

PUBLIC

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27 February 2009

UA 52/09 Fear for safety

PERU Techí (f)

Transgender woman Techí was kidnapped and tortured by members of a local neighbourhood watch patrol (*junta vecinal*) in the town of Tarapoto in San Martín Province, northern Peru, on 24 January and told that “this is being done to you because you had sex with a homosexual” (*Eso te pasa por mantener relaciones sexuales con un homosexual*). Amnesty International is deeply concerned at the attack on Techí and fears for her continued safety and that of other transgender people in the town.

Techí was detained by the president and members of local *junta vecinal* ‘Puerto Azul’ as well as members of the ‘Señor de los Milagros’ *junta vecinal* whilst in the street on 24 January. Techí was verbally and physically assaulted. She was also stripped naked, her head was shaved and she was made to do physical exercises until she was too weak to continue.

These events were filmed by a member of the *junta vecinal* and were made available to the public and broadcast on local television.

Techí filed an official complaint with the district prosecutor’s office on 3 February, although according to official procedures she was obliged to do so in her legal name and birth sex. A copy of this official complaint has been provided to Amnesty International.

BACKGROUND INFORMATION

Gender identity is understood to refer to each individual’s deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth on the basis of physiological characteristics. Gender identity is separate to sexual orientation, which refers to a person’s emotional and sexual attraction to individuals of a different, same or more than one sex.

The Organization of American States (OAS) adopted a resolution in June 2008 which expressed concern about acts of violence and related human rights violations against individuals because of their sexual orientation or gender identity in the region.

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

- expressing concern for the safety of Techí who was illegally detained and tortured by members of the ‘Señor de los Milagros’ and ‘Puerto Azul’ *juntas vecinales* in Tarapoto in the Province of San Martín on 24 January on the basis of her gender identity;
- urging the authorities to ensure that immediate, effective and appropriate measures are taken to guarantee her safety in strict accordance with her wishes;
- reminding the authorities of the recent Organization of American States (OAS) resolution on human rights, sexual orientation and gender identity which reaffirms the rights of individuals to freedom, life and physical integrity free from discrimination;

- calling on the authorities to order a swift, full and impartial investigation into this incident and to make the results of this investigation public and to bring those responsible to justice;
- calling on the authorities to make it clear that violence against transgender people will not be tolerated and that those responsible for these crimes will be brought to justice;
- reminding the authorities of their duty to guarantee the rights of all without discrimination, in particular the right not to be subjected to any kind of torture and other ill-treatment and their duty to protect the life and physical integrity of all, without discrimination.

APPEALS TO:

Minister of the Interior

Ministerio del Interior

Ministra del Interior

Sra. Mercedes Cabanillas Bustamante

Plaza 30 de agosto s/n Urb. Corpac

San Isidro

Lima, PERU

Fax: + 51 1 225 7234

Salutation: Dear Minister/Sra. Ministra

Attorney General

Ministerio Público - Fiscalía de la Nación

Fiscal de la Nación

Dra. Gladys Echaíz Ramos

Av. Abancay Cuadra 5 s/n

Lima 1, PERU

Fax: + 51 1 426 2800

Salutation: Dear Attorney General/Sra. Fiscal de la Nación

COPIES TO: and to diplomatic representatives of Peru accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 April 2009.