

PUBLIC

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16 September 2003

Further Information on UA 258/03 (AMR 37/013/2003, 29 August 2003) Fear for safety/death threats

HONDURAS **Elkyn Suárez Mejía (also known as China) (f)**
Other members of the *Comunidad Gay Sampedrana* (Gay Community of San Pedro Sula)

Police protection was reportedly withdrawn from Elkyn Suárez Mejía, a transgender individual also known as China, on 13 September. Amnesty International is therefore increasingly concerned for her safety and that of other members of the non-governmental organization *Comunidad Gay Sampedrana* (Gay Community of San Pedro Sula), in northern Honduras.

At 6am on 13 September, the Police Commissioner in San Pedro Sula reportedly withdrew the police protection that had been provided to Elkyn Suárez Mejía, a defender of the rights of lesbian, gay, bisexual and transgender people, since early August. No reason for this withdrawal was given. The Office of the Attorney General, which had ordered the police in San Pedro Sula to provide the protection, has not commented or acted on this development.

Elkyn Suárez Mejía had been provided with 24-hour police protection after receiving death threats regarding information she had about the killing of Erick David Yáñez, a transgender female also known as Ericka, on 15 July. Elkyn Suárez Mejía gave her testimony to the authorities, leading to the identification and arrest of two police officers involved in the murder. However, one of the police agents escaped custody in mid-August and, to Amnesty International's knowledge, has not yet been recaptured. Members of the *Comunidad Gay Sampedrana* have received anonymous telephone death threats in relation to the case.

According to a report, dated 25 August, circulated by the Ministry of Government and Justice in connection with the killings of children and youths, "... the Interinstitutional Commission for Penal Justice (which coordinates the different participants in the criminal justice system in the country) ... has already initiated this process [the creation of a "National Witness Protection Programme"] by approving, during the first fortnight of August 2003, an instructive for the protection of witnesses in penal cases". It is not known when such a program would come into force.

Elkyn Suárez Mejía (also known as China), was wrongly identified as a transvestite in the original UA. As a transgender person, she identifies herself as female. Erick David Yáñez, also known as Ericka, was also a transgender person who identified herself as female.

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

- expressing increased concern for the safety of Elkyn Suárez Mejía, also known as China, after police reportedly withdrew their protection of her;
- urging the authorities to take immediate steps to reinstate police protection of Elkyn Suárez Mejía, in accordance with her wishes and needs;
- calling on the authorities to provide such protection for as long as is necessary to ascertain that Elkyn Suárez Mejía is no longer in danger, which may be beyond the period of the investigation and judicial proceedings on the murder of the transgender person Erick David Yáñez, also known as Ericka;
- expressing concern for the safety of other members of *Comunidad Gay Sampedrana*, and urging the authorities to take the necessary measures to guarantee their safety, in accordance with their wishes;
- calling on the authorities to ensure that those responsible for the murder of Erick David Yáñez are brought to justice;

- urging the authorities to ensure that the rights of lesbian, gay, bisexual and transgender persons are protected and that they are not subjected to discrimination on account of their sexual orientation or gender identity.

APPEALS TO:

Minister of Security

Dr. Oscar Alvarez, Ministro de Seguridad Pública
Ministerio de Seguridad Pública
Edificio Poujol, 4o piso, Col. Palmira (Blvd. Morazán)
Tegucigalpa, Honduras

Telegram: **Ministro de Seguridad, Tegucigalpa, Honduras**
Fax: **+ 504 220 4352**
Salutation: **Dear Minister/Señor Ministro**

Attorney General

Roy Edmundo Medina, Fiscal General de la República
Fiscalía General de la República, Colonia Loma del Guijaro
Tegucigalpa, Honduras

Telegram: **Fiscal General de la República, Tegucigalpa, Honduras**
Fax: **+ 504 221 5666**
Salutation: **Dear Attorney General/ Señor Fiscal General**

Police Commissioner

Mario Leonel Zepeda
Comisario de Policía
Jefatura Metropolitana No. 2, San Pedro Sula, Honduras

Telegram: **Comisario de Policía, San Pedro Sula, Honduras**
Fax: **+ 504 552 7340 (if someone answers ask for the fax: "me da tono de fax, por favor")**
Salutation: **Dear Commissioner/Señor Comisionado**

COPIES TO:

National Commissioner for the Protection of Human Rights

Comisionado Nacional de Protección de los Derechos Humanos, Ramón Custodio López, Avda. La Paz No. 2444, Contiguo a Galerías La Paz, Tegucigalpa, Honduras

Fax: **+ 504 232 6894**

Gay Community of San Pedro Sula

Comunidad Gay Sampedrana

Fax: **+ 504 553 4362**
E-mail: comunidadgay@123.hn

Noticiero Abriendo Brecha

E-mail: rwa@abriendobrechanews.com

TV news program

Noticiero Telenoticias

E-mail: tn5@televicentro.hn

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 28 October 2003.