and West African people. The British colonial administration used the term Black Carib and Garinagu to distinguish them from Yellow and Red Carib, the Amerindian population that did not intermarry with Africans. The Amerindians who had not intermarried with Africans are still living in the Lesser Antilles; Dominica, St. Vincent and The Grenadines, etc. Today the Garifuna live primarily in Central America. They live along the Caribbean Coast in Belize, Guatemala, Nicaragua and Honduras including the mainland, and on the island of Roatán. There are also

diaspora communities of Garinagu in the United States, particularly in Los Angeles, Miami, New York and other major cities.

⁵ http://www.hrw.org/node/83449



newspapers or contacting local activists, indicates that there has been little or no progress in investigations. Prosecutors have filed charges in only one case of murders and the alleged perpetrator was imprisoned on December 2009 where he escaped form few days after and was recaptured more than six months later. Failure to investigate crimes is common in Honduras, mainly because of limited resources, lack of independent investigators, lack of cooperation by security forces, etc. Also, prejudices within law enforcement agencies may lead to bias in police investigations of crimes against LGTB people. Investigative independence may also be at risk when it is supposed that the perpetrators are members of the police force or army, such as the case of Walter Trochez (case 18 listed below).

With regard to patterns identified in these murders, it is difficult to find one common to them. In general, the murders of travestis⁶, most of them practicing sex work, were committed by unidentified men in the streets, by shooting firearms from vehicles. With regard to gay men, mostly middle or high class or professionals, they were found in their apartments or cars, strangled or with sharp weapons wounds. In some cases police officers were able to verify the absence of objects of value, so they can assume that the motive was robbery, but the violence of the murders would also indicate a strong element of homophobia in these crimes. The murders of transvestites occurred in December 2010, are beyond the patterns that were maintained until then, in two of the incidents, the victims were set on fire either before or after their deaths.

Records of Murders since June 2009

1. **Name:** Vicky Hernández Castillo

Date of dead: June 29th, 2009 night – July 30th, 2009 morning (Probable) **Sexual Orientation/Sexual Identity:** Transgender Woman (Travesti)

Legal Name: Jonny Emelson Hernández

Age: 22

Cause and Circumstances of Dead: Gunshot in the hours of curfew, shot in the eye and with signs of strangulation. Forensic Officers didn't want to do an autopsy arguing that the victim might be HIV+. The records of her death states "cerebral concussion" but according to witnesses who found her, the victim had clear signs that she and was shot.

Place: Tegucigalpa

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⁶ Travesti is a word used in Latin America to describe someone who was designated "male" at birth and whose gender identity is female; a travesti may decide to alter their body or not



2. **Name:** Valeria

Date of dead: 29th, 2009 night – July 30th, 2009 morning (Probable) **Sexual Orientation/Sexual Identity:** Transgender Woman (Travesti)

Legal Name: Darwin Joya

Age:

Cause and Circumstances of Dead: Two gunshots in her face. **Place:** Near 21 de Febrero Street over the Metro Mall. Tegucigalpa.

3. **Name:**

Date of dead: June 29th 2009 5:15 am

Sexual Orientation/Sexual Identity: Transgender Woman (Travesti)

Legal Name: Christian Roberto Thomson Henríquez

Age: 37

Cause and Circumstances of Dead: Gunshot in her head.

Place: Colonia Alonzo Lacayo. San Pedro Sula

Additional Information: Reported by police officers Clemente Suarez and Daniel Molina Galvez.

4. **Name:** Martina Jackson

Date of dead: June 30th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman (Travesti)

Legal Name: Martín Jackson

Age:

Cause and Circumstances of Dead: Raped and stoned to death

Place: Cerro Verde en Choloma, Cortes.

Additional Information:

5. **Name: Fabio** Adalberto Aguilera Zamora **Date of dead:** July 4th, 2009 12:30 pm

Sexual Orientation/Sexual Identity: Gay man Legal Name: Adalberto Aguilera Zamora

Age: 49

Cause and Circumstances of Dead: Nine gunshots, one in his head, by three unknown men who said

his name and shoot him.

Place: San Isidro Market. Tegucigalpa

Additional Information: Nicaraguan. Parents: Fabian Aguilera (Honduran) and Alicia Zamora

(Nicaraguan). Autopsy file# 1033-09. Murder Record File #858-2009

6. **Name:** Héctor Emilio Maradiaga Snaider

Date of dead: August 9th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman (Travesti)

Legal Name: Héctor Emilio Maradiaga Snaider

Age: 24

Cause and Circumstances of Dead: Three gunshots.

Place: Street to La Concepcion. Tegucigalpa

Additional Information: The victim lived in Loarque de Comayaguela and worked at restaurant Fiesta

Mexicana near Tocontin Airport. Her car was found left in the road to Valle de Angeles.

7. Name: Michelle Torres.

Date of dead: August 30th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman

Legal Name: Milton Javier Torres Cruz

Age: 22

Cause and Circumstances of Dead: Shot by an unknown man who approached the victim in a white car while she was with other two sex workers colleagues talking with a potential client. The murderer threatened the victim to leave the place and to the verbal response from her, pulled a gun and shot her in her head.

Place: Near Diunsa. San Pedro Sula



Additional Information: Reported by Ulises Pacheco

8. **Name:** Enrique Andrés García Nolasco **Date of dead:** September 2nd, 2009

Sexual Orientation/Sexual Identity: Gay man **Legal Name:** Enrique Andrés García Nolasco

Age: 62

Cause and Circumstances of Dead: His body had 11 stab wounds, 6 in the chest and 5 in the abdomen, was killed at 3:30 pm, it was reported that the suspect, Rigoberto Romero Rivera (assumed name) ran from the room without his shirt and with the knife in his hand escaping.

Place: Hotel Oasis, Room 18 Second Avenue, between 7 and 8 Streets, Barrio Medina

Additional Information: Police Officer Reporter: Gregory Serrano. Report received by: Police Officer

Class II: Vazquez G.

http://www.laprensa.hn/Sucesos/Ediciones/2009/09/03/Noticias/Catedratico-muere-apunalado-en-hotel

9. Name: Salome

Date of dead: September 20th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman

Legal Name: Jorge Samuel Miranda Mata

Age: 21

Cause and Circumstances of Dead: Three gunshots in her head.

Place: El Barrial. Choloma. Cortes

Additional Information:

 $\frac{http://www.elheraldo.hn/Sucesos/Ediciones/2009/09/22/Noticias/Identifican-a-travestis-asesinados-en-Choloma.}{http://www.laprensa.hn/Apertura/Ediciones/2009/09/22/Noticias/Identifican-a-travestis-ultimados-en-Choloma.}$

10. Name: Sayda

Date of dead: September 20th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman

Legal Name: Carlos Reynieri Salmerón

Age: 33

Cause and Circumstances of Dead: Four gunshots in her head.

Place: El Barrial. Choloma. Cortes

Additional Information:

 $\frac{http://www.elheraldo.hn/Sucesos/Ediciones/2009/09/22/Noticias/Identifican-a-travestis-asesinados-en-Choloma.}{http://www.laprensa.hn/Apertura/Ediciones/2009/09/22/Noticias/Identifican-a-travestis-ultimados-en-Choloma.}$

11. Name: Marion Lanza

Date of dead: October 9th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman

Legal Name: Mario Alejandro López Lanza

Age:

Cause and Circumstances of Dead: Stab wounds

Place: Colonia Aleman, Third Stage, Bolck Z 2, House 5714 Tegucigalpa

Additional Information: File 1338-2009

12. **Name:** Montserrat Maradiaga **Date of dead:** October 10th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman

Legal Name: Elder Noe Maradiaga Benítez

Age: 26

Cause and Circumstances of Dead: Witnesses say that the victim was on the edge of the sidewalk with

two other people. Suddenly a car came very fast and went straight to them and hit them. **Place**: Bulevard Morazan, Barrio Guamilito, 10th Avenue and 2nd Street, San Pedro Sula



Additional Information: The victim lived in Barrio Las Cañitas and was activist of Colectivo Travesti, Transgenero y Transexual (Colectivo TTT) of San Pedro Sula, organization of activists defenders human rights of transgender people.

http://www.insurrectasypunto.org/index.php?option=com_content&view=article&id=2563:condenan-asesinato-de-activista-lgtb-en-honduras&catid=3:notas&Itemid=3

13. Name: Zelaya

Date of dead: October 26th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman

Legal Name: Juan Carlos Zelaya Zelaya

Age: 32

Cause and Circumstances of Dead: Her body was found completely naked and without no injuries. The cause of her death was recorded as indeterminate.

Place: Mountain konun as La Garroba, in the town of Bijao de Choloma, Cortes.

Additional Information: She worked as fruit seller in a school of Choloma, Cortes. Report made by Pedro Antonio Romero. DNIC (National Bureau of Criminal Investigation reports that there are evidences that the body was intended to be set on fire.

14. Name: Larissa

Date of dead: November 2nd, 2009

Sexual Orientation/Sexual Identity: Transgender Woman

Legal Name: Lan Rigoberto Wilson Carrasco

Age: 17

Cause and Circumstances of Dead: Two gunshots in her head and one stab wound in the stomach.

Place: El Zamoranito, Agua Zarca town, San Antonio de Oriente, Francisco Morazán

Additional Information: According to the Preventive Police report the probable cause of attack was robbery purposes. The victim was a student of hairdressing. Reporter: Police Officer Class II: Pablo Gracia (DNIC)

15. Name: José Luís Salandía

Date of dead: November 2nd, 2009

Sexual Orientation/Sexual Identity: Gay man

Age:

Cause and Circumstances of Dead: His body was found lay in the back seat of your own car on a road on the outskirts of Danlí and had multiple wounds from a sharp weapon, probably a machete, mainly in his head, bled so quickly.

Place: Around the Colonia Ceibita

Additional Information:

16. **Name:** Young Man

Date of dead: November 4th, 2009

Sexual Orientation/Sexual Identity: Gay man

Age: 24

Cause and Circumstances of Dead: Unidentified people driving a grey Nissan pick up abducted him with other people and shot them in different places outside Tegucigalpa

Place: Tegucigalpa, Francisco Morazan

Additional Information: Red Lesbica Cattrachas know his name but the young man was in the closet.



17. Name: Marco Tulio Aguilar Date of dead: December 6th, 2009

Sexual Orientation/Sexual Identity: Gay man

Age: 46

Cause and Circumstances of Dead: 28 gunshots in different parts of his body.

Place: According to witnesses the victim was getting out form Christian Church "Sembradores de

Amor" placed in Colonia Monterrey, Comagayuela.

Additional Information: Several men who were driving two cars, one gray and other white shot from the cars killing him instantly. The criminals fled after committing a crime. Report made by Police

Officer: Cruz Martinez

18. **Name:** Walter Orlando Trochez **Date of dead:** December 13th, 2009

Sexual Orientation/Sexual Identity: Gay man

Age: 27

Cause and Circumstances of Dead: Gunshot in the chest

Place: Downtown of Tegucigalpa

Additional Information: The victim was shot in his chest from a vehicle with several individuals on board in a street opposite the Larach and Cia., a hardware store in the center Tegucigalpa. After that he was transferred to the Hospital where he died.

The work of Walter Tróchez, included dissemination of information about human rights in Honduras. As an LGBT activist, Tróchez also reported on the human rights of LGBT people during the coup, and advocated for HIV/AIDS prevention and combating religious fundamentalism. Trochez faced significant abuse for his political and human rights activism and his sexual orientation, which escalated after the coup. On July 20, 2009, he was detained by authorities for participating in a peaceful, sit-down protest across from the Congress of the Republic. During his detention, he was brutally beaten and denigrated because of his sexual orientation but later released him. On December 4, unknown persons reportedly kidnapped and physically assaulted him. Trochez told human rights organizations that during his December 4 detention, the kidnappers questioned him about his involvement in the anticoup movement. He managed to escape and file a complaint to national and international authorities just days before he was murdered. He himself sent email attaching pictures of his beating body.

http://www.iglhrc.org/cgi-bin/iowa/article/pressroom/pressrelease/1050.html

http://www.tercerainformacion.es/spip.php?article11696

http://hondurasresists.blogspot.com/2009/12/asesinato-de-defensor-de-derechos.html

http://www.resistenciahonduras.net/index.php?option=com_content&view=article&id=1824:press-releasepics-walter-trochez-queer-alliance-protest-in-berlin&catid=101:news&Itemid=349

http://en.wikipedia.org/wiki/Walter_Trochez

 $\frac{http://gayswithoutborders.wordpress.com/2010/01/26/walter-trochez-queer-alliance-demo-in-berlin-kundgebung-fotos-demo-fotos/http://gayswithoutborders.wordpress.com/2010/01/25/walter-trochez-queer-alliance-demo-in-berlin/$

http://www.alternet.org/blogs/world/144580/honduran_gay_activist_walter_trochez_assassinated/

http://quotha.net/node/631

19. **Name:** Luis Arturo Murillo

Date of dead: December 14th, 2009

Sexual Orientation/Sexual Identity: Transgender Woman

Legal Name: Luis Arturo Murillo

Age: 25

Cause and Circumstances of Dead: Stab wounds

Place: San Pedro Sula, Cortes

Additional Information: Her body, without head and castrated, was found by the highway from San Pedro Sula to Puerto Cortes on the morning of Tuesday 14 December 2009, wrapped in two plastic bags. No ID was found in her pockets. According to the authorities, she could have thrown in the early morning hours from a nearby city. Her body had several stab wounds. Her hands were tied with a piece of blue rope and had about eight hours after death. Authorities of Forensic Medicine said that the murderer may have used a machete to commit the murder.



20. **Name:** Edwin Renán Díaz Fajardo **Date of dead:** December 23rd, 2009

Sexual Orientation/Sexual Identity: Gay man

Age: 22

Cause and Circumstances of Dead: Strangulation with electric cable

Place: Colonia San Carlos, Downtown of Tegucigalpa

Additional Information: The lifeless body of the victim was found by relatives in his room in an apartment building. According to re report of National Bureau of Criminal Investigation (DNIC) his neck was bound with electrical cord and a belted with a stick for tuning. His body had bruises on different parts, so that police suspected could have criminal hands.

http://www.elheraldo.hn/content/view/full/355084

21. **Name:** Giussepe Nicolossi Chilabra **Date of dead:** November 18th, 2009

Sexual Orientation/Sexual Identity: Gay man

Age: 68

Cause and Circumstances of Dead: Hammer hit on the head, several stab wounds Place: Barrio Guadalupe, 18th Street, between 1st and 2nd Avenues, San Pedro Sula

Additional Information: Known as Pino Nicolossi Women hairstylist. Owner of a beauty salon in San Pedro Sula and for many years was the stylist of several society ladies of that city. He was found dead inside his apartment. The body was half naked, had bruises produced with a blunt object and stab wounds in his abdomen and chest, including an alleged hammer blow to the head that probably caused his death. The victim was lying on his bed, where he had blood stains and on the floor was a hammer, which according to investigators would have been used by the perpetrator. When authorities arrived at the scene noted that his door was not forced, so determined that an acquaintance of the victim is responsible for the heinous crime. According to the victim's adoptive son, Andy Saibe, his father lived alone and on Wednesday 18th, 2009, he tryed to communicate with him, the lack of answer led to the apartment where he found bloodied and lifeless.

http://www.proceso.hn/2009/11/18/Nacionales/Asesinan.estilista.de/18343.html

http://www.laprensa.hn/Sucesos/Ediciones/2009/11/18/Noticias/Asesinan-a-estilista-Pino-en-su-apartamento

http://www.latribuna.hn/web2.0/?p=66036

http://www.findagrave.com/cgi-bin/fg.cgi?page=gr&GRid=55709271

22. **Name:** Ernest Werner Sheweinfurth Pinel **Date of dead:** December 17th, 2009

Sexual Orientation/Sexual Identity: Gay man

Age: 68

Cause and Circumstances of Dead: Strangulation with phone cable

Place: Barrio La Leona, Tegucigalpa

Additional Information: Journalist of La Prensa newspaper. Victim's body was found a day later by one of his friends. Preliminarily it was suspected that the crime would have been committed by criminals who entered the apartment of the journalist with purpose to steal, strangled him and taking several valuables. However, through investigations, DNIC detectives were able to link Ghandi Espinal Raudales, a 22 years old judo player, to the crime, because it was seen mingling with the journalist several times and also the day he was killed. According to the police, the day of the murder, Espinal Raudales had been drinking with the journalist and started an argument, which angered the murderer. At the same time another group of detectives were investigating the possible connection of Espinal Raudales with the death of Ninoska Dafne Avilez (28) and his nephew Asdrubal Alberto Zepeda Avilez (18). Accordingly, Judge Maria Dolores Lopez issued the arrest warrant of Espinal Raudales with the precautionary measure of preventive detention, and he was sent to the National Penitentiary Marco Aurelio Soto in Tamara where he escaped form days later. After six months of fleeing from justice in Honduras, was recaptured by police in Nicaragua in October of 2010 and imprisoned again.



http://www.laprensa.hn/Sucesos/Ediciones/2010/01/16/Noticias/Dos-autos-de-prision-para-judoca

http://www.latribuna.hn/web2.0/?p=86198

 $\underline{http://www.elcronistadigital.com/portada/11-portada/753-capturan-en-nicaragua-a-qjudoca-estranguladorq.html}$

http://trincheraonline.com/archivo/2010/octubre/oct_28/cortas.html

23. Name: Nicolás Asfura Asfura Date of dead: February 17th, 2010

Sexual Orientation/Sexual Identity: Gay man

Age: 42

Cause and Circumstances of Dead: His body was found in a bathtub and had no stab wounds or fire. An official source revealed that the murderer put the sheets of the bed in the bathtub, then put the victim's body and then filled it with water. Because the state of the body is presumed that it underwent several changes in temperature.

Place: Colonia Santa Barbara, Tegucigalpa

Additional Information: The victim was journalist and had graduated with a degree in Communication Sciences in 1988 at the National Autonomous University of Honduras. He worked for a construction company owned by his cousin Nasry Asfura. He worked as a reporter on Channel 45, also served as radio announcer Comayagüela and Tegucigalpa

 $\frac{http://eng.laprensa.hn/Sintesis/Lo-ultimo/Ediciones/2010/02/19/Noticias/Encuentran-a-periodista-muerto-en-apartamento \\ \frac{http://www.elheraldo.hn/content/view/full/381732}{http://www.latribuna.hn/web2.0/?p=128429}$

24. **Name:** Deborah

Date of dead: March 25th, 2010

Sexual Orientation/Sexual Identity: Transgender Woman (Travesti)

Legal Name: Luis Arturo Contreras Ponce

Age: 19

Cause and Circumstances of Dead: According her sex worker colleagues who witnessed the incident, that night they were stand by street and a blue Mitsubishi 4x4 pick up approached, Deborah get close to the car and talked a few minutes with people who were driving it, for some reason talk ended, Deborah decided to turn around and walk towards the group. Suddenly they heard a shootout. The victim was shot several times bled to die in the same place.

Place: Boulevard morazan, Barrio la Guadalupe, Tegucigalpa

Additional Information: The victim worked at the Board of the Asociacion Arcoiris, an Honduran organization that fights for the rights of Lesbian, Gay, Bisexual and Transgender, LGBT people in Honduras.

 $\frac{\text{http://voselsoberano.com/v1/index.php?option=com_content\&view=article\&id=4772:asesinan-a-joven-travesti-cerca-de-ceutecdel-barrio-la-guadalupe\&catid=1:noticias-generales\\ \frac{\text{http://www.laprensa.hn/content/view/full/400294}}{\text{http://www.laprensa.hn/content/view/full/400294}}$

25. **Name:** Juan Manuel Posse Herrera

Date of dead: May 31st, 2010

Sexual Orientation/Sexual Identity: Gay man

Age: 62

Cause and Circumstances of Dead: The victim was found on 31 May, 2010 according to forensic officers two days and half after his dead. Herrera, was found in his room on his bed, naked and in an advanced state of putrefaction making it difficult to determine the causes of death. A preliminary version was handled that the victim had a gunshot wound to the head, but forensics officers denied that situation.

Place: Colonia La Reforma, Tegucigalpa

Additional Information: Last time that friends and family saw him alive was on Friday May 28th night, after a piano concert held at the Museo del Hombre Hondureno, because as Director Executive, he was the organizer. After that event, Posse Herrera was seen in the restaurant Havana Rojo Verde y Ajo, with the group of musicians, with whom he had scheduled a series of concerts that culminated that day. It was learned that the man left the restaurant at approximately 12:00 pm and then went to his apartment, where



the street was supposed to be expected for a suspect man. The victim's vehicle was missed, it was a Hiunday Matrix, 2007, blue, so it was presumed that its robbery would have to be linked to his death. Luis Gerardo Caceres, a friend of the deceased, said that since that Friday, he didn't hear anything about the victim and that he called him repeatedly, but he did not answer his cell phone. This situation remained extremely concerned among their relatives and close friends, who went to the house, but did not see his car parked in the parking of the building; so they thought it was not there. On May 31st Caceres contacted Posse Herrera a victim cousin and together they went to his apartment to find out what was wrong, however, when they knocked on the door went unanswered. So they decided to open it with a key that the woman had and entered, finding a strong stench that was steeped in the whole atmosphere of the apartment. Caseres quickly went to the room Posse Herrera, finding him dead. He preferred to

The victim was a law graduate with a master's degree in international relations and served as cultural adviser to the Mayor's Office, since Miguel Pastor was the head of the commune.

http://www.latribuna.hn/web2.0/?p=138784

http://www.latribuna.hn/web2.0/?p=139041

http://www.laprensa.hn/Sucesos/content/view/full/416317

abstain from comment on what they saw at the crime scene.

http://www.hondurasesasi.com/noticias.php?nota_id=10&start=0&categoria_id=&prede_id=&arcyear=&arcmonth=

http://eng.elheraldo.hn/Ediciones/2010/06/01/Noticias/Hallan-muerto-a-director-de-Museo-del-Hombre

26. **Name:** José Luís Sevilla Chiang

Date of dead: July 11th, 2010

Sexual Orientation/Sexual Identity: Gay man

Age: 36

Cause and Circumstances of Dead:. The victim was found in the trunk of his car covered with a red sheet and tied with blue jeans pants and other rags. His body showed several stab wounds in his neck, head and back.

Place: Barrio Lempira, Comayagüela

Additional Information: Sevilla Chiang had worked about 20 years as a professor of Accountancy and Finances at Instituto Central Vicente Caseres, a High School of Tegucigalpa and according to the principal of the institution he was a professional colleague and friend of students.

http://www.laprensa.hn/Sucesos/Ediciones/2010/07/11/Noticias/Hallan-ultimado-a-maestro-en-baul-de-automovil2

http://www.latribuna.hn/web2.0/?p=155389 http://www.elheraldo.hn/content/view/full/413578

27. **Name:** Gensy

Date of dead: August 31st, 2010

Sexual Orientation/Sexual Identity: Transgender Woman (Travesti)

Legal Name: Germán Serrano Hernández

Age: 30

Cause and Circumstances of Dead: The victim was standing on a corner where she used to work as sex worker waiting for customers when subjects were driving a motorcycle shot her. She was taken to hospital Serrano Mario Catarino Rivas to save his life, however, he died.

Place: El Tamarindo, San Pedro Sula

Additional Information: She was one of the leaders of Colectivo Unidad Color Rosa where she was involved in education on issues related to sexually transmitted diseases like HIV/AIDS and LGTB Human Rights.

http://ensentidocontrario.com/2051/nuevo-asesinato-de-activista-gay-en-honduras/

http://www.elheraldo.hn/Sucesos/Ediciones/2010/09/01/Noticias/Matan-a-homosexual-en-San-Pedro-Sula

http://www.elheraldo.hn/Sucesos/Ediciones/2010/08/31/Noticias/Asesinan-a-lider-de-la-comunidad-gay-sampedrana



28. **Name:** Jorge Nelson Flores

Date of dead: November 6th, 2010

Sexual Orientation/Sexual Identity: Gay man

Age: 43

Cause and Circumstances of Dead: Victim's body was found with multiple stab wounds (knife) on 7 of November, 2010 at his home in the colony Torocagua. Police officials rejected the plea of the crime was an assault in the room because he found the money and all belongings of Flores. Among the evidence of conviction was found a bloody kitchen knife. Relatives have strong suspicions that he was murdered on Saturday 6th of November night, because from that day, when they had meeting had not heard anything back from him. One block from the crime scene was found abandoned his car a gray Mazda.

Place: Colonia Torocagua, Comayaguela

Additional Information:

 $\frac{\text{http://www.elheraldo.hn/Sucesos/Ediciones/2010/11/08/Noticias/Hallan-a-comerciante-asesinado-a-punaladas \\ \text{http://m.elheraldo.hn/17128/show/505f3a0c5267b5d39dbacfa25c38b06e\&t=0d8a9f48f13c9fd864e59ec7674ef7cc } \\ \text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa}{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa}{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa}{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa}{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa}{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa}{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-asesinado-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-a-comerciante-en-su-casa}{\text{http://www.laprensa.hn/Sucesos/Ediciones/2010/11/09/Noticias/Hallan-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Hallan-a-comerciante-en-su-casa}{\text{http://www.laprensa.hn/Sucesos/Hallan-a-comerciante-en-su-casa} \\ \frac{\text{http://www.laprensa.hn/Sucesos/Hallan-a-comerciante-en-su-casa}{\text{http://www.laprensa.$

29. Name: Indania Roberta Sevilla Raudales
Date of dead: November 28h, 2010

Sexual Orientation/Sexual Identity: Transexual **Legal Name:** Indania Roberta Sevilla Raudales

Age:

Cause and Circumstances of Dead: The victim was found bound hand and foot with cable television, which also suffocated to death, whose body was found lying on her bed in his room on November 29, 2010 morning. Police officers who arrived at the crime scene, reported that the appartament was completely disorganized, because murder or murderers were searching for values,

Place: Barrio el Reparto, Tegucigalpa

Additional Information: Well known transgender stylist

http://www.elheraldo.hn/Ediciones/2010/11/30/Noticias/Asesinada-hallan-a-conocida-estilista

http://www.latribuna.hn/web2.0/?p=213644

30. Name: Lorenza

Date of dead: December 18th, 2010

Sexual Orientation/Sexual Identity: Transgender Woman (Travesti)

Legal Name: Luis Alexis Alvarado Hernandez

Age: 23

Cause and Circumstances of Dead: The victim was found dead, her body visibly beaten and burned. Bloody stones near her corpse indicate that the bruises covering her body were caused by stoning. Her body was set on fire. Used condoms found nearby have led to the suspicion that she may also have been raped. After her death, the assailants threw her body into a ditch. News reports indicate that severe injuries to her face rendered her corpse virtually unrecognizable.

Place: Comayaguela
Additional Information:

 $\underline{http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/globalactionalerts/1308.html}$

http://eng.laprensa.hn/Sucesos/Ediciones/2010/12/19/Noticias/Lo-matan-a-pedradas-y-despues-lo-queman

http://m.elheraldo.hn/17128/show/5b8b6de7c27614babae9f98423eb94bd&t=3276e4939b5d57886249fa6e60c6eeb3

http://www.elheraldo.hn/Ediciones/2010/12/19/Noticias/Matan-a-homosexual-en-Comayagueela



Name: Lady Oscar

Date of dead: December 22, 2010

Sexual Orientation/Sexual Identity: Transgender Woman (Travesti)

Legal Name: Oscar Martinez Salgado

Age: 45

Cause and Circumstances of Dead: She was found burned to death in her home in Barrio El Rincón of Tegucigalpa. Her body showed multiple stab wounds. Neighbors report witnessing two suspicious individuals running from her house as the fire ignited.

Place: Barrio El Rincón, Tegucigalpa

Additional Information:

 $\underline{http://www.iglhrc.org/cgi-bin/iowa/article/takeaction/globalactionalerts/1308.html}$

http://m.elheraldo.hn/17128/show/f941724947710788321dbb51cbeeaf45&t=b3723216ef61773ce8574536c15093d3

http://www.elheraldo.hn/content/view/full/453780?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+elher_local_number_local_nu

aldo_titulares+%28El+Heraldo+-+Titulares%29

32. **Name:** Cheo

Date of dead: January 2, 2011

Sexual Orientation/Sexual Identity: Transgender Woman (Travesti)

Legal Name

Age:

Cause and Circumstances of Dead:

Place:

Additional Information:

33. Name: Genesis

Date of dead:

Sexual Orientation/Sexual Identity: Gay man

Cause and Circumstances of Dead:

Place:

Additional Information:

Relevant Laws and Resolutions

In June 2008, Honduras supported a Resolution on Human Rights, Sexual Orientation, and Gender Identity unanimously adopted by the General Assembly of the Organization of American States (OAS). Honduras, with the rest of the OAS, expressed its concern over violence faced by people because of their sexual orientation or gender identity and made a public commitment to end it.

In June 2009, Honduras is hosting the 39th General Assembly of the OAS in San Pedro Sula under the theme "Toward a Culture of Non-Violence." In the resolution AG/RES. 2504 (XXXIX-O/09) Human Rights, Sexual Orientation, and Gender Identity, the states



declare their commitment to condemn acts of violence and related human rights violations committed against individuals because of their sexual orientation and gender identity and to urge states to ensure that acts of violence and human rights violations committed against individuals because of their sexual orientation and gender identity are investigated and that their perpetrators are brought to justice.

Trangender People⁷

The substantial power and discretion given to the police in provisions of the 2002 Law on Police and Social Affairs facilitate police abuse and arbitrary detentions of transgender people. All transgender individuals are at risk of police abuse and detention, whether they engage in sex work or not. Sex work is not itself illegal in Honduras, but legislation has created grey areas that police can use to arrest people they believe are "morally" dubious, and they often include transgender people in this area. Those engaged in sex work have a compound fear of being prosecuted on the grounds of both their identity and of their work. Meanwhile, article 321 of the Criminal Code, which affords general protections against discrimination, is rendered ineffective by stigma and by the neglect that surrounds violence against transgender people.

Law on Police and Social Affairs

According to article 5 of this law, enacted in 2001, police should "preven and eliminate disturbances to tranquility, public morality, and proper conduct." 15 Article 142 (3) of the law includes specific provisions that give power to the police power to arrest anyone who "exhibits total nudity or goes against modesty, proper conduct and public morals ... and disturbs the neighbors' tranquility with their immoral conduct." Article 99 of the law includes sanctions against particular groups of people—including "vagabonds," defined as "people who have no honest known means of living; thus vagabonds include: street people, scoundrels, street prostitutes, drug addicts, drunkards, and gamblers."

Obligation to Deter, Prevent, and Investigate Abuses⁸

⁷ "Not Worth a Penny" Human Rights Watch, 2009

⁸ After the Coup Ongoing Violence, Intimidation, and Impunity in Honduras, Human Rights Watch 2010

L G L H B C

Honduras is party to several international treaties that impose an obligation to respect,

protect, and fulfill human rights listed in the treaties. Those same treaties also impose on

the Honduran state the obligation to deter and prevent violations of those rights, to

investigate and prosecute offenders, and to provide remedies to victims.

The obligation to deter and prevent is, in part, a corollary to the obligation to respect,

protect, and fulfill the human rights, reflecting the view that effective protection and

prevention require investigation and punishment. The IACHR, for example, has held that

"the State has the obligation to use all the legal means at its disposal to combat [impunity],

since impunity fosters chronic recidivism of human rights violations and total

defenselessness of victims and their relatives."

The duty to investigate and punish also derives from the right to a legal remedy that these

treaties extend to victims of human rights violations. Under international law, governments

have an obligation to provide victims of human rights abuses with an effective remedy,

including justice, truth, and adequate reparations.

Under the International Covenant on Civil and Political Rights (ICCPR), governments have

an obligation "to ensure that any person whose rights or freedoms as herein recognized are

violated shall have an effective remedy." The ICCPR imposes on states the duty to ensure

that any person shall have their right to an effective remedy "determined by competent

judicial, administrative or legislative authorities, or by any other competent authority

provided for by the legal system of the State, and to develop the possibilities of judicial

remedy."

Links:

http://www.webcitation.org/5it4Gk9Q1

http://www.cidh.org/countryrep/Honduras10eng/Honduras10TOC.eng.htm

http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136117.htm