

PUBLIC

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04 May 2007

Further Information on UA 78/07 (AMR 37/002/2007, 29 March 2007) – Fear for safety

**HONDURAS**                    **Donny Reyes (m), treasurer of LGBT rights group *Asociación Arcoiris* (Rainbow Association)**  
   **Other members of *Asociación Arcoiris***  
**New name:**                **Josef Fabio Estrada (also known as Debora) (m), Coordinator of *Asociación Arcoiris* Transvestite Group**

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A colleague of Donny Reyes, transvestite activist and sex worker Josef Fabio Estrada (also known as Debora) was attacked by a group of five men on 20 April. Police officers nearby reportedly encouraged the men to carry on beating him, and arrested him when he wounded one of his attackers. He has since been charged with attempted murder. He is reportedly being held in unsafe conditions in the state penitentiary and has received no medical attention.

Josef Fabio Estrada and two other transvestite sex workers had been working in a well-known gay/transvestite red-light district in Comayagüela, Tegucigalpa. At around 10pm, they were stopped and searched by a police patrol from Police Station No. 4. At the same time, the sex workers noticed a group of five apparently drunk men coming towards them. They had been attacked in this area many times, but felt that they would be safe with the police patrol car parked beside them.

One of the five men reportedly tried to remove Josef Fabio Estrada's wig, saying "What an ugly queer this is" (*Qué culero tan feo éste*). Fabio Estrada held his wig on, and the men began to assault him, throwing him to the ground, beating him and ripping his clothes off.

The police reportedly watched the attack take place, laughing and offering encouragement to the attackers: *Mátalo a este maricón, golpéenlo!* ("Kill the faggot, beat him!"). The police allegedly prevented the other two sex workers from intervening. During the attack, Josef Fabio Estrada reportedly found a sharp object on the ground, possibly a broken bottle, and used it to defend himself from one of the five men. At this point the police finally intervened: they arrested and handcuffed Josef Fabio Estrada, but left his alleged attackers free.

Josef Fabio Estrada was charged with attempted homicide (second degree) and robbery. At a preliminary hearing on 27 April the charges were increased to attempted homicide (first degree) and robbery.

Since the preliminary hearing, Josef Fabio Estrada has been held at the state penitentiary, normally reserved for convicted, not pre-trial prisoners. He is reportedly in the so-called "cell of death" (*celda de la muerte*), which allegedly houses prisoners suffering from tuberculosis, HIV/AIDS and mental illness. Colleagues from *Asociación Arcoiris* who visited him on 1 May noted that he had received no medical attention, and had visible injuries from the beating.

#### **BACKGROUND INFORMATION**

LGBT rights activist Donny Reyes, the *Asociación Arcoiris* treasurer, was reportedly arbitrarily detained by police in Comayagüela on 18 March. The officers beat him and then took him to a police station where they left him in a cell for over six hours, where other detainees repeatedly raped and beat him, allegedly encouraged by a police officer. Donny Reyes has lodged a formal complaint about this. Since then police appear to have attempted to intimidate him.

LGBT sex workers arrested and held at the No. 4 Police Station have reportedly suffered abuse at the hands of officers, including having tear gas sprayed in their eyes and being gagged and handcuffed to the bars of the cells.

*Asociación Arcoiris* have reportedly been forced to move their office at the start of May, due to the high level of police harassment they were suffering. Police patrol cars had reportedly parked outside the previous office every day to intimidate *Asociación Arcoiris* members, and had tried to come into the office without good reason on several occasions. Police had raided the offices last summer.

According to local NGOs, some 200 LGBT people were murdered in Honduras between 1991 and 2003. Few of these killings have been officially registered as hate crimes; fewer still have been investigated or had those responsible brought to justice.

**RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:**

- expressing deep concern at reports that police officers witnessed an assault on Josef Fabio Estrada on 20 April, and did nothing to stop it, which also led to one of the attackers being wounded;
- asking the authorities to ensure that Josef Fabio Estrada is immediately provided with medical attention and moved from the state penitentiary to a place of detention for detainees awaiting trial;
- expressing deep concern at reports that officers from No. 4 Police Station in Tegucigalpa have severely mistreated members of *Asociación Arcoiris* and other members of the LGBT community in their custody;
- urging the authorities to conduct a thorough and impartial investigation into the conduct of the police officers present during the attack on Josef Fabio Estrada, and to impose appropriate sanctions on any officer being found guilty of dereliction of duty or homophobic abuse.

**APPEALS TO:**

Public Security Minister

Álvaro Romero

Minister of Public Security, Ministry of Public Security

Edificio Pujol, 4to. Piso, Col. Palmira (Blvd. Morazán), Tegucigalpa, Honduras

**Fax: +504 220 4352 (Switched off outside business hours. If a voice answers, say "Tono de fax, por favor")**

**Salutation: Dear Minister/Estimado Sr. Ministro**

Attorney General

Leonidas Rosa Bautista

Fiscal General del Estado, Ministerio Público, Lomas del Guijarro, Tegucigalpa, Honduras

**Fax: +504 221 5667**

**Salutation: Dear Attorney General/Estimado Sr. Fiscal General**

**COPIES TO:**

Head of the Police

Comisionado Salomón Escota Salinas

Director General de la Policía Nacional Preventiva, Apartado Postal 3159, Tegucigalpa, Honduras

Fax: +504 237 9070

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and to diplomatic representatives of Honduras accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 15 June 2007.