

THE DANGEROUS AND VULNERABLE SITUATION OF TRANS WOMEN CONTINUES TO WORSEN

MURDER OF HUMAN RIGHTS DEFENDER AND MEMBER OF ARCOIRIS ASSOCIATION SCARLET CAMBEL

The objective of this ALERT is to demonstrate our concern over the continuous increase in attacks against members of the LGBTQI+ community and particularly against trans women. This alert also calls attention to this collective's longstanding vulnerable situation, which has worsened during the COVID-19 health emergency. In this new context, the LGBTQI+ collective has not been given priority by the Honduran government to receive state aid¹.

Since the beginning of the lockdown on 16 March, we have received information of, at least, fifteen violations of human rights perpetrated against trans women, which add to the considerable increase in domestic violence as a result of prolonged confinement. Reported violations have included intimidation, sexual assault, threats, arbitrary detention, medical negligence, and torture. These actions represent an escalation of violence that has so far culminated in at least three transfemicides in La Ceiba², Villanueva³ and Tegucigalpa^{4 5}. These murders add to the 106 hate crimes against trans women since 2009, as reported by the Cattrachas Lesbian Network⁶

According to witnesses, perpetrators include state security agents and private security guards, including those guarding health centres. This trend makes it difficult to report hate crimes, thereby contributing to these acts remaining unpunished. When the victim does file a complaint, the trans community reports being treated in a consistently humiliating manner, with authorities even refusing to investigate their complaints. Even when a complaint is accepted, investigations rarely see any progress. According to the Mesoamerican Women Human Rights Defenders' Initiatives, 96% of crimes committed against the LGBTQI+ collective over the past 10 years remain unprosecuted.

Transfeminicide of Scarlet Cambel, member of the Muñecas trans women's group of Arcoiris LGBT Association

On the night of 10 July, a group of trans women were attacked by unknown assailants in the centre of Tegucigalpa. The men arrived in a car with its license plates removed, and began to shoot in the direction of Scarlet Cambel, human rights defender and member of Arcoiris LGBT Association. Cambel died from her injuries, while another trans woman was injured in the hand. This killing occurred one year after the slaying of Bessy Ferrera, another member of Arcoiris. Arcoiris has spent months awaiting the implementation of collective security measures from the Honduran National Protection Mechanism.

Scarlet had already suffered several attacks in the months prior to her murder which were not investigated. On 15 April, Scarlet and two companions were assaulted by a military patrol in the centre of Tegucigalpa under the pretext of enforcing the COVID-19 lockdown; they were also threatened with forced disappearance should they report the incident. One month later, Scarlet was hospitalised following an attack against her and other trans companions by a group of men armed with baseball bats. Scarlet was also attacked by members of the private security forces hired by the Tegucigalpa's Teaching Hospital, where she was refused necessary medical attention. According to Arcoiris, the motive of the attacks against Scarlet could be related to an interview she gave in which she publicly denounced abuses committed by police and the armed forces.

¹ <https://pbi-honduras.org/news/2020-05/under-lockdown-honduras-trans-women-face-double-violation-their-rights>

² "Transfemicidio: asesinan a mujer trans en la Ceiba". Criterio. 3 May 2020.

³ "Encuentran cadáver de un miembro de la comunidad LGTB en Villanueva, Cortés". Once Noticia. 21 June 2020.

⁴ "[Alerta Defensoras] HONDURAS / Asesinan a la activista por los derechos LGTB+, Scarleth Cáceres". National Human Rights Defenders' Network. 12 July 2020.

⁵ According to data from the Violet Collective, since the beginning of the health emergency at least 6 members of the LGBTQI+ community have been murdered.

⁶ <https://cattrachas.org/index.php/es/observatorio>

The role of legislation and the media

The above figures and data reflect the violence and structural exclusion faced by trans women, within a wider context marked by a lack of public policies with differential foci. Since 2003, LGBTQI+ organisations in Honduras have promoted a Gender Identity Law to achieve legal recognition for the gender identities of trans individuals. However, the lack of advances in this area perpetuates the exclusion faced by the trans population in the areas of health, education, labour, among others, with consequences on the full enjoyment of their human rights.

Similarly, sexual diversity organizations are questioning common practices within the media that promote transphobia and hatred towards the LGBTQI+ collective⁷. In this sense, they highlight the important role of offering a comprehensive representation of diversity in the mitigation of stigma and discrimination, and in the contribution to the respect of human rights.

Based on this information, we ask the international community to:

- Ask relevant authorities to guarantee compliance with due process in the case of the transfemicide of Scarlet Cambel, as well as the other reported crimes which remain in impunity. Call for an immediate, exhaustive and impartial investigation, without revictimising those involved, to obtain justice and the reparation of damages caused to the victim and her loved ones.
- Remind the Honduran State of the pronouncements made by the United Nations Office of the High Commissioner for Human Rights (OHCHR) in relation to the urgent need for legislation and public policies directed towards the elimination of discrimination and violence based on sexual orientation and gender identity in Honduras, particularly in the time of COVID-19⁸.
- Call on the National Protection Mechanism of the Honduran State to rapidly and effectively implement collective protection mechanisms with a differential focus for Arcoiris Association, and that these measures be extended to the trans collective as well.
- Express interest in the approval of the Gender Identity Law as a way to advance non-discrimination and the respect for the rights of the trans collective.
- Include recommendations towards greater protection and full enjoyment of the rights of the trans population in the Honduran Universal Periodic Review (UPR) in November⁹.
- Host spaces or share public communications to express concern over the current situation faced by trans women as well as their historic and structural exclusion, and to demonstrate the value of those working for the promotion and defence of the rights of the LGBTQI+ collective.
- Promote the appropriate use of public information to generate inclusive messages that respect diversity within the media.

⁷ https://m.facebook.com/story.php?story_fbid=3399737270078784&id=100001276320842

⁸ <https://oacnudh.hn/oacnudh-resalta-la-necesidad-de-contar-con-legislacion-y-politicas-publicas-orientadas-a-la-eliminacion-de-la-discriminacion-y-la-violencia-basada-en-la-orientacion-sexual-la-identidad-y-la-expresion/>

⁹ Alternative Report for the Universal Periodic Review (UPR 2020) of the Committee for Sexual Diversity: “*The lack of a Gender Identity Law or adequate legal resources that grant transgender individuals equality of access in obtaining a legal identity that conforms with their gender identity places them in situations that hamper or impede the enjoyment of or access to fundamental rights, thereby creating discrepancies in treatment and opportunities that affect the principles of equality under the law and non-discrimination, as well as being an obstacle to their right to the full recognition of their legal personality*”.