

PUBLIC

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Fear for safety

MEXICO

Members of the *Asociación Queretana de Educacion para la Sexualidad* (Quereteran Association for Sexual Education)

Others campaigning for the rights of sexual minorities in Querétaro

A prominent human rights activist who campaigned for the rights of people with HIV/AIDS has been murdered in what appears to have been a homophobic hate crime, in the central Mexican city of Querétaro. His partner and other activists for the rights of sexual minorities in the city are in danger.

Health worker Octavio Acuña campaigned on various human rights issues, and also worked for the *Asociación Queretana de Educacion para la Sexualidad*, or Aquesex (Quereteran Association for Sexual Education). On 21 June he was found bleeding to death from multiple stab wounds in the condom shop (*condonería*) he ran in Querétaro. The shop was also a centre for young people to get information on sexual rights and HIV/AIDS issues. Nothing was reportedly stolen from the shop, indicating that the motive was not robbery.

Earlier this year the shop's window was reportedly sprayed with graffiti and its neon sign smashed. On another occasion the premises were burgled. In 2004 Octavio Acuña and his partner had filed a complaint with the local state-run Human Rights Commission, the *Comision Estatal de Derechos Humanos* (CEDH) alleging that municipal police officers had discriminated against them by stopping them in a public park and telling them that "their sort" should not be there. The CEDH reportedly took no action on the case. A few weeks before he was killed Octavio Acuña had spoken at a public meeting, condemning this inaction and the discrimination he had experienced at the hands of the CEDH and the local authorities.

Local human rights organizations have also reported that another gay rights activist was drugged and beaten on the weekend following Octavio Acuña's murder in what may also have been a homophobic attack. In the past the authorities have reportedly treated attacks on gay people as "crimes of passion", seeking to blame them on the victims' partners or other members of the gay community, without carrying out serious impartial investigations to establish whether the offences were hate crimes.

BACKGROUND INFORMATION

For many years, campaigners for the rights of sexual minorities in Mexico have reported high levels of homophobic violence, particularly against gay men, in many parts of the country. The discrimination which many people suffer when reporting such incidents often reflects official unwillingness to take allegations of homophobic violence seriously. Federal anti-discrimination legislation has begun to improve the legal framework for protecting the rights of sexual minorities, but the police are still not taking homophobic hate crimes seriously enough. Many state governments, including that of Querétaro, have failed to enact anti-discrimination legislation, leaving members of sexual minorities without the resources to challenge discrimination by state officials.

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

- expressing concern that the murder of Octavio Acuña on 21 June may have been a homophobic hate crime, and calling for an immediate, impartial and thorough investigation;

- calling on the authorities to guarantee the safety his partner, members the *Asociación Queretana de Educacion para la Sexualidad* and others campaigning for the rights of sexual minorities in the city, and to give them the protection they have requested;
- insisting that all lines of investigation into the murder of Octavio Acuña and other apparent hate crimes are followed impartially and effectively, so that partners or other members of the gay community are not unfairly blamed or harassed;
- reminding the authorities that the UN Declaration on Human Rights Defenders recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals.

APPEALS TO:

Governor of Querétaro

Francisco Garrido Patrón
 Gobernador del Estado de Querétaro
 Palacio de la Corregidora
 Pasteur esq. 5 de Mayo Col. Centro
 Querétaro, Qro, Mexico

Fax: +52 442 238 5000 (an automated system will respond, dial ext 5191)

Email: uaippe@queretaro.gob.mx

Salutation: Estimado Gobernador/Dear Governor

Attorney General of Querétaro state

Lic. Juan Martín Granados Torres
 C. Procurador de Justicia del Estado de Querétaro
 Lateral Carretera Querétaro, México. Numero 260
 Delegación Villa Cayetano Rubio
 Querétaro, Qro, Mexico
 C.P. 76090

Fax: +52 442 2387600 (an automated system will tell you to dial 1079; a voice will answer.
 Ask for "tono de fax, por favor")

Email: pgjq@queretaro.gob.mx

President of the state human rights commission

Lic. Pablo Enrique Vargas Gómez
 Presidente de la Comisión Estatal de Derechos Humanos de Querétaro
 Hidalgo #6, Centro Histórico
 Querétaro, Qro
 Mexico, C.P. 76000

Fax: + 52 442 2146007 Ext. 103 (dial the extension when the automated response starts)

Emails: presidencia@cedhqro.org

Director of Human Rights - Interior Ministry

Maestro Ricardo Sepúlveda
 Secretaría de Gobernación
 Reforma 99, PISO 21, PH
 Colonia Tabacalera
 C.P. 06030, Mexico D.F. Mexico

Fax: + 52 55 51 28 02 34 (if someone answers the phone ask for "tono de fax, por favor")

Salutation: Estimado Maestro/Dear Sir

COPIES TO:

Non-governmental human rights organization

Centro de Derechos Humanos "Fray Jacobo Daciano",
 Mariano Escobedo 135, Casa 11, Centro, Querétaro, Mexico CP 76000

and to diplomatic representatives of Mexico accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 August 2005.