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### ***Activists demand justice for Vicky Hernández at Inter-American Court.***

HRW (11.11.2020) - <https://bit.ly/3fchZj1> - The government of Honduras has an obligation to conduct an effective investigation into any alleged violation of the right to life, and failure to do so violates the obligation to protect the right to life, Human Rights Watch said today in an amicus brief submitted to the Inter-American Court of Human Rights. This obligation includes preserving evidence at the crime scene, identifying witnesses, obtaining statements, conducting autopsies, and identifying any discriminatory motives.

The court has scheduled a hearing on November 11, 2020 in the case of Vicky Hernández, a transgender woman killed on the streets of San Pedro Sula in 2009. The petitioners allege, among other things, that Honduras bears responsibility for her death and that in failing to conduct a meaningful investigation into her murder, Honduras violated her right to life under the American Convention on Human Rights.

“The right to life is one of the most fundamental provisions in the American Convention and effective investigations into its alleged violation are crucial to its preservation,” said Cristian González Cabrera, LGBT rights researcher at Human Rights Watch. “As soon as state authorities become aware that someone has been killed or died in violent or suspicious circumstances, they are required to begin a serious, impartial, and effective investigation.”

In its amicus brief, Human Rights Watch argues that when there is reason to believe that a life-threatening or fatal attack is motivated by discrimination on the basis of sexual orientation or gender identity, the investigation must also include an investigation into this motive. The brief also highlighted the high rates of violence, including murder, that lesbian, gay, bisexual, and transgender (LGBT) Hondurans experience.

Catrachas Lesbian Network, a Honduran LGBT rights organization, filed a petition with the Inter-American Commission on Human Rights in 2012, alleging state responsibility in Hernández’s murder. In December 2018, the commission found Honduras responsible for violating rights in the case, including the right to life, the right to equal protection and nondiscrimination, and the right to judicial protection. The commission submitted the case to the court in April 2019 due to Honduras’ lack of compliance with the commission’s recommendations, including to introduce comprehensive policies to map and prevent anti-LGBT violence and to design training programs for state security bodies on anti-LGBT violence.

Hernández was a transgender woman, a sex worker, and an activist with the trans rights group Unidad Color Rosa. She lived and worked in an atmosphere of high levels of violence against LGBT people and in which government agents had targeted several human rights defenders for abuse. Hernández was killed subsequent to the military coup of June 2009, an event marked by violence and impunity, shortly after the de facto government imposed

a curfew and issued a decree suspending key civil liberties, including the freedoms of the press and assembly.

In May 2009, Human Rights Watch published a report, [“Not Worth a Penny”: Human Rights Abuses against Transgender People in Honduras](#). Human Rights Watch interviewed 35 people in Honduras in late 2008 and early 2009 who were victims of or witnesses to harassment, beatings, and ill-treatment of transgender people by the police. The police failed to investigate complaints from transgender people and LGBT organizations, Human Rights Watch found.

In October 2020, Human Rights Watch published another report, [“Every Day I Live in Fear”: Violence and Discrimination Against LGBT People in El Salvador, Guatemala, and Honduras, and Obstacles to Asylum in the United States](#). For this report, Human Rights Watch conducted 25 additional interviews with LGBT people about the violence they face in Honduras. Many LGBT Hondurans described a complex web of violence and discrimination, including from state and non-state actors, that threatens their physical safety, limits their life choices, and in some cases leads them to flee their country. Human Rights Watch found that Honduras has not taken sufficient steps to address anti-LGBT violence and discrimination and that in some cases, its laws and policies reinforce discrimination.

“All victims of violence in Honduras deserve to have their cases taken seriously and investigated thoroughly by the authorities,” González said. “LGBT people, who often face discrimination from the law enforcement agents and judicial institutions charged with keeping them safe, are no exception.”

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